

2024-25

Student Handbook

DAEMEN
UNIVERSITY

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(daemen.edu/calendar)

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SECTION 1

MISSION AND PURPOSE

This Student Handbook contains helpful information, guides, and directories. It also contains policy statements and regulations, which every Daemen University student is expected to follow. Each student is responsible for knowing and observing the contents of both this handbook and the Daemen University Catalog.

WELCOME

Daemen University (DU) is happy to welcome you to our campus community. The administration, faculty, and staff hope each year will be enjoyable and that you will choose to take advantage of the many opportunities for learning, growth, and development both inside and outside the classroom. Your years at Daemen University will be among the most important and rewarding in your life.

Since university provides you not only with formal education, but also with the time to explore, meet new people, and become a leader in the campus community, we hope you will get involved in the many enriching intellectual, social, cultural, and spiritual opportunities available to you here at Daemen University.

This handbook provides detailed and important information about campus policies, procedures, and practices. The Student Affairs staff is here to assist you in growing into the independence of life beyond home and university. We look forward to supporting you and challenging you as you fulfill your academic and professional dreams at Daemen. We are confident your DU experience will be demanding, fulfilling, and rewarding.

MISSION STATEMENT

The mission of Daemen University is to prepare students for life and leadership in an increasingly complex world. Founded on the principle that education should elevate human dignity and foster civic responsibility and compassion, the University seeks to integrate the intellectual qualities acquired through study of the liberal arts with the education necessary for professional accomplishment. This integration which recognizes equal value in liberal studies and professional programs aims at preparing graduates who are dedicated to the health and well-being of both their local and global communities.

With a Daemen education, students will acquire the skill to solve problems creatively and think critically. They will be comfortable with diversity and will recognize the importance of a global perspective. They will be able to work with others and be invigorated by environments that present challenges and demand innovation. Daemen students are expected to be active participants in their own education and informed citizens who understand that learning is a life-long journey.

At the heart of Daemen's integrated learning experience is the relationship that can develop between the University's faculty and its students. Daemen prides itself on maintaining a student-centered atmosphere and a close professional and collaborative association among all members of the University community. Assisted by a supportive faculty, Daemen students are encouraged to pursue goals beyond their initial expectations, to respond to academic challenges, and to develop habits of mind that will enrich their lives as well as those of their community.

NONDISCRIMINATION, EQUAL OPPORTUNITY, AND AFFIRMATIVE ACTION POLICY

Daemen University is committed to compliance with its obligations under Title IX of the Educational Amendments of 1972, Titles VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, the Age Discrimination in Employment Act, Executive Orders, the New York State Human Rights Law, and other applicable antidiscrimination laws. It is the policy of Daemen University to provide all students and applicants an equal access to all programs and facilities without regard to sex, sexual orientation, gender, race, color, creed, religion, veteran or military status, national origin, age, disability, familial status, marital status, domestic violence victim status, status as an ex-offender, arrest record, predisposing genetic characteristics or genetic information, or any other characteristic protected by federal or New York State law. Furthermore, the University will not discriminate against any individual with respect to the application of University policies, or the criteria for the successful completion of any course or program based on the statuses outlined above. Every person in the Daemen University community is required to be familiar with and act in accordance with this policy. This includes administrators, faculty, staff, students, contractors, and vendors. All violations of this policy will be addressed and, where appropriate, discipline will be administered. Any person or entity found in willful violation of this nondiscrimination policy shall be subject to termination, expulsion or contract termination as appropriate.

The University President has assigned day-to-day responsibilities for the implementation and administration of this policy to the VP Institutional Equity & Belonging & HEOP Director, Tiffany Hamilton, who is the University's Equal Opportunity and Affirmative Action Officer. Any questions concerning this policy and any complaints of discrimination should be communicated to the EOAA Officer, Duns Scotus, Room 115, Telephone 716-839-7699, thamilton@daemen.edu.

A student also has the right to file a complaint of discrimination with the Office for Civil Rights (OCR) of the U.S. Department of Education. Complaints are to be filed within 180 calendar days of the alleged act of discrimination and may be made to the New York regional office of OCR:

New York Office
Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
Fax: 646-428-3843; TDD: 877-521-2172
Email: OCR.NewYork@ed.gov

LEGAL DISCLAIMERS AND RESERVATIONS

The right is reserved to change any of the rules and regulations of the University at any time, including those relating to admission, instruction, and graduation. The right to withdraw curricula and specific courses, alter course content, change the calendar, and to impose or increase fees similarly is reserved. All such changes are effective at such times as the proper authorities determine and may apply not only to prospective students but also to those who are already enrolled in the University.

CAMPUS BUILDINGS AND FACILITIES

- **39 Getzville** is home to the Marketing and Communications division of the university.
- **Academic and Wellness Center (AWC)** houses the fitness center and recreation space, as well as state-of-the-art classrooms for physical therapy and athletic training.
- **Alumni House** is the home for Advancement, Alumni, and Employee Engagement offices.
- **Athletic Facilities** include a basketball court in Lumsden Gym, exercise and weight rooms in the Academic and Wellness Center, saunas, and an outdoor practice field.
- **Business Building** includes business faculty offices, classrooms, a computer lab and a student lounge as well as the Office of Information Technology.
- **Campus Village Apartments** comprise seven buildings with 96 apartment-style units. Each apartment has four bedrooms, two bathrooms, living room and a kitchen. Lounges and laundry facilities are also available on each floor.
- **Canavan Hall** is a suite-style residence hall with kitchenettes, lounges, and laundry.
- **Duns Scotus Hall** houses administrative and faculty offices, classrooms, science laboratories, art studios, lounges, and the bookstore.
- **Haberman Gacioch Center for Visual & Performing Arts** is a dramatic space which features the Tower Gallery, studios for illustration, figure drawing and painting, a graphic design production area, computer labs, faculty offices and the Sr. Jeanne File Art History Resource Center.
- **Honors House** is the home for the Honors Study Lounge and Honors Program.
- **John R. Yurtchuk Student Center (Formerly Charles J. Wick Student Center)** houses student life offices, including Campus Safety and the 24/7 Information Desk, lounges, a main dining room seating 650, the Wildcat Den, and a social room/auditorium seating 500.
- **MusicalFare Theatre** houses the theater and offices of MusicalFare Theatre.
- **Patricia E. Curtis Hall** houses Physician Assistant, Psychology, & Social Work.
- **Research and Information Commons (RIC)** was built with innovative green technology, and is LEED Gold-certified. The RIC houses a comprehensive library, the Student Success Center, Smart Squad, the Professional Educator Resource Center, 78 West Cafe, small-group study rooms, and many state-of-the-art amenities to enhance the study experience.
- **Rosary Hall** is the original University administrative and classroom building, currently restored to house the division of Enrollment Management & Admissions.
- **Schenck Hall** houses laboratory facilities, classrooms, and a 300-seat lecture hall.
- **Thomas Reynolds Center for Special Education & After-School Programs** includes a conference room, an observation room, and four classrooms, one of which is equipped with a smartboard.

SECTION 2

STUDENT AFFAIRS AND SERVICES

DEPARTMENT OF STUDENT AFFAIRS

daemen.edu/studentaffairs

Telephone: 716-839-8200

studentaffairs@daemen.edu

John R. Yurtchuk Student Center Second Floor Student Affairs Suite

The Division of Student Affairs is committed to creating a safe and secure living and learning atmosphere that is focused on students which promotes student development, mutual care and respect, ethics, leadership, balance and wellness.

VICE PRESIDENT FOR STUDENT AFFAIRS

Kerry L. Spicer

kspicer@daemen.edu

Telephone: 716-839-8200

John R. Yurtchuk Student Center 200

DEAN OF STUDENTS

Luke Haumesser

lhaumess@daemen.edu

Telephone: 716-839-8200

John R. Yurtchuk Student Center 200

ACADEMIC ADVISEMENT

daemen.edu/advisement

Telephone: 716-839-8228

sfennell@daemen.edu

Student Success Center, RIC First Floor

Students are assigned a faculty advisor who will help them schedule courses and choose the electives that will meet their curricular requirements, as well as prepare them for their particular career goals. In addition to the faculty advisor, Academic Advisement is available to help students make appropriate decisions related to scheduling, course sequencing for specific career paths, and degree requirements. Each student is responsible, ultimately, for their course selections that lead to a university degree.

Academic Advisement works closely with students and offers guidance on academic, personal, and social matters. They also assist them with their adjustment to the University, maintain close contact with advisors, and provide academic counseling/support to students on academic probation. In addition to the guidance students receive from their faculty advisors, they should attend departmental meetings during the school year. These sessions, held twice each semester, give students the opportunity to obtain important information about their academic programs and an opportunity to ask faculty any questions related to their majors.

Advisors

All students are assigned an advisor when they enter Daemen University and should meet with their advisors prior to registering for courses, prior to midterms and final exams. Students are encouraged to discuss academic, career, and personal matters with their advisors at any time.

Add/Drop

Students may add or drop courses during the first week of classes.

Course Withdrawals

After the first week of classes, it is no longer possible to drop a course; however, students may withdraw from a course. Depending on the date of withdrawal, students will be responsible for partial or full tuition. Students may petition the *Committee on Academic Standards* if they believe that extenuating circumstances warrant their receiving permission to withdraw after the last day for authorized withdrawal (usually two weeks after midterm exams). Students receiving financial aid should always check with a financial aid counselor to see if course withdrawal will have adverse financial aid consequences.

Peer Mentor Program

New first-year students will have Peer Mentors during the fall semester as part of their first year “Gearing Up” experience. A Peer Mentor is assigned to an individual first semester course, assuring that all first-year students have access to a Peer Mentor to assist them in making successful transitions to Daemen University. Peer Mentors are Daemen students with sophomore through senior standing who work closely with new students. Peer Mentors can help students adjust academically and socially to university life and assist students in developing skills for a successful university journey. Peer Mentors have numerous resources available to them to help their fellow students make a smooth

transition between high school and university. The Peer Mentor Program is designed to cover all aspects of university life and to assist students from the first day of classes.

ACADEMIC SUPPORT AND ENGAGEMENT

daemen.edu/coach

Telephone: 716-839-8228

findacoach@daemen.edu

Student Success Center, RIC First Floor

Daemen University offers a robust support network designed to empower students in their academic journey. Academic coaching, led by accomplished peers recommended by faculty and extensively trained, covers a wide array of subjects. Additionally, professional coaches specialize in writing and study skills ensuring comprehensive assistance.

Whether through individual appointments or group sessions, academic coaching is readily available, providing personalized guidance tailored to each student's needs. Moreover, our Writing Specialist stands ready to assist with any writing task, offering expert advice and constructive feedback.

For broader academic success strategies, students are encouraged to schedule meetings with the Director of Academic Support and Engagement. Here, they can delve into essential skills such as time management, memory enhancement, test-taking techniques, and identifying individual learning preferences. This holistic approach equips students with the tools and knowledge they need to excel both inside and outside the classroom.

ACCESSIBILITY SERVICES

Telephone: 716-839-8228

Fax: 716-745-4335

access@daemen.edu

Student Success Center, RIC 113

Daemen University is committed to ensuring equal access and full participation in all programs and activities for all students. Accessibility Services is the department designated by the University to determine reasonable and appropriate accommodations and services for students with disabilities. To begin the interactive process of determining accommodations or to receive more information, please contact Accessibility Services by phone: 716-839-8228 or email: access@daemen.edu

ALUMNI RELATIONS

daemen.edu/alumni

Telephone: 716-839-8364

alumni@daemen.edu

Alumni House

The Alumni Relations office strives to ensure that Daemen University students know they are forever a member of the Daemen family. The office encourages the lifelong engagement of alumni and provides a range of opportunities to connect with friends, faculty, staff, and students. Alumni are always welcome back to campus to engage with

each other and current students through a variety of ways. Alumni are provided with lifelong benefits, including: fun and engaging events, the ability to audit courses, the opportunity to be featured as an Alumni Spotlight, career services assistance, athletic facility membership, library access, alumni discounts and more. The Alumni Association Board of Directors serves the needs of the Daemen alumni and the student community by retaining close ties with the alma mater through specialized programming and activities designed to foster pride, spirit, and traditions while educating students about philanthropy and alumni involvement. All services benefit students, both currently enrolled and as future alumni.

The Alumni Relations office proudly offers volunteer opportunities for current students to connect with the alumni through the award-winning Student Alumni Ambassador program. The Ambassadors serve as hosts at alumni association-sponsored programs, assist with outreach for Alumni Relations functions, provide mentorship to students from alumni, and plan leadership opportunities for growth and development for current students and alumni. To learn more about this program, please email saa@daemen.edu.

Once a Wildcat, always a Wildcat. Forever Daemen.

ATHLETICS

Traci Murphy, Vice President

Telephone: 716-839-8587

tmurphy@daemen.edu

Athletics Facility 156

Daemen University is a member of the National Collegiate Athletic Association (NCAA) Division II and the East Coast Conference (ECC) and Northeast Conference (NEC). As members, all Daemen University student-athletes compete in a full NCAA D-II schedule and follow all applicable NCAA Rules and Regulations. For more information on Daemen University Athletics please visit the website: daemenwildcats.com.

The main objectives of Daemen Athletics are to:

- create tomorrow's leaders by developing championship-caliber student-athletes today;
- cultivate high character student-athletes through competitive excellence fostered in the classroom, developed through sport and practiced in the community;
- accomplish these objectives by having a dedication to a championship mindset, allegiance to our Wildcat culture, progressive communications strategies, support for equity, diversity and inclusion, comprehensive development of student-athletes and a desire to build more community and spirit for Daemen Athletics.

The Academic & Wellness Center

Daemen University Division of Athletics oversees many facilities through the mission of the program. The Academic & Wellness Center (AWC) serves as Daemen University's primary recreation hub, open to the entire university community for various activities. The AWC is the home of the campus fitness center, which contains cardio machines, dumbbells and racks, along with the recreational gym where intramural programs are

hosted. Community members may use the facilities with their Daemen photo ID card. For hours of operation and details on the facility, visit daemenwildcats.com.

BOOKSTORE

daemen.bncollege.com

Telephone: 716-839-8263

sm8388@bncollege.com

Duns Scotus

The Daemen University Campus Store (Barnes & Noble #8388), located on the ground floor of Duns Scotus Hall, carries all required and optional textbooks (new and used), as well as study and exam guides. Daemen University's All Access Pass program gives you access to all of your course materials before the first day of class. For more details on the All Access Pass visit us at www.Daemen.edu/allaccesspass. The bookstore also carries school supplies, trade books, art supplies, Daemen University clothing, and gifts. Research and supplementary texts can be special ordered. Stamps and envelopes are available at the checkout. The bookstore accepts cash, Mastercard, Visa, Discover, and American Express. We also make arrangements with the Office of Student Accounts to set up "book credit" accounts for students who wish to use their financial aid for the purchase of textbooks and supplies. Visit the bookstore at daemen.bncollege.com or from the Daemen home page under "Student Services."

CAMPUS SAFETY

Doug Smith, Director

Telephone: 716-839-SAFE (7233)

dsmith@daemen.edu

John R. Yurtchuk Student Center

Through professionalism and a focus on service, the Office of Campus Safety will provide the Daemen University community with a safe and secure campus environment that is conducive to learning and growth. In addition to coordinating a security presence on campus, Campus Safety provides leadership and direction to the Emergency Response Team and acts as a liaison with local law enforcement. Campus Safety is located in the John R. Yurtchuk Student Center and is available 24 hours a day/7 days a week.

Identification Cards (Daemen ID)

All students at Daemen University receive a University ID/Access card free of charge. This card should be carried at all times. University ID/Access cards offer identification when using your meal plan, borrowing materials from the RIC, admission to campus events, making purchases in the Bookstore, using the Athletic Facility, and for some, card access to some areas, (e.g. Canavan Hall). University ID/Access cards can be obtained through the Office of Campus Safety in the John R. Yurtchuk Student Center.

1. This card is the property of Daemen University and must be presented upon request by duly authorized University officials. IDs are issued once (for free) after arrival on campus and will be valid at all times while enrolled at Daemen University.
2. Acceptance of this card signifies agreement to abide by the rules governing its use. Failure to conform to these rules can result in the loss of those services to which the card gives access.

3. ID cards are not transferable. Lending the card to others is prohibited.
4. Students should not cut, bend, cut holes in, or otherwise deface the card. This may invalidate the card.
5. A replacement fee of \$20 is charged for lost or stolen cards. Damaged cards are replaced free of charge in exchange for your old ID.

Students may be asked by Campus Safety or other University authority to show their ID card. Failure to present your ID card may result in disciplinary action by the University (see Section 8).

CAREER SERVICES

daemen.edu/careerservices

Telephone: 716-839-8334

careerservices@daemen.edu

Career Services Suite, John R. Yurtchuk Student Center 1st Floor

WildcatWorks (for internships and jobs)

daemen.joinhandshake.com/login

Career Services exists to provide students with the resources, career-management skills, experiential opportunities, and support to prepare and empower them to achieve their career goals. Career Advisors are available to help develop an individualized Career Action Plan (iCAP), link a university major with career or graduate school plans, create or refine the resume and cover letter, and enhance interviewing skills with a mock interview. Students are also able to complete personal assessments (maybe list an example here?) to help identify the best career fit for their interests.

- Students are encouraged to participate in academic, credit-bearing internships in WNY, in their home state, or in an international setting. An additional option is to participate in a full semester in Washington, DC, or Albany, NY.
- Internship sites include businesses, industries, government, health-related facilities, educational, and non-profit and cultural organizations.
- Career Services offers Career Field Experience 97 (CFE97) which is a non-credit, free, prerequisite hybrid course designed to help students prepare their professional documents, learn job-seeking and interviewing skills, and present themselves in a professional manner.
- Department contact information, and news about career events, including the annual Career & Internship Expo and the monthly Recruiters on Campus (ROC) events can be found on the Career Services website.
- Jobs and internship opportunities can be found on WildcatWorks (aka Handshake), a mobile-friendly platform for finding jobs, internships, notifications of on-campus events, and connecting directly with employers.

CENTER FOR DIVERSITY & INCLUSION (CDI)

daemen.edu/diversity

Telephone: 716-839-7210

diversity@daemen.edu

Duns Scotus 115

The Center for Diversity and Inclusion (CDI) at Daemen University takes great pride in fostering a vibrant and inclusive campus community. In close collaboration with our esteemed campus and community partners, we prioritize the delivery of transformative educational experiences that embrace diversity and foster the exchange of diverse perspectives. As the primary facilitators, we are committed to providing enriching and impactful opportunities for our diverse community, creating an environment that celebrates the richness of people and ideas.

Moreover, we are committed to fostering inclusive and equitable environments where all individuals can thrive. Our institution is dedicated to promoting dialogue and taking meaningful action at the intersections of identities. We strive to empower our faculty, staff, and students by providing them with comprehensive resources, guidance, and unwavering support. Together, we aim to create genuine, compassionate, and accountable anti-racist living and learning communities that benefit everyone within our institution.

CHIP CENTER

daemen.edu/chipcenter

Telephone: 716-839-7380

chip@daemen.edu

CHIP Center, John R. Yurtchuk Student Center, 116-121

The John R. Yurtchuk Student Center is home to the CHIP Center: Counseling, Health, Insurance, and Prevention. The CHIP Center (student wellness center) offers various support services including, but not limited to, individual counseling, a wellness kiosk with free, over-the-counter wellness products, and referrals to community resources and wellness programs year-round. Students describe the CHIP Center as calm, peaceful, welcoming and stress-relieving. In addition to offices and waiting areas, students have 24/7 access to the gender neutral restroom and the prayer and meditation room housed in the CHIP Center. The CHIP Center team looks forward to helping each student promote lifelong physical, emotional, and spiritual well-being.

CLASSROOM AND EVENTS TECHNOLOGY

daemen.edu/cet

Telephone: 716-839-8430 (*Monday - Friday 8 am - 6 pm, Saturday hours vary*)

cts@daemen.edu

Research and Information Commons 105

Classroom and Events Technology provides the University community with instructional equipment such as video projectors, document cameras, sound reinforcement, streaming reinforcement, and many other types of equipment. Student organizations may also request the use of equipment through the Office of Student Activities.

COMMUNITY STANDARDS & STUDENT ADVOCACY

daemen.edu/communitystandardsandstudentadvocacy

Telephone: 716-839-8200

mrodrig1@daemen.edu

John R. Yurtchuk Student Center, First Floor, 109

The Department of Community Standards & Student Advocacy is determined to advocate for all students by assisting them in setting and achieving their academic, professional, and personal goals, through creating an environment that ensures all students feel safe, respected, and valued with adherence of Daemen University's policies, procedures, and Code of Conduct. The office helps implement a model of education-centric restorative justice within our community standards and our conduct process that is equitable to all students. In addition, the office provides assistance to students in obtaining resources on and off campus. Lastly, regardless of the services sought, the office and staff remain respectful of the privacy of each and every student while remaining in compliance with Daemen's policies and practices.

CONFERENCE SERVICES

daemen.edu/conferences

Telephone: 716-839-8253

events@daemen.edu

John R. Yurtchuk Student Center, Second Floor

Conference Services, located in John R. Yurtchuk Student Center, provides direction and assistance to campus departments in planning and promoting meetings, conferences, and events. The department is responsible for helping secure internal room reservations and related needs for University administrative and academic offices (non-student organizations) as well as reservations for external organizations and groups.

Those who wish to book a meeting or event should use the [Reserving Facilities Request](#) form.

COUNSELING SERVICES

daemen.edu/counseling

Telephone: 716-839-7380

counseling@daemen.edu

CHIP Center, John R. Yurtchuk Student Center, 117-120

The counselors at Daemen University serve the psychological well-being of students so that they may be successful academically, ethically, spiritually, and personally. All registered Daemen students are eligible to attend up to 15 sessions per academic year free of charge. Services provided include: individual counseling, mediation, consultation, and resource connection. Common reasons students utilize services include mental health needs, interpersonal challenges, and/or coping with academic difficulties.

All counseling sessions are confidential. Your privacy and trust are important to us and are protected by state laws and professional ethical standards. No information can be released without your written authorization. However, confidentiality is legally limited. Your counselor will speak with you about the limits of confidentiality when you first meet. Feel free to ask your counselor any questions or express any concerns you may

have about confidentiality. All in-person counseling appointments take place in the CHIP Center counseling offices (John R. Yurtchuk Student Center 117-120). Virtual counseling appointments are also available. To request an appointment, please complete the support form online at daemen.edu/counselingsupport.

For more information, please visit daemen.edu/counseling, email counseling@daemen.edu, or call 716-839-7380.

DINING SERVICES

daemen.edu/diningservices/menus

Telephone: 716-839-8328

dining@daemen.edu

John R. Yurtchuk Student Center, Second Floor

Dining Services provides more than meals; they provide the place and space to connect with others or relax after classes. In addition to providing meals for the resident student population in the John R. Yurtchuk Student Center Dining Room, Dining Services operates the Wildcat Den and 78 West for more informal dining options such as quick-serve menus and grab-and-go for light meals, snacks, and beverages.

In the dining room, resident students must scan their current ID card at every meal. This will confirm that the student is on a meal plan and will provide entry to the dining hall for each meal. Students must carry ID cards to all meals for admittance. There are no exceptions. Meal plans are not transferable; any student allowing another person to use their meal card to gain access to the dining room may lose all meal privileges. Please remember - the meal plan is only for the students who paid for it.

Members of the entire Daemen community, including commuter and resident students, faculty, staff, and administrators, are welcome to purchase meals in the dining facilities. Breakfast, lunch/brunch, and dinner may be purchased by non-residents at a low per-meal cost. The at-the-door cash prices for meals in the John R. Yurtchuk Student Center Dining Room may be found on the website.

“CAT Cash” can also be used at dining facilities. Payments into a CAT Cash account can be made at the Food Service Office in John R. Yurtchuk Student Center or online at daemen.edu/food. CAT Cash balances roll over from fall to spring semester only. Any balance remaining after the spring semester is non-refundable. Students who "brown bag" their lunch will not be allowed in the John R. Yurtchuk Student Center Dining Room but may eat in The Wildcat Den. The Wildcat Den offers fresh, made-to-order meals with a different concept every two-three weeks. Visitors can also enjoy hand-pressed burgers, chicken fingers, fries, and more at the grill.

Please check the website for more information, including:

- Menus
- Dining hours
- Special health or dietary concerns
- Food allergies
- Meals to go
- Payment plans

Take out Dining

In an effort to reduce our carbon footprint, Daemen Dining has instituted an Eco friendly take out service. All students on a meal plan are provided with an Eco To Go container to take meals out of the dining room. This program functions by having dirty containers exchanged for a clean and sanitized container. A container must be exchanged each time you wish to take take out. Additional or replacement containers may be purchased for \$15.00 at the John R. Yurtchuk Student Center Dining Room register. Those taking their meal to go may also bring any container (up to 32oz) of their choosing to take a beverage to go.

Vending machines are located around the campus. The Dining Service maintains and services these machines. If you should have problems with one of these machines, come to the Dining Service Office between 9 AM – 4 PM, Monday through Friday for a refund. Vending is always available when buildings are open.

Dining Services regulations are included in the Student Conduct section of this handbook.

FINANCIAL AID

daemen.edu/financialaid

Telephone: 716-839-8254

finaid@daemen.edu

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The Financial Aid office provides information and assistance through a variety of **grant and loan programs**. Financial Aid information including Federal Aid Programs, Daemen University Aid Programs and Alternative Payment Options can be found on the Daemen University Financial Aid website. Students cannot receive financial aid unless they apply for it. The Financial Aid office recommends that students submit their *Free Application for Federal Student Aid* (FAFSA) by November 15 each year at studentaid.gov.

Financial Aid for Study Abroad

The Financial Aid office provides information and assistance through a variety of **grant and loan programs**. Financial Aid information including Federal & State Aid Programs, and Alternative Payment Options can be found on the Daemen University Financial Aid website. Students cannot receive financial aid unless they apply for it. The Financial Aid office recommends that students submit their *Free Application for Federal Student Aid* (FAFSA) by November 15 each year at fafsa.gov.

GLOBAL PROGRAMS

daemen.edu/global

Telephone: 716-566-7837

international@daemen.edu

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Study Abroad

The Global Programs Office (GPO) specializes in study, internships, and service-learning opportunities abroad. Did you know that 73% of employers say study abroad is important when evaluating candidates? (*Global HR News*) Daemen believes every student can

enjoy academic, professional, and personal benefits by going abroad during university. There are several avenues for students to pursue academic experiences abroad and GPO helps find the program that best fits your goals.

Students from all majors are able to study abroad during their time at Daemen. Students may study abroad during spring break, January intersession, summer, or for a semester. Daemen students can study abroad as early as their first year. GPO offers a menu of International Seminars each year, giving students the chance to travel with Daemen faculty while completing coursework.

International Student Services

GPO also provides services and support to international students at Daemen. This includes helping international students with their initial adjustment to life in Buffalo and the American academic system. GPO works closely with campus and community partners to ensure international students and their families have the opportunity to achieve their personal and professional goals while at Daemen University.

GPO is responsible for issuing the Form I-20 and helping international students obtain the immigration benefits to which they are entitled. They also assist in obtaining social security cards and driver's licenses. Each semester they organize events for Daemen's international community to get to know the greater Buffalo area and experience American cultural traditions. From academics to immigration, they are here to help with any questions.

HEALTH AND INSURANCES SERVICES

daemen.edu/healthservices

Telephone: 716-839-7380

health@daemen.edu

CHIP Center, John R. Yurtchuk Student Center 116

The health services office is home to the Wellness Kiosk, a great resource for free, on-the-go wellness items for students. The public health professionals on our team work with students to identify and overcome barriers to accessing and utilizing wellness services on campus and in the community. The team also partners with community-based organizations to offer on campus wellness opportunities including screenings for sexually transmitted infections (STIs), flu shot clinics, blood drives and other wellness events. As a collaborative partner with the [Wildcat Wellness](#) student team, the office offers access to fun, engaging, and educational wellness opportunities year-round. Wellness events focus on self-care and mental health awareness, linking students to services on and off campus.

In compliance with New York State Public Health Laws, the health and insurance office ensures students are compliant with immunization requirements and maintains confidential immunization and medical records. Students also have access to a health insurance plan through UnitedHealthcare and can work with the team to access and enroll in the insurance marketplace.

For more information, please visit daemen.edu/healthservices, email health@daemen.edu or call 716-839-7380.

HOUSING AND RESIDENCE LIFE

daemen.edu/residencelife

Telephone: 716-839-8200

residence.life@daemen.edu

John R. Yurtchuk Student Center 204

The Housing & Residence Life program at Daemen University is committed to facilitating and enhancing the academic, social, and personal growth of residential students. This is accomplished by fostering an atmosphere of open communication, responsibility, inclusion, and mutual cooperation.

Those who reside in on-campus housing must agree to abide by the terms of the Housing & Dining Services Agreement and choose a meal plan option as indicated by the Office of Housing and Residence Life. Students living in Canavan Hall are assigned the 19 meal plan. Students must have full-time academic status (12 undergraduate credit hours, 9 graduate credit hours) with Daemen University to be eligible for and maintain on-campus housing. Part-time, special situation housing may be available on a limited basis and depends on space availability.

Residence Life student staff members, or resident assistants (RAs), are housed in each of the residence halls. For the 2023-2024 academic year, Campus Apartment Building 71 contains self-governed spaces. While there is an RA responsible for 71, this RA does not reside within the building. RAs work to create a strong living and learning community. RAs are available to all students at Daemen who have questions or need assistance. RAs are trained in conflict mediation and are well versed in Daemen University resources. RAs are directly supervised by the Assistant Director of Housing and Residence Life and Graduate staff (who live in the residence halls). In addition to Campus Safety, there is a professional on-call rotation available for response to student needs at all times during regular residence hall operation.

INFORMATION TECHNOLOGY SERVICES - HELP DESK

daemen.edu/it

Telephone: 716-839-8430

helpdesk@daemen.edu

Research and Information Commons 105

All Daemen University students are provided with a wide array of information technologies. Assistance is available via phone, email, and our extensive knowledge base called [How Do I](https://howdoi.daemen.edu/knowledge-base/microsoft-office-365/). Microsoft Office 365 can be downloaded to an array of devices: <https://howdoi.daemen.edu/knowledge-base/microsoft-office-365/>

The Office of Information Technology maintains student email and Google Apps accounts, Blackboard accounts, printer management, campus-wide wireless and wired internet services, and the MyDaemen and HUB websites. These services are available to Daemen University students following [Daemen's Acceptable Use Policy](#). Students are expected to check their Daemen email accounts consistently, as official messages may be sent only via email.

Daemen University uses social media platforms to communicate with stakeholders and market the institution, its academic programs, and its public value to our community and

beyond. Institutional accounts are monitored and managed by the Marketing department within Institutional Advancement. Individuals, including students, who post on behalf of official Daemen University social media accounts, will not violate the Student Handbook's Code of Conduct. Please note that the Code of Conduct also informs the institution's expectations of personal use of social media. Actions in violation of this code can result in disciplinary action.

