

# **UTS**

*Student Handbook*

2013-2014

Graduate  
and  
Undergraduate  
Programs



## GRADUATE PROGRAM

Welcome to UTS! UTS serves the purpose of shaping spiritual leaders who can build communities of new life and peace among people of all nations, races and religions. Students form a natural community of colleagues and friends, striving to reach common goals together. This *Student Handbook* provides an outline for our community life. It is not exhaustive, of course, and much of it simply records the natural activities of people of good conscience and public-mindedness. We hope that it will stimulate you to enter upon your student career at UTS with high hopes and a deep desire to serve God and the world.

### I. STUDENT LIFE

- A. **Orientation** During registration the Seminary convenes an orientation session for all new students. The program is designed to acquaint students with the organizational structure, curriculum, library and other facilities, student services, activities, and student rights and responsibilities.
- B. **Convocation** Students are encouraged to attend the Convocation service that takes place within the first few weeks of the Fall semester. The purpose of the Convocation service is to allow new students to sign the Student Code (discussed later in this Handbook) and continuing students to join with them in beginning the academic year.
- C. **Daily Schedule and Ethos** It is important for students to take responsibility for their spiritual life through attending religious services, prayer meetings and individual prayer, reflection and religious study. Besides studying their own tradition's scripture, students are encouraged to build their spiritual life through study of the scriptures of other religions. Voluntary service, which is encouraged, adds an active dimension to personal spiritual growth. Academic work is in many ways the core of Seminary training and is the most thoroughly evaluated. However, personal time for academic study must be balanced by time for physical exercise and activities and by spiritual development. Intellectual activities without spiritual discipline and insight can become meaningless or destructive to balanced leadership education.
- D. **Religious Traditions**
  - 1. Students are encouraged to practice their own religious tradition while at UTS, and also to explore the practice of other religious traditions on campus.
  - 2. Students of all faiths are welcome to participate in the daily chapel services that take place before evening classes, and also are encouraged to maintain their own spiritual discipline and worship activities. Chapel services are organized and implemented by students with the support of student government.
  - 3. In addition to the regularly scheduled chapel services there are occasional prayer meetings for special purposes.
- E. **The Student Code** The willingness to make a public commitment to morality, purity, and sobriety characterizes mature and responsible individuals. For this reason, students are asked to sign the Student Code at the Convocation or other such event at the beginning of their first term as a pledge of their willingness to uphold the ethical standards of UTS. The Seminary reserves the right to place on probation, suspend or dismiss at its discretion, any student who fails to uphold the Student Code and the ethical standards implied therein, and maintain a satisfactory academic record and acceptable personal behavior or attitude.

## The Student Code

*To maintain the highest spiritual, academic and physical standards, I commit myself before God:*

1. *To develop my relationship with God through regular spiritual practices with full devotion of heart, mind and body.*
2. *To uphold and live according to the highest moral and ethical standards in my personal life and relations with others;*
3. *To respect the campus as a smoke free, alcohol-free, drug-free environment, and to maintain my body at all times as a temple of God;*
4. *To refrain from premarital and extra-marital relationships, sexual harassment and pornography;*
5. *To respect the diversity of cultural and religious traditions;*
6. *To attend enrolled classes and fulfill academic responsibilities with honesty and integrity;*
7. *To pursue my religious vocation with integrity upon graduation.*

*I recognize that admission to UTS is a privilege, and hereby make my sincere commitment in heart and action to the provisions of this code, and to all standards of the Seminary as described in the Student Handbook.*

- F. **Individual Responsibility** In order to foster a harmonious God-centered community, as well as to enhance the spiritual development of each student, the following policies have been established.
1. **SPIRITUAL:** The spiritual life of the community is designed to promote individual spiritual development.
    - a) Conscientious participation in the spiritual life of the Seminary community is expected. UTS highlights four principles as valuable guidelines: practice living for the sake of others; realize the true family ideal through purity; practice interreligious, international and interracial reconciliation and cooperation and cultivate spiritual and moral leadership.
    - b) Students' spiritual life will be supported by the faculty and administration. Personal concerns and difficulties should be brought to the attention of these persons.
    - c) All students are expected to meet the requirements of their scholarship provider.
  2. **PHYSICAL:** Students are expected to regard their bodies as the temples of God and to extend this care to the environment. Accordingly, each student should maintain a high standard of personal health and hygiene, a neat personal appearance, and cleanliness of personal and public areas. In order to promote the physical well-being of the individual and community, the following policies have been established.
    - a) Physical fitness and regular health care are important as students seek to fulfill their calling from God.
    - b) UTS honors chaste marriage and abundant family life as a culminating purpose of God's creative act. Thus, sexual harassment, sexual relations outside of marriage, and the use of pornography are prohibited.
    - c) The use of illegal drugs is prohibited. The campus is smoke-free and alcohol-free; consumption of alcohol and tobacco in general is strongly discouraged. (Copies of UTS Sexual Harassment and Alcohol and Drug Policies are available from the Registrar's office.)