Additionally, the Office of Information Technology cautions all members of the Daemen community to remain vigilant and protect their personal integrity and maintain appropriate privacy settings while accessing social networking and messaging sites.

File sharing is prohibited and copyright law must be followed.

[File Sharing](#)
[Technology Services - File Sharing Notification](#)
[Copyright and Online Teaching](#)

LIBRARY

daemen.edu/library

Telephone: 716-839-8243

library@daemen.edu

Research and Information Commons

Located in the Research & Information Commons (RIC), the library serves as a gateway to information resources found in Western New York and around the world. The mission of the Daemen University Library is to support teaching and learning, provide information for research, and to provide recreational reading for the University community. The library provides access to digital information, an inspiring space for collaboration and study, as well as helpful and knowledgeable staff to assist the University community in their information needs.

Collection

The library provides access to about 50,000 print books, more than 700,000 ebooks, almost 100,000 e-journals and magazines, and 633 non-digital magazines. There are more than 35,000 e-videos and about 600 physical DVDs. Faculty, students, staff and administrators may recommend new materials for purchase.

Services

Research and instruction librarians help students, faculty, and staff find the information they need. They provide a) library instruction so that classes may become aware of the resources necessary to complete course assignments; b) individual instruction on locating and analyzing resources so that students may independently locate and analyze resources; and c) research consultation to students, faculty, and staff to help begin and focus a new research project or to assist in locating rare or hard-to-find sources. The library staff collectively possess the specialized skills necessary for the library to function in a diverse, global, and increasingly complex information environment. Please seek their assistance.

All library study spaces within the RIC include the following: quiet study space, talking-permitted study space, group study rooms, meeting spaces, a coffee shop, and two presentation rooms with appropriate technology.

Students, faculty, and staff need only to present a valid Daemen University ID card to fully access all the collections and services the library has to offer. The library homepage provides the virtual gateway to perform baccalaureate and graduate level research. Users may also search specialized databases for full-text scholarly articles and other full-text information located around the world. Most course-reserved readings are available on the library website. Students may borrow laptop computers from the Circulation Desk for use within the RIC.

Information sufficient for the majority of classroom assignments is available from the library. However, if users need specialized information located elsewhere, an interlibrary loan is available. Through the Academic Share Program, students and faculty can access other University and research libraries in Western New York by presenting their Daemen ID to that library.

MAIL SERVICES

daemen.edu/mail

Telephone: 716-839-8453

mailroom@daemen.edu

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The Mailroom provides a variety of services for the University community. Mailroom personnel are responsible for making sure mail is delivered to students via their campus mailbox. Mailroom personnel can also assist in sending letters or packages that weigh less than 10 lbs through the US Mail. There is also a fax machine available for student use in the Mailroom. For more detailed information, please stop by or visit our website.

MUSICALFARE

musicalfare.com

Telephone: 716-839-8540

mfticket@daemen.edu

MusicalFare Theatre

MusicalFare Theatre is a professional regional theater which has been in residence at Daemen University since 1992. MusicalFare annually offers performances of world premiere, area premiere, and newly conceptualized musicals in its intimate 136 seat theater. MusicalFare offers a free preview to Daemen University students, faculty, and staff (with ID card) at the 2 p.m. Sunday afternoon show prior to the opening of each production. Reservations are required and tickets will be held at the box office until 30 minutes before the start of the performance. Substantial ticket discounts are also available to Daemen students and employees for all other regular performances. Free tickets for Daemen students, pending availability, are also offered as a walk-up option at the box office one half hour before any show. For more information or interested in booking please contact events@daemen.edu.

NANCY HABERMAN GACIOCH CENTER FOR VETERANS AND VETERANS FAMILY SERVICES

daemen.edu/student-life/student-services/nancy-haberman-gacioch-center-veterans

Telephone: 716-839-7426

vetervices@daemen.edu

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The mission of the Center is to support veteran students, eligible family members' and military affiliated students success in postsecondary education by coordinating services to address their academic, financial, physical and social needs. The Center for Veterans is a safe and secure oasis to which students gain access by using their key-coded Daemen University Veteran and Military-Aligned Student Identification Card. The Center is available from 7am to 1am Monday through Sunday during the regular semesters and business hours during breaks in the academic year.

Students eligible to receive Department of Veterans Affairs educational benefits must be certified by the School Certifying Official (SCO). Once certified for benefits, such students are required to notify the School Certifying Official of any changes in enrollment, major, etc. In order to ensure compliance with federal laws, attendance and performance will be monitored by the SCO, who retains the right to terminate the educational benefits of any student who is not in compliance with performance and/or degree progress or pursuit policies.

Students eligible for Department of Defense Tuition Assistance must submit their Tuition Assistance Authorization Voucher to the Veterans Services TA point of contact, Director of Veterans Services Mark Martinez at mmartine@daemen.edu. For more information on these programs and how to apply, students should contact the Education Service Officer (ESO) of their unit. Application for DOD TA is submitted through the service members branch. For steps on applying visit Daemen University Federal Assistance Programs webpage.

Daemen University participates in the Principles of Excellence program and has policies and procedures in place that comply with Title 38 US Code 3679 subsection (e).

ORIENTATION

daemen.edu/orientation

Telephone: 716-839-8200

orientation@daemen.edu

John R. Yurtchuk Student Center 205

The Office of Student & Family Engagement (SFE) works to provide new students and their families with an all-inclusive introduction to Daemen University to ease their transition into the academic and social community of the institution. It also strives to provide students and their families with greater access to the services, information, and assistance needed to best prepare them for a successful transition to the University.

SFE works with students to expose them to the broad educational opportunities at the University including both academic and co-curricular experiences. It also strives to promote a heightened awareness of and respect for campus diversity and to increase the sense of community.

The Office of Student & Family Engagement also offers orientation programs for first-year, transfer, and international students, as well as parents and guardians. The goal of orientation is to develop and coordinate programs that promote academic success, personal and social development, and to provide students and families with information about services, support systems and issues facing university students.

Current students are able to assist in this transitional support as orientation leaders. Students can gather information on the responsibilities and application procedures by visiting the Student Affairs Suite in the John R. Yurtchuk Student Center or by emailing orientation@daemen.edu.

S.M.A.R.T. SQUAD

daemen.edu/smartsquad

Telephone: 716-566-7865

smart.squad@daemen.edu

Research & Information Commons 105

The S.M.A.R.T. Squad is a student-staffed help desk trained and mentored by the Office of Information Technology. Members of the Squad are trained to help diagnose and remedy problems afflicting the personal devices of students, faculty, and staff. They are here to assist all students with technology needs. If you don't know what to do or who to ask for help when facing technical issues, contact the S.M.A.R.T. Squad.

STUDENT ACCOUNTS

daemen.edu/studentaccounts

Telephone: 716-839-8213

student_accounts@daemen.edu

Duns Scotus 112

The Student Accounts office collects for the billing of tuition, housing, food, and fees from students. Bills are available online to pre-registered students at <https://selfservice.daemen.edu> > Student Finance > Continue to Account Info/Payment Center and are payable by the publicized due date which is prior to the first day of class each semester. Students registering just before classes commence will be notified when their bill is available online. Students making ANY changes to their course schedule MUST check with both the Student Accounts and the Financial Aid offices to see how the change will impact their bill. ALL students are required to Acknowledge and Agree to the Daemen University Promissory Note, the Electronic Authorization, the All Access Book Rental Program Acknowledgement, and the Mandatory Refund Policy. Agreements can be found at <https://selfservice.daemen.edu> > Student Finance > Continue to Account Info/Payment Center > My Account > Consents and Agreements. Students with financial aid, student loans, outside scholarships, tuition reimbursement or other benefits will see the aid listed as "pending" on their bill.

Students are notified by January 31 of the following year when their 1098T tax form can be retrieved from a secure website. Canadian and International tax forms are also available by the appropriate due dates.

STUDENT SUCCESS CENTER

daemen.edu/studentsuccess

Telephone: 716-839-8228

sfennell@daemen.edu

Student Success Center, RIC First Floor

The Student Success Center (SSC) is a collaboration of student service offices across campus offering comprehensive resources, programs and services. The offices and departments include: Academic Advisement, Accessibility Services, Academic Support and Engagement, Vision for Success, and the Arthur O. Eve Higher Education Opportunity Program.

TITLE IX COORDINATOR

Tiffany Hamilton

Telephone: 716-566-7880

titleixcoordinator@daemen.edu

thamilto@daemen.edu

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Title IX is a crucial federal law that safeguards your entitlement to an education free from sex discrimination, which includes sex-based harassment and sexual violence. Our university is committed to upholding this law and has established robust policies to address these issues. The Handbook includes the University's Policy Prohibiting Harassment, including Sex-Based Harassment, as well as its Sexual Violence and Assault Policy. These policies provide comprehensive information about your rights under Title IX.

To ensure compliance with Title IX, we have a dedicated Title IX Coordinator who oversees the university's adherence to the law. The Title IX Coordinator is readily available to address any questions or concerns related to Title IX from students or employees. We strive to create a safe and inclusive environment for all members of our community, and our Title IX Coordinator plays a vital role in achieving this goal.

SECTION 3

STUDENT ACTIVITIES

The Student Activities Office is responsible for the authorization and coordination of registered student organization-sponsored extracurricular programming held on and off campus. The offices, located in the Student Life Center on the second floor of the John R. Yurtchuk Student Center, are also responsible for the general administration of the student use of John R. Yurtchuk Student Center, including the enforcement of federal, state, and municipal laws and ordinances. Student Activities staff members advise registered student organizations in all aspects of planning and programming, in conjunction with registered student organization advisors. The office also helps to publicize approved events through the University's website and John R. Yurtchuk Student Center video screens. Registered student organizations and recognized Greek organizations should direct all room requests to the Student Activities Office. Events arranged through or sponsored by University offices, departmental student organizations, individual students, or outside clients must be handled by the Conference Services Office.

EVENTS

Alcohol Events

Daemen University-recognized student organizations are not permitted to host events on campus or off campus where the primary focus is the consumption of alcohol. This typically refers to bar parties or fundraisers where persons pay a cover charge and alcoholic beverages are provided free or at a reduced fee. The intent of this policy is to prevent and discourage events that promote alcohol abuse (binge drinking, underage drinking, DWI) and to reduce the risk of liability faced by student organizations and their officers when holding these types of events. All registered student organizations who wish to host an event with alcohol must work with the Student Activities Office for approval. Registered student organizations are also encouraged to provide transportation for these events. Note that off-campus events with alcohol will require an alcohol permit and proof of insurance from the host venue.

(Please note: General policy information regarding drugs and alcohol are covered in Section 5, Campus Policies)

Contracts

Certain services for student activities may involve the execution of a contract.. No one may commit University monies, facilities, or other resources without the written authorization of the proper University official.

Guests at Events

Student activities at Daemen University are generally intended for the Daemen community. However, outside guests are permitted under certain guidelines. All outside guests must check in with Campus Safety on the first floor of the John R. Yurtchuk Student Center.

- Most event ticket sales at the University are limited to currently enrolled Daemen students (or Daemen community members) and one guest.

- Events ending past midnight are limited to the Daemen University community and escorted guests only.
- Events open to the public are clearly noted in event advertising.
- Students are responsible for the conduct of their guests on campus.

Variations of these policies, for student organizations, require approval of the Student Activities Office.

Physical Risks

Certain student activities in which students choose to participate may involve certain personal physical risks. Students should use caution and common sense when participating in any activities, and recognize that the University is not always able to provide, and can never ensure, student safety. Physical waivers will be required before participating in most physical activities on and off campus.

STUDENT GOVERNMENT ASSOCIATION

The single most important element in the student self-governing process is the Student Government Association (SGA). Each Daemen University student is a member of the Student Government Association. The student activity fee provides the budget with which the Student Government Association operates their comprehensive programs and cooperative efforts with administrators and faculty to enhance the social and academic life of the University.

The elected members of the Student Government Association constitute the Senate. Its purpose is to act as students' official representatives, to articulate students' views, and to care for students' best interests related to the administration and the faculty, as well as with other groups within the University and University community.

Each year, Student Government Association Executive Board and Class Representative elections are held in the spring semester for the upcoming academic year. The First Year Class Representative is elected at the beginning of the fall semester. The Executive Board together with the class representatives constitute the Student Government Association Senate. Membership on special committees can be requested on a rolling basis. The bylaws of the Student Government Association are on file in the Student Activities offices and published on the Daemen University Student Government Association website.

All Daemen University students are encouraged to attend Student Government Association open meetings, forums, and events. Concerns can also be brought to senate members during their weekly office hours.

University-Wide Committees

Daemen University students play a major role in self-governance through their elected and appointed committee positions. Student committee members represent the interests of the general student body on numerous university-wide committees. To learn more about how you can get involved, email student_activities@daemen.edu or sga@daemen.edu.

CAMPUS ACTIVITIES TEAM

The Campus Activities Team (CAT) is a student-run registered student organization that serves as Daemen's principal organization for student event planning and campus programming. The mission of CAT is to provide a diverse assortment of fun and safe events to entertain and engage students outside of the classroom. CAT focuses on developing, planning, and facilitating quality events in collaboration with campus partners for the Daemen community. CAT activities are supported and funded by the students of Daemen University through the student activity fee. Members of the team act in response to the needs and interests of the student body with the primary goal of fostering campus community and unity.

CAT programming comprises four divisions, each responsible for the development, implementation and assessment of specific programming initiatives. These divisions are Daytime Programming, Evening Programming, Off campus Programming, and Traditional Events. General volunteers are accepted on a rolling basis.

STUDENT ORGANIZATIONS

The Daemen student organizational structure includes academic organizations, honor societies, student publications, Greek organizations, and special-interest groups that all fall under two categories: registered student organizations or departmental student organizations. Registered student organizations are approved and recognized through the Student Activities Office and Student Government Association. Departmental organizations are recognized through independent University offices and departments. Recognized Greek Organizations are considered registered student organizations. See the Affiliated Greek Organizations Section for more information about Greek organizations with metropolitan or city-wide chapters. New registered student organizations and departmental organizations are always forming. For the most current listing of registered student organizations and departmental student organizations, go to: daemen.edu/student-activities.

Student Organization Membership

Campus organizations, including those affiliated with outside organizations, are open to all currently enrolled Daemen students in good academic standing (see Academic Standards portion of this section) without regard to sex, sexual orientation, gender, race, color, creed, religion, veteran or military status, national origin, age, disability, familial status, marital status, domestic violence victim status, status as an ex-offender, arrest record, predisposing genetic characteristics or genetic information, or any other characteristic protected by federal or New York State law. Note that some organizations may require dues and/or an initiation process.

All registered student organizations must maintain a minimum membership of six currently enrolled Daemen University students in good academic standing to be considered in "active" status. Registered student organizations that are inactive for three (3) or more years must complete the new student organization process in order to gain active status.

Student Organization Advisor's Role

Registered student organizations are run by the student officers. The advisor's role is to provide advice and guidance, and to help ensure that University policies and local, state, and federal laws are upheld. The advisor can often assume the role of a mentor, resource person, and student motivator. Advisors should seek to challenge the student officers to be responsible leaders. Student organizations are great learning vehicles for students developing leadership skills. Advisors often can also provide some continuity as student officers continually change.

An advisor is often called upon to be in attendance at a registered student organization sponsored event occurring on or off campus. For this reason, many organizations find it beneficial to have more than one (1) advisor. Please recognize that advisors volunteer their time to advise student organizations.

The Campus Activities Team and Student Government Association are both advised out of the Student Activities Office. All other organizations are free to choose their own advisor(s) from the Daemen faculty or staff. Academic registered student organization advisors are required to be faculty members of the respective department. If a registered student organization has not found an advisor, the Student Activities Office will seek an ad hoc advisor to work with the registered student organization until a permanent advisor has been found.

Student Organization Officers & Organization Re-Registration

All officers of a Daemen University-recognized student organization must be currently enrolled Daemen University students in good academic standing. The official roster of officers and members must be submitted to the Student Activities Office during the designated re-registration period each fall semester. These should also be updated by the officers in the organization whenever a change occurs. Organizations not completing these requirements will be considered in inactive status. Persistent inactive status will result in an organization being considered defunct, and removed as a recognized student organization. Registered student organizations that are inactive for 3 or more years must complete the new student organization process in order to gain active status.

Financial Responsibility

Neither Daemen University nor the Student Government Association of Daemen University is liable for debts incurred by any class, club, organization, special events committee, or individual for anything that was not first authorized by the proper authority, such as the Director of Student Activities. Per University policy, all contracts must be authorized in the Division of Student Affairs by the Vice President and then, based on the contractual amount, by the Vice President for Business Affairs. Registered student organization officers, individual students, and registered student organization advisors are not permitted to sign contracts on behalf of the University.

Registered Student Organization Accounts on Campus

Daemen University does NOT PERMIT registered student organizations to establish or maintain banking or checking accounts off campus. The University regularly establishes an on-campus account in the Business Office for each newly recognized student organization. These accounts should be used regularly for depositing any and all revenues collected by the organization, and the Business Office's check requisition system needs to be used for any and all disbursement of funds out of these accounts.

Contact the Student Activities Office for information on and/or questions regarding policies and procedures for these accounts. Each fall, when student organizations submit their roster of officers and members, the Student Activities Office transfers an initial supplemental funding amount into the club account. This is intended to help with funding small group activities and other expenses the group may have (e.g., meeting refreshments, trip expenses, uniforms/apparel, etc.). Supplemental funding is available through the Student Government Association Funding Request process for campus wide programming.

Submitting Receipts/Cash Advances

Occasionally, the Student Activities Office will requisition a check to forward cash to a registered student organization member for the purchase of decorations, supplies, etc. needed for student activities. In these instances, we request that receipts and change be returned to the Student Activities Office within 48 hours of the purchase. The total of cash re-deposited and purchase receipts submitted need to equal the amount forwarded, for the University's annual audit. Failure by a student officer to submit a balance of cash and receipts for cash forwarded will result in both the student's personal account being charged for the amount borrowed and the loss of future privileges to obtain a cash advance. Note: All receipts must be itemized.

Reimbursement

Occasionally, the Student Activities Office will requisition a check as reimbursement for materials purchased by registered student organization members for various student activities. In these instances, your purchases should receive approval by the Student Activities Office prior to purchasing. Receipts should be brought to the Student Activities Office to begin the reimbursement process. Daemen University does not reimburse for sales tax, so please go to the Student Activities Office to obtain a tax exempt form for all purchases.

SGA Funding Requests

The Student Government Association has a digital funding request form for student organizations to use when requesting funding for an event or activity. The Student Government Association does not generally fund the more narrowly focused activities of an individual registered student organization (refreshments for meetings, apparel, outings), but may fund activities of interest and accessibility to the wider Daemen community. Generally, registered student organizations should plan a minimum of two (2) weeks of lead time when submitting SGA Funding Requests. More time may be required for large-scale events, off-campus events, and conferences. Decisions for these requests are made at SGA Open Meetings.

How to Start a New Student Organization

1. Submit the new registered student organization form on Daemen Connect.
2. Meet with the Student Government Association to review the following policies and procedures:
 1. Officer and member requirements
 2. Student Government Association policies
 3. Room reservations policies
 4. Organization Advisor requirements
 5. Bylaws and cover letter guidelines (students should use the Bylaws Worksheet provided by the Student Activities Office)

3. Draft and Review Bylaws with the Student Activities Office
4. Submit the following items for final recognition:
 1. A copy of the organization's revised bylaws
 2. A list of at least six (6) interested Daemen student members
 3. The name of the faculty/staff advisor(s)
 4. A list of student officers in good academic standing
 5. A cover letter stating the organization's desire to seek University recognition
5. The Student Government Association will discuss the submitted proposal and make a formal recommendation regarding the new organization's petition for institutional recognition.
6. The Vice President for Student Affairs and their designees, in light of the recommendation of Student Government Association and any other related information, will make a final decision regarding institutional recognition. Final recognition is subject to approval by the President of the University. Approval may take two (2) weeks to one (1) semester and additional information may be requested at any time.

Academic Standards for Participation in Extracurricular Activities

Any student currently on academic probation must limit extracurricular involvement to one (1) major activity such as playing on a club sports team, being an officer of a student organization, or serving as a committee chairperson. In the interest of academic success, all other extracurricular activities which involve significant amounts of time must be discontinued. Students who have been on academic probation for two (2) consecutive semesters will be ineligible to participate on a club sports team, to hold any student organization office, or to chair any committee while on probation.

All intercollegiate student-athletes must be in academic good standing as set forth in the Daemen University Catalog and satisfy the academic eligibility requirements of the East Coast Conference (ECC) and Division II of the National Collegiate Athletic Association (NCAA). Current student-athletes should consult the Daemen University Student-Athlete Handbook for comprehensive information.

GREEK LIFE

Greek Life is thriving on Daemen's small, close-knit campus! Joining a fraternity or sorority at Daemen means becoming a part of a diverse network of students and alumni with a common purpose and incredible bond. Currently, we have three sororities and one fraternity represented on campus. All Greek Life members are also a part of the Greek Council which serves as the official representative and governing body for recognized Greek Organizations.

All recognized Daemen University Greek chapters are local chapters. However, Daemen University students are permitted to join city-wide/metropolitan National Pan-Hellenic Council chapters. Daemen recognized chapters host informal and formal recruitment events at the beginning of the fall and **spring semesters. Bids are extended to potential members at the end of Rush Week.**

New Member Intake Process Requirements

- Current Daemen University Student
- Good academic standing (2.0 GPA or higher)
- Attend Rush Week events
- Attend one (1) recruitment seminar session
- Actively participate in new member intake meetings
- Complete a virtual hazing prevention course

New Recognized Greek Organization Process

The following additional stipulations will be required of any students seeking to start a new Greek fraternity or sorority on campus. Additional steps may be required for students who are looking to bring organizations with national affiliations to Daemen University. Those seeking to gain recognition for Greek Organizations with city-wide or metropolitan chapters should see the Affiliated Greek Organization policy. Greek Letter honor societies should follow the new student organization process. Please note that Recognized Greek Organizations are considered registered student organizations.

1. The newly forming group must have a minimum of eight (8) founding members (all Daemen University students in good academic standing).
2. The founding members will be required to attend no fewer than four(4) campus events sponsored by other recognized Greek organizations on campus during their probationary year.
3. Greek organizations will be required to adopt a specific community service project that will either be an ongoing commitment or an annual happening.
4. Newly forming Greek organizations are required to draft a set of bylaws and review them with the Director of Student Activities. This usually involves a process of writing, review, and revision of several drafts of the bylaws before they are approved for Student Government Association review. Students should start by using the Bylaws Worksheet provided by the Director of Student Activities.
5. Create a packet of information for review and approval:
 1. A copy of the organization's revised bylaws
 2. A list of interested student members (founding members)
 3. The name of the group's faculty/staff advisor
 4. The organization's current list of student officers in good academic standing
 5. A cover letter stating the organization's desire to seek University recognition
 6. Conduct a formal presentation with the Greek Council on the new organization's role into the Greek Life community on campus. The Greek Council will make a recommendation, based on majority vote, regarding whether to support the new Greek organization or not, and provide that recommendation to the Student Government Association.
 7. The SGA will review the Greek Council's recommendation and all relevant material and make a formal recommendation to the Vice President for Student Affairs and their designees regarding the new Greek organization's petition for institutional recognition.
 8. The Vice President for Student Affairs Initiatives, in light of the recommendation of the Greek Council and SGA, and any other

related information, will make a decision on whether to grant the newly forming Greek organization "provisional recognition." Until this provisional recognition is granted, the organization will refrain from the use and/or display of Greek letters. All newly forming Greek organizations will have a probationary period of one (1) academic year.

Affiliated Greek Organizations

An Affiliated Greek Organization is a national (metropolitan/city-wide) Greek organization that consists of student membership from various local universities, and has been recognized by Daemen University as a Greek organization that includes active membership by Daemen students. These groups are not considered an official Daemen registered student organization or recognized Greek organization and are not provided financial support by the University. However, they have been granted the ability to provide information to Daemen students and collaborate with registered student organizations on Daemen's campus for events. Affiliated Greek Organizations are not permitted to host events on Daemen's campus without the co-sponsorship of another recognized Greek organization, registered student organization, or departmental student organization.

The Office of Student Activities manages a specific process and set of procedures individuals need to follow before having an organization classified as "Affiliated" prior to being recognized as one. Organizations seeking affiliated Greek organization status must have at least one (1) active member already on Daemen's campus. See the Student Activities Office for more information.

Academic Standards for participation in Greek Organizations

See "Academic Standards for participation in Extracurricular Activities" under Student Activities.

Hazing and Other New Member Initiations

See posting under General University Policies.

STUDENT TRAVEL

Students may be granted the opportunity to travel on behalf of the University for a variety of reasons. Students will be held to the following standards on Daemen supported and sponsored trips.

Statement of Expectations:

- Attend and actively participate in all scheduled meetings and/or workshops as required and to maximize any funding support provided by the University for my attendance.
- Refrain from using alcohol, regardless of age, or any other drug or substance, regardless of whether or not that drug, such as marijuana, is legal in the place of travel.
- Demonstrate integrity and respect as an ambassador of Daemen University.
- Follow all policies as outlined in the Student Code of Conduct.

If any student poses a threat to themselves or others, displays behavior that is deemed unprofessional or unacceptable, or fails to abide by any of these expectations, the student's time on the trip may be terminated immediately. Students will be financially

responsible for returning to Amherst, NY, and may face review under the Conduct Review Process as outlined in the Student Handbook.

Supported Travel

By signing the supported travel agreement, the student acknowledges that they are attending travel with an organization that partners with Daemen and not with a Daemen managed department or student organization. Little to no university financial support is given for supported travel. Students signing this agreement understand that transportation will not be provided by the institution and that while Daemen is not monitoring activities, at all times, students taking part in this trip are doing so as a representative of Daemen University and are therefore expected to conduct themselves accordingly and follow the policies as outlined in this agreement.

Sponsored Travel

By signing the sponsored travel agreement, the student acknowledges that they are attending a travel opportunity in conjunction with a Daemen managed department or student organization. Most travel related costs are provided for sponsored travel opportunities and all activities are monitored by approved chaperones. Students taking part in these trips are doing so as a representative of Daemen University and are therefore expected to conduct themselves accordingly and follow the policies as outlined in this agreement.

STUDENT ORGANIZATION VENDOR CONTRACTS

While Daemen University respects the rights of registered student organizations and student groups to bring in speakers, performers, and outside vendors of their choice, the University, under the discretion of the Vice President for Student Affairs Initiatives (or designee), reserves the right to postpone or cancel a booked speaker, performer, or vendor if the event poses an interruption to regular academic and university activities and/or a threat to the safety and security of the campus community. See “Vendor Contracts” under General University Policies. Individual students, student organization advisors, and student organization officers are not permitted to sign artist contracts on the University's behalf. Please see the Student Activities Office for more information on the contracting process.

JOHN R. YURTCHUK STUDENT CENTER & AMENITIES

The John R. Yurtchuk Student Center is a hub for activities and events for the entire campus community. The John R. Yurtchuk Student Center is considered first and foremost a student center with a dining hall, multi-purpose Social Room, the Wildcat Den, eSports room, a large lounge, game room, meeting rooms, and several administrative offices.

The Office of Student Activities along with Conference Services coordinate and approve the use of the building. Student Organization reservations are confirmed in the John R. Yurtchuk Student Center on a first-come, first-served basis. Other campus offices and organizations, as well as off-campus organizations, may reserve available space in John R. Yurtchuk Student Center through the Conference Services Office.

Use of the John R. Yurtchuk Student Center Alumni Lounge fireplace, outdoor volleyball court, outdoor basketball court, and John R. Yurtchuk Student Center back lawn fire pit is open to all current Daemen students. Please note that the fireplace and firepit require permission from the Student Activities Office via the Daemen Connect request forms. Copies of the approved form and policies are given to the requesting group/organization and to the Campus Safety Officers in John R. Yurtchuk Student Center. No reservation is required for the outdoor courts. However, students are welcome to submit reservation requests for the space for special events.

From time to time scheduling conflicts occur as important University events that require special consideration are added to the building calendar. Flexibility is often required when building reservations change, as both the Student Activities Office and Conference Services Office staff work together to try to accommodate all parties' needs and concerns.

SECTION 4

RESIDENTIAL LIVING POLICIES

All of the policies and codes outlined in the General University Policies (Section 5) and Code of Conduct (Section 8) sections outline the standards and behaviors expected of all Daemen University students. There are additional standards and policies that apply to students living in housing packaged through the University. The policies described below are not meant to serve as a comprehensive list and are subject to review and modification by Housing & Residence Life professional staff, as deemed necessary for the safety and security of the community. For more information regarding residential living, please refer to the Housing and Residence Life webpage at daemen.edu/student-life/residence-life.

(Please note: throughout this section, the terms residence halls, apartments and housing are used interchangeably and all refer to any and all on-campus housing, including Canavan Hall, University Apartments, Snyder Park, and Collegiate Village housing rented through the University).

ALCOHOL

Alcohol use, possession, and consumption in the residence halls will be subject to state and federal laws and Daemen University Policy. Responsible use of alcohol by students 21 years of age and older is permitted only according to university regulations. Following New York State law, students under the age of 21 may not possess, sell, or consume alcoholic beverages. Generally, except in matters outlined under the University Amnesty Policy (see Section 5), the university follows a zero-tolerance policy in these matters. This means that every reported incident will be formally addressed through the conduct review system. (Please note: General policy information regarding drugs and alcohol are covered in Section 5, General University Policies.)

The following guidelines apply to all on-campus students and their guests. The University also expects all visitors and guests to comply with the regulations listed below:

1. Any resident bringing visitors/guests to campus shall be responsible for making the alcohol policies known to their visitors/guests. Every visitor/guest is subject to university rules and regulations. It is the responsibility of residents as hosts to monitor and accept responsibility for the behavior of their visitors/guests. Visitors/Guests of residents are not permitted to bring alcohol onto campus.
2. Alcohol is not permitted at all in Canavan Hall, even for students who are age 21 or older.
3. Alcohol is not permitted in any apartment/suite where no students over the age of 21 reside.
4. Students who are the age of 21 or older are responsible for keeping alcohol out of the possession of anyone under the age of 21.
5. Kegs, taps, beer balls, and other sources of alcohol, which can be used to irresponsibly ingest alcohol, are prohibited. This includes, but is not limited to, funnels, beer/water bongs, etc. Drinking games and drinking game devices, (e.g., beer pong tables), are also not permitted.

6. Students who are of legal drinking age and who are in possession of alcohol or are present where alcohol is being consumed must provide proof of age when asked by any university official including Resident Assistants. If proof of age is not provided, students will be asked to dispose of the alcohol and follow-up will occur per the University's Code of Conduct.
7. Underage students may not be in the presence of alcoholic beverages. The only exception is an underage resident who lives with students of legal drinking age, may be in the presence of alcohol in their assigned apartment. *The underage person may not consume or possess alcohol.* Once guests (anyone not residing in said apartment) over the age of 21 enter an apartment where alcohol is present, NO students under the age of 21 (including residents of that apartment) may be present.
8. The amount of alcohol permitted by each resident who is the age of 21 or older in an apartment is (all other forms of alcohol are prohibited):
 - a. Six 12-ounce cans or six 12-ounce bottles of beer; or
 - b. Six 12-ounce bottles of wine coolers or malt beverages (e.g., Mike's Hard Lemonade, Smirnoff Ice, etc.); or
 - c. One 750 ml (0.75 liter) bottle of distilled spirits; or
 - d. One 750 ml (0.75 liter) bottle of wine
9. Alcoholic containers may not be used as decorations. Empty cans or bottles will be deemed as proof of consumption. Students who are the age of 21 or older should dispose of or recycle containers immediately after consumption.
10. In the event that there is an alcohol policy violation, it is not the university's responsibility to determine who was consuming alcohol and who was not. It will be assumed that anyone involved in the incident was engaging in the policy violation.
11. Public intoxication is considered an alcohol policy violation. Actions as a result of public intoxication which disturb any people, facilities, community, and/or oneself will be dealt with through the appropriate authorities.

BAG CHECKS

All residents and guests may be asked to open their bag by Campus Safety Officers and Residence Life Staff if circumstances warrant. Residents or guests who are non-compliant with bag check requests may not be permitted to enter the building and/or may be subject to disciplinary action.

BEHAVIORAL AGREEMENTS

Residents may be required to adhere to behavioral agreements should circumstances warrant such an agreement. Behavioral agreements are developed by Residence Life professional staff or designee, Dean of Students, and/or the Vice President for Student Affairs, based on the nature of the concern. These agreements may require students to meet regularly with staff members in the Division of Student Affairs and/or follow behavioral expectations while living in residence. Residence Life staff or designees reserve the right to alter or terminate the status of a student's housing agreement if the student's actions are not conducive to academic progress. Failure to adhere to the terms of the agreement may result in the termination of the housing agreement without refund.

BREAK HOUSING

Students may not occupy their on-campus rooms during Thanksgiving, Intersemester, and Spring Break without the advance approval by the Housing and Residence Life Office. During the Intersemester Break, students requesting to stay on campus must have a Daemen-related reason to occupy their room (classes or athletics). The winter break housing cost is \$235 per week for Campus Apartments and \$130 per week for Canavan Hall. Students who are permitted to remain on campus must follow the registration process and policies outlined. If a student is found residing in the halls during break periods without permission, fails to register by the predetermined deadline, and/or has not been granted permission from the Office of Housing and Residence Life, they will be assessed a \$50 per day fee for the duration of their stay/break period. Students residing at Collegiate Village may occupy those spaces during the breaks, if permitted by Collegiate Village policy, but must vacate during the summer months. Collegiate Village policies are subject to change.

CONFISCATION

The Office of Housing and Residence Life reserves the right to remove any item from residential facilities, including items found in students' apartments that are either prohibited by university policy or which compromise student health or safety. Residents will be held accountable through the conduct process and the item in question may not be returned to the student.

CHANGES IN ROOM ASSIGNMENTS

The University reserves the right to change room or hall assignments, to relocate individuals or groups of individuals to eliminate a disruptive environment, to consolidate vacancies and to accommodate public health regulations. When a vacancy occurs, the University reserves the right to show the room and assign a new occupant with little advance warning to current residents.

DAMAGE TO PROPERTY/DAMAGE BILLING

Residents agree to pay for damages for missing property and equipment and for any additional cleaning and service costs they incur. Residents will also be billed for damage to or within the residence hall beyond normal wear and tear based on the current cost of labor and materials. Such charges must be paid upon receipt of the bill. If two (2) or more students occupy the same room and individual responsibility for extra cleaning, damage, or loss in the room cannot be ascertained, charges will be assessed and divided equally between the residents of the room. Residents share responsibility for the condition of the common areas within their assigned residence hall. Students may be assessed fees for damage or missing property to common areas beyond normal wear and tear or property loss that cannot be attributed to any particular individual. Students are encouraged to check-out with a staff member to assess their space. Housing & Residence Life professional staff make final determination of charges assessed. The total costs for damage to the common areas will be divided among everyone who resides in the building. Where it can be shown that an identifiable person or persons caused particular damage, the cost of that damage will be charged exclusively to the responsible individual(s). These charges must be paid to the University in accordance with the

established billing schedule. Persons found damaging University property will be subject to disciplinary action. Students have 3 weeks to submit a damage appeal form through the process dictated by Residence Life from when damages are communicated.

Resident students are responsible for any damage or excessive cleaning that is required. Damage will be assessed for cost of repairs or replacement, and charges will be assigned as follows:

Room and Apartment Damage

1. To any individual who accepts responsibility or is found to be responsible for the damage
2. To all occupants of a room/apartment where the damage was done and direct responsibility cannot be determined
3. Damage shall be classified as either accidental or malicious.
4. Accidental damage is damage occurring through unintentional happenings. Restitution will be assessed for accidental damage.
5. Malicious damage is disruptive behavior resulting in damage. Disciplinary action will be taken and restitution assessed to students involved in malicious damage. Repeated occurrences of malicious damage by an individual or a group of individuals will be investigated to determine whether further disciplinary measures are warranted, including dismissal from University housing and/or the University.
6. Each residential student will have the opportunity to appeal assessed damages to the Director of Housing and Residence Life by a specific deadline. Should the appeal be denied, the student is held responsible for the damage.

Common Area Damage

1. Common areas are defined as any space other than individual student rooms, i.e., bathrooms, hallways, stairwells, lounges, elevators, lobby areas, etc.
2. In common areas where excessive damage occurs and responsibility is not determined, it may be necessary to hold responsible all occupants of the section, apartment floor, or building where the damage occurred.
3. Individuals held accountable for damage to a common area will be held financially responsible and will be billed by the Office of Student Accounts, upon request of the Office of Housing & Residence Life.

Students responsible for malicious damage to common areas will not only be billed for the damage, but may also be subject to disciplinary action.

EMPTY BEDS/BEDROOMS

Residents assigned to a space that has unoccupied beds or bedrooms should expect another student to be assigned to these spaces at any time. Notification of a new roommate will be sent to students when possible; however, this is not always the case. Residents should not utilize unoccupied beds, furniture, or space so that it will be available to an incoming student at any time. All unoccupied spaces should be kept accessible and clean. Residence Life reserves the right to check unoccupied bed/room spaces to ensure move-in readiness, as well as confirm a student has checked-out of a residential space properly.

FIRE SAFETY

Residential spaces are equipped with a Sprinkler system along with Fire Extinguishers on each floor. Also included are 1 or more smoke detectors in each living space. Any person who is responsible for a fire in any facility; interfering with fire officials; interfering or tampering with a fire alarm or safety equipment; or creating false alarms will be subject to University disciplinary action, monetary fines and/or civil action. This includes covering a smoke detector in any way, for any reason, or hanging anything from the sprinklers/smoke detectors.

All individuals are required to evacuate halls immediately after a fire alarm sounds, including fire drills. Any person who discovers a fire should immediately call for assistance by dialing 911 and sharing the location of the fire, followed by calling Daemen Campus Safety at 716-839-SAFE (7233). The storage of explosives or flammable substances within any residence hall is strictly prohibited. In addition, the use of other flaming articles, including candles, burned wicks, and incense, is prohibited. Residents are also responsible for not bringing and/or utilizing prohibited items in residence hall facilities as listed in the Prohibited Items section below. Additionally, residents are not permitted to cover more than 50% of a wall surface. No objects shall obstruct, hang from or touch any part of a sprinkler pipe or sprinkler head.

Failure to abide by the above fire safety guidelines may result in disciplinary action and/or fines through Daemen University and/or the New York State Fire Marshal.

FLOOR MEETINGS

On the first Monday of every month, RAs will host a floor meeting in which information will be communicated about Campus Life, policies, and upcoming deadlines. It is the resident's responsibility to ensure they are in attendance or are informed about missed information.

FURNITURE (UNIVERSITY-PROVIDED)

All of the furniture and appliances provided by the University remain the property of the University throughout the resident's occupancy. The resident may not remove any University-owned furniture or appliances from the apartment. The resident may not remove any University-owned items from the common spaces within the residence hall. Residents are not permitted to build lofts or adjust university furniture into an unsafe position. Failure to abide by the above restrictions may result in disciplinary action. Any furniture brought into the halls that is deemed a health hazard as defined by Housing & Residence Life staff is subject to removal.

Residents may not utilize or deconstruct furniture for an open bed space/room. Students who deconstruct furniture or utilize non-placement furniture may be assessed for damages or costs to put furniture back together.

The University provides mattress encasements specifically designed to prevent the spread of common insect infestation. Students are required to keep the mattress encasement on

their mattress at all times. Removal of the mattress encasement may subject the student to a fine and restitution charges.

GENDER INCLUSIVE HOUSING

Gender-Inclusive Housing (GIH) permits non-first-year students of any gender-identity to choose to live together in upperclassmen residence hall facilities in separate bedrooms. The University will only assign students of differing gender-identities within upperclassmen housing if a student confirms openness to gender-inclusive housing in their housing application and/or via email. Students placed in GIH housing complete a “Gender-Inclusive Housing” addendum prior to the start of the academic year.

Groups of 4 are encouraged to apply for Gender-Inclusive Housing during Housing Selection. Should a vacancy occur within the apartment, the Office of Housing & Residence Life reserves the right to fill the vacancy, and/or re-assign individuals should an apartment fall under a full apartment status before and/or during the academic year.

Gender-Inclusive Housing is not intended for students wishing to live with a significant other/partner. Students choosing to live with a significant other/partner in GIH should consider the effect in shared living settings regarding communication, roommates, the building community, and other factors.

GOOD NEIGHBOR POLICY

Individuals living in or visiting any building or facility on campus are expected to be responsible and respectful of our community and the diversity within. Examples include, but are not limited to, residents maintaining a safe, healthy, and clean environment within their individual rooms and shared living spaces at all times, smells deemed to be hazardous, unhealthy, unsanitary, odors consistent with marijuana, and excessive noise. An individual, a room, an apartment, or suite will be documented with a verbal notification by Campus Safety, Housing & Residence Life Staff, or other appropriate University staff. Multiple notifications will lead to a violation of this policy and may be subject to disciplinary sanctions.

GUEST/VISITATION POLICY

Residents are responsible for the actions of their guests at all times. A guest is defined as any person not assigned to the resident host’s room. It is the responsibility of the host to inform the guest of the photo ID requirement, and Daemen University and Residence Life policies. Resident hosts may not have more than two (2) guests, who must be 16 or older. Residents must check their off-campus guest(s) in at Campus Safety upon arrival. Each guest is required to have photo identification on them at all times. Acceptable forms of photo ID include, but are not limited to, a driver’s license, a non-driver’s ID, a school ID, or a passport. No other forms of ID will be accepted. Guests without ID are not allowed access into residence areas. (See ID Policy section.) Resident hosts must escort their guest(s) at all times within the building, including when they exit the building.

A resident must get roommate approval before bringing a guest into their residential space. All guests to a room are subject to the agreement of all room residents. The

presence of guests must not restrict free access for assigned residents to all common spaces and any private space they may have or create any situation that infringes on the need of roommates to remain undisturbed. Students may not sign in or sign out guest(s) for other residential students. Daemen University students, in the role of guest or host, are responsible for properly following sign-in procedures.

Residents are permitted to have overnight guests in accordance with the above-mentioned policy. However, cohabitation is not permitted and is defined at the discretion of Housing & Residence Life staff. Residents who have guests that are deemed to be cohabitating, or are causing a disruption to the community, will be asked to have their guest leave immediately. In general, students' guests are not allowed to stay more than two (2) nights during the course of any seven-day period.

The Director of Housing and Residence Life, (or designee), may ask anyone to leave if it infringes on the rights of any other residents, or creates a disruption to the community. In those instances, the host will be subject to review under the Daemen University Code of Conduct.

HEALTH AND SAFETY INSPECTIONS

Residents are responsible for keeping their apartment in a safe and healthy condition. The Office of Housing and Residence Life will perform regular inspections of residents' apartments to ensure compliance with University standards of health and safe living practices. The dates and approximate times of these inspections will be communicated to residents at least 48 hours in advance and will be conducted by two (2) staff members from Student Life. Violation of policies found will be documented and addressed through the conduct review process.

HOUSING AGREEMENT

Students are expected to abide by all the terms outlined in the *Housing & Dining Services Agreement* that they signed upon completion of their housing application.. The University's acceptance of this agreement, however, does not guarantee an assignment. Students request an assignment within the residence halls and not for any specific designated space. The University will not discriminate in room or hall assignments on the basis of race, color, religion, national origin, ancestry, sexual orientation, age, disability and any other status protected under federal or New York State anti-discrimination law. Daemen University recognizes and appreciates the educational value of diversity and does not consider ethnicity and/or other identities or statuses mentioned above to be acceptable grounds for honoring room change requests.

Students must re-apply for housing each year through the housing lottery selection process. Applying for the housing lottery and selection process does not guarantee a room for the next academic year. Assignments will be based on room availability. Returning residents will be given the opportunity to select rooms for the upcoming academic year in accordance with the procedures communicated by the Office of Housing and Residence Life. Failure to honor assignment preferences or adjusted housing assignments will not void this agreement.

The *Housing Agreement* is a binding document and cannot be broken without documented hardship and approval from the Director of Housing and Residence Life (or designee).

ID POLICY

All residents must have a valid, University-issued ID card in order to gain access to the residence halls. The resident may not intentionally provide another person their ID card for the purpose of allowing that individual access to the residence hall. Students may be asked by Campus Safety or other University authority to show their ID card. Failure to present your ID card may result in disciplinary action by the University (see Section 8). Guests should follow ID policies as outlined in the Guest/Visitation Policies section. Students who lose their ID may follow the guidelines outlined in the Campus Safety Section for ID replacement.

KEYS

All residents are provided a key for access to their residential room. Students are responsible for keys from time of issuance until the key is received by the Housing & Residence Life Office. The resident may not intentionally provide another person their key for any purpose. Failure to abide by the above policies may result in disciplinary action. In cases where the resident is no longer in possession of the room key (e.g. lost or stolen), or fails to return the room key upon check-out or departure from a residential space in the timeframe dictated by Residence Life staff, the resident will be charged for a lock replacement (\$125). Students who fail to return the key will be charged accordingly. Residence Life is not responsible for improperly returned keys, including keys left within a residential space, mailed to the University, or provided to another individual for return. Any exceptions to key turn-in must be approved by Residence Life via email. Residential students provided a mailbox key from the Daemen Mailroom will be charged for a replacement should they not return the key (\$25).

LAUNDRY SERVICES

Laundry machines are available within each residential building at no charge. Students who have any concerns or problems with the laundry machines should complete a service request through the Hercules portal sent in University communication and/or can be accessed through laundry room flyers. Laundry services cannot be used by guests/visitors of residential students.

LOUNGES

The lounges are for use by residential students and their guests only. Students are not permitted to sleep or to behave inappropriately in the lounges and assume responsibility for any property damaged or defaced during lounge use. The furniture in the lounges must stay in the lounges and is not permitted within other areas of the residence hall including individual rooms. Students are responsible for cleaning after themselves and for ensuring kitchen appliances are monitored during and turned off after use (e.g. microwave, stove, oven, sink).

MAINTENANCE/REPAIRS

Residents are responsible for completing a work order through their MyDaemen for repairs needed to their residence hall assignment. In emergency situations, residents should notify Campus Safety. Emergencies can include but are not limited to no heat or hot water, leak, flooding or pipe burst, etc. Residents are responsible for reporting pest concerns immediately so as to prevent further infestation.

Residents are responsible for reporting pest concerns immediately, and appropriate measures will be implemented. Residents will be held financially responsible for negligence or failure to adhere to health and safety policies, including but not limited to: not reporting pest sightings promptly, improper food storage, and failure to adhere to cleanliness or pest control measures provided by University officials or designee.

NOISE

It is the responsibility of residents to maintain reasonable conditions for studying or reasonable living. The right of a student to a reasonable environment to study precedes any other privileges, and excessive noise is a violation of this right. Noise that emanates from the residence halls and disturbs classrooms, other residence halls, and University activities is prohibited. Musical instruments may only be played in student rooms in accordance with courtesy hours. Stereo speakers may not be placed in residence hall windows or in positions to amplify sound to the outdoors. Bass/subwoofer speakers are prohibited. The use of earphones with stereo equipment is strongly encouraged.

While quiet hours are from 11:00 p.m. – 8:00 a.m. on weeknights (Sunday-Wednesday) and 12:00 a.m. – 8:00 a.m. on weekends (Thursday-Saturday), it is important to note that courtesy hours are in effect 24 hours a day. Failure to respond to a reasonable request, made from anyone, to lower noise volume is a violation of courtesy hours. Prior to final examinations, 24-hour quiet hours will go into effect until hall closing as communicated, and a student responsible for noise which emanates from a room or hallway in violation of this policy is subject to disciplinary action. Violations of quiet hours may result in room/hall reassignments or other appropriate disciplinary action.

OCCUPANCY

Acceptance of the room key constitutes occupancy. If a resident's eligibility status changes during the length of the Housing Agreement, the resident is expected to move out of the residence halls within forty-eight (48) hours. If an extension is required, the resident must submit the request in writing to the Office of Housing and Residence Life. Graduating seniors participating in University commencement ceremonies will be allowed to remain in the residence halls until 10 a.m. the day after commencement if approved by Residence Life.

Residents have an opportunity, at the initial time of room occupancy, to list any damage(s) or missing items in their respective rooms on a Room Condition Form. It is the student's responsibility to communicate about their room conditions during the academic year. When a student leaves the residence hall, members of the University staff will check the room to ensure that no additional damage(s) have occurred. Students are encouraged to check-out with a staff member to assess their space. Failure to check-out with staff will

result in a \$25 improper check-out fee and will forfeit the student's opportunity to claim or discuss potential room damage(s) to the space. Damage in shared common areas will be split amongst residents occupying the room/apartment if not claimed. Furthermore, residents may be required to reimburse the University for damage(s) to the room while in occupancy. Damages will be communicated via Daemen email and assessed to a student's account.

Early check-ins for purposes unrelated to Daemen academics, athletics, or programs are approved at the discretion of the Director of Housing and Residence Life or designee and will result in an early check-in fee.

In order to check out of an assigned space in University housing, the resident must remove all personal belongings and trash and make a reasonable attempt to clean the room/apartment. Personal belongings remaining in the apartment following check-out will be removed and discarded by the University at a cost to the resident.

Failure to check-out following communication from the Housing & Residence Life Office may result in a \$25 improper check-out fee. Room key(s) not returned within 48 hours of check-out will be considered lost and the student will be charged accordingly.

PERSONAL PROPERTY (LOSS)

The University is not responsible for loss or damage of personal property in the residence halls. Students are encouraged to purchase private insurance and/or to obtain personal lockboxes. In addition, students should refrain from keeping cash and/or expensive items in their residence hall apartment. Students should keep their apartment doors locked whenever they are not present. Should residents choose to purchase items in partnership with each other, the Housing and Residence Life Office will not enforce the division of property should a disagreement arise.

Any personal property such as bicycles, refrigerators, clothes, televisions and the like that are left or abandoned by a resident or their guest after a resident has moved out of University housing, or after 15 (fifteen) calendar days shall be deemed abandoned, and therefore the property of Daemen University. The University may use, dispose of, donate or sell the personal property as they deem appropriate. The resident agrees to absolve and hold Daemen harmless for any claim to the abandoned property due to the damage, destruction, disposal, or sale of such personal property. See additional personal property information listed in the Student Handbook

PETS

With the exception of fish, pets of any kind are not permitted in the residence halls. One aquarium up to five gallons is permitted for each apartment. Failure to abide by the above restriction will result in documentation through our Community Standards & Student Advocacy office. Students requesting an accommodation of a Service animal or Emotional Support Animal, must do so through the Office of Accessibility Services, 716-839-8228.

PHYSICAL ACTIVITIES

Students may not participate in any physical activity or recreation inside the residence halls that poses a threat to the safety of other students or to the facility itself. These activities include, but are not limited to: skateboarding, roller-blading, roller skating, bike riding, and throwing objects. Failure to abide by the above prohibitions may result in disciplinary action.

POSTING POLICY

All signs belonging to students or outside vendors must have prior approval from the Office of Housing and Residence Life to be posted and/or hung in or around residential facilities. Approved signs, posters and advertisements will be given to RAs to be hung throughout the building accordingly. Students or guests who do not live in a respective building are not permitted to roam freely hanging up posters. Signs that have not been approved or are placed in an inappropriate location may be moved or taken down. *Please use ONLY painter's tape or 3M products to post signs.* Signs and posters may not be hung on interior and exterior entrances and exits, in stairwells, or in elevators.

PROHIBITED AREAS

For safety and security reasons, residents may not access the following areas of any residence hall:

1. Roof and/or terraces
2. Balconies
3. Fire-escape and/or stairwell except for exit due to fire or other emergency
4. Maintenance areas
5. Rooms not assigned for occupancy of an individual

PROHIBITED ITEMS

The following are prohibited for use and/or possession in the residence halls. This is not a comprehensive list. Any other item that is deemed unsafe, inappropriate, or that presents a health and/or safety concern for residential living may be considered prohibited, at the discretion of the Director of Housing and Residence Life or designee.

1. Adhesive Contact Paper or Mounting Squares
2. Air conditioners (not issued and installed by the University)
3. Alcohol/drug paraphernalia
4. Bed Risers
5. Candles (including those for decoration)
6. Coffee/Keurig machines without an on/off switch
7. E-Bikes / Hoverboards
8. Extension cords
9. Fireworks
10. Flammable decorations
11. Grills (including George Foreman and similar appliances)
12. Halogen lamps
13. Hookahs
14. Incense

15. LED Strip Lights (adhesives)
16. Live Christmas trees or artificial trees over three feet in height
17. Microwaves (non-university issued) and/or toaster ovens
18. Non-flame retardant decorations (e.g. curtains, tapestries, etc.) covering under 50% of any wall surface.
19. Open flames of any kind
20. Pets (other than fish in a five-gallon tank or smaller)
21. Refrigerators (large). *Students may have up to 2.4 cu ft of refrigerator; per person, per apartment bedroom. Please note, Personal fridges in Canavan Hall are not allowed as each room is equipped with a microfridge*
22. Space heaters
23. Tacks or any item that damages wall form
24. Tattoo equipment
25. Video / Audio recording devices (e.g. Ring or Arlo)
26. Waterbeds
27. Weapons (as defined in this Handbook below)
28. Wifi-enhancement devices

PROJECTILES

Residents may not be involved in defenestration, the act of causing an object to fall or be thrown out of a window. This includes, but is not limited to trash, ashes, cigarette butts, or any other items or fluids. Students found responsible for violating this policy may be relocated to another residence hall, or removed from campus housing immediately. Students will be responsible for any injury and/or damage caused to University or private property caused by defenestration. Other sanctions may apply as well, based on the nature of the incident.

RESIDENCY REQUIREMENT

All first-time, full-time students who reside outside of a 30-mile radius from campus are required to live in on-campus housing during their first two (2) years at Daemen University (four consecutive semesters total). If a student is commuting from home and residing with a parent(s) or legal guardian(s), they are exempt from the on-campus residency requirement.

Incoming transfer students who have had prior on-campus housing at another institution will be able to count that time towards this requirement. Incoming transfer students who are over the age of 23 prior to the start of the semester for which they are enrolling will be able to request exemption from this policy. Exemption requests must follow the procedure outlined in the Housing & Dining Services Agreement

ROOM ENTRY/SEARCH POLICY

Daemen University respects each student's right to privacy and is committed to protecting this right. However, University officials including, but not limited to, Residence Life, Campus Safety, and Maintenance, may enter a student room when they have reason to believe that the health or safety of residents and/or residential space is in jeopardy or that a University policy is being violated. Generally, residents are responsible for the care and

cleaning of their assigned room and surrounding areas, as well as for maintaining health and safety standards. Failure to do so could result in fines and/or removal from housing.

All residence hall rooms are, as deemed necessary, subject to inspection by hall staff for safety, security, and health concerns at least twice during the semester and before hall closings prior to breaks. Students will receive adequate notice before inspections. While Residence Life staff will not conduct a room search during an inspection, they may open cabinets or closets to find fire equipment and/or locate safety hazards. If, in the course of doing so, they locate an item or items that are banned per this Handbook or Residence Life policies, that item(s) will be confiscated via Campus Safety and the issue will be addressed as outlined in the Student Code of Conduct. Maintenance may also enter rooms to perform necessary repairs.

Obtaining the permission of the resident to enter a room is suggested by procedure but NOT required and, while University personnel will attempt to enter a room while the room resident(s) is/are present, this may not always be possible.

If the staff person has reason to believe that some condition exists that constitutes a threat to the safety or well-being of the occupants of the building or the campus, or that a probable violation of University policy or State or Federal Law is occurring or has occurred, a cursory search of student rooms may be done. A cursory search of a room includes viewing everything that is in plain sight. At the discretion of the Office of the Vice President for Student Affairs, or designee, a student's room may be searched thoroughly.

A room search will only be conducted when authorized by one of the following people:

1. Vice President for Student Affairs
2. Assistant Dean for Campus Safety and Operations
3. Director of Housing and Residence Life
4. Director of Campus Safety

Students do not have to be present for the search, but University personnel will make a good faith effort to contact the student and provide them with written documentation of the search authorization either at the time of the search or the next business day. During the search, the student may be required to open any locked trunks, suitcases, etc. If the student is not present, any item in the room, including purses, trunks, etc, may be searched. The University will take due care to ensure proper handling of student's belongings, but are not liable for damage or clean up as a result of a room search. Any paraphernalia confiscated during the search that violates State or Federal law will be turned over to the Amherst Police Department for further action.

ROOMMATE AGREEMENT

During the first floor meeting, all first-year students will complete a Roommate Agreement. Students within the Campus Apartments and Collegiate Village have the option to complete a Roommate Agreement. Students may contact their RA or Residence Life staff should they wish to have a staff member conduct a Roommate Agreement conversation for a room/suite. While not bound by policy, completion and return of the

document ensures that roommates are able to communicate the type of living arrangement in which they are comfortable.

SMOKING/VAPING

Daemen University is a Tobacco-Free Campus and smoking in any form is prohibited at all times on campus grounds. Campus grounds include all Daemen-owned property, including the Bieler College of Health Professions, property along Getzville Road and Campus Drive, and all residence hall rooms, apartments, and common areas.

Any used cigarettes, electronic cigarettes, ashtrays, smoking paraphernalia, and/or ashes will be considered a violation of the smoking policy. Smoking is, in part, defined as carrying or holding of any lit or ignited pipe, cigar, cigarette, electronic cigarette, or any other lit or battery operated smoking equipment or device.

Reports or smells consistent of smoking may be documented and result in follow-up from Residence Life or University officials.

SOLICITATION

No solicitation is permitted in or around the residence halls.

SPECIAL ACCOMMODATION REQUESTS

Students who wish to request housing or dining accommodations or adjustments due to medical and/or disability related circumstances must contact the Office of Accessibility Services at 716-839-8228. For more information, please refer to the following website daemen.edu/accommodations. Note that in order to receive full consideration, requests for changes to housing or meal assignments must be received 60 days prior to the move in date of each semester.

STANDARDS OF LIVING

The Residence Life program strives to provide a positive educational living experience for resident students. All resident students are expected to comply with established standards of living listed in their Residence Hall Agreement. Rooms are furnished with beds, desks, chairs, and dressers. The standards of living include, but are not limited to:

1. Students are responsible for cleaning their own residential spaces, including bedrooms, bathrooms, kitchens, and common areas, including obtaining or collaborating to use cleaning products. While not all-inclusive, spaces must meet the guidelines below:
 1. Sweep/vacuum floors and walkways to be navigable and clear from items, debris, and food items (e.g. spills, crumbs, etc.). A vacuum is provided in each residential apartment and/or Canavan floor.
 2. Empty trash and/or recycling daily to avoid buildup of smells, mildew, and pests. Disposal bins/containers should be wiped down regularly.
 3. Kitchen countertops, tables, sinks, appliances (e.g. fridge, freezer, microwave, stovetop, oven), and other surfaces wiped down and

cleaned weekly. Dishes should be cleaned daily and no food or liquid residue in room areas.

4. Bathroom toilets, sinks/countertops, and showers regularly cleaned/wiped down to where growth of mildew or other spores are not present. Hair, soap residue, and other items cannot clog the drain or dry to surface areas that create cleaning difficulty.
 5. Laundry/bed linens are washed/dried bi-weekly to avoid buildup of smells or mildew. Laundry/linens do not pile up to where smells develop or room access points are blocked. University-provided mattress covers may remain encased unless emergent concerns arise.
 6. Residents are expected to practice good hygiene, including regular hand washing and showering to prevent the spread of illness and/or odors.
2. No intentional effort to force a roommate/suitemate to move out of the room or apartment will be tolerated

TEMPORARY HOUSING

Students who are assigned to temporary or overflow spaces, which include area hotels, will be required to relocate to a permanent space once one is available. Students will be kept informed of their status and will be given instructions with regards to moving and vacating temporary spaces.

WEAPONS

Students are not permitted to have weapons on campus including firearms of any kind, kung fu sticks, shuriken, switchblades, gravity blades, machetes, or knives (other than eating utensils), cap guns, ammunition and explosives (or explosive chemicals), or any other dangerous weapons or substances. Students found to be in possession of such weapons or substances are subject to sanctions which may include expulsion from the University. Weapons used as props, whether real or otherwise, are not permitted in residence halls.

SECTION 5

GENERAL UNIVERSITY POLICIES

These policies govern all students enrolled at Daemen University, regardless of status and/or the location where they attend classes. Please see the Daemen University Catalog at daemen.edu/catalog for the full listing of academic policies and procedures pertaining to matriculated students.

ACCOMMODATION OF PREGNANCY, CHILDBIRTH, AND NURSING

Students are entitled to reasonable accommodation of pregnancy- and childbirth-related needs. Students may be absent from classes for as long as the student's doctor deems medically necessary and will be allowed the opportunity to make up any work missed. Alternatives to making up work may be offered as appropriate, including retaking a semester or additional time in a program to continue at the same pace and finish at a later date. Any questions about a student's rights and responsibilities in this regard may be directed to the Assistant Vice President for Student Success at 716-839-8228 or the VP Institutional Equity & Belonging (who also serves as the University's Equal Employment Officer [EEO]) at 716-839-7699.

Students are entitled to receive reasonable break time to address lactation needs in a clean, private location. Appropriate on-campus space is provided for nursing mothers; contact the Coordinator of the CHIP Center in the John R. Yurtchuk Student Center.

ACCOMMODATION OF STUDENTS WITH DISABILITIES

Daemen University complies with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and applicable state and local laws providing for nondiscrimination against qualified individuals with disabilities. This policy applies to participation in all University programs and activities. Daemen University will also provide reasonable accommodations for qualified individuals with disabilities so that they may participate at a level equivalent with that of non-disabled students. In this connection, Daemen University has established an accommodation assessment procedure for evaluation of requested accommodation in light of legal guidelines.

It is Daemen University's policy to:

1. Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the admissions process and that qualified students with disabilities are treated in a nondiscriminatory manner with respect to all services, programs, and activities.
2. Keep all medically related information confidential in accordance with the requirements of the Rehabilitation Act, the Americans with Disabilities Act, and the Family Educational Rights and Privacy Act.
3. Provide qualified applicants and students with disabilities with reasonable accommodation, except where such an accommodation would create an undue hardship for the University.

4. Notify individuals with disabilities that the University provides reasonable accommodations to qualified individuals with disabilities by including this policy in the University Catalog and the Student Handbook.

Procedure for Requesting an Accommodation

If a qualified applicant for admission to the University or a student of the University anticipates a need for an accommodation to complete a course of study or to participate in a University program or activity (e.g., student housing), the request for accommodation should be brought to the attention of the Accessibility Services Office. Where the disability or the need for an accommodation is not obvious, the individual may be required to provide current evidence of the disability and the limitations that require accommodation. Accessibility Services will discuss with the applicant or student the limitation resulting from the disability and the potential reasonable accommodations that the University might make. Accessibility Services staff may also consult as needed with Sabrina Fennell, who is both the Assistant Vice President for Student Success and the University's 504/ADA Officer.

The University has established specific guidelines for the documentation of disabilities; the guidelines may be obtained from the Accessibility Services Office, or from the University's website.

The Office for Accessibility Services, in conjunction with the appropriate faculty, the 504/ADA Coordinator, and, if necessary, a professional evaluator retained by the University, will determine the feasibility of the requested accommodation, considering various factors including, but not limited to, the nature and the cost of the accommodation and whether the accommodation will impact the fundamental nature of the course or program. The applicant/student will be informed of the University's decision on the accommodation request. If a student is not satisfied with the determination made by the University with respect to the request for accommodation, the student may file a grievance pursuant to the University's Grievance Procedure, a copy of which may be found in the Student Handbook or obtained from the Student Success Center.

Procedure for Receiving Approved Accommodations

Accessibility Services will give the student an Accommodation Form specifying the accommodations approved by the University. It is the student's right and responsibility to request approved accommodations in University programs, activities, or services. In keeping with the University's nondiscrimination policy, accommodations are to be made only at the request of the student, not assumed or imposed by other parties. The student shall present their Accommodation Form to the appropriate faculty member or administrator to substantiate a request for accommodation. Accommodations should not be provided to students without evidence that the accommodation has been approved by the University. A student lacking such documentation should be referred to Accessibility Services according to the above procedure for requesting an accommodation.

Should any problem arise in securing an approved accommodation, the student should bring the problem to the immediate attention of the 504/ADA Officer, who will assist in resolving the matter. In addition, any member of the University community with questions or concerns about the University's disability policy and procedures should contact the 504/ADA Officer. Retaliation against students, applicants, or employees for

exercising their rights under this policy is strictly prohibited and will not be tolerated. Claims of retaliation should be reported to the 504/ADA Officer.

ALCOHOL AND OTHER DRUG POLICIES

Student Activities

Daemen University allows students who comply with the New York State minimum drinking age of 21 years of age to consume alcohol as a privilege, but not as a right, and within specified guidelines and limitations, at certain University events, as determined by the Director of Student Activities. These events are generally limited to those where a significant number of students over the age of 21 are anticipated to attend.

The University expects that students who choose to consume alcohol will do so responsibly. Individuals or groups who conduct themselves in a disorderly manner, destroy property, or infringe upon the rights of others are accountable for their behavior and will be subject to campus disciplinary action and/or appropriate civil or criminal actions. In other words, drunkenness is a problem, not an excuse for one. These policies and regulations apply to all members of the University community and their invited guests:

1. All alcoholic beverages are to be provided by Daemen University Dining Service at all events approved for alcohol service.
2. All student social functions involving alcohol are usually limited to members of the Daemen University community and their escorted guests. Students are liable for the actions of their guests. The Director of Student Activities will generally refuse alcohol requests for events where unescorted visitors may be expected. The Director may refuse entry of any person to any University event.
3. Alcohol abuse will not be tolerated. Alcohol may not be offered as a prize or reward, or consumed in contests. Social participants are allowed to purchase no more than one (1) alcoholic drink at a time (or at the discretion of the Director of Student Activities).
4. Dining Service bartenders, campus safety officers, group advisors, the Director of Student Activities, and/or any appropriate individual acting in their official capacity within the Division of Student Affairs has authority to refuse the purchase of alcohol by any person who appears to be intoxicated or troublesome. Such a person may be required to leave a social event.
5. Aside from the specifications permitting alcohol at certain student activities, and the guidelines for alcohol permitted in the residence halls listed in this Student Handbook, alcohol cannot be consumed on campus grounds or in private automobiles while on campus grounds.

Daemen University recognized student organizations are not permitted to host events on campus or off campus where the primary focus is the consumption of alcohol. This typically refers to bar parties or fundraisers where persons pay a cover charge and alcoholic beverages are provided free or at a reduced fee. The intent of this policy is to prevent and discourage events that promote alcohol abuse (binge drinking, underage drinking, DWI) and to reduce the risk of liability faced by student organizations and their officers when holding these types of events.

Residence Halls

See specific alcohol policy as outlined in the *Residential Living Section* (Section 4) of this Handbook.

Daemen University Drug and Alcohol Abuse Prevention Policy

Pursuant to the U.S. Department of Education Regulations implementing the Drug-Free Schools and Communities Act Amendments of 1989, Daemen University establishes the following policy and regulations:

Policy Statement: Daemen University endeavors to establish for its students, faculty and staff an environment in which the misuse of alcohol and drugs is minimized, which encourages moderation, safety and personal accountability, and which provides an atmosphere free of coercion and peer pressure to abuse alcohol or use illegal drugs. The University strongly believes and encourages the use of treatment and educational programs as the most effective means to reduce and prevent substance abuse of any kind. All members of the Daemen community should exercise sound judgment and be mindful of their personal health, safety and well-being, as well as that of their friends and guests, by observing all laws regulating drug and alcohol and the University rules expressed in this Policy and elsewhere in this Handbook.

Standards of Conduct: The unlawful possession, use, or distribution of alcohol and illegal drugs by students and employees on university property or while engaged in University activities off the University campus is prohibited. While the University permits the lawful use of alcohol by students and guests on campus in accordance with the University alcohol policy (see the following section), any abuse of this privilege will be subject to University disciplinary action and/or appropriate criminal sanctions.

Legal Sanctions Regarding Alcohol: Under New York State law it is illegal:

- To provide alcohol to persons under the age of 21 or to persons who are visibly intoxicated. Providing alcohol to persons under the age of 21 is a Class A misdemeanor which is punishable by imprisonment for up to one year in jail, a fine, and/or three or more years of probation;
- To misrepresent the age of a person under the age of 21 for the purpose of inducing a sale of alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$200, or by imprisonment for not more than five days, or by both fine and imprisonment;
- For a person under the age of 21 to possess alcohol with the intent to consume it. Those found guilty of violating this law shall be punished by a fine of not more than \$50 and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service;
- For any person under the age of 21 to present or offer any written evidence of age which is false, fraudulent or not actually their own, for the purpose of purchasing or attempting to purchase alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$100, and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service. Additionally, if it is found that a New York State driver's license was the written evidence of age used for the purpose of the purchase or attempted purchase, the person's license to drive a motor vehicle may be suspended for 90 days. Lastly, alteration of the required forms of

identification (driver's license, passport or armed forces ID card) may constitute "possession of a forged instrument...with intent to defraud," which is a Class D felony under New York State penal law.

Legal Consequences of Operating a Vehicle While Under the Influence of Alcohol or Drugs

- Operating a Motor Vehicle After Consuming Alcohol While Under Age 21. Any person under age 21 who operates a motor vehicle after having consumed alcohol, as determined by a blood-alcohol content of at least .02%, may be referred to the Department of Motor Vehicles for license suspension or revocation, suspension fee, and a \$125 charge. V&T Law § 1192-a.
- Driving While Ability Impaired (DWAI) (more than .05% but less than .08% Blood Alcohol Content (B.A.C.)). First violation (Traffic Infraction): Mandatory \$300-\$500 fine and/or imprisonment up to 15 days; mandatory 90-day license revocation. Subsequent violations increase the fine, possible imprisonment, and length of revocation.
- Driving While Intoxicated (DWI) (.08% B.A.C. or higher or while impaired by the use of a drug) 1st Violation (Misdemeanor): Mandatory \$500-\$1,000 fine and/or 1 year imprisonment; Mandatory 6-month minimum license revocation. Two violations within 10 years can result in jail for up to 4 years, a 1-year revocation of your license to drive, and \$1,000- \$5,000 fine. If there is personal injury, a possible lifetime revocation can result.
- If you are under the age of 21 and charged with DWAI or DWI and you are convicted of such charges, your license will be revoked for a minimum of one (1) year. If you drive while your license is suspended or revoked, or if you refuse a chemical test, you face a mandatory jail term of 7-180 days and a mandatory fine of \$500-\$1,000.

Drugs

There are several New York State and Federal laws prohibiting the use and/or sale of controlled substances (drugs such as marijuana, heroin, cocaine, PCP, LSD, methamphetamine and fentanyl). Misuse and sale of prescription medications is also prohibited. Prescriptions are meant to be used only by the person for whom the prescription is written and/or as prescribed. A conviction can result in a substantial fine and/or a lengthy imprisonment. Remember that the conviction of a crime will remain on your record and can impact your ability to find suitable employment or get a professional license and can impair your ability to travel.

New York State has decriminalized marijuana, which is not the same as indicating its legality. Possession of less than 25 grams is considered a violation and carries a fine of up to \$100 with increased fines for repeat offenders. Additional charges/penalties and fines increase depending on the quantity over 25 grams.

Prescription medication, including medical marijuana, must be labeled as such and remain in the possession of the person for whom it was prescribed.

Daemen University Sanctions

Members of the University community who violate these policies will be subject to discipline via the Student Code of Conduct. Taking into account the circumstances of

each case, sanctions for students may range from warnings to expulsion from the University, and sanctions for faculty and staff members may range from warnings to termination. At the discretion of the University, as an alternative to, or in addition to any disciplinary action taken, students or employees may be required to participate in and to satisfactorily complete an appropriate counseling or rehabilitation program. Records of such discipline may be maintained in a student's record or an employee's personnel file. Enforcement of these sanctions will be through the University's existing disciplinary procedures for students, faculty, and staff, as appropriate. The University reserves the right to require that a student participate in random drug testing, at their own expense, as part of a sanction for being found responsible for a violation of this drug policy and/or if there is reasonable evidence to suggest illegal drug use/abuse.

Health Risks

Abusing drugs and/or alcohol can, among other things, be expensive, cause dependency, make you sick, lower your job performance, put you in prison, and even cost you your life.

Alcohol use will dull your senses, impair coordination, cause you to slur your speech, trigger mood changes, and depress brain functions. It may also lead to stomach irritation, irreversible brain damage, damage to liver, heart, and pancreas, and, for pregnant women, physical harm to your unborn baby.

Drug use may increase your heart rate and blood pressure; cause tremors and convulsions; produce heart, liver, and kidney damage; cause personality changes, confusion, and depression; lead to paranoia and hallucinations; and lower your resistance to disease—including STIs.

AMNESTY POLICY

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

BIAS REPORTING

Daemen University employs an online Bias Reporting Form designed to assist the University in promoting an environment that fosters civility and mutual respect for all. Members of the Daemen community may use the online form to report incidents of bias, misconduct, and harassment. A bias-related incident is motivated by the offender's bias against a person or group due their actual or perceived:

- Race
- Color
- Ethnicity
- National origin
- Sex
- Gender
- Gender identity or gender expression
- Religion or religious practices
- Age
- Ability
- Sexual orientation
- Marital status
- Familial status
- Pregnancy
- Veteran or military status
- Ex-offender status

One does not have to be a member of a specific gender, sex, class, or group in order to be a victim of bias, misconduct, or harassment. Additionally, reporters do not need to be victims of bias or misconduct themselves; this form can be used by bystanders to report incidents that they have witnessed or of which they have knowledge.

Any reports submitted will be routed to the appropriate office, typically Student Affairs and the Center for Diversity & Inclusion, which facilitates and adjudicates matters via the Student Code of Conduct, if it involves a student or the Office of Employee Engagement, if it involves an employee. All bias reports will be reviewed promptly. For reports containing contact information, a designated staff member will contact the reporting person and will be available to meet and discuss resources, policies, procedures, and services, with a view to addressing the immediate issue as well as any additional implications for campus climate. Reports and related follow up will be handled as discreetly as possible.

Bias Reports may be submitted anonymously; however, doing so will affect the University's ability not only to investigate a report but also to provide a successful resolution or outcome.

Knowingly falsifying a report is a violation of the [Student Code of Conduct](#) as well as [Employee Policies](#) and may result in disciplinary action.

Members of the campus community may also avail themselves of the Grievance Procedure in Cases of Discrimination and Harassment, which affords a more formal process of investigation and determination of outcome. Filing of a Bias Report does not preclude subsequent use of the Grievance Procedure if the issue remains unresolved. At the discretion of the Grievance Officer, the Bias Report process may be considered to fulfill Step 1 of the Grievance Procedure, which calls for an initial attempt to resolve a complaint informally.

CAMPUS CRIME STATISTICS ACT (1990)

The Jeanne Clery (Clery Act) Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 requires the distribution of an annual security report to all current faculty, staff, and students, and notice of its availability to prospective students, faculty, and staff. The annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by Daemen University. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, and sexual assault. You can obtain a printed copy of this report in the Office of Student Affairs located in the John R. Yurtchuk Student Center. It may also be viewed and printed on the University's website at daemen.edu/ASR.

Timely Warning and Emergency Notifications

In an effort to provide timely notice to the Daemen University community, and in the event of a serious incident which may pose an ongoing threat to members of the Daemen University community, a Safety and Security Alert is sent to all students and employees on campus. The alerts are generally written and distributed to the Daemen University community by the Vice President for Student Affairs, or a designee, and they are approved and distributed to the community by members of the President's Cabinet. Any necessary updates to the Daemen University community about any particular case resulting in a Safety and Security Alert will be made to the campus community through the Daemen University website ("What's Happening" page), email to the faculty-staff-announce and students-announce listservs, and the mass communication notification system via means selected by students, faculty, staff, and administrators. Other forms may include information posters in key campus locations, including the John R. Yurtchuk Student Center lobby, Canavan Hall lobby, Business Building center lobby, west, east and center doors of Duns Scotus Hall, Campus Village Apartments and Collegiate Village, and other locations. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and whether there is a continuing danger to the campus community. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other Daemen University community members and a Safety and Security Alert would not be distributed. The VP/SA, or designee, in consultation with appropriate campus personnel, reviews all reports to determine if there is an ongoing threat to the community and if the distribution of a Safety and Security Alert is warranted. Safety and Security Alerts may also be issued for other crime classifications, as deemed necessary.

Annual Security Report

Each year in mid-October, an e-mail notification is made to all enrolled students that provides the website to access the annual security report. Faculty and staff receive similar notification. Copies of the report may also be obtained in the Office of Campus Safety on the first floor of John R. Yurtchuk Student Center. It may also be printed from the website.

How to Report Criminal Offenses

In an emergency, dial 911.¹ After the emergency is reported, call Campus Safety so they can support emergency responders to best address the situation. Community members can contact the Office of Campus Safety at 716-839-SAFE (7233), 24 hours a day, 7 days a week. Please report to Campus Safety any suspicious activity or person(s) seen loitering in parking lots, around vehicles, in/around campus buildings, or in/around residence halls.

In addition, a crime may be reported to the following:

- Campus Safety
 - 716-839-SAFE (7233)
- Vice President for Student Affairs
 - 716-839-8519
- Director of Community Standards & Student Advocacy
 - 716-839-8200

To contact Amherst Police Department call 716-689-1311 or, in an emergency, dial 911.

Office of Campus Safety

Our Campus Safety Department provides emergency and non-emergency response services 24 hours a day, 7 days a week, and works in close partnership with the Amherst Police Department and emergency response agencies. In addition to being NYS-licensed security guards, our officers are trained and certified in numerous safety-related areas including, but not limited to, basic first aid, CPR/AED, and crisis intervention. All crime victims and witnesses are strongly encouraged to immediately report concerns to the Office of Campus Safety, 716-839-SAFE (7233), and call 911 when necessary. Prompt reporting will assure a timely response and assist with warning notices of on-campus incidents and disclosure of crime statistics.

DISSENTS AND DEMONSTRATIONS

Daemen University strives to create an environment in which diverse opinions can be expressed and heard in a safe and respectful manner. As a private university, Daemen wants to ensure that all members of our campus community feel empowered to peacefully express their views and opinions, regardless of whether others may disagree with those expressions. This includes the right of protestors to oppose the views or opinions of others, but not in such a way as to limit or prevent the speakers freedom of expression or interfere with university operations.

There may be times that students will choose to dissent with University or public policy and openly demonstrate on campus. Demonstrations may be held on campus as long as they do not disrupt the normal and proper operation of the University. Specifically, disruptions will include activities which:

1. Interfere with the rights of students, faculty, staff or guests of the University;
2. Disrupt or obstruct educational and other activities of the University;
3. Obstruct or restrict free movement of persons on any part of the campus;

¹ Please note that depending on where the call is made, students may need to alert 911 that they are in Amherst.

4. Interfere with the proper use of offices or other facilities to the students faculty, trustees, staff or guests of the University;
5. Endanger the safety of any person at the University; and/or,
6. Threaten or result in the destruction of property.

In order to use a campus facility for demonstration purposes, a student group must reserve space as outlined in the Student Activities section of this Handbook. The student group must also register its intent to demonstrate by submitting a letter to the Vice President for Student Affairs (or designee) at least 48 hours prior to the demonstration. The University will insist all planned protests be peaceful and orderly, carried out in accordance with these guidelines and in areas other than faculty and administrative offices, classrooms, libraries and study rooms. Students who violate these guidelines will be subject to disciplinary action.

Regardless of whether a student dissent or demonstration is aimed at the University or an outside entity, Daemen values free speech, expression and an exchange of ideas and therefore, wants to work directly with students as they plan a dissent or demonstration. Students should know, the University will:

- Support planned dissent and/or demonstration as long as it meets the guidelines outlined above and in the Student Handbook and/or does not pose a safety risk to individuals involved or community members.
- Assist with the planning, including providing reserved spaces, resources, support, audio-visual equipment, notifications, and any other reasonable request in line with reservation policies.
- Ensure that other community members with opposing viewpoints do not interfere with a peaceful dissent or demonstration and allow those community members equal opportunity to express those views in a similar forum.
- Protect university and individual property, and the health and well-being of participants.
- Students will NOT be subject to student conduct action for taking part in a peaceful protest, dissent, or demonstration as outlined above.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Daemen University complies with the Family Educational Rights and Privacy Act (FERPA). Pursuant to this law, the University shall maintain the confidentiality of student education records and shall not release them to any person or entity without the written consent of the student except as set forth below. Moreover, the University shall provide students access to their education records pursuant to the procedures outlined in this policy.

"Education records" are the records, files, documents, and other materials maintained by the University, which contain information directly related to a student except:

1. Records of faculty and administration, which are in their sole possession and are not revealed to any persons other than a representative.
2. Records of Campus Safety that were created for law enforcement purposes.
3. Employment records maintained solely for such purpose.

4. Medical records.

The University may include in a student's education records disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student or other members of the University community. Nothing in this policy shall prevent the University from disclosing such information to teachers or other institutions who have a legitimate educational interest in the behavior of the student. Moreover, the University may disclose to an alleged victim of any crime of violence the results of a disciplinary proceeding conducted by the University against the alleged perpetrator of such crime. In compliance with federal and state law (Title IX, the Clery Act), and New York State Education Law 129-B, the University will disclose the outcome of an investigation of sexual violence to both the complainant and the respondent, including information about specific disciplinary sanctions when sanctions directly relate to a student who has been harassed. Additionally, the University reserves the right to notify the parents/family of a student determined to have violated the University's policies and/or New York State laws regarding underage drinking or illegal use of drugs.

University policy is that no person shall have access to, nor will the institution disclose, any information from a student's education records without the written consent of the student except (a) to the student; (b) to appropriate University officials who have legitimate educational interest; (c) to certain state and federal officials; to officials at other schools in which the student seeks to enroll; (d) to persons or organizations in connection with the student's application for financial aid; (e) to organizations conducting studies for educational purposes, but only under conditions that protect confidentiality; (f) to accrediting agencies carrying out their accreditation function; (g) in compliance with a judicial order; (h) for reasons in an emergency in order to protect the health or safety of a student or other persons; and (i) to officials at another institution or partner provider when exchange of information is necessary in order to facilitate the investigation of a crime or other significant matter involving students at multiple institutions.

The Registrar will maintain, with the education records, a list of all persons and entities (other than University personnel with a legitimate educational interest) who have requested or obtained access to a student's records. This list, which is available to the student about whom information has been requested, will show the interest of persons or entities. Within the Daemen University community, only those officials with a legitimate educational interest are allowed access to student education records. Such persons include personnel in the Offices of the Executive Vice President for Academic Affairs and Provost, Associate Vice President for Academic Affairs, Vice President for Student Affairs, Division Deans, Student Success Center, Information Technology, Higher Education Opportunity Program, Registrar, Comptroller, Financial Aid, Admissions, faculty members, and other University officials within the limitation of their need to know. University officials may include students who serve on official University committees or who are employed in University offices. Internship supervisors (e.g., supervising teachers, clinical preceptors), consultants, contractors (e.g., attorneys, auditors), volunteers, or other parties to whom the University has outsourced institutional services or functions may also be considered University officials within the limitation of their need to know.

At its discretion, the University may provide "directory information" to others and the University's confidentiality policy shall not be applicable to such information. "Directory

information" includes: student name, address, telephone number, email address, date and place of birth, major field of study, dates of attendance, enrollment status (includes advance registration data, anticipated graduation year, class status), resident status (commuter or resident), degrees and awards received, recent educational institution attended by student, participation in recognized activities and sports, and weight and height of members of athletic teams.

The University will withhold directory information if a student makes a written request to the Office of the Registrar. Student directory information may be included on the University's website and may be contained in other University publications. Students wishing limited disclosure may submit a request in writing to the Office of the Registrar. A form is available on the Registrar's website <https://www.daemen.edu/academics/registrar/forms>. Once a student has requested non-disclosure, their directory information will not be disclosed until the student provides written instruction to change this status.

Students have the right to inspect and review information contained in their educational records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their record if they feel the decision following the hearing is unacceptable.

The University Registrar has the responsibility to coordinate the inspection and review procedures for student education records. Students wishing to review their education records must make a written request to the Registrar listing the records or information of interest. The pertinent record or information will be made available within forty-five days of the request. At their expense, students may have copies made of their records with certain exceptions (e.g., a copy of the academic record for which a financial "hold" exists). The following documents and information will not be disclosed to students: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment, or job placement; references to which they have waived their rights of inspection and review, provided they are used solely for such purpose; education records containing information about more than one student, in which case the University will permit access only to that part of the record which pertains to the inquiring student.

A student who believes that their education records contain information that is inaccurate, misleading, or inappropriate should discuss the problem with the Registrar in an effort to resolve the matter informally. If not resolved, the student will be afforded a formal hearing pursuant to the Student Dispute Resolution Procedure contained in the Student Handbook. The request for a hearing must be made in writing to the Executive Vice President for Academic Affairs and Provost, who, within a reasonable period of time after receiving a request, will inform the student of the date, place, and time of the hearing. A student may present evidence relevant to the issues raised in accordance with the Student Dispute Resolution Procedure. The hearing will be conducted by the Vice President of Academic Affairs and/or any other individual so designated.

The decision of the hearing will be final and will consist of a written report summarizing the evidence and stating the reasons for the decision. If the decision is in favor of the student, the student's record will be amended accordingly. If the student is not satisfied with the decision, the student may prepare a written statement explaining the disputed

contents of the record. This statement will be maintained as part of the student's education records and released whenever the pertinent record is disclosed. Inquiries regarding this policy should be directed to the Registrar.

In addition, students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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

FILE SHARING NOTIFICATION

Daemen University has a technology deterrent in place that blocks illegal file sharing including illegal downloading of music, movies, games and programs. The use of downloading programs (including uTorrent, Bit Torrent, limewire, frostwire, etc.) are prohibited and limited by our technology deterrent device.

Daemen responds to any formal legal complaints we receive. Organizations like the Motion Picture Association of America (MPAA) and the Recording Industry Association of America (RIAA) frequently police file-sharing programs for copyrighted material belonging to the artists they represent. Under the Digital Millennium Copyright Act, Daemen must respond to MPAA and RIAA complaints of copyright violations for sharing movies and music from computers on the Daemen network. In addition to civil action, local campus disciplinary action will be taken against offenders.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at <http://www.copyright.gov>.

If a complaint of copyright infringement is made against you, you will also face disciplinary action by Daemen University as stated in the Daemen University Handbook. This may include permanent loss of your access to the Daemen University network.

For a hard copy of this document, please visit one of the Computer Support Supervisors located in the Research and Information Commons or in the Business Building Computer Lab. To ask questions about copyright violations, email computing@daemen.edu or visit daemen.edu/filessharingpolicy.

GAMBLING

Gambling is not permitted on campus, with the exception of raffles by recognized student organizations which are approved by the Student Activities Office. Student-athletes and all staff that are directly associated with athletics are prohibited from participating in any bracket contests where money is paid and a prize can be won. This is considered gambling by the NCAA and a violation of their rules and regulations.

GRIEVANCE PROCEDURES

Every person in the University community is responsible for compliance with this policy. The Equal Opportunity Officer (EOO) and/or Title IX Coordinator has been given day-to-day responsibility for implementing these policies by the President and assuring compliance.

Grievances

Grievances or complaints alleging a violation of the University's policies prohibiting discrimination, harassment, sex discriminations, and sex-based harassment may be submitted to the Equal Opportunity Officer and Title IX Coordinator (Duns Scotus, Room 118, 716-839-8249). Grievances may be submitted in writing using the online bias reporting form or any other written mechanism. A grievance should contain a statement of the facts identifying the violation and as much supporting documentation as possible. Upon request, assistance in preparing the grievance will be supplied by the EOO. Those filing a grievance should also express their view of a possible resolution to the problem. A grievance should be filed by the student and/or their authorized representative as soon as possible after the alleged discrimination has occurred (usually within 30 days). A delay in filing a grievance may impact the ability of the University to investigate and resolve the grievance.

Grievance Procedure

The EOO will attempt to resolve the matter as simply and as quickly as possible by informally meeting with the relevant persons in an effort to reach an acceptable agreement.

If the complaint involves sex discrimination, sex-based harassment, and/or an alleged sexual assault, the University will follow the specific processes for these specific grievances, outlined in this handbook and in accordance with Title IX (see below). Cases of alleged sexual assault in which both the complainant and respondent are students will follow the procedures outlined in the Sexual Violences Policies and Procedures Section of this Handbook.

If an acceptable resolution is not reached by the EEO, the grievant may request that the matter be referred to the appropriate Cabinet member (Vice President for Academic Affairs (VPAA) in the case of a faculty grievant) for a more formal investigation. Such request may be made at any time, but not later than ten (10) days after notification that the Step 1 procedure is completed. Within thirty (30) days thereafter, the Cabinet member or VPAA or their designated representative (Grievance Officer) will conduct an investigation with respect to the grievance. (Should the grievance be against either the EEO or the Cabinet member, the grievant should notify the Associate Vice President of

Employee Engagement who will arrange for another Grievance Officer to be appointed.) Efforts will be made to complete the investigation within 45 days after Step 2 is initiated.

During the investigation, the grievant shall have the right to present evidence and witnesses. The Grievance Officer will also examine other relevant evidence and witnesses, including professionals where appropriate. The Grievance Officer shall render a written decision on the grievance applying a preponderance of the evidence standard. A copy of the decision will be provided to the grievant and accused party(ies). Either party may seek review by the University President of all or part of the Grievance Officer's decision by filing an appeal with the Office of the President within 10 days after the decision is rendered. The President in conjunction with legal counsel for the University will review the decision to determine whether it is supported by substantial evidence and that the University substantially complied with applicable procedures. The President's decision will be rendered within 30 days of filing the appeal. The President may affirm the decision, modify the decision, or return the matter for further investigation. Should the President be the accused party, the appeal will be made to the Executive Committee of the Board of Trustees, which will review and rule upon the Grievance Officer's decision.

Grievance Procedures for claims of Sex Discrimination or Sex-Based Harassment

Daemen University has adopted specific grievance procedures to provide for the prompt and equitable resolution of complaints made by students.

The following persons ("Complainants") have a right to make a complaint of sex harassment, requesting that Daemen University investigate and make a determination regarding the alleged harassment: (1) the student who is alleged to have been subjected to conduct that is alleged to be sexual harassment; (2) a person other than a student who is alleged to have been subjected to conduct that could constitute sex harassment when that individual was participating or attempting to participate in an education program or activity; or (3) a parent, guardian, or other authorized legal representative with a legal right to act on behalf of student;

In the absence of a formal complaint from a Complainant, the Title IX Coordinator (or designee) may consider initiating such complaint on behalf of the Complainant, in consideration of the following factors: (1) the Complainant's request not to proceed with a formal complaint; (2) the Complainant's reasonable safety concerns in relation to the filing of a complaint; (3) the risk that additional acts of sex based harassment would occur if a complaint was not initiated; (4) the severity of the alleged harassment, (5) the age and relationship of the parties; (6) the scope of the alleged sex based harassment; (7) the availability of evidence to assist a decisionmaker determine whether the sex based harassment occurred; and (8) whether Daemen University could end the alleged sexual harassment and prevent it reoccurrence without utilizing the grievance procedures.

If the Title IX Coordinator (or designee) decides to initiate a complaint after considering the above factors, notice must be provided to the Complainant prior to such initiation. The Title IX Coordinator (or designee) must address any reasonable concerns of the Complainant's safety or safety of others, including the provision of supportive measures.

A complaint may be oral or written, as long as the recipient is able to reasonably understand the sum and substance of the complaint. Complaints may be made to the Title

IX Coordinator or University official with authority to institute corrective measures under Title IX.

Daemen University may consolidate claims of sex harassment or discrimination against one or more respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination and/or sex-based harassment arise out of the same facts or circumstances. Consolidation is not permitted if it would violate the confidentiality provisions of FERPA.

If, in the course of an investigation, Daemen University decides to investigate additional allegations of sex based harassment by the respondent toward the complainant that are not included in the written notice or that are included in the consolidated complaint, it will provide written notice of the additional allegations to the parties.

Upon receipt of a complaint, Daemen University will treat complainants and respondents equitably. The Title IX Coordinator, Investigator, or Decision Maker will not have a conflict of interest or bias for or against complainants or respondents generally or individually.

Upon initiation of these Title IX grievance procedures, Daemen University will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview: (1) Information about Daemen University's Title IX grievance procedures and any informal resolution process; (2) Sufficient information about the complaint to allow the parties to respond to the allegations, including the identity of the parties involved, the conduct alleged to constitute sex-based harassment, and the date(s) and location(s) of the alleged conduct; (3) Notification that retaliation is prohibited; (4) Notification that the Respondent is presumed not responsible for the alleged sex based harassment until a determination is made at the conclusion of the grievance procedure; (5) Notice that the parties may have an advisor of their choice who may be, but is not required to be, an attorney; (6) Notification that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes the evidence; (7) Daemen University's Code of Conduct provision prohibiting false statements or information.

Daemen University will proceed with its investigation of the complaint in an adequate, reliable, timely and objective manner. The burden is on Daemen University- not the parties- to assure a full and fair investigation, with a presumption that the Respondent is not responsible for the alleged sex discrimination and/or sex-based harassment until a determination is made at the conclusion of the grievance process.

During its investigation, Daemen University will provide to a party whose participation is invited or expected, 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.

Daemen University will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. Daemen University will not limit the choice or presence of the advisor for either party in any meeting or proceeding. However, Daemen

University may establish restrictions regarding the extent to which an advisor may participate, as long as these restrictions apply equally to each party.

Daemen University will provide an equal opportunity for the parties to present fact witnesses and other inculpatory or exculpatory evidence that are relevant and not otherwise impermissible.

Each party and advisor will have an equal opportunity to access the evidence that is relevant to the allegations and not otherwise impermissible. This includes giving each party a reasonable opportunity to review and respond to the evidence or investigative report.

Daemen University will take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through the sex-based harassment grievance procedures.

The following types of evidence, and questions leading to such evidence, are impermissible, and will not be considered by Daemen University when making a decision: (1) evidence that is protected under a privilege recognized by State or Federal law, or evidence provided to a confidential employee, unless the person to whom the protection is owed knowingly and voluntarily waives such privilege; (2) Records of a party or witness that are maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the party or witness knowingly and voluntarily waives such confidentiality for use in the grievance procedure; and (3) evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence of 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 parties does not by itself demonstrate or imply the Complainant's consent to the alleged sex harassment or preclude a determination that sex harassment occurred.

Daemen University will conduct a live hearing with the parties physically present in the same geographic location, or at the University's discretion or upon the request of either party, will conduct the live hearing with the parties physically present in separate locations with technology enabling the decision maker and parties to simultaneously see and hear the party or witness while the person is speaking. Daemen University will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review.

Daemen University will provide a process that enables a decision maker to question parties and witnesses adequately to assess a party or witness' credibility to the extent credibility is both in dispute and relevant to evaluating the claims of sex-based harassment. The process for proposing and asking relevant and not otherwise impermissible questions and follow-up questions of parties and witnesses, including questions challenging credibility, will allow the investigator or decisionmaker to ask questions and either: (1) allow each party to propose such questions that the party wants

asked of any party or witness and have those questions asked by the decision maker, subject to the procedures for evaluating and limiting questions discussed below, or (2) allow each party's advisor to ask any party or witness such questions, subject to the procedures for evaluating and limiting questions discussed below. Such questioning will never be conducted by a party personally. If Daemen University permits advisor conducted questioning and a party does not have an advisor to ask questions on their behalf, Daemen University will provide the party with an advisor as outlined in Section 8 of this Handbook.

The decision maker will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party being questioned will not be permitted. The decision maker will give a party an opportunity to clarify or revise a question that the decision maker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked. The decision maker 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. The decision maker will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness' refusal to respond to such questions.

Following an investigation, live hearing and evaluation of all relevant and not otherwise impermissible evidence, Daemen University will use the **preponderance of the evidence** standard of proof to determine whether sex discrimination and/or sex-based harassment has occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision maker is not persuaded under the applicable standard of evidence, the decision maker will not determine that sex discrimination and/or sex-based harassment has occurred.

The decision maker will notify the parties simultaneously in writing of the determination, including: (1) a description of the alleged sex based harassment; (2) information about Daemen University's policies and procedures used to evaluate the allegations; (3) The decision maker's evaluation of the relevant evidence and determination of whether the sex based harassment occurred; (4) any disciplinary sanctions, if applicable, that Daemen University will impose on the Respondent, whether remedies other than the imposition of disciplinary sanctions will be provided to the Complainant or other students identified to be experiencing the effects of sex based harassment; and (4) Daemen University's procedures and bases for one (or both) of the parties to appeal.

Daemen University will not impose discipline on a Respondent for sex discrimination and/or sex-based harassment under Title IX unless there is a determination at the conclusion of the grievance process that the Respondent engaged in prohibited sex discrimination and/or sex-based harassment.

If there is a determination that sex discrimination and/or sex-based harassment has occurred, the Title IX Coordinator (or designee) will: (1) coordinate the provision and implementation of remedies to a complainant and other people the University identifies as having had equal access to Daemen University's education program or activity limited or denied by sex discrimination and/or sex-based harassment; (2) coordinate the imposition of any disciplinary sanctions on Respondent, including notification to the

complainant of any disciplinary sanctions; and (3) take other appropriate prompt and effective steps to ensure that sex discrimination and/or sex-based harassment does not continue or recur within Daemen University's education program or activity.

Following a determination that sex based harassment occurred, Daemen University may impose disciplinary sanctions which can be found in Section 8. Daemen University may also provide informal resolutions.

Daemen University will not discipline a party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination and/or sex-based harassment has occurred.

The determination becomes final either on the date that Daemen University provides the parties with the written determination of the result of any appeal, or if no appeal is initiated, the date on which an appeal would no longer be timely.

Daemen University will offer an appeal from a dismissal or determination of a Title IX claim on the following bases: (1) procedural irregularity that would change the outcome; (2) new evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and (3) the Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against the parties generally or the individuals involved that would change the outcome.

If a party appeals a dismissal or determination, whether sex based harassment occurred, Daemen University will notify the parties in writing of the appeal, including the notice of allegations. The University will implement all appeal procedures equally for the parties, and ensure that the appellate decision maker did not take part in the underlying investigation. The University will likewise assure that the appellate decision maker has been trained consistent with the Title IX regulations, and communicate to the parties in writing that the University will provide the parties a reasonable and equitable opportunity to make a statement in support of, or challenging, the determination or dismissal. Any bases or procedures for appeal will be equally available to the parties.

A final decision regarding the appeal will be sent to the parties with a description of the result and rationale.

Daemen University may dismiss a complaint if: (1) it is unable to identify the respondent after taking reasonable steps to do so; (2) the respondent is not participating in the University's education programs or activities; (3) the University obtains the complainant's voluntary withdrawal in writing of any or all of the allegations, the Title IX Coordinator (or designee) declines to initiate a complaint, and Daemen University determines that, without the complainant's withdrawn allegations, the conduct that remains in the complaint, if any, would not constitute sex discrimination and/or sex-based harassment under Title IX even if proven; or (4) Daemen University determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination and/or sex-based harassment under Title IX. Before dismissing the complaint, the University will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the University will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then Daemen University will notify the parties simultaneously of the dismissal in writing. The Complainant may appeal the dismissal on the bases outlined in the Appeals section. In such case, the University will also notify the Respondent that the dismissal may be appealed on the same basis. If a dismissal is appealed, the University will follow the procedures in the Appeals section.

When a complaint is appealed, Daemen University will at a minimum offer supportive services to the complainant and respondent as appropriate, and take other prompt and effective steps, as appropriate, through to Title IX Coordinator to ensure that sex discrimination and/or sex-based harassment does not continue or recur.

In lieu of resolving a complaint through the Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Daemen University will inform the parties in writing of any informal resolution process it offers and determines is appropriate, if any. Daemen University will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law. Before the initiation of an informal resolution process, Daemen College will explain in writing to the parties: (1) the allegations; (2) the requirements of the informal resolution process; (3) that any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before coming to a resolution; (4) that if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations; (5) the potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is only binding on the parties; and (6) what information Daemen University will maintain and whether and how the University could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

Daemen University will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that persons' access to Daemen University's education program or activity or provide support during the Title IX grievance procedures or during the informal resolution process. Please refer to the *Procedures For Responding To A Sexual Offense* section of this handbook for information regarding on and off campus resources.

HAZING AND OTHER NEW MEMBER INITIATIONS

Hazing has been defined under section 6450 of the Education Law as any action or situation which recklessly or intentionally endangers mental or physical health or involves the consumption of liquids, liquor, or drugs for the purpose of initiation into an affiliation with any organization. Other acts that are implied to be required for participating and/or involvement in a club or organization that may seem innocuous on the surface but are not optional, may also be considered hazing. Hazing is both a violation of the Penal Law and other laws of the State of New York. The University reaffirms its policy that it will not condone hazing of any kind. To this end, any student, faculty member, staff member, visitor, licensee, or invitee who engages in hazing may be removed from the Daemen campus and, where appropriate, shall be subject to a formal conduct review via the Student Code of Conduct and could face suspension, expulsion, or

other disciplinary action. Similarly, the University will rescind permission to operate on campus property and shall prohibit the use of the University's name to any organization whose members (whether individually or in concert) engage in hazing. An organizational philosophy that supports the mission of the University and is evident in the responsible behaviors, class attendance and attentiveness, as well as positive and meaningful activities, is an excellent antidote to hazing.

Reporting

Any community member who has been impacted by or has witnessed potential hazing should report the incident. In an emergency, dial 911.² After the emergency is reported, call Campus Safety so they can support emergency responders for best care of the situation. Community members can contact the Office of Campus Safety at 716-839-SAFE (7233), 24 hours a day, 7 days a week. In a non-emergent situation, report any hazing concerns to Campus Safety.

In addition, concerns may be reported to the following areas:

- Campus Safety
 - 716-839-SAFE (7233)
- Vice President for Student Affairs
 - 716-839-8519
- Director of Community Standards & Student Advocacy
 - 716-839-8200

To contact the Amherst Police Department, call 716-689-1311 or, in an emergency, dial 911.

INTELLECTUAL PROPERTY

Daemen University ("University") is dedicated to teaching, research, service, and the dissemination of knowledge. The University believes that the public interest is best served by creating an intellectual environment whereby creative efforts and innovation are encouraged and rewarded, while still retaining for the University reasonable access to, and use of, the intellectual property for whose creation the University has provided assistance.

The intent of this Intellectual Property Policy is to encourage the creation of original works of authorship and inventions by faculty, staff, and students while safeguarding the reputation and financial interests of the University. It is expected that, in all cases, the University and its faculty, staff, and students will act in a manner as to best serve the public interest.

To view the full policy, please visit the Academic Affairs section at the University's policy portal at policies.daemen.edu/intellectual-property-policy.

² Please note that depending on where the call is made, students may need to alert 911 that they are in Amherst.

LOST AND FOUND

Located in the John R. Yurtchuk Student Center, the Campus Safety/Information Desk is the collection point for all lost and found articles. Anyone who has lost or found anything on campus should contact the Campus Safety/Information Desk to report or claim the item 716-839-SAFE (7233). Articles not claimed by their owners by the end of each semester are donated to charity. An electronic lost and found log is maintained by the Campus Safety/Information Desk and every effort is made to reunite owners with their articles.

MINORS ON CAMPUS

Parents and/or guardians of minor children, not to be confused with students accepted for matriculation to Daemen who happen to be under the age of 18, are expected to provide adequate supervision while the minors are on campus. To that end, minors should not be left unsupervised on University property. Students who bring related or unrelated minors on campus are assuming the role of guardian and will be held accountable for the actions of their guest(s) in accordance with the student Code of Conduct in this handbook. Generally, no matriculated student may have an overnight guest who is under the age of 17 without the permission of the Director of Housing and Residence Life (or designee).

Additionally, students, student groups, and/or other clubs, organizations or outside groups wishing to conduct a program with minors on campus will be subject to additional measures and precautions before being allowed to proceed. Academic programs involving individuals under the age of 18 who are not matriculated students will require approval from the Executive Vice President for Academic Affairs and Provost (or designee), in consultation with the Vice President for Student Affairs (or designee). Non-academic programs involving individuals under the age of 18 who are not matriculated students will require approval from the Vice President for Student Affairs (or designee). If approved, these programs will require additional provisions and measures including, but not limited to: signed consent and assent forms, emergency contact information, and specialized training and/or clearance for staff.

MISSING STUDENT POLICY

Daemen University takes student safety very seriously. To this end, the following policy and procedure has been established to assist in locating Daemen University students living in University on-campus housing who, based on the facts and circumstances known to the University, are determined to be missing. This policy has been established as required by the Higher Education Opportunity Act (HEOA) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, referred to as the Clery Act. Nothing in this policy should indicate that the University has knowledge of, or the ability to track, students' whereabouts and activities at all times. Students are responsible for their own care and travels.

Designation of a contact person(s)

Each year, every resident student has the option to identify a contact person(s) whom the University shall notify within 24 hours of the determination that the student is missing. The contact person can be anyone and, if the student so elects, may be someone other than the person that the student has designated as their emergency contact person for

other purposes. Resident students will be given a *Missing Student Contact Registration Form* which should be submitted to the Office of Housing and Residence Life located on the second floor of John R. Yurtchuk Student Center.

This contact information is considered confidential and will be maintained separately by the Office of Housing and Residence Life and will only be shared with the appropriate University officials involved in a missing persons investigation including, but not limited to, the Vice President for Student Affairs, as well as the President. The information may also be provided to the Daemen Office of Campus Safety and the Amherst Police should an investigation be conducted after a missing student report is made. Students may change or revoke their contact information through the Office of Housing and Residence Life. Residential students who are less than 18 years of age and not officially emancipated by their parents or guardian may designate a contact person; however, the student's custodial parent or guardian will also be notified within 24 hours of a determination that the student is missing.

Notification procedures for missing resident students

It is understood that resident students will have opportunities during the academic year to take weekends away to visit family or friends. When students will be away from their on-campus residence, students should inform their roommate or Resident Assistant of their plans and expected date of return for emergency contact purposes. For purposes of this policy, a student may be considered to be a "missing student" if the person's absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, possible victim foul play, expression of suicidal thoughts, possible alcohol or drug abuse, a life-threatening situation, or recent contact with persons who may endanger the student's welfare.

Anyone who suspects that a residential student is missing should immediately notify a Resident Assistant (RA), Hall Director (HD), Assistant Director and/or the Director of Housing & Residence Life (839-8200). If a missing student report is received by a RA, HD, or Assistant Director should immediately be notified to coordinate the investigation. The DHRL will immediately notify the Office of Campus Safety and the Vice President for Student Affairs.

Once such notice is received, the Office of Campus Safety and the Office of Housing and Residence Life will begin an investigation to include, but not limited to, the following:

- Call the student's cell phone
- Send a residence life staff member to the student's room.
- Contact roommate(s)
- Access student's vehicle information to locate and distribute to local authorities if necessary
- Access student's class schedule and seek information on last sighting or other contact information.
- Access reports to determine the last time a student used a meal card or accessed residence hall.
- If student works on-campus, contact supervisor for contact information
- Call student's designated Missing Person Contact

- Request information from Information Technology about students last electronic sign in to Daemen's network systems
- Office of Campus Safety may issue an ID picture to assist in identifying the missing student
- The Office of Campus Safety may search on-campus public locations (library, cafeteria, etc.)

Actions upon a determination that a student is missing

If the above investigatory steps are unsuccessful in locating the student who has been missing for 24 hours, or it is apparent sooner that the student may be endangered, the DHRL or designee, after consulting with the Office of Campus Safety, will take the following actions within 24 hours:

1. Contact the Amherst Police Department and other law enforcement agencies as necessary and report the student as a missing person.
2. Write and file a detailed report and share it with the police. Law enforcement will take charge of the investigation.
3. Notify the designated contact person, if any, that the student is believed to be missing. For unemancipated students under the age of 18, the student's parent/guardian will also be notified.

Campus communications about missing students

Notifications to the campus community will be coordinated by the Vice President for Student Affairs (or designee). Media communications will be coordinated by the Director of Institutional Communications. Information will not be released to the public unless authorized by the Vice President for Student Affairs (or designee). All media requests will be directed to the Director of Institutional Communications. The DHRL will act as the liaison between the University and law enforcement, writing follow-up reports as needed and keeping university officials apprised of the ongoing investigation.

Commuter students

Reports of commuter students who are missing will be referred to the Office of Campus Safety and Amherst Police Department for investigation.

PARKING

Persons who drive vehicles on campus are subject at all times to the motor vehicle laws of the state of New York, to orders of the Department of Transportation and, where applicable, to ordinances of the Town of Amherst. Operation of a motor vehicle on campus is a privilege granted by Daemen University. Serious or excessive traffic violations may result in the loss of this privilege. The Office of Campus Safety has authority over the parking lots and the general grounds.

1. All motor vehicles must be registered, each academic year, with the University when operated and parked on University property (except for visitors to the University). Parking permits may be applied for on-line at: my.daemen.edu/parking. Parking permits cost \$50 per year. Students should be prepared to show a valid motor vehicle registration for each vehicle that they wish to register to park on campus when they pick up a parking permit at the

John R. Yurtchuk Student Center Information Desk. Any change in autos or plate numbers must be registered with the Campus Safety Office. An annual parking fee may apply.

2. Resident students who reside in Canavan Hall are not eligible to park on or around campus proper, but rather at an off-site arrangement through Collegiate Village. These students must still register their vehicle but are charged an annual fee of \$50. Parking on, or around, campus proper may result in a parking citation. The University reserves the right to adjust where resident students park each year. An email with any alterations will be sent in the beginning of the fall semester.
3. The parking permit is to be displayed on the lower left of the front window. An alternative location is placing the tag on a clear see-thru hang tag that is hung, facing forward, on the rear view mirror.
4. Students should park in designated areas only or be subject to a ticket, tow, or loss of parking privileges.
5. Students may not have more than one car parked on campus at a time.
6. Speed limits are posted at entrances and on roadways of the campus. Speed limits vary from 5 MPH to a maximum of 15 MPH.
7. Full stops are required at all stop signs.
8. Pedestrians always have the right of way. Pedestrians are encouraged to use the sidewalks for optimum safety.
9. Motor vehicles may not be operated on any sidewalk or grassed area. Service vehicles and authorized contractor vehicles are not included in this prohibition.
10. Daemen University Campus Safety Officers and Town of Amherst Police are empowered to enforce all ordinances and laws pertaining to traffic regulations.
11. Dangerous use of skates, skateboards, in-line skates, bicycles, and other forms of transport or recreation is prohibited.
12. Parking is prohibited on all roadways, service drives, and areas reserved for service vehicles. Possession of a parking permit entitles the holder to park only if there is available space in the allotted parking areas and not to block driveways or roadways.
13. Overnight parking is permitted only in designated lots and only for those resident students who have a valid parking permit and are allowed to park on campus.
14. Students will be required to move their cars from time to time to alternative designated lots to facilitate snow removal. Failure to move a vehicle upon notification by the University will result in ticketing and/or towing of the vehicle at the owner's expense.
15. Daemen University may have towed, at the expense of the owner, any vehicle that is parked in violation of stated regulations. Other improperly parked vehicles will be ticketed by the University and/or Town of Amherst Police. Serious or continued violations may result in revocation of parking permit and loss of parking privileges for the remainder of the academic year (as determined by the Assistant Dean for Campus Safety and Operations or designee).
16. Temporary overnight parking permits(for registered guests) are available at the John R. Yurtchuk Student Center Information Desk. Residents will be held responsible for their guests' vehicles to ensure that the guest parks the vehicle in the proper location. Parking citations issued to the guest of the student will become the responsibility of the host.

17. Excessive Parking policy violations and/or tickets, may be subject to disciplinary sanctions.

POLICY PROHIBITING DISCRIMINATION, HARASSMENT, SEX DISCRIMINATION, AND SEX-BASED HARASSMENT

It is the policy of Daemen University, in accordance with federal and state laws including, but not limited to, Title IX of the Education Amendments of 1972, the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the New York State Human Rights Law, not to discriminate on the basis of sex, sexual orientation, gender, race, color, creed, religion, veteran or military status, national origin, age, disability, familial status, marital status, domestic violence victim status, status as an ex-offender, arrest record, predisposing genetic characteristics or genetic information, or any other characteristic protected by federal or New York State law against any person with respect to employment, admission to the University, or in participation in any University program or activity. Also in accordance with these laws, it is the policy of the University to prohibit harassment of any student, employee or applicant on the basis of the statuses outlined above. All complaints alleging a violation of this policy will be expeditiously and objectively investigated. Upon conclusion of an investigation, appropriate remedies will be instituted.

It is the policy of Daemen University not to discriminate on the basis of sex, including sex-based harassment, in its educational programs, activities or employment policies as required by Title IX of the Education Amendments of 1972, Equal Employment Opportunity Commission regulations, and other applicable antidiscrimination laws.

Sex Discrimination

Sex discrimination refers to any discrimination on the basis of sex, including but not limited to treating individuals unfairly or differently because of their sex, which encompasses biological sex, gender identity, sexual orientation, sex characteristics, sex stereotypes, pregnancy or related conditions.

Sex-Based Harassment

Sex-based harassment, which is a subset of sex discrimination, is defined as sexual harassment or other harassment on the basis of sex, including harassment because of biological sex, gender identity, sexual orientation, sex characteristics, sex stereotypes, and pregnancy, that meet the following categories:

1. Quid pro quo harassment - An employee, agent or other person authorized by the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
2. 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 the University's education program or activity (*i.e., creates a hostile environment*).

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- a. The degree to which the conduct affected the Complainant's ability to access the University's education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. The Parties' ages, roles within the University's education program or activity, previous interactions and other factors about each Party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the University's education program or activity.
3. Sexual Assault (*as defined in the Clery Act*) means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent;
4. Dating Violence [*as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act*] means any violence committed by a person:
 - a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. Where the existence of such a relationship shall be determined based on a consideration of the following factors: The length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.
5. Domestic Violence means any felony or misdemeanor crimes committed by a person who:
 - a. Is a current or former partner of the victim under the family or domestic violence laws of New York State, or a person similarly situated to a spouse of the victim;
 - b. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - c. Shared a child in common with the victim; or
 - d. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of New York State; or
6. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- a. fear for the person's safety or the safety of others; or
- b. suffer substantial emotional distress.

Daemen University will take all steps necessary to prevent such discrimination and effectively address incidents of unlawful harassment, including the imposition of appropriate sanctions. As examples, the following kinds of conduct, as well as others with a similar harassing effect, are absolutely prohibited if such conduct falls within the definition stated above:

1. Abusing an employee or student through insulting or degrading sexual remarks, jokes, innuendoes, or other sexually oriented conduct (including, among other things, graphic or descriptive comments relating to an individual's body or physical appearance, sexually oriented teasing or pranks, improper suggestions, objects or pictures, or unwanted physical contact); or
2. Threats, demands or suggestions that an employee's or student's status depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct.
3. Sexual violence, defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's age, use of drugs or alcohol, or intellectual or other disability.

Any harassment of Daemen University employees, students, or applicants, or third parties (such as participants in University sponsored events) in violation of these rules is absolutely prohibited and will not be tolerated. Interim protective measures may be made while a complaint is investigated. Both complainant and respondent shall be treated equitably throughout the investigation.

Conduct that occurs off campus, including but not limited to that perpetrated electronically, by social networking or email, is also subject to investigation and an appropriate response under the Policy to the extent that such conduct contributes to a sexually hostile environment on campus.

Sex-based harassment is illegal under both state and federal law. Inquiries regarding compliance with Title IX and New York State law 129-B may be directed to the Title IX Coordinator and VP Institutional Equity & Belonging & HEOP Director, Tiffany Hamilton (716-839-8249), who also serves as the University's Equal Opportunity Officer.

Other Forms of Harassment

Harassment is defined as verbal or physical conduct which denigrates or shows hostility or aversion to an individual, or that of a persons' relatives, friends, or associates, because of the person's sex, sexual orientation, gender, race, color, creed, religion, veteran or military status, national origin, age, disability, familial status, marital status, domestic violence victim status, status as an ex-offender, arrest record, predisposing genetic characteristics or genetic information, or any other characteristic protected by federal or New York State law and which:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or educational environment; or

2. Has the purpose or effect of unreasonably interfering with an individual's performance; or
3. Otherwise adversely affects an individual's employment or educational opportunities.

As examples, the following kinds of conduct, or others with similar harassing effect, are absolutely prohibited if such conduct falls within the definition stated above:

1. Abusing an employee or student through epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts (even if claimed to be "jokes" or "pranks") which relate to sex, sexual orientation, gender, race, color, creed, religion, veteran or military status, national origin, age, disability, familial status, marital status, domestic violence victim status, status as an ex-offender, arrest record, predisposing genetic characteristics or genetic information, or any other characteristic protected by federal or New York State law; and
2. Written or graphic material which denigrates or shows hostility or aversion toward an individual or group because of sex, sexual orientation, gender, race, color, creed, religion, veteran or military status, national origin, age, disability, familial status, marital status, domestic violence victim status, status as an ex-offender, arrest record, predisposing genetic characteristics or genetic information, or any other characteristic protected by federal or New York State law.

Any harassment of Daemen University employees, students, or applicants in violation of these rules is absolutely prohibited and will not be tolerated.

Non-Consensual Media Sharing

Non-consensual media sharing or "Revenge Porn" is the non-consensual sharing or publication of an intimate image that was taken and/or shared with the assumption that the image would remain private, with the intent to cause harm to the emotional, financial, or physical welfare of another person.

"Revenge Porn" is illegal under New York State bill S.1719-C, and a violation of the Student Code of Conduct. Students, Faculty and Staff have the right to file a complaint with the Division of Student Affairs (for students) or with the Office of Employee Engagement (for faculty and staff). All complaints alleging a violation of this policy will be investigated and appropriate remedies will be instituted.

Retaliation

Retaliation against employees, students, third parties (such as participants in University sponsored events) or applicants for exercising their rights under this policy is also strictly prohibited and will not be tolerated. This includes retaliation against employees, students, third parties (such as participants in University sponsored events) or applicants for inquiring about their rights, or for making an honest complaint of a violation or possible violation, or for truthfully assisting in a complaint investigation. Claims of retaliation should be reported to the VP Institutional Equity & Belonging & HEOP Director (Tiffany Hamilton, Duns Scotus, Room 118, 716-839-8249), who is the University's Equal Opportunity Officer and the Title IX Coordinator, as applicable.

Any employee or student who feels as though someone has subjected him or her to retaliation as a result of a report or participation in the investigation of a report should contact the University's VP Institutional Equity & Belonging & HEOP Director/Title IX Coordinator (identified above) or other senior officer immediately.

No One Has Authority to Violate This Policy

Under no circumstances does a faculty member, administrator, trustee, employee, vendor, sub-contractor, or student of the University have any authority whatsoever to engage in discriminatory, harassing, or retaliating conduct in violation of this policy. If anyone claims to have such authority, or if an employee, student, third party (such as participants in University sponsored events), or applicant has a question about whether objectionable conduct is authorized by the University, the University's EEO (VP Institutional Equity & Belonging, 716-839-7699, DS 115), should be contacted.

Academic Freedom

As an institution of higher education, Daemen University, its employees and students also must be aware of the need for freedom of inquiry and openness of discussion in its educational and research programs, and must strive to create and maintain an atmosphere of intellectual seriousness and mutual tolerance in which these essential features of academic life can thrive. No university can or should guarantee that every idea expressed in its classrooms or laboratories will be inoffensive to all; pursued seriously, education and scholarship necessarily entail raising questions about received opinions and conventional interpretations. Daemen University does guarantee, however, that credible accusations of inappropriate remarks or conduct that may violate the University policy prohibiting discrimination and harassment will be investigated promptly, thoroughly, and fairly.

Complaints

Individuals with complaints of discriminatory harassment may also have the right to file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. An employee may also have the right to file a charge with the United States Equal Employment Opportunity Commission ("EEOC"), the Office of Civil Rights ("OCR"), or the New York Division of Human Rights ("SDHR"). A charge should be filed with the EEOC within 300 days of the most recent date that the unlawful conduct occurred, or if filed with the OCR, within 180 days, or if filed with the SDHR, within one (1) year.

No one should allow conduct that may violate this Policy to continue unreported. It is extremely important that this be reported so that the University can act to stop such conduct at the earliest possible time. Daemen University provides training for employees on recognizing and preventing harassment, including sex-based harassment: all employees are expected to participate in such training.

PUBLIC HEALTH EMERGENCY

Daemen University prioritizes the safety and well-being of its community members above all else. Therefore, all policies and procedures that are outlined as part of the University's official response to a public health emergency must be followed explicitly. Campus policies are put in place in compliance with Erie County Department of Health, New York State, Center for Disease Control and Prevention, and World Health

Organization guidelines. Additionally, all students are required to take personal responsibility for their health and the health of others. Failure to do so can result in follow-up through the Student Code of Conduct and, depending on the nature and/or frequency of the violation(s), could result in restriction from classes and/or campuses. To view the University's current COVID policy, [click here](#).

Vaccination

There could be circumstances where Daemen University may mandate inoculation by an FDA approved vaccine either for all campus community members or certain community members in more "highly transferable" situations (such as residence halls, athletic competition, etc). These requirements may be mandated by an outside entity for which Daemen must comply or on its own, as a private entity. Either way, decisions will be made by senior staff and communicated through the appropriate channels with timelines, exceptions, and repercussions for non-compliance as deemed appropriate based on the nature of the public health emergency.

Visitors and Guest Policy

At the discretion of the University, visitors/guests may be restricted from certain or all parts of campus during a public health emergency. Individuals will be expected to adhere to those guidelines or be subject to removal from the campus, student housing and/or other locations.

How to Report a Concern

Community members who are concerned about a community member's well being or their adherence to policy should complete a CARE report online at daemen.edu/concern. Immediate concerns should be reported to Campus Safety at 716-839-SAFE (7233).

Due to the fluid nature of a public health emergency, the University may issue additional orders and policies to which all community members will be expected to comply, regardless of whether they are outlined in this handbook or not.

PUBLICATION POLICY

The *Insight* is the online student newspaper of Daemen University, acting as a channel of communication among administrators, faculty, and students and, as such, has a right to information pertinent to the University community. As a member of the press and a member of the higher education community, a university newspaper is responsible for:

1. Intellectual inquiry and consideration, the study of facts, and the analysis of action.
2. Full presentation of facts as they occur, subject only to legal restrictions relating to libel, and ethical questions relating to methods of news gathering and premature disclosure.
3. Vigorous advocacy and criticism based on intellectual query and fact, subject to rebuttal through letters or columns.

Therefore, it is the policy of the *Insight* to accept these responsibilities in a professional manner. The content and direction of the *Insight* are determined by the majority of the editorial staff, acting as a responsible unit. The editorial staff consists of the

Editor-in-Chief, the Managing Editor, the Business Manager, and the various Associate Editors appointed by the Editor. As an independent institution, Daemen University is legally regarded as the publisher of the *Insight*. Consequently, the University is liable for everything which appears in the pages of the *Insight*, as well as for the responsible conduct of the editorial staff. The advisor to the *Insight*, appointed by the University administration, acts as an advisor to the Editor in carrying out editorial policy. The advisor examines all articles submitted and has the power to prevent all statements of a potentially libelous nature from being published.

Letters submitted to the Editor must bear the signature of those responsible for the content. Letters concerning a specific issue will be printed in direct proportion to the number of opinions submitted pro and con. All letters are subject to editing by the editorial staff. The editorial staff maintains the right to withhold the name of the writer upon request.

RELIGIOUS ACCOMMODATION POLICY

Daemen University prohibits discrimination on the basis of religion and is committed to providing a work environment that respects the religious beliefs and practices of all students. As part of that commitment, the University will make good faith efforts to fulfill a requested accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship for the University.

Requesting a Religious Accommodation

A student who anticipates being absent from work or class because of religious beliefs or practices that conflict with their job, class schedule, or a Daemen University policy or practice on dress and appearance to their supervisor or instructor/faculty member in charge of the course. Students are asked to examine the academic calendar and/or course syllabus for potential conflicts at the start of the semester and promptly notify the supervisor and/or instructor in writing of any anticipated accommodation needs, providing as much notice as possible, clearly specifying the reason for the requested absence or other accommodation. Students are responsible for arranging in advance to make up missed work or material in a timely manner.

Providing Religious Accommodation

Reasonable accommodations are determined on an individual basis and depend on the circumstances. They might include rescheduling an exam or giving the student a make-up exam, allowing an individual or group presentation to be made on a different date, letting a student attend a different discussion section for the same class that week, adjusting a due date, or assigning the student appropriate make-up work that is intrinsically no more difficult than the original assignment.

Supervisors and instructors are expected to reasonably accommodate individual religious practices. A refusal to accommodate is justified only when undue hardship to the University's legitimate business purposes would result from each available alternative for reasonable accommodation.

The University prohibits retaliation against students requesting religious accommodation, participating in an approved accommodation, or otherwise engaging in protected conduct under this policy. Any person who violates this anti-retaliation provision may be subject

to disciplinary and/or corrective action. Students who believe that they have been retaliated against or not accommodated appropriately should contact the EEO Officer/Daemen University Center for Diversity and Inclusion and/or the Director of Employee Engagement.

SEXUAL VIOLENCE AND ASSAULT

Please see the *Sex Discrimination and Sex-Based Harassment Policies & Procedures* section of this Handbook.

SIGNS AND NOTICES

Official University announcements are posted on bulletin boards located throughout the campus. All student organization activity announcements must be approved by the Director of Student Activities (or designee) or they cannot be guaranteed space on official bulletin boards. The University is not responsible for the removal of banners, signs, or notices. Announcements should be removed by the sponsoring organization as soon as they become outdated (within 24 hours after an event). NOTE: posters and flyers are not permitted on windows or doors, or anywhere in the building stairwells.

SMOKING

Daemen University is a Tobacco Free Campus and therefore smoking of any substance is prohibited at all times on campus grounds. Campus grounds include all Daemen-owned property, including the Academic and Wellness Center, property along Getzville Road and Campus Drive, and all residence hall rooms, apartments, and common areas. State law and local fire ordinances prohibit smoking in all areas of public buildings.

SOLICITATION AND PROSELYTISM

Neither solicitation nor proselytism will be tolerated on University property without the express permission of the Vice President for Student Affairs. This policy does not pertain to the basic and free practice of a student's personal religious belief, as long as religious activities do not infringe upon the rights of others or disrupt the educational functions of the University.

Daemen University recognized student organizations may be granted permission to conduct fundraising activities as approved by the Student Activities Office. The University does not permit any kind of solicitation by credit card companies on campus, including indirect affiliations with fundraising activities by student organizations.

Anyone suspected of soliciting without administrative permission should be reported immediately to Campus Safety, the Director of Housing and Residence Life (in the case of residence halls), or to the Vice President for Student Affairs (in case of other campus buildings).

STUDENT DISPUTE RESOLUTION PROCEDURE

Daemen University is committed to serving its students effectively and responsively. Students with questions or complaints should communicate directly with the department or office concerned, with a view to resolving the issue as expeditiously as possible.

Ordinarily, disputes with faculty members should be brought to the attention of the chair of the faculty member's department or, if the dispute involves the chair, to the divisional dean. A student may choose to use the online Bias Report Form, if pertinent, for assistance in resolution. Disputes concerning grades (including determinations of academic dishonesty) are handled exclusively in accordance with the Grade Appeal Procedure found in the University Catalog and the Student Handbook.

Disputes with non-faculty employees should be brought to the attention of the employee's supervisor for review and resolution.

Disputes between students that do not fall into one of the above-mentioned categories should be brought to the attention of the Vice President for Student Affairs.

Students at the university level, regardless of age, have both the right and responsibility to represent themselves in all matters concerning their education. This includes their ongoing development of those life skills necessary to functioning as capable and successful adults in the workplace and beyond. As such, the direct involvement of parents or other personal advocates in dispute resolution at the university level is generally considered inappropriate.

Students wishing to discuss an issue concerning a University employee are welcomed and encouraged to speak with an advisor in the Student Success Center (Research & Information Commons, first floor). Advisors can be valuable sounding boards who, while not "taking sides," can help students clarify issues, explain any pertinent policies or procedures, and give supportive guidance on the student's options.

Typically, in cases where the dispute potentially includes a violation of the Student Code of Conduct, the situation will be addressed via the procedures set forth in this handbook under the Conduct Review Procedures.

SUICIDAL IDEATION

The health and safety of members of the Daemen University community are of primary interest to the institution. When alerted to a student who may be in imminent danger of harming themselves, the University will take all reasonable steps to get that student help quickly and compassionately while working to preserve that student's academic progress. These steps could include, but are not limited to, requiring a psychiatric evaluation from an outside professional before returning to class, calling proper authorities, including police, rescue, and crisis services to assess the situation, and implementing a "Statement of Expectations" regarding specific tasks the student must follow. Students who have indicated a direct harm to themselves and who refuse to get an evaluation from a medical professional would be subject to follow-up through the Student Code of Conduct.

TRANSPORTATION

Before community members reserve, drive, or accompany a van, the University wants to ensure that they are aware of the following insurance restrictions placed on the University regarding the usage of Daemen vehicles to transport personnel.

The Director of Campus Safety is responsible for scheduling the use of the University vans. The University vans may be used by any organization, residence hall, or group recognized by the University, according to the following guidelines; however, use of the vans is a privilege, not a right. This privilege is subject to van availability. The Director of Campus Safety (or designee) reserves the right to deny requests based upon anticipated need or requested purpose. Those who abuse the privilege, as determined by the University, may be prohibited from using the vans. Any groups denied use of the vans may appeal to the Vice President for Student Affairs (or designee).

Guidelines

1. Requests for use of a van should be made 5-7 days in advance to the Director of Campus Safety. Last-minute requests may be denied. Vans are reserved on a first-come, first-served basis; however, official use of the vans by the University has priority over the use of vans by student groups and organizations. Any changes or cancellations must be communicated to the Director of Campus Safety immediately; failure to do so may affect future request approval.
2. The vans will be used primarily for travel in and around the vicinity of Daemen University by groups of at least six individuals (not further than a 75 mile distance from the University). The van is not allowed to leave the country (no trips to Canada).
3. Only members of the Daemen University community may ride in the University vans. A list of all passengers must be provided to campus safety at the time of van pick-up.
4. A group may be denied the use of a van at the discretion of the Office of Campus Safety if:
 - The group requesting a van plans to attend a bar or other social event where the activity will include the consumption of alcohol.
 - The presence of the Daemen van will reflect negatively on the University.
 - The van is requested for use beyond midnight, without good cause.
5. Students are not allowed to drive a University vehicle. Faculty/Staff who wish to drive a van must have completed the process to become an "Authorized Driver", which can be completed by contacting the office of Employee Engagement.
6. If a group does not have an approved driver, a driver may be requested. To request a driver, their service must be required for at least 3 hours. If a driver is supplied, the group will be charged for the driver's services.
7. Drivers are responsible for following all motor vehicle regulations and laws. Should a trip exceed 8 hours, multiple approved drivers will be required.
8. Riders are responsible for wearing their seat belts at all times in the vehicles.
9. No food or beverages are allowed in the vans.
10. Groups using a van overnight must be accompanied by a faculty or administrative person employed by the University on a full-time basis.

11. The group is responsible for any tolls and/or parking fees.
12. Van drivers/passengers may not drink alcohol nor use drugs which can affect driving performance during the entire time that they have possession of a van. Alcohol is not permitted inside a University van; smoking is not permitted in the van.
13. Keys to the vans may be picked up at the Campus Safety Desk in the John R. Yurtchuk Student Center. A reservation confirmation with the appropriate signatures must be brought to Campus Safety when picking up the keys along with a list of passengers.
14. When arriving back to campus, the driver will return the van to the proper parking area and ensure the van is locked and secure. The keys must be returned to the Campus Safety Officer on duty. The group must remove any debris from the van interior. The group using the van must refuel the van prior to turning in the keys, failure to do so may result in additional charges/fees.
15. Any negative incidents and/or legal infractions involving the van may result in restrictions in use or complete revocation of the van-use privilege.

WHISTLEBLOWER POLICY

Daemen University requires all trustees, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the University, we must practice honesty and integrity when fulfilling our responsibilities and comply with all applicable laws and regulations. The University's internal controls and operating procedures are intended to detect, prevent, or deter improper activities; however, even the best systems of control cannot provide absolute safeguards against irregularities. Accordingly, the University has adopted this Whistleblower Policy to provide a mechanism to assist and encourage trustees, officers and employees to come forward in good faith with reports or concerns about suspected compliance issues on a timely basis.

Reporting Responsibility

It is the responsibility of all trustees, officers, and employees to report suspected financial misconduct. This Whistleblower Policy governs only the reporting and investigation of suspected financial misconduct, such as violations of applicable laws, external regulations, University policy of a financial nature, or misuse of University resources. Financial misconduct may include, but is not limited to, ethics violations, fraudulent transactions, conflicts of interest, inappropriate expenditure of funds, questionable internal controls, failure to comply with accounting standards and audit practices, theft or inappropriate use of cash or other University resources, falsification of hours worked for payroll purposes, and inappropriate spending of cash through the accounts payable process. The policy is not intended and may not be used for personal or employment grievances, general compensation and benefit complaints, opinions on policy, etc. Such concerns should be pursued in accordance with pertinent policies articulated in the appropriate sections of employee and student handbooks. While this policy pertains only to trustees, officers and employees of the University, students with concerns in this regard are encouraged to discuss their concerns with the Vice President for Student Affairs (or designee), who will determine the most appropriate course of action.

The complete policy may be viewed on the University's website at:
daemen.edu/employeeolicies.

Crime Reporting Policy

Daemen University strives to maintain a safe campus and relies on all members of the campus community to do their part to keep our campus safe. Any member of the campus community – faculty, student, staff, trustee – who observes criminal activity on the Daemen main campus or at any off-campus instructional site is expected to report such conduct promptly to the police and to the Office of Campus Safety (persons designated as Campus Security Authorities (CSAs) under the Clery Act or Responsible Persons under Title IX are obligated to report criminal activity and have received training accordingly.)

Criminal activity includes, but is not necessarily limited to, physical assault, including sexual assault and abuse; burglary, robbery, arson, or the unauthorized display or use of a dangerous weapon; and the illegal distribution or manufacture of controlled substances. If you observe a crime, phone 911 immediately and follow police instructions. Contact Campus Safety immediately thereafter. Any crime directly involving a member of the campus community, whether as victim or alleged perpetrator, should also be brought to the prompt attention of the Office of Campus Safety. In addition, there are occasions when minors (persons under 18 years of age) are on the Daemen University campus or involved in University events. Any person who observes the sexual abuse of a minor or has a reasonable suspicion of such abuse, should immediately notify Campus Safety and the local police authorities (call 911). A call may also be made to the NYS Child Abuse Hotline at 1-800-342-3720. Any such conduct involving a Daemen student or employee should also be brought to the attention of the Office of the President. The prompt reporting of criminal activity is essential to securing a safe campus environment for all persons, including guests and members of the public. No one is exempt from the expectation of law-abiding behavior. There shall be no form of retaliation within the Daemen University community against any person making a good faith report of suspected criminal activity.

SECTION 6

SEX DISCRIMINATION AND SEX-BASED HARASSMENT POLICIES & PROCEDURES

The following section contains important and relevant pieces from the Sexual Violence Policies and Procedures guide, which can be found online at <https://www.daemen.edu/student-life/student-affairs/sexual-assault-violence-prevention>. This section is designed to give students a quick overview of their rights and the University's responsibilities.

BILL OF RIGHTS

In accordance with the Campus Sexual Assault Victim's Bill of Rights (1992) and section 485 of the Higher Education Act of 1965 (revised 2010), as well as guidelines provided by New York State, Daemen University has implemented the following bill of rights that shall be afforded to all victims of reported campus-related sexual assaults. These rights have been adapted for Daemen University from the language used in the Higher Education Act and described in more detail throughout this section. These rights supplement and/or complement the rights of students under Title IX, as described in this Handbook.

1. The right to have any and all disclosures of domestic violence, dating violence, stalking, and sexual assault against them treated with seriousness and receive from the institution courteous, fair, and respectful health care and counseling services, where available.
2. The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred, if the victim so chooses, including make a report to local law enforcement and/or the state police; and the right to the full and prompt cooperation and assistance of University staff in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.
3. The right to be free from any kind of pressure from University staff that victims:
 - a. Not report crimes committed against them to civil and criminal authorities or to Campus Safety and Residence Life staff; or
 - b. Report crimes as lesser offenses than the victims perceived them to be.
4. The right to be free from any kind of suggestion that sexual assault victims not report, or under-report, crimes because:
 - a. Victims are somehow "responsible" for the commission of crimes against them;
 - b. Victims are negligent or assumed the risk of being assaulted; or
 - c. By reporting crimes they would incur unwanted personal publicity.
5. The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard and in so doing, to describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident.

6. The same right to legal assistance, or ability to have others present, including an advisor of their choice, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding.
7. The right to counseling services from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves.
8. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that appropriate University staff take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate relocation of the victim to safe and secure alternative housing and transfer of classes if requested by the victim.
9. Access to at least one level of appeal of a determination.
10. The right to report any inappropriate action, or lack thereof, in the handling of a reported sexual assault on the part of the University as a Title IX complaint.
11. 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.
12. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of Daemen University.

Additionally, and in accordance with the SaVE provision of the Violence Against Women Act (VAWA), the University will work with the student to ensure that they are able to continue their studies safely while the matter is addressed. This includes applying—at the discretion of the Vice President for Student Affairs (or designee) and as dictated by the situation and the needs of the victim—the use of administrative room changes, Orders of No Contact, Persona Non Grata orders, and/or other steps deemed necessary.

AFFIRMATIVE CONSENT

Affirmative Consent is a knowing, voluntary, and mutual decision among all participants to engage in “sexual activity” (as defined below). Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression. Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Depending on the degree of intoxication, someone who is under the influence of drugs, alcohol, or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

Additionally, prior consent to a sexual act does not necessarily constitute consent to any other act.

CONFIDENTIALITY

Confidentiality is afforded to a student who speaks with a campus counselor or outside advocacy agency such as Crisis Services of Buffalo. In those instances, no identifying information is shared or reported to campus authorities unless there is an imminent risk to the safety of the student and/or campus community or the student gives written consent for the information to be shared.

Please understand that while protecting a student's privacy is vital, not all employees or community members are confidential employees. Please see the "Privacy" section below for more information.

PRIVACY

Privacy may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with applicable laws, including informing appropriate University Officials. The University has identified the positions outlined in the Annual Security and Fire Safety Report (ASR) as Campus Security Authorities (CSA) under the Clery Act and Responsible Persons under Title IX.

Although most Daemen University employees are not confidential resources, they can still offer "privacy." This means that an employee may have to share information pursuant to federal or state law or university policy with certain other Daemen employees, but they will not share the private information beyond what is required or needed to comply with law and policy, and will otherwise limit re-disclosure as much as possible.

Privacy of the records specific to the investigation is maintained in accordance with New York State law and, with respect to student records, the Federal Family Educational Rights and Privacy Act of 1974 (FERPA) statute. Any public release of information to comply with the timely warning provisions of the Jeanne Clery Act (Clery Act) will not reveal the names of victims or any other information that could easily lead to a victim's identification.

In an effort to provide timely notice to the Daemen University community, and in the event of a serious incident which may pose an ongoing threat to members of the Daemen University community, a Safety and Security Alert is sent to all students and employees on campus. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and whether there is a continuing danger to the campus community.

TITLE IX COORDINATOR

Daemen University has designated Tiffany Hamilton, the University's VP Institutional Equity & Belonging & HEOP Director, as its Title IX Coordinator. Ms. Hamilton can be contacted at: thamilto@daemen.edu or 716-839-8249. The Title IX Coordinator's responsibilities include coordinating Daemen's compliance with Title IX, and other applicable nondiscrimination laws and regulations. This includes coordinating the University's grievance procedures for resolving Title IX complaints. The Title IX Coordinator, and designees (if any), receive annual training on: (1) issues related to sexual assault, relationship violence, and stalking, (2) how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability, (3) how to conduct investigations of sexual violence, (4) the effects of trauma, (5) impartiality, (6) the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made, and (7) Daemen's policies and procedures and any other relevant issues.

Additionally, the University has appointed deputy Title IX Coordinators in the areas of Student Affairs, Athletics, and Employee Engagement. The Deputy Title IX Coordinator in Student Affairs (Kerry Spicer, Vice President for Student Affairs, kspicer@daemen.edu, 716-839-8200) is typically responsible for coordinating responses to reported student violations of the sexual assault policy.

PROHIBITED ACTS

Daemen University strictly prohibits all Sexual Offenses as outlined in the policies and procedures of the Student Handbook. In the event that a Sexual Offense does occur, the University takes the matter very seriously and will act in accordance with Title IX, as described in Section 5 of this Handbook.

Daemen's Sexual Offense Policies & Procedures are available to all students and employees, and are applicable to any educational program or activity that has a substantial connection to the University. Daemen will apply the provisions of this policy regardless of whether the Sexual Offense occurs on campus, off campus, and/or premises that Daemen University has substantial control over which includes buildings or property owned or controlled by a recognized student organization or while a student or employee is participating in a study abroad program. When the Sexual Offense involves students or employees from two or more institutions, the University will work collaboratively with the other institutions to address the Sexual Offense, provided that the collaboration complies with the Family Educational Rights Privacy Act ("FERPA").

PROCEDURES FOR RESPONDING TO A SEXUAL OFFENSE

Students who believe that they are a survivor of a Sexual Violence Offense, should follow the procedures outlined below:

Specific Procedural Steps Survivors Should Take if Sexually Assaulted

A student who is sexually assaulted has the right to make a report to Campus Safety, local law enforcement, and/or state police, or choose not to report. They also have the right to report the incident to Daemen University and in so doing, to be afforded immediate assistance by an appropriate official trained in interviewing victims of sexual assault.

Assistance will include any interim measures that may be indicated for the student's protection, as well as protection by the institution from retaliation for reporting said incident. Victims of sexual assault should go to a safe place, contact Campus Safety at 716-839-SAFE (7233), an RA, or Crisis Services of Buffalo (716-834-3131). These first responders will provide immediate assistance, including helping the student receive any medical attention that may be needed.

Obtaining Medical Attention

For their safety and well-being, victims of sexual assault are encouraged to seek immediate medical attention. Within 96 hours of an assault, a student can get a Sexual Assault Forensic Examination (or "SAFE," commonly referred to as a rape kit) at a hospital. Daemen encourages students to receive immediate medical attention at a facility that uses SAFE, or Sexual Assault Forensic Examiners. Completing a SAFE will not require a student to file a police report, but it will help to preserve evidence in case they decide at a later date to file a police report. Local hospitals with and without SAFE include the following:

Program/ Entity	SAFE Facility?	Location	Contact Information
Millard Fillmore Suburban Hospital	Yes	1540 Maple Road Williamsville, NY 14221	716-568-3600
Buffalo General Hospital	Yes	100 High Street Buffalo, NY 14203	716-748-2100
Sisters of Charity Hospital	Yes	2157 Main Street Buffalo, NY 14214	716-862-1000

While there should be no charge from these hospitals for a rape kit, there may be charges for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services.

Available Resources

Students who are survivors of assault or harassment, including incidents that are sexual in nature, have the availability of several resources both on and off-campus, including 24/7 access to a Daemen Administrator On-Call (AOC) who is trained to specifically address these matters. Information will be provided as needed on resources for mental health counseling, medical services (including information on sexually transmitted infections and forensic examinations), legal services and any other pertinent campus or community resources. Student Affairs can work with survivors to implement persona non grata or no contact orders, manage residence hall and/or class conflicts, and similar measures as needed.

The University has partnered with *Reach Out Editions* to provide an app available for iPhone and Android users. *Reach Out* allows users to anonymously explore University

policies, University and local support services, local medical services, reporting options and other important information that a survivor, respondent, or family member may need. Additionally, an Advocate from Crisis Services of Buffalo coordinates regular campus training and education, including bystander intervention for student leaders, as well as providing support in the event a student is sexually assaulted. Students can also contact any of the offices or agencies below for additional support and assistance.

Support Agencies and University Offices:

	Phone
Campus Safety	716-839-SAFE (7233)
Crisis Services – Victims Advocate Program	716-834-3131
Crime Victims Board	716-847-7992
Campus Student Counseling Services	716-839-7380
Health & Insurance Services	716-839-7380
Residence Life Staff	716-839-8200
Director of Community Standards & Student Advocacy	716-839-8200
Vice President for Student Affairs	716-839-8519
Title IX Coordinator	716-839-8249

Enforcement Agencies:

	Phone
Amherst Police/Buffalo Police	911
Erie County Sheriff’s Department Family Offense Unit	716-858-6102
Erie County District Attorney/Special Victims Bureau	716-858-2525
New York State Domestic and Sexual Violence Hotline (anonymous and confidential)	1-800-942-6906
New York State Police 24-Hour Hotline (sexual assault victims unit)	844-845-7269

Students who have sought and received outside protection from local authorities, such as a restraining order, should share that information with the University. The appropriate official, typically the Vice President for Student Affairs (hereinafter “DOS”) (or designee) will assist the student in implementing the order appropriately.

Counseling Services

Professional counselors are retained by the University to assist students who are facing concerns of an academic, adjustment to university, personal, or social nature. They help students work through their concerns to develop appropriate alternatives, actions, or solutions. This service is confidential within the limits of Informed Consent and will be discussed in the first counseling session. The first fifteen sessions are free to Daemen students and in circumstances where more are needed and as approved by the Assistant Director of Counseling and/or Vice President for Student Affairs. Referrals to a number of community service agencies are also available. Students can find further information by contacting the CHIP Center at 716-839-7380.

The New York State Office of Victim Services may also be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds.

More information can be found here:

<https://ovs.ny.gov/sites/default/files/brochure/crime-victims-rights-ny-crime-victims.pdf>
or by calling 1-800-247-8035.

Options for crime victims are explained here: <https://ovs.ny.gov/help-crime-victims>.

Report the Incident

Daemen University encourages, but does not require, victims, survivors, complainants, claimants, and witnesses with victim status of Sexual Offenses (reporting individuals) to report the incident to one or more of the following resources:

How to Report Criminal Offenses

In an emergency, students should dial 911.³ After the emergency is reported, Campus Safety should be called so they can support emergency responders. Community members can contact the Office of Campus Safety at 716-839-SAFE (7233), 24 hours a day, 7 days a week. All members of the campus community are encouraged to report to Campus Safety any suspicious activity or person(s) seen in parking lots or loitering around vehicles, around or in buildings, or around residence halls. In addition, a crime may be reported to the following areas:

Support Agencies and University Offices

	Phone
Campus Safety	716-839-SAFE (7233)
Vice President for Student Affairs	716-839-8519
Dean of Students	716-839-8200
Director of Community Standards & Student Advocacy	716-839-8200
Director of Housing & Residence Life	716-839-8200

First, individuals may (but are not required to) report a Sexual Offense to local law enforcement (such as the Amherst Police Department), and/or the New York State Police for the sole purpose of documentation. Students may also (but are not required to) report the incident to local law enforcement and/or State Police so that they may investigate the matter and identify an offender. Students may contact local and state law enforcement as follows:

- Amherst Police Department
Address: 500 John James Audubon Parkway, Amherst, NY 14228
Emergencies: 911
Non-Emergencies: 716-689-1311
Website: http://www.amherst.ny.us/content/departments.php?dept_id=dept_16
- New York State Police, Troop A
General Address: 3331 Trooper Paul Kurdys Way, Buffalo, NY 14225
General Phone: 716-935-6570
Zone 2 – Grand Island Address: 2255 Baseline Rd, Grand Island, NY 14072
Zone 2 – Grand Island Phone: 716-773-9651

³ Please note that depending on where the call is made, students may need to alert 911 that they are in Amherst.

Students who choose to contact law enforcement may have the further option to (but are not required to) pursue the case through the criminal justice system, where they will be assisted by the District Attorney's office, the local or state Police Department and the support and advocacy services of their choice.

Second, students may (but are not required to) report the Sexual Offense to Daemen University Campus Safety. Once reported to the University, it may trigger the conduct review process at Daemen which may result in the removal, in interim measures being applied or formal sanctions as outlined by the procedures outlined in the *General Conduct Review Procedures* section of this Handbook. It also assists Daemen in complying with Federal requirements for reporting offenses occurring on campus. Students may (but are not required to) report Sexual Offenses anonymously to Daemen University Campus Safety, preserving their privacy and only reporting the particulars of the incident. When an incident is reported to the University, either through a University official or a student, the University will review the incident to determine if a potential violation of the Student Code of Conduct occurred. If there is insufficient information from that report, the DOS (or designee) may request that an investigation occur in order to determine whether there is enough information to warrant charges and a review by a conduct review body. While an investigation occurs, by an official appointed by the DOS (or designee), interim measures may be implemented, as outlined further in this section.

Third, students may also (but are not required to) report the Sexual Offense to the Title IX Coordinator. When a student first discloses an incident to the appropriate staff member, they will be presented with (1) a copy of this policy, (2) a written explanation of their rights and options, whether the incident occurred on or off-campus, and (3) the following information: "You have the right to make a report to campus safety, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution." Upon receipt of a report of a Sexual Offense, the Title IX Officer (or designee) will take actions and/or investigate the report in accordance with the grievance procedures described in this Handbook.

Students will have the right to emergency access to the Title IX Coordinator or another appropriate official who has been designated by the Title IX Coordinator to provide emergency assistance (the "Designee"). The Designee may be an official of Daemen University or an official of an off-campus resource. The Title IX Coordinator (or designee) will be available upon the first instance of disclosure by a complainant to provide immediate information and assistance regarding (1) options to proceed, including other reporting options; (2) where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible; and (3) the criminal justice process, including that it utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. The Title IX Coordinator (or designee) will also explain whether they are authorized to offer you confidentiality or privacy, and will inform you about other reporting options.

The Title IX Coordinator will generally be available for emergency access on weekdays between the hours of 8:30 AM to 4:30 PM, at the following: Tiffany Hamilton., Title IX Coordinator, thamilton@daemen.edu, or titleixcoordinator@daemen.edu (716) 839-8249.

When the Title IX Coordinator is not available, emergency access to a Designee will be available at Campus Safety, 716-839-SAFE (7233).

Daemen University will make every effort to ensure that students are asked to describe the incident to as few representatives of the University as possible, and are not required to unnecessarily repeat a description of the incident.

In addition, students may confidentially disclose the Sexual Offense and obtain services from state or local government. Students can also make an anonymous report to a confidential hotline provided by New York state agencies and not-for-profit entities.

These hotlines include:

- The New York State Office for the Prevention of Domestic Violence:
 - i. 1-800-942-6906.
 - ii. <http://www.opdv.ny.gov/help/dvhotlines.hyml>
 - iii. <http://www.opdv.ny.gov/help/index.html>
- SurvJustice
 - i. <http://survjustice.org/our-services/civil-rights-complaints/>
- Legal Momentum
 - i. <https://www.legalmomentum.org/>
- NYS Coalition Against Sexual Assault
 - i. <https://nyscasa.org/>
- NYS Coalition Against Domestic Violence
 - i. <https://www.nyscadv.org/>
- The National Domestic Violence Hotline:
 - i. 1-800-799-7233.
- The National Sexual Assault Hotline:
 - i. 1-800-656-4673.
- Pandora's Project
 - i. <http://www.pandys.org/lgbtsurvivors.html>
- GLBTQ Domestic Violence Project
 - i. <http://glbtqdpv.org/>
- Rainn
 - i. <https://www.rainn.org/help-help>
- Safe Horizon Hotlines:
 - i. 800-621-4673 (domestic violence victims),
 - ii. 866-689-4357 (victims of other crimes),
 - iii. 1-212-227-3000 (rape & sexual assault victims).
 - iv. <http://safehorizons.org/>

Lastly, if the accused is an employee of Daemen University, students can report the Sexual Offense to Daemen University's Office of Employee Engagement, or request that another employee assist in reporting the incident to the Office of Employee Engagement. Daemen University encourages the victims of Sexual Offenses to report the incidents in any of the manners described above. However, victims are not required to report the offense to, or to seek assistance from Daemen University, law enforcement, or campus authorities. Daemen will not pressure any student or employee to disclose a crime or violation, or to participate in the conduct or criminal justice processes.

Reporting an incident does not:

- obligate the victim to prosecute;
- subject the victim to inappropriate scrutiny or judgment by the person receiving the report; or
- suggest in any way that the victim is at fault for the crime or violation, or should have acted in a different manner to avoid the crime or violation.

Reporting the incident does:

- ensure that a victim of a Sexual Offense receives necessary medical testing and treatment;
- provide the opportunity for collection of evidence critical to a prosecution, which cannot be obtained later;
- ensure that the victim has knowledge of and access to professional, confidential counseling from a counselor specifically trained in the areas of Sexual Offenses.

Request to File Student Conduct Charges

If the respondent is a student, students may request that Daemen University file student conduct charges against the respondent. Any member of the University community may initiate the conduct review process against any student for alleged violations of the Student Code of Conduct generally within two to three months of the alleged violation(s) by submitting a complaint in written form to the Vice President for Student Affairs or the Dean of Students (DOS), who has direct responsibility for managing the student conduct system, or designee. Residence Life and Campus Safety staff report incidents in writing through their supervisors by completing an incident report addressing a violation. Charges filed by all other members of the community must be prepared in writing and will be directed to the DOS (or designee).

Daemen University retains the right to determine whether to actually file the charges against the accused or respondent. Daemen can initiate charges or choose not to initiate them when evidence does or does not merit doing so, in conformity with state and federal law.

Students should be aware that there are significant differences between Daemen's disciplinary system and the criminal justice system, 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. Daemen's disciplinary process seeks to determine whether an individual has violated university policy. In this process, a preponderance of the evidence standard of proof is used to determine responsibility. A person who is found to have violated Daemen University's policy may be suspended, expelled, or otherwise restricted from full participation in the Daemen community.

Seek an Order of Protection/Order of No Contact

Victims of Sexual Offenses may have a right to obtain a court order to protect themselves from perpetrators. The University will enforce all applicable no contact orders, restraining orders, and similar lawful orders issued by a criminal, civil, or tribunal court,

to the extent required by law. An order of protection is issued by the court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to situations involving domestic violence. Family courts, criminal courts, and Supreme Courts can all issue orders of protection. An order of protection may direct the offending person not to injure, threaten or harass you, your family, or any other person(s) listed in the order.

A Family Court order of protection is issued as part of a civil proceeding. Its purpose is to stop violence within a family or within an intimate relationship, and to provide protection for those individuals affected. All Family Court proceedings are confidential. To obtain an order of protection in the Family Court, your relationship to the other person must fall into one of the following categories: (1) current or former spouse, (2) someone with whom you have a child in common, (3) a family member to whom you are related by blood or marriage, or (4) someone with whom you have or have had an “intimate relationship.” An intimate relationship does not have to be a sexual relationship. A relationship may be considered intimate depending on factors such as how often you see each other or how long you have known each other. After a petition is filed, the court will decide if it is an intimate relationship.

In order to start a proceeding in Family Court, individuals will need to file a form called a Family Offense petition. Individuals can contact the Family Court in their county for help completing and filing the petition. Contact information for Erie County Family Court:

Erie County Family Court
1 Niagara Square, Buffalo, NY 14202
Phone: 716-845-7400
Fax: 716-845-7546

Students may also wish to speak with an attorney or domestic violence advocate before filing. A criminal court order of protection is issued as a condition of a defendant’s release and/or bail in a criminal case. A criminal court order of protection may only be issued against a person who has been charged with a crime.

Daemen University will provide complainants assistance from Campus Safety, or other appropriate officials in obtaining an order of protection. The following individuals can be contacted for assistance in obtaining or understanding an Order of Protection:

- Douglas Smith
Director of Campus Safety
716-839-8237
dsmith@daemen.edu
- Legal Aid Bureau of Buffalo
290 Main Street, Suite 400
Buffalo, NY 14202
716-853-9555
www.legalaidbuffalo.org

Daemen will provide the respondent and the complainant a copy of any order of protection or equivalent that the University receives. Daemen will also provide the

respondent and the complainant an opportunity to meet or speak with a representative of the University, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the respondent's responsibility to stay away from the protected person or persons. Daemen University will provide the respondent and the complainant an explanation of the consequences of violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension. The University will also call on and assist local law enforcement in effecting an arrest when an individual violates an order of protection.

Order of No Contact: When a student is accused of a sexual offense, Daemen University will generally issue an "order of no contact" to protect the complainant from the respondent. This "order of no contact" is a Daemen University document that does not have the legal effect of an order of protection, which is obtained through a court.

Under the order of no contact: (1) the respondent's continued intentional contact with the complainant is a violation of Daemen's policy which is subject to additional conduct charges; and (2) if the respondent and a complainant observe each other in a public place, it is the responsibility of the respondent to leave the area immediately and without directly contacting the complainant. This may include establishing a schedule of attendance for the respondent to access certain locations at Daemen, such as academic buildings, libraries, athletics or fitness facilities, and dining halls.

Responsibility to stay away falls upon the person or persons subject to the order of no contact ("covered person"), not the protected individual. A covered person may be a respondent or a third party who is the subject of an order of no contact. If the covered person and protected person are in the same place accidentally, it is incumbent upon the covered person to remove themselves in a reasonable time and manner.

Upon request, both the respondent and the complainant are entitled to a prompt review, reasonable under the circumstances, of the need for and terms of the mandatory order of no contact, including potential modification, in which they are allowed to submit evidence in support of their requests. Requests to review a mandatory order of no contact should be submitted to Kerry L. Spicer, Vice President for Student Affairs at kspicer@daemen.edu. If a request for review is received from one party, the other party will be notified of the request for review. The Vice President for Student Affairs or designee will issue a determination in response to the request, and notify both parties of the determination.

Initiate Legal Proceedings

Students may have the right to initiate legal proceedings. Daemen University serves as a resource to students in initiating these proceedings. However, the University is not required to bring actions on behalf of reporting individuals, provide or pay for attorneys, or provide direct support. Local resources may be able to help you initiate legal proceedings, however. These resources may provide services with or without cost. The resources include the following:

- Legal Aid Bureau of Buffalo
290 Main Street, Suite 400
Buffalo, NY 14202
716-853-9555

www.legalaidbuffalo.org

- Erie County Bar Association
438 Main Street, 6th Floor
Buffalo, NY 14202
716-852-8687
www.eriebar.org

Right to Withdraw

Students have the right to withdraw their report and/or to withdraw from involvement in Daemen's investigation of the complaint at any time. If students choose to withdraw, however, the University may still have obligations to investigate and/or take actions under state or federal law. If Daemen continues an investigation or takes action after a student withdraws, students have the right to participate as much or as little as they wish.

SECTION 7

ACADEMIC POLICIES

ACADEMIC CALENDAR

The complete academic calendar is published on the Daemen web page. Access the calendar at daemen.edu/calendar.

MASTER CALENDAR

The Student Activities Office and the Conferences Services Office maintain the Facilities and Events Database for non-academic events and activities on campus. Remember to notify these offices about your upcoming event so that it may be included on the Daemen University [website calendar](#).

CLASS SCHEDULES

Each term, the University publishes electronic schedules of course offerings, which are accessible to all students. Schedules are just-in-time and are updated as revisions occur. Schedule search options include the ability to search for offerings by academic level (undergraduate or graduate); course type (course subject; individual core requirements; learning communities), offering days and times; and instructor. The schedules also provide course descriptions, course seat availability, and textbook information. Access the schedules at selfservice.daemen.edu/Student/Student/Courses.

CLASS ATTENDANCE

Regular and prompt attendance is expected at all classes and officially scheduled programs and activities. A student who is absent from class for any reason whatsoever will be required to make up the work to the satisfaction of the instructor. A student anticipating or having a prolonged absence from class (i.e., three or more class days) due to illness, accident, or death in the family should report this absence to the Registrar, who will convey the information to the appropriate instructors. Upon return, it is the student's responsibility to discuss their standing in the course with the instructor, who will advise of the appropriate course of action to be taken.

CANCELLATIONS

When the University is officially closed due to a snow emergency, do not attempt to drive on or to campus unless you have been designated as essential personnel. If you find it is absolutely necessary to visit, park your car off campus so that parking lots can be plowed and cleared of snow.

If a snowstorm or other event results in the cancellation of classes, the following stations will carry this information:

- TV channels: 2, 4, & 7.
- AM radio stations: WBEN 930, WGR 550.

- FM radio stations: WKSE 98.5, WTSS 102.5, WJYE 96.1, WYRK 106.5, WECK 100.5, WBLK 93.7, 97 ROCK, WNSA 107.7.

Closings will also be posted on the University's website: daemen.edu and a mass notification message will be sent to phone numbers and email addresses requested by the student. Notices received from faculty of individual class cancellations are posted on the web at my.daemen.edu.

POLICY ON ACADEMIC HONESTY

Academic dishonesty, of which cheating and plagiarism are the most common examples, is a serious violation of the principles of higher education. Daemen University takes the position that academic honesty is to be upheld with the highest degree of integrity. The University has a responsibility to support individual thought and the generation of new ideas. This cannot be done when violations of academic honesty go unchallenged..

Examples of academic dishonesty include, but are not limited to:

1. Use of any unauthorized assistance in taking quizzes, tests, or examinations;
2. Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or
3. The acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff;
4. Any form of plagiarism, which includes, but is not limited to:
 - the use, by paraphrase or direct quotation, of the published or unpublished work of another person or entity (such as generative AI) without full and clear acknowledgement; or
 - the unacknowledged use of materials prepared by another person or agency engaged in the selling or distributing of term papers or other academic materials; or
 - submitting previously or simultaneously submitted work—in whole or in substantial part—from another course for academic credit in a second course, without prior and expressed consent of the instructor
5. Completing assignments with prompt-based generative AI tools, e.g., ChatGPT, without permission from the instructor, and unless specifically allowed by the assignment as directed in the syllabi. Instructors reserve the right to request an explanation of any assignment response. Daemen University's Position Statement and Guidance regarding Generative AI Tools can be found on Daemen University's website.

In an instance where there has been a violation of the principles of academic honesty, the instructor may choose to follow one or more of a number of possible alternatives including but not limited to: (1) automatic failure of the work; (2) automatic failure of the entire course; (3) recommending expulsion from the degree program; or (4) recommending expulsion from the University. The student may appeal the instructor's determination in accordance with the Grade Appeal Procedure.

When a faculty member determines a violation of academic honesty has occurred, he/she will first notify the student in writing. A copy of this letter, together with a written

description of the case with supporting evidence will also be submitted to the Office of the Assistant Vice President for Student Success. Should there be no additional notifications of academic dishonesty, the initial record will be destroyed one year after the student's graduation from Daemen University.

Upon receipt of additional reported offenses, materials in the file will be formally presented to the Committee on Academic Standards (CAS) for review and recommendation of any additional sanctions beyond those imposed by the instructor. The Chair of the CAS will also notify the student that the materials will be the subject of CAS deliberation and will recommend that the student write a letter regarding the offense to the CAS for purposes of clarification, explanation or denial. CAS review will be held in a timely manner as determined by CAS. All faculty members who have reported offenses on the part of the student will be invited to participate in the deliberations. In cases where expulsion is recommended, either from the degree program or the University, final authority rests with the Dean of the University..

GRADE APPEAL PROCEDURE

1. A student with questions or complaints about an assigned final course grade shall first discuss the matter with the course instructor within 30 days of the posting of the grade. In the event of the serious illness or absence from Western New York (or other instructional site vicinity) of either the student or the faculty member, an extension may be granted by the appropriate divisional dean. The instructor is expected to provide an appropriate explanation of the student's grade and, if the student's appeal is meritorious, to be willing to change the grade.

If the student's concerns remain unresolved following discussion with the instructor, the student may appeal in writing to the chair of the department in which the grade was given. This written appeal must be made within 15 days of the instructor's determination in Step 1 above. All supporting documentation must be submitted at this time, with the written appeal. The department chair shall review the student's appeal and consult with the course instructor. The department chair may support the instructor's evaluation or may recommend to the instructor that the grade be changed. (If the department chair is the course instructor whose grade is under appeal, the divisional dean shall handle the appeal at this stage.) It will be the responsibility of the student to demonstrate that the grade should be changed.

2. Should the complaint still remain unresolved, the student's appeal shall be forwarded to an ad hoc grade appeal committee, comprising all full-time faculty within the department, including the department chair and, if fewer than three full-time faculty, members of the Departmental Personnel Advisory Committee (see Faculty Handbook section V, C for composition of a DPAC); the dean of the division in which the department is housed, unless the grade under appeal has been given by said dean (or the dean is a member of the departmental faculty as described above), in which event, the dean of the other division shall serve; and two faculty members from the Committee on Academic Standards – one to be chosen by the student and one by the course instructor. If the grade under appeal is given by a part-time faculty member, he

or she will be invited to join the committee. Formal minutes will be taken of the meeting. The first committee meeting will be called by the department chair. If the grade under appeal has been given by the department chair, the first meeting will be called by the divisional dean. The committee shall convene within two weeks of receiving the student's written appeal. Members who are unable to be physically present may participate electronically. At the discretion of the divisional dean, a member with extenuating circumstances may be excused from participation and/or allowed to furnish their input in advance of the meeting. In cases where fewer than three departmental faculty are in attendance, the dean may appoint faculty from the same division to serve.

3. This committee shall examine all pertinent documentation and may interview the student and the course instructor, in person or electronically, or consult with any other parties it may deem appropriate. The divisional dean shall act in a non-voting, advisory capacity with regard to observance of all pertinent University policies and procedures. The ad hoc grade appeal committee shall render its written decision to the student and faculty member within seven days. The committee may recommend that the instructor change the grade; if the instructor refuses, s/he shall provide a written explanation to the committee within seven days. In the event of extenuating circumstances, this deadline may be extended at the discretion of the divisional dean. Should the committee find the explanation unpersuasive, it will recommend to the department chair that the grade be changed. If, following consultation with the instructor, the instructor still refuses to change the grade, the department chair shall have authority to change the grade notwithstanding the objection of the instructor. (If the instructor is the department chair, the divisional dean shall handle the chair's duties here described.)

Grade appeal procedure for Interdisciplinary (IND) courses: The "department chair" shall be either the chair of the department in which the instructor is housed, if applicable, or the Core Director, at the discretion of the department chair (if applicable). Departmental faculty members of the ad hoc grade appeal committee shall be appointed by the Educational Policy Committee; both divisional deans shall serve; and two members of the Committee on Academic Standards shall be selected.

RELIGIOUS ACCOMMODATION POLICY

Daemen University prohibits discrimination on the basis of religion and is committed to providing a work environment that respects the religious beliefs and practices of all students. As part of that commitment, the University will make good faith efforts to fulfill a requested accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship for the University.

(Please see Section 5: General Policies for the full Religious Accommodation Policy)

SECTION 8

STUDENT CODE OF CONDUCT AND PROCEDURES

COMMUNITY STANDARDS AND THE STUDENT CONDUCT SYSTEM

The students of Daemen University are viewed as adults and are expected to conduct themselves accordingly. The nature of the university environment requires this view, and various rules and regulations have been developed to support it. As adults, Daemen University students are responsible, not merely to avoid harming the University community, but rather to improve it, support it, and encourage its growth.

The administration, faculty, and students are all members of the University and together constitute a unique and self-sufficient community with shared values. Upon entering Daemen, students are expected to subscribe to these values and base their conduct—on-campus, off-campus, and online—upon those standards which the Daemen community sees as necessary to the proper exercise of scholarly endeavor (Code of Conduct).

This Code of Conduct reflects general principles of behavior accepted by society and by institutions of higher education. It also describes conduct about which Daemen University has made specific statements, rules, and regulations. This Code is managed under the auspices of the Division of Student Affairs and the respective Vice President in that area. Generally, the Vice President for Student Affairs has direct responsibility for managing the implementation of the Code and its procedures as stated throughout this section. However, in certain circumstances, such as where the DOS is not available and/or has not assigned a designee, the responsibility for responding to incidents and reports falls to the Vice President for Student Affairs or designee.

All Daemen students (including those involved in Distance Learning) are responsible for knowing and following the Code of Conduct and the other regulations which are part of the Student Handbook and the University Catalog. The Student Handbook is online at the University's website.

Administrative staff at the level of director and above may restrict students from areas or activities under their jurisdiction, pending resolution of a specific disciplinary complaint offered in writing to the Vice President for Student Affairs.

Any faculty member has the authority to restrict a student from a classroom or other instructional area for the duration of the scheduled instructional period in which a violation of the Student Code of Conduct has occurred. Faculty chairpersons have the authority to restrict students from specific classes, other instructional activities, and faculty offices, pending resolution of a specific disciplinary complaint offered in writing to the Vice President for Student Affairs (or designee) or the Executive Vice President for Academic Affairs and Provost.

Instances of academic dishonesty or other violations of academic policy are handled in accordance with the policies set forth in the faculty member's syllabus; departmental handbook, if any; and the Academic Honesty Policy of the University. Students wishing to appeal academic decisions made by faculty should consult the Grade Appeal Procedure

section of the University Catalog and, if applicable, the stated policies and procedures of the academic department in which the concern has arisen.

Should a student's presence on campus create a threat to the safety or well-being of other members of the Daemen University community, the University reserves the right to immediately suspend that student from campus until the time of a hearing. Additionally, the University reserves the right to resolve a case and sanction a student, including suspension, without a hearing where such action is deemed necessary or appropriate by the President of the University.

Nothing in this Code of Conduct precludes a faculty member from promptly removing a disruptive student from their classroom for the period of time needed to effectively resolve the issue and ensure a safe classroom environment that is conducive to the academic standards of the University.

Definitions

The following definitions refer to the Daemen University conduct review procedures and processes only:

1. The term "University" means Daemen University;
2. The term "student" includes both full-time and part-time students, whether pursuing undergraduate or graduate studies or taking courses as a non-matriculant. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "students";
3. The term "University official" includes any person employed by the University or an out-sourced auxiliary service who performs assigned administrative or professional responsibilities, including conducting classroom activities;
4. The term "Residence Life Staff" includes resident assistants, hall directors, the Assistant Director of Residence Life, and the Director of Housing and Residence Life;
5. The term "member of the University community" includes any person who is a student, faculty member, University official or any other person employed by the University, including any University auxiliary service employee and vendors;
6. The term "University premises" includes all land, buildings, facilities, and other property in the possession of, owned, used, leased, or otherwise controlled by the University;
7. The term "University organization" means any number of persons who have complied with the formal requirements for University recognition/registration;
8. The term "conduct review body" means any person or persons authorized to determine whether a student has violated the Student Code of Conduct and to recommend imposition of sanctions; exercise disciplinary action following a proper hearing. The University will exercise this right in cases where its reputation or orderly functions as an academic community are involved;
9. The term "appellate body" means any person or persons authorized to consider the appeal of a conduct review body's determination that a student has violated the Student Code of Conduct or the sanctions imposed by the conduct review body;

10. The term “University policy” is defined as the written regulations of the University as found in, but not limited to, the Student Handbook, and the University Catalogs;
11. The term “hearing officer” means the person present during conduct review hearings responsible for ensuring that due process, as defined by the Student Handbook, is followed. The hearing officer in Campus Standards Board hearings is the chair. In all other hearings, one individual serves as both the hearing officer and the “conduct review body.”
12. The term “investigation” refers to any fact-finding process implemented by the University in order to gather any and all relevant information needed to determine the extent to which a violation of the Student Code of Conduct may have occurred. An investigation may be conducted before formal charges are issued in order to determine if sufficient information exists to warrant said charges.

Jurisdiction of the University Conduct System

The University Conduct System will hear complaints concerning student violations of University policy or regulations whenever the conduct in question occurs in any of the following circumstances:

1. If it occurs on the campus or in any University facility;
2. If it occurs while the student who is charged was attending or participating in any University-related activity, including but not necessarily limited to study abroad, field trip, experiential learning of any kind (including internships, clinical placements, and service learning), social event, or activity sponsored by a recognized student organization; or
3. If the conduct, whenever and wherever it occurs, including via online media, calls into question the student’s suitability as a member of the University community. Unlawful acts of violence, violations of another’s civil rights, hazing, the unlawful sale or possession of drugs, the unlawful use of alcoholic beverages and crimes against persons or property, and/or alleged violent felony offenses, are examples of conduct that will subject a student to the conduct review system regardless of where the conduct occurs. In cases involving student behavioral problems that occur off campus, the University reserves the right to initiate disciplinary action in the interest of preserving its reputation and orderly functioning. The fact that a student’s conduct may also constitute a crime in violation of local, state, or federal law does not limit the ability of the University to discipline the student for that conduct. The University, therefore, reserves the right to submit a complaint to the conduct review system even if the same conduct is or may become the subject of a criminal case.

STUDENT CODE OF CONDUCT

In addition to the policies listed in various sections of this handbook, the Daemen University Student Code of Conduct outlines behaviors that are prohibited at the University. The specific items are not meant to serve as an exhaustive list, but as a general guideline for addressing student behavior. The University reserves the right to address other behaviors that occur that are considered detrimental to the learning environment and/or health and safety of the University community.

To that end, prohibited behavior at Daemen University includes the following:

- 1. Non-academic dishonesty, including, but not limited to, theft, attempted theft, possession of stolen property, forgery, and falsification of information provided to any University official;**
 - a. Lying: any statement, action, or behavior with the intent to deceive
 - b. Possession or use of a fake ID
 - c. Stealing: knowingly taking an item or items without the owner's expressed permission
 - d. Eluding or evading: any statement, action, or behavior with the intent of hiding the truth, including running or hiding from University personnel
 - e. Aiding and abetting: knowingly encouraging, assisting and or being an accessory to any act prohibited by the Student Code of Conduct

- 2. Conduct which threatens the physical or psychological health and/or safety of any person (including the person committing the act) or the sanctity of the campus, including, but not limited to physical or sexual assault. (See also the policies on Sexual Violence and Assault and Prohibiting Unlawful Harassment including Sex-based Harassment in Section 5 of this Handbook);**
 - a. Dating Violence: violence, whether physical, sexual, or the threat thereof, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - b. Domestic Violence: a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner, a cohabiting partner, or another person with whom the victim shares a child.
 - c. Sex-based Harassment: as defined in Section 5 of this Handbook.
 - d. Sexual Assault/Rape: an offense that meets the definition of rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape as used in the FBI's UCR program.
 - e. Stalking: any act, whether via phone, internet, or physical proximity, that, through unwanted and/or unsolicited viewing or communicating, threatens an individual's physical or emotional safety.
 - f. Physical Attack.
 - g. Hazing.
 - h. Harassment: any act, whether written or verbal, via online or in person, that abuses, intimidates, or threatens the safety of a member of the Daemen University community.
 - i. Failure to maintain personal health, whether physical, mental or emotional, in such a way that it threatens the safety and security of the individual or the University community.
 - j. Use or possession of firearms, fireworks, or other weapons that could be considered lethal, including those weapons for which the person has a permit.

- 3. Damage to, or misuse of, public, private, personal or University property;**
 - a. Property Damage, either to an individual's or the University's property.

- b. Removing approved postings and/or Office of Housing & Residence Life notices or bulletin boards.
 - c. Littering, applying graffiti, and/or other behavior which threaten the cleanliness and appearance of the University.
 - d. Use of or tampering with fire equipment, including, but not limited to, smoke detectors, sprinklers, extinguishers, and/or hoses, in any manner or which it was not intended.
 - e. Defenestration: throwing objects outside of the window or from a balcony or roof.
- 4. Violation of policies as described in the Student Handbook, the University Catalog, the Housing Agreement and all other rules governing University facilities, programs, and services including, but not limited to the following;**
 - a. Violation of Housing & Residence Life policies (see Residential Living policies section).
 - b. Purchase, possession, use, consumption, sale or distribution of alcohol, except by consumers of legal age and in compliance with the University's alcohol policy.
 - c. Possession or use of alcohol paraphernalia and/or items or activities that may promote binge, heavy, or episodic drinking, such as, but not limited to, kegs and beer pong balls.
 - d. Distribution or attempted distribution of alcohol to any person under the legal drinking age.
 - e. Distribution or attempted distribution of a drug, including prescription medication.
 - f. Illegal use or possession of a drug, including prescription and over-the-counter drugs.
 - g. Manufacturing of any drug, including growing marijuana for any purpose.
 - h. Possession or use of illegal or someone else's drugs and/or drug paraphernalia.
 - i. Accessing prohibited areas in the residence halls, including but not limited to fire escapes, balconies, and basements, except in an emergency.
 - j. Misuse and/or removal of residence hall property
- 5. Intentional obstruction or disruption of teaching, research, administration, disciplinary procedure, or other University activities or activities authorized to take place on University property;**
- 6. Disorderly conduct including acts which breach the peace;**
 - a. Any verbal or physical behavior which denigrates or shows hostility towards any Daemen Community member
 - b. Any behavior which disrupts or breaches the peace of any class, event, standard practices, etc.
 - c. Unauthorized or improper entry, whether peacefully or by force, into a prohibited area or residence hall, apartment, and/or suite in which there is no documented reason for being present
 - d. Urinating in public

7. **Non-compliance with the directions of University or civil authorities performing official duties, including, but not limited to;**
 - a. Failure to give proper identification when requested.
 - b. Multiple violations of the University's Parking and/or Transportation policies
8. **Violation of another student's rights or privileges and verbal or written harassment, discrimination, abuse and/or disrespect of any person;**
 - a. Harassment: any act, whether written or verbal, via online or in person, that abuses, intimidates, or threatens the safety of a member of the Daemen University community.
 - b. Acts or abusive language, either in public or via online sources.
9. **Conduct which is disrespectful to the community and diversity within, including, but not limited to;**
 - a. Any behavior which creates a hazardous, unhealthy, or unsanitary condition;
 - b. Multiple violations of the University's Good Neighbor Policy
10. **Violation of statutes, laws, ordinances and/or regulations of the Town of Amherst, State of New York (or other states, when applicable), and the United States of America.**

CONDUCT REVIEW PROCESS

Any member of the University community may initiate the conduct review process against any student for alleged violations of the Student Code of Conduct generally within two to three months of the alleged violation(s) by submitting a complaint in written form to the Vice President for Student Affairs (DOS), or designee. Residence Life and Campus Safety staff will thoroughly investigate the incident and complete an incident report, which will be provided to their supervisor, after addressing a violation. Charges filed by all other members of the community must be prepared in writing and will be directed to the DOS (or designee). Alleged violations of the Student Code of Conduct may be adjudicated by one of three types of conduct review body on campus, depending upon the nature and seriousness of the charges (see below for levels of violations), the location of the event, and/or the number of students involved:

- Residence Life staff generally address lower-level violations by residents living within their respective residence areas;
- Professional staff members of the Division of Student Affairs generally address intermediate-level violations and cases involving commuter students or multiple residents from different living areas;
- The Campus Standards Board, consisting of students, faculty, and/or administrators generally conducts hearings to address violations of the most serious nature that have the potential to result in University suspension or expulsion. The Board is advised by the DOS, who appoints a trained administrator to serve as the chair.

There are two exceptions to the above-stated procedures. With respect to non-academic matters, exceptions to this policy may be made by the DOS, at their discretion. With respect to academic dishonesty, faculty should follow policies as outlined in the Academic Policies Section (Section 7) of this Handbook.

When an incident is reported to the University, either through a University official or a student, the University will review the incident to determine if a potential violation of the Student Code of Conduct occurred. If there is insufficient information from that incident report, the DOS (or designee) may request that an investigation occur in order to determine whether there is enough information to warrant charges and a review by a conduct review body. While an investigation occurs, by an official appointed by the DOS (or designee), interim measures may be implemented, as outlined further in this section.

Audio recordings of meetings with individuals who may have relevant information about the incident may be made by the University official conducting the investigation. Information collected through an investigation, including audio recordings, witness and complainant statements, etc., are confidential and generally, are not available for review by any party during the investigation process, except at the discretion of the DOS (or designee).

It is at the discretion of the DOS (or their designee) to determine whether or not information provided through the investigation is sufficient to warrant either a formal review by a conduct review body or an informal resolution. Typically, complainant(s) will be notified of the conclusion of the investigation and a resolution, but may not be informed of the outcome and/or the resulting sanctions. The exception to this is in the case of alleged sexual violence cases.

Individuals with questions about the conduct process should contact the Office of Student Affairs at 716-839-8519 during regular business hours: 8:30am-4:30pm.

GENERAL CONDUCT REVIEW PROCEDURES

If the University has determined that a matter is to be reviewed by a conduct review body, the following guidelines will generally be applied after an investigation has occurred, if applicable. Exceptions to these procedures may be made at the discretion of the DOS (and/or designee). All University hearings are open only to members of the University community and those people who have specific involvement in the case, and only at the discretion of the hearing officer.

1. All charges of misconduct shall be presented to the accused student/respondent in written form generally between two and 30 calendar days after the student has been notified;
2. Hearings shall be conducted in private. Admission of any person to the hearing shall be at the discretion of the hearing officer;
3. The respondent and the complainant have the right to be accompanied throughout the hearing by advisors of their choice as outlined by the procedures in this Handbook and at the approval of the hearing officer. Only when the student is exposed to concurrent criminal charges or civil liability, or in cases involving sexual assault or harassment as defined previously in this Handbook, may a respondent request to have legal counsel as an advisor. An advisor, including legal

counsel, may not speak on behalf of the respondent or address the conduct review body. The names of the advisors must be provided to the hearing officer at least two working days prior to the hearing in order to be approved;

4. The respondent and the complainant may present as witnesses only those persons with first-hand knowledge of the alleged incident or violation, or others having information which can otherwise be shown to be credible. The decision to hear testimony or receive information from witnesses having information other than first-hand shall be made by the conduct review body or the hearing officer;
5. In hearings involving more than one respondent, the hearing officer, at their discretion, may permit the hearings concerning each student to be conducted separately;
6. All procedural questions are subject to the final decision of the hearing officer in accordance with applicable policies and procedures as outlined in the Student Handbook. While University policies provide for a level of due process appropriate to a private institution of higher learning, the standards of evidence and due process that may pertain in civil and criminal courts are not applicable to the University conduct review process;
7. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by a conduct review body at the discretion of the hearing officer. Assumptions, speculations, or references to prior, unreported incidents will not normally be permitted;
8. After the hearing, the conduct review body shall determine (by majority vote in Campus Standards Board hearings) whether the student has violated each section of the Student Code with which the student has been charged with violating. The conduct review body's decision shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code of Conduct (preponderance of evidence);
9. There shall be a record of all hearings heard before a conduct review body for use by the appellate body, a copy of which may be made available to the respondent or the complainant. Generally, there shall be no audio/visual recordings of hearings other than those conducted by the Campus Standards Board and/or those involving incidents of sexual assault;
10. Failure to obey the summons of a hearing officer or failure to attend one's own hearing does not preclude the case from being heard and a decision being rendered; and
11. Decisions made by a conduct review body shall be final, pending the normal appeal process. Following a hearing, the hearing officer shall advise the respondent in writing of the decision of the hearing and of the sanction(s) imposed, if any, within five calendar days whenever possible. Typically, the complainant will only be informed of the decision of conduct review body and/or the resulting sanctions, if applicable, in cases involving sexual assault/dating violence.
12. Typically, Daemen University will work to resolve all conduct matters in totality within 60 calendar days.

SPECIFIC REVIEW RIGHTS FOR CONDUCT INVOLVING SEX DISCRIMINATION AND SEX-BASED HARASSMENT

Sex Discrimination and Sex-Based Harassment, as defined in Section 5, includes Quid Pro Quo, Hostile Environment, Domestic Violence, Dating Violence, Stalking and Sexual Assault.

If a student is accused of sexual assault, domestic violence, dating violence, stalking, or sexual activity Daemen University will investigate and address such accusation in accordance with the Title IX grievance procedures, as described in Section 5 of this Handbook.

CAMPUS STANDARDS BOARD HEARING PROCEDURES

It is at the discretion of the DOS (or designee) whether or not a case is heard by an individual or by the Campus Standards Board (CSB). Regardless of the medium through which the case is heard, all hearings are open only to those people who have specific involvement in the case. Generally, Daemen University will not issue a disciplinary sanction arising from an allegation of covered sex-based harassment without holding a live hearing unless otherwise resolved through an informal resolution process and/or where interim actions are deemed appropriate to protect the safety, well-being, and/or decorum of the campus community. The complainant shall at all times have the burden of proof, upon preponderance of the evidence, that the respondent has violated the Student Code of Conduct. Exceptions to these procedures may be made at the discretion of the Vice President for Student Affairs (and/or designee).

1. The chair shall formally call the meeting to order, announcing the date and time of the hearing.
2. The due process coordinator shall introduce the purpose of the hearing, outline the conduct process and identify roles for those in attendance. (The due process coordinator, a role which may also be filled by the hearing officer or another duly appointed individual, is responsible for ensuring that procedures are followed as outlined in this handbook and, as such, may interject as needed during the proceedings.)
3. All parties involved will introduce themselves by name and role at the hearing (i.e., panel member, respondent, complainant, witness, advisor).
4. The chair shall read the charges and the respondent will provide a preliminary indication of whether they are responsible or not responsible for those charges.
5. The complainant shall present their opening statement and present their complaint. (In certain instances, when deemed appropriate by the DOS or designee, the role of the complainant may be the University).
6. Members of the CSB may ask questions of the complainant, respondent, and all witnesses for the purpose of fact finding and clarification.
7. The respondent may question the complainant and witnesses as they appear. Questions by either the complainant and/or respondent must be submitted to the chair or hearing officer before the question is asked in order to be considered. (In cases deemed appropriate by the chair and/or the due process coordinator, questions by the respondent to the complainant and witnesses will be made directly to the chair, who will communicate those to the appropriate party. Responses will also be made directly to the chair).

8. The respondent shall present their opening statement and present their response.
9. Members of the CSB may ask questions of the complainant, accused student, and all witnesses, for the purpose of fact finding and clarification.
10. The chair, or relevant witnesses if present, will read into record any additional pieces of information, witness accounts, etc., that are deemed necessary and relevant for the case.
11. CSB members may call witnesses from either side after all original testimony has been heard, for the purpose of fact finding and clarification.
12. The complainant may present a closing statement.
13. The respondent may present a closing statement.
14. All parties except CSB members shall be excused from the hearing room while the Board discusses the case to determine their decision and, if applicable, appropriate sanction(s).
 - a. Generally, a decision will be rendered at the time of the hearing unless unusual circumstances make deferment necessary; and
 - b. A majority vote of CSB members present is sufficient to declare a decision and sanction(s).
15. The complainant and respondent will remain in the vicinity of the hearing during the Board's deliberation, unless excused by the committee;
16. The respondent shall be called back to the hearing room to be verbally informed of the decision and sanction(s), if rendered at the time of the hearing. Any sanctions imposed are effective immediately, unless otherwise indicated. All verbally communicated sanctions will be sent in writing to the respondent within 24 hours.
17. A transcript of the hearing is made by audio recording. Transcripts may not be shared with any persons not directly involved in the hearing;
18. In the case of an appeal, a copy of the transcript will be made available to the appeal body.

SPECIFIC PROCEDURES INVOLVING SEX DISCRIMINATION AND SEX-BASED HARASSMENT

Sex Discrimination and Sex-Based Harassment, as defined in Section 5, includes Quid Pro Quo, Hostile Environment, Domestic Violence, Dating Violence, Stalking and Sexual Assault.

1. Throughout the proceedings the respondent, accused, and reporting individual will be provided equal access to advisors and support persons. Daemen University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as complainant or respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Daemen University. A prompt response to any complaint will be provided and the complaint will be investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual

training in conducting investigations of sexual violence, the effects of trauma, impartiality, and the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made.

2. Daemen University’s obligations to investigate and adjudicate in a prompt timeframe under Title IX and other university policies apply to matters governed under this Policy, and Daemen University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Daemen University will not be obligated to delay a meeting or hearing under this process for more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Daemen University.
3. An investigation and process will be fair, impartial and will provide a meaningful opportunity to be heard, and that is not conducted by individuals with a conflict of interest.
4. The hearing process may run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than five days except when law enforcement specifically requests and justifies a longer delay.
5. Available evidence will be reviewed in the case file or otherwise in the possession or control of Daemen University, and relevant to the conduct case, consistent with Daemen University’s policies and procedures.
6. To exclude an individual’s prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis and/or treatment from admittance in the disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
7. Written or electronic notice will be provided in advance pursuant to the Daemen University policy and reasonable under the circumstances, of any meeting they are required to or are eligible to attend, of the specific rule, rules or laws alleged to have been violated and in what manner, and the sanction or sanctions that may be imposed on the respondent based upon the outcome of the conduct process, at which time the designated hearing or investigatory officer or panel shall provide a written statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.
8. Simultaneous (among the parties) written or electronic notification of the outcome of the conduct process, including the sanction or sanctions.
9. Individuals may make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
10. Individuals will be informed of the sanction or sanctions that may be imposed on the respondent based upon the outcome of the conduct process and the rationale for the actual sanction imposed.
11. It is up to the individual parties involved whether to disclose or discuss the outcome of the conduct process.
12. All information obtained during the course of the conduct process will be protected from public release until the appeals panel makes a final determination, unless otherwise required by law.

CAMPUS STANDARDS BOARD TITLE IX HEARING PROCEDURES

It is at the discretion of the DOS (or designee) whether or not a case is heard by an individual or by the Campus Standards Board (CSB). Regardless of the medium through which the case is heard, all hearings are open only to those people who have specific involvement in the case. Generally, Daemen University will not issue a disciplinary sanction arising from an allegation of covered sex-based harassment without holding a live hearing unless the allegation is otherwise resolved through an informal resolution process and/or where interim actions are deemed appropriate to protect the safety, well-being, and/or decorum of the campus community. The complainant shall at all times have the burden of proof, upon preponderance of the evidence, that the respondent has violated the Student Code of Conduct. Exceptions to these procedures may be made at the discretion of the Vice President for Student Affairs (and/or designee).

1. The chair shall formally call the meeting to order, announcing the date and time of the hearing.
2. The due process coordinator shall introduce the purpose of the hearing, outline the conduct process, and identify roles for those attending the hearing. (The due process coordinator, a role which may also be filled by the hearing officer or another duly appointed individual, is responsible for ensuring that procedures are followed as outlined in this handbook and as such, may interject as needed during the proceedings.)
3. All parties involved will introduce themselves by name and role at the hearing (i.e., panel member, respondent, complainant, witness, advisor).
4. The chair shall read the charges and the respondent will provide a preliminary indication of whether they are responsible or not responsible for those charges.
5. The complainant shall present their opening statement and present their complaint. (Note that in certain instances, when deemed appropriate by the DOS or designee, the role of the complainant may be the University.)
6. Members of the CSB may ask questions of the complainant, respondent, and all witnesses for the purpose of fact finding and clarification.
 - a. Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing and to be free from retaliation. See 85 Fed. Reg. 30026, 30360 (May 19, 2020).
7. The respondent shall present their opening statement and present their response.
8. Members of the CSB may ask questions of the complainant, the respondent, and all witnesses for the purpose of fact finding and clarification.
9. The chair, or relevant witnesses if present, will read into record any additional pieces of information, witness accounts, etc., that are deemed necessary and relevant for the case.
10. CSB members may call witnesses from either side after all original testimony has been heard for the purpose of fact finding and clarification.
11. Parties will be given the opportunity for questioning after CSB conducts its initial round of questioning. During the parties' questioning, the Board Chair will have the authority to pause the questioning at any time for the purposes of asking follow up questions; and at any time when it is necessary to enforce the established rules of decorum. Questions by either the complainant and/or respondent must be submitted to the chair or hearing officer before the question is asked in order to be considered.

12. Should a party or the party's advisor choose not to question a party or witness, the party shall affirmatively waive questioning through a written or oral statement to the Board Chair. A party's waiver of questioning does not eliminate the ability of the CSB to use statements made by the party;
 - a. If a witness does not submit to questioning, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. See 85 Fed. Reg. 30026, 30347 (May 19, 2020).
13. The complainant may present a closing statement.
14. The respondent may present a closing statement.
15. All parties except CSB members shall be excused from the hearing room while the Board discusses the case to determine their decision and, if applicable, appropriate sanction(s).
 - a. Generally, a decision will be rendered at the time of the hearing unless unusual circumstances make deferment necessary; and
 - b. A majority vote of CSB members present is sufficient to declare a decision and sanction(s).
16. The complainant and respondent will remain in the vicinity of the hearing during the Board's deliberation, unless excused by the committee;
17. The respondent shall be called back to the hearing room to be verbally informed of the decision and any sanction(s) rendered at the time of the hearing. Any sanctions imposed are effective immediately, unless otherwise indicated. All verbally communicated sanctions will be sent in writing to the respondent within 24 hours.
18. A transcript of the hearing is made by audio recording. Transcripts may not be shared with any persons not directly involved in the hearing.
19. In the case of an appeal, a copy of the transcript will be made available to the appeal body.

THE ROLE OF THE STUDENT CONDUCT ADVISOR

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.
- The parties are permitted to conduct questioning, but may request to the university that questioning to be conducted by an advisor. If a party does not select an advisor, the institution will select an advisor to serve in this role at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If neither a party nor their advisor appears at the hearing, Daemen University will provide an advisor to appear on behalf of the non-appearing party. See 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).

If requested at least 48 hours prior to a hearing, the hearing officer may approve the respondent to have an advisor present during the proceedings. Prior to the hearing, the hearing officer will meet with the advisor to provide information about the Code of Conduct and to answer any questions they may have about the proceedings. The hearing officer cannot answer questions about the incident itself or the student's responsibility. The advisor is permitted to meet with the respondent in advance of the hearing and to be present at the hearing and the outcome. The advisor's role is to provide guidance to the respondent with regards to how to act, what questions to ask, and how to prepare their case. Advisors are able to share notes with the respondent at the hearing. The complainant may also elect to have an advisor present, subject to the same parameters outlined above.

In cases involving sexual assault or harassment, the complainant and respondent are permitted to have an advisor of their choice present, including legal counsel, pursuant to the same regulations as outlined above.

SANCTIONS

The following sanctions, among others, may be imposed upon any student found to have violated the Student Code of Conduct:

1. Warning – a written notice to the student that they are violating or have violated the Student Code of Conduct
2. Loss of privileges – denial or restriction of specified privileges or use of specified facilities for a designated period of time
3. Fines
4. Conflict mediation (Please note that mediations are not applicable in cases involving sex-based harassment and/or assault/violence)
5. Restitution – compensation for loss, damage or injury through the payment of money or through appropriate work requirement related to the offense
6. Referral to support services/educational programs
7. Community service – service to the University or other related discretionary assignments
8. Probation – defined as the middle status between good standing and suspension. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating the Student Code of Conduct during the probationary period
9. Educational assignments – additional activities as assigned by the hearing officer with an educational outcome or goal that relates to the violation
10. Drug and Alcohol Assessment completed by a certified health care professional
11. Mandated room reassignment or residential suspension – behavior merits immediate relocation of the student to another campus residence or removal from the University's residence halls
12. Living/Learning contract – disciplinary letter placing the student on probation. This letter is signed by the student requiring them to satisfy certain sanctions within a period of time.
13. Persona non grata – prohibition from campus property and/or activities. Violation of a persona non grata sanction may subject the violator to arrest for trespassing.
14. Suspension – removal from classes and other privileges or activities for a designated period of time. Suspension from the University will result in

automatic “W” grades in all classes in the semester of the suspension. A suspended individual must turn in campus photo identification, University keys and all other University property at the time the suspension goes into effect. The individual will be considered persona non grata. Conditions for readmission may be specified.

15. Transcript notation – In accordance with NYS Education Law 129-B, students found responsible for crimes of violence, including but not limited to sexual violence, will be subject to a notation on their transcript stating that they were “suspended after a finding of responsibility for a Code of Conduct violation” or “expelled after a finding of responsibility for a Code of Conduct violation.” For the respondent who withdraws from the University while such conduct charges are pending, and declines to complete the disciplinary process, a transcript notation will be made that the student “withdrew with conduct charges pending.” Students seeking removal of a transcript notation for a suspension shall follow the standard appeal process outlined in this Handbook (Section 8: Appeals), provided, in accordance with NYS Law 129-B, that such notation shall not be removed prior to one year after conclusion of the suspension, while notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.
16. Expulsion – permanent removal from classes and other privileges or activities as a student. Expelled individuals must turn in campus card photo ID, University keys and all other University property at the time expulsion goes into effect. The individual will be considered persona non grata.

More than one of the above sanctions listed may be imposed for any single violation. Additionally, educational sanctions may be imposed at the discretion of the hearing officer. Other than University expulsion, disciplinary sanctions shall not be made part of the student’s academic transcript, but shall become part of the student’s permanent record. A student’s record is, therefore, subject to review by those authorized to request it, such as transfer higher-education institutions and future employers and in other cases when the student initiates the disclosure.

The following sanctions, among others, may be imposed upon student groups or organizations:

1. Sanctions 1 through 9 listed above
2. Deactivation – loss of privileges, including University recognition, for a specified period of time

When a student organization engages in some act of misconduct, the University may take action not only against the student(s) involved, but also against the organization itself, as outlined in the Student Activities Section (Section 3) of this Handbook.

Standard Sanctioning

In recognition that no two circumstances are identical, administered sanctions may vary based on the situation and nature of the infraction.

INCOMPLETE SANCTIONS

Sanctions that are not completed by the appropriate deadline will be considered incomplete. An incomplete sanction may result in a fine or additional sanctions. Extensions are given at the discretion of the Vice President for Student Affairs and/or designee. If a student withdraws prior to sanction completion, a hold will be placed on their account restricting their return until the sanction(s) is completed.

INTERIM MEASURES

In certain circumstances, including those involving sex-based harassment and/or assault/violence, DOS (or designee) may, upon initial assessment, impose interim measures as a means to ensure the safety of all parties as well as the institution. Furthermore, students have the right to request interim measures, a prompt review of the need for interim measures, and the terms of any interim measure or accommodation provided by Daemen University. Interim measures may or may not be punitive and may include a University or residence-area suspension pending assessment, full investigation and/or a hearing before a conduct review body. Interim measures may be imposed to:

1. help ensure the safety and well-being of members of the University community or preservation of University property
2. help ensure the student's own physical or emotional safety and/or well-being
3. help prevent disruption or interference with the normal operations of the University

Depending on the nature of the interim measures, students may be denied access to the residence area and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the VPSAI or DOS (or designee) may determine to be appropriate.

In certain circumstances, the DOS (or designee) may impose an interim residence suspension, mandated room reassignment, or other restrictions prior to a hearing before a conduct review body.

Whenever interim measures are applied, a hearing will convene at the earliest possible time. The interim measures(s) may remain in effect until a final decision has been reached, including any appropriate appeals process, and/or may be modified at the discretion of the DOS (or designee).

APPEALS

The accused student(s)/respondent(s) or complainant(s) may appeal a decision made by a conduct review body. A request for an appeal must be submitted in writing to the DOS (or designee) within five (5) calendar days of the decision. Generally, the DOS will hear appeals of residential suspensions and all matters for which they did not render the decision and the VPSA will generally hear all appeals for CSBs and matters handled by the DOS. In cases involving sex-based harassment and/or assault/violence, in accordance with New York State Education Law 129-B, the Title IX Coordinator will hear these appeals along with a panel of at least two (2) other professionals (three in total) which may or may not include the DOS, depending on the extent to which they were involved in

the initial hearing or decision rendered. In all other matters where the DOS has rendered a decision that does not involve sex-based harassment or assault, the Vice President for Student Affairs (or designee) will hear the appeal.

The written request for any appeal must be based upon one or more of the following reasons, which must be specified in the appeal:

1. Violation of University conduct review procedures
2. Misinterpretation of the policies alleged to be violated
3. New evidence not reasonably available at the time of the hearing
4. Improper or excessive sanction(s)
5. Decision not supported by a preponderance of evidence

Upon receipt of the appeal, the appellate body will do one of the following:

1. Accept to hear the case at their discretion
2. Refuse to hear the case for lack of sufficient reason for appeal
3. Request that another hearing be conducted
4. Investigate and amend the decision and/or sanction

In appeals by the accused involving claims of improper or excessive sanctions, decisions following appeal cannot result in more severe sanctions for the accused student. Review of the audio transcript or other supporting materials will be available to the appellate officer at their request. The decision and sanction(s) resulting from any appeal will be sent to the respondent, complainant, Vice President for Student Affairs, Vice President for Student Affairs, President of the University and/or persons and offices notified of the original sanction(s). Typically, the appellate body will render a final decision within two weeks of receiving the initial appeal.

An appeal can only be made as the result of a review of charges from a conduct review body and not from a review of a reported incident where a formal review has not occurred and/or when an informal resolution is put in place.

The University reserves the right to change and/or add to the policies, procedures, and programs described in the Student Handbook and will make reasonable efforts to inform students of such changes and/or additions as they become necessary.

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WILDCATS REACH OUT

Campus Sexual Assault Victims' Bill of Rights

1

The right to have any and all disclosures of domestic violence, dating violence, stalking, and sexual assault against them treated with seriousness and receive, from the institution, courteous, fair, and respectful health care and counseling services, where available.

The right to be free from any kind of suggestion that sexual assault victims not report, or under-report, crimes because: a. victims are somehow 'responsible' for the commission of crimes against them; b. victims were negligent or assumed the risk of being assaulted; or c. by reporting crimes they would incur unwanted personal publicity.

HOW TO HELP
A FRIEND

LISTEN.
BELIEVE.
BE PATIENT.
SUPPORT.

2

The right to have sexual assault committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred, if the victim so chooses, including make a report to local law enforcement and/or the state police; and the right to the full and prompt cooperation and assistance of University staff in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.

3

The right to be free from any kind of pressure from University staff that victims:

- Not report crimes committed against them to civil and criminal authorities or to campus safety and residence life staff; or
- Report crimes as lesser offenses than the victims perceived them to be.

4

5

The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard and in so doing, to describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident.

7

After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that appropriate University staff take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate relocation of the victim to safe and secure alternative housing, and transfer of classes if requested by the victims.

6

REPORTING RIGHTS ...

Daemen students have the right to make a report to Campus Safety, local law enforcement, and/or state police or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from Daemen University.

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.

Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of Daemen University.

New York State Education Law 129-B

Reporting individuals are reminded that 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 the institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from the institution.

9

Access to at least one level of appeal of a determination.

10

The right to report any inappropriate action, or lack thereof, in the handling of a reported sexual assault on the part of the University as a Title IX complaint.

11

12

REPORTING & SUPPORT ...

● Available 24/7, 365
● Confidential

DAEMEN
UNIVERSITY

Dean of Students
Office
716-839-8519
lhaumess@daemen.edu

Community Standards
and
Student Advocacy
716-839-8200
mrodrig1@daemen.edu

Title IX Coordinator
716-566-7880
thamilto@daemen.edu

Campus Safety
(Wick Center)
716-839-SAFE (7233)

Amherst Police
Department
716-689-1311 or
911 in emergency

Crisis Services of
Buffalo Hotline
716-834-3131

NYS Domestic
and Sexual
Violence Hotline
1-800-942-6906

Counseling Services
(The CHIP Center)
716-839-7380
daemen.edu/
counselingsupport



Download on the
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FREQUENTLY ASKED QUESTIONS (FAQS)

Campus Sexual Assault Victims' Bill of Rights

Q I was drinking and/or using other substances when the incident occurred. Am I responsible?

A In a word, No. In order for individuals to engage in sexual activity of any type with each other, there must be affirmative consent. Affirmative Consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by word or action, but non-verbal consent is less clear than explicit verbal consent. Consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity. Silence – without actions demonstrating permission – cannot be assumed to show consent. Coerced sexual activity violates this policy just as much as physically forced sexual activity does. Coercion happens when someone unreasonably pressures someone else for sex. Persons impaired from using alcohol or other drugs are considered unable to give affirmative consent.

Q What steps will the University take after I report the incident?

A The response from the University exists on a continuum, from basic steps to help the student to a comprehensive conduct investigation and hearing, and everything in between. The Dean of Students (or designee) will discuss all of the potential options with you, based on the circumstances, and let you be informed about the best way to proceed. The University can:

- Issue Orders of No Contact between both students, which will forbid all forms of communication, including electronic and via a third party;
- Issue Persona Non Grata orders to the accused student banning him/her from certain locations which the complainant frequents (such as a residence hall);
- Adjust housing assignments and class schedules;
- Connect the student with Crisis Services of Buffalo and/or the Special Victim's Unit of the Amherst Police Department;
- Offer counseling services

Please bear in mind that this is not an exhaustive list (meaning there are other things that the University can do), but it really depends on how the student wants to move forward. It is important to note that the University does have an obligation, once it knows about an incident which may present an imminent threat to the campus community to take necessary steps to protect the campus community. In such an event, the student reporting the incident will be protected to the best extent possible.

Q But I am worried that I will get in trouble for what I was doing before the incident occurred.

A Daemen wants to know if an incident has occurred so we can 1) help the student and 2) protect the rest of the campus community. To that end, the University has adopted an amnesty policy for certain special situations and more traumatic incidents. The full policy is available in the Student Handbook www.daemen.edu/studenthandbook), but in short, please know a victim who comes forward to report a sexual assault and who may have consumed drugs or alcohol if underage, will not be subject to review for that consumption under the Daemen University Code of Conduct.

Q What is an investigation?

A During an investigation, if the student chooses to move forward, the University will have a trained professional talk to the reporting student, and the accused student (we use the terms complainant and respondent, respectively) to get as much detail as possible. We will also want to talk to any and all witnesses, as provided by both students, who were there before, during, and after the incident and collect any other sort of documentation or evidence. This can include email messages, social media (Facebook, Twitter, Instagram, etc.) posts or pictures, text messages, voicemails, etc. If you choose to move forward in this manner, the University will be thorough to determine whether we move forward to a hearing.

Q A hearing sounds scary- do I have to be in the same room with the person and answer their questions?

A The short answer is No. The Student Handbook outlines the full procedures for hearings, but in special cases, many accommodations can be made for you. Some students want to go into a room with the person to share their story; some do not. The University can, and will, adjust the proceedings to your level of comfort. This could include conference call, video conferencing, never being in the room at the same time, and even not being present at all. In those cases, the Investigator would serve as the complainant and share all relevant information and evidence as collected.

Q Ok. What happens next?

A If the student moves forward with a hearing, after the case is heard, a determination of responsibility is made and then, if the respondent is found responsible, sanctions are issued. Typically, being found responsible for this type of infraction would result in suspension or expulsion. You would then be informed of the outcome of the hearing and what steps have been taken.

Q What if I am not happy with the results?

A Then you can appeal. Both the respondent and complainant have the right to appeal a decision made at a hearing. This entire process is coordinated in consultation with the Title IX Coordinator. The Title IX Coordinator is a high level administrator at the University tasked with ensuring that the University meets its obligations under the law and ensures equal access to all services.

Q One final question...what about my parent(s) /guardian(s)?

A The only time the University will reach out to parents is if we feel that a student is a potential harm to to them-self or others. While we feel that it is always best for you to keep your parent(s)/guardian(s) informed, we know that this is a highly person situation and that everyone's family situation is different. We will help you to process what makes the most sense for you, but again, that decision rests with you.

DAEMEN
UNIVERSITY

New York State
Education Law 129-B

Reporting individuals are reminded that 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 the institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from the institution.

WILDCATS REACH OUT



ANONYMOUS. ACCESSIBLE 24/7.
RESOURCES AT YOUR FINGERTIPS.
DOWNLOAD THE REACH OUT APP.



REPORTING RIGHTS

Daemen students have the right to make a report to Campus Safety, local law enforcement, and/or state police or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from Daemen University.

REPORTING & SUPPORT

Dean of Students Office
716-839-8519
lhaumess@daemen.edu

Community Standards and Student Advocacy
716-839-8200
mrodrig1@daemen.edu

Title IX Coordinator
716-566-7880
thamilto@daemen.edu

Campus Safety
(Yurtchuk Center)
716-839-SAFE (7233)

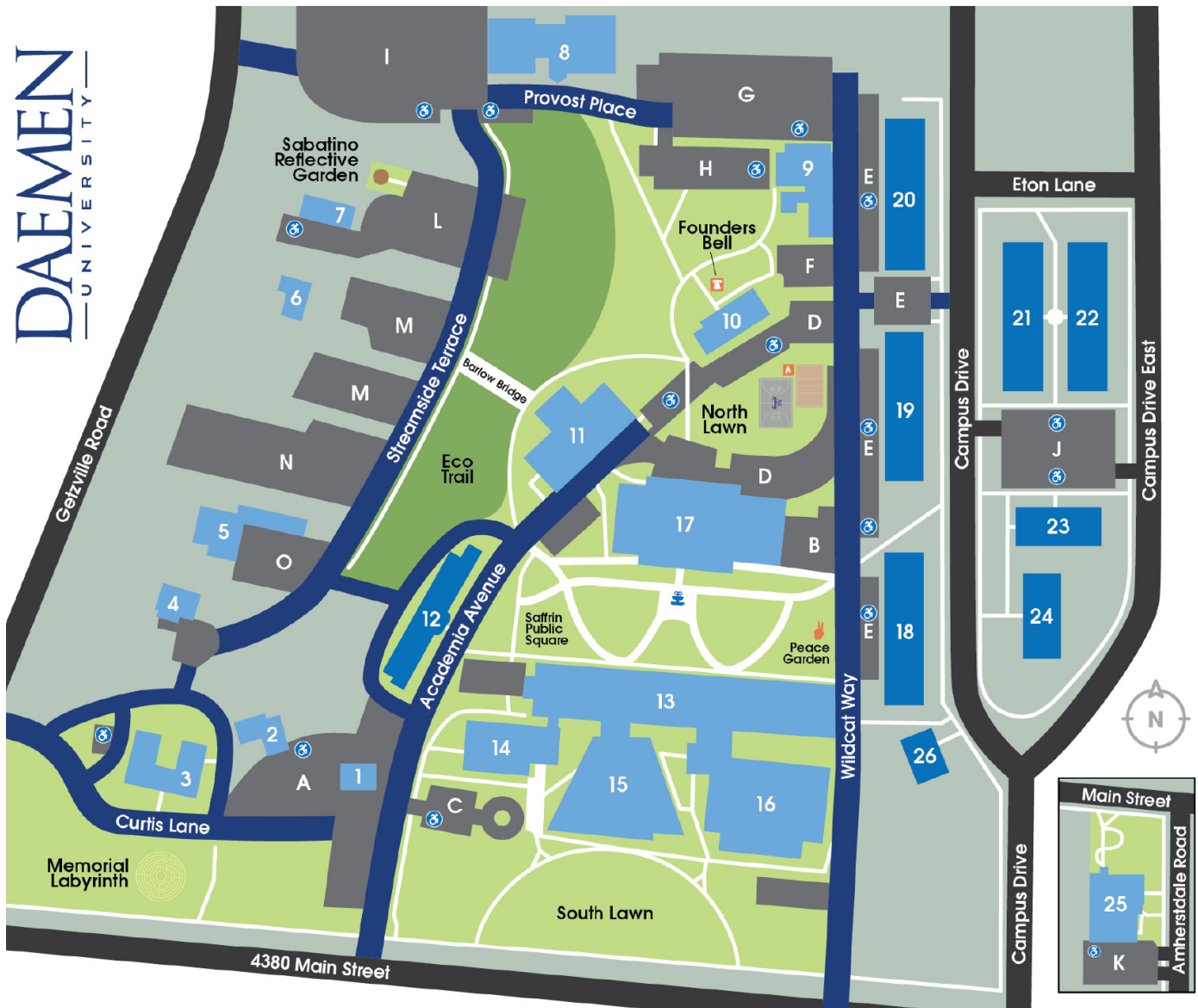
Amherst Police Department
716-689-1311 or
911 in emergency

Crisis Services of Buffalo
Hotline
716-834-3131

NYS Domestic and Sexual Violence Hotline
1-800-942-6906

Counseling Services
(The CHIP Center)
716-839-7380
daemen.edu/counselingsupport

Campus Map



Amherst Campus Buildings

- | | |
|---|---|
| 1 Visitor Information | 15 Research & Info. Commons |
| 2 Thomas Reynolds Ctr. for Edu. | 16 Lumsden Gymnasium |
| 3 Curtis Hall | 17 John R. Yurtchuk Student Center |
| 4 Girard House | 18 Apartment 56 |
| 5 Facilities | 19 Apartment 96 |
| 6 Honors House | 20 Apartment 110 |
| 7 Alumni House | 21 Apartment 101 |
| 8 Business Building | 22 Apartment 76 |
| 9 MusicalFare Theatre | 23 Apartment 71 |
| 10 Rosary Hall | 24 Apartment 57 |
| 11 Schenck Hall | 25 Scott Bieler College of Health Professions |
| 12 Canavan Hall | 26 Apartment 40 |
| 13 Duns Scotus Hall | |
| 14 Nancy Haberman Gacioch Ctr. for Visual & Performing Arts | |

Parking Information

(A) (B) (D) (F) (G) (K) (L) (M) (N)

Day Parking Only

No Parking between 1am and 7am

(E) (H) (I) (J)

Day/Overnight Parking

Parking permitted overnight

(C) (O)

Reserved Parking

Only for those with special permits

Campus Telephone & Office Directory

ADMINISTRATIVE OFFICES

OFFICE

PHONE

Academic Affairs	DS103	716-839-8227
Alumni Relations	AH	716-839-8364
Assistant VP of Student Success	RIC108	716-839-8228
Athletics	AF	716-839-8346
Bookstore	DS4	716-839-8245
Business Affairs	DS106	716-839-8218
Campus Safety	YSC	716-839-7233
Career Services	YSC	716-839-8334
Classroom and Events Technology	RIC105	716-839-8430
Counseling Services	CHIP Center	716-839-7380
Conference Services	YSC	716-839-8253
Center for Excellence in Teaching & Learning	DS102	716-566-7878
Dining Services	YSC	716-839-8328
Diversity & Inclusion	DS115	716-839-8249
Employee Engagement	AH	716-839-8325
Enrollment	RH	716-839-8225
Financial Aid	DS111	716-839-8254
Global Programs	DS149	716-566-7837
Health & Insurance Services	CHIP Center	716-839-7380
HEOP	DS118	716-839-8249
Honors Program	DS139	716-566-7869
Housing & Residence Life	YSC	716-839-8200
Information Technology	BB211	716-839-8430
Institutional Effectiveness	RIC316	716-839-7213
Institutional Research	DS129	716-839-7311
Library/Research & Information Commons	RIC	716-839-8243
Mailroom	DS9	716-839-8453
Maintenance	MS	716-839-8222
Marketing & Communications	39 Getzville	800-462-7652
MusicalFare	MF	716-839-8540
Orientation & Leadership Development	YSC	716-839-8494
President's Office	DS107	716-839-8210
Printing Office	DS5	716-839-8248
Publications	AH	716-839-8268
Service Learning	DS226	716-839-8487
SMART Squad	RIC107	716-566-7865
Student Accounts	DS112	716-839-8213
Student Activities	YC	716-839-8200
Student ID Cards	Campus Safety	716-839-7233
Web Communications	BB211	716-839-8585