- d) Students are expected to be proactive in keeping public areas clean.
  - e) Modest dress is expected.
3. **ACADEMIC:** In order to promote academic excellence and professional preparation in ministry and education, the following policies have been established. For a more specific delineation of academic policies and requirements consult the *UTS Catalog*, the *Academic Policies and Procedures Handbook* or the academic program handbooks.
- a) Students are encouraged to develop themselves through active participation in regular course work and through dialogue with Faculty members.
  - b) Students are required to attend all classes for which they are registered, unless properly excused by their professor.
  - c) Students are expected to comply with all course requirements (e.g., paper due dates, class preparations, and projects).
  - d) All work is due by the end of the term.
  - e) Students should maintain a minimum cumulative GPA of 2.5. Students failing to do this will be placed on academic probation.
  - f) Academic integrity: The fulfillment of the Seminary educational program should represent not only a high quality of intellectual achievement but also the performance of all work in the pursuit of that achievement in accordance with the highest standards of academic honesty and integrity. The basic principles inherent in such honesty and integrity are as follows:
    - g) Each student's work is to be the product of his or her own effort. Plagiarism, presenting someone else's work as one's own or failing to document sources or quotations, or cheating on exams are serious violations of academic integrity. The penalty for repeated violation of this nature is suspension or dismissal.
    - h) Each student shall give due and appropriate acknowledgment of the work of others when that work is incorporated into the writing of papers.
    - i) No student shall submit the same work to more than one instructor without prior approval of the instructors involved.
    - j) No student shall infringe upon the rights of others to have fair and equal access to library resources.

## II. STUDENT ORGANIZATIONS

The student body officers and class representatives serve as liaisons between the student body and the Faculty, Administration, and the Board of Trustees. The student body officers include the President, a Vice President and Secretary-Treasurer of the Student Advocacy Council. Together, the student officers and Advocacy Council members link the Administration and the whole student body, coordinating activities and assisting in advising and organizing tasks to be accomplished.

### A. Student Advocacy Council

1. The Student Advocacy Council, consisting of the President, Vice President, Secretary-Treasurer, and student members, governs student life in general at the Seminary. Meetings are held weekly and are open to observers from the Administration, Faculty and student body. Student concerns can be brought to the Student Advocacy Council through any of the Council members. Individuals not on the Council can present agenda items and speak on items after informing a Council officer.

2. The primary purposes of the Student Advocacy Council are to: (1) function as a liaison for the Administration to the student officers and students; (2) represent the students in contacts with the Faculty and Administration; (3) coordinate student activities, events and concerns; (4) facilitate student involvement in church and other non-Seminary organizations and interests; and (5) foster a strong familial bond among students and other members of the community
- B. Other Areas of Student Involvement**
1. **Joint Committees:** Students are asked to sit in as representatives on specific administrative or Faculty committees. Some of these committees are of a permanent nature and therefore the student representative holds the position on the joint committee throughout the academic year (e.g. Academic Affairs Committee). Occasionally, ad hoc joint committees may be formed (e.g. Student Grievance Committee). The Student Advocacy Council President sits in on the Seminary President's Cabinet when possible.
  2. **Ad Hoc Committees:** The Student Advocacy Council may create ad hoc committees for specific projects, to meet temporary needs, or to fulfill temporary functions specified in the *Student Handbook*.
- C. Student Advocacy Officer Responsibilities and Elections:** Student officers are expected to uphold the highest standard in spiritual, academic and social activities. Positions are held for one academic year, however officers may resign, or be removed from office by the administration if they are unable to fulfill their responsibilities. If a student officer resigns or is removed from office, a new appointment will be made. Also, student officers are replaced when taking a leave of absence from the Seminary. Based on criteria of leadership potential, personal maturity and spiritual standard, student Advocacy officers are elected each year by the student body, to fulfill the following positions and responsibilities:
1. **Student Advocacy Council President**
    - a) Maintain a public attitude and serve as a standard bearer in the community by upholding the dignity and spirit of the Student Code;
    - b) Work closely with the administration as a responsible channel for fostering open communication and dialogue;
    - c) Preside over Student Advocacy Council meetings
    - d) Serve as a member of the President's Cabinet
    - e) Serve as central coordinator of all class officers and provide practical and spiritual guidance for all student activities;
    - f) Counsel and offer guidance to individual students and refer students to counselors of greater expertise when the situation requires;
    - g) Represent the student body as a spokesperson at various gatherings;
    - h) Serve as a member of any Student Affairs Grievance Committee, unless they are party to the grievance;
  2. **Student Advocacy Council Vice President(s):** The Vice President(s) is to assist the student body president in all of his/her duties, as well as directly coordinate student activities. In addition, the Vice President fills the president's position in cases of his/her absence.
  3. **Secretary-Treasurer** The Secretary-Treasurer takes the Minutes of the Student Advocacy Council meetings and keeps track of monies raised through fundraising events and submits all monies raised to the Finance Office.
  4. **Election of Student Officers** Elections for the appointment of Student Advocacy officers take place during the Spring term. Candidates are nominated

and voted upon by students.

- D. **Participation of Students in Academic and Administrative Councils, Committees and Meetings:** UTS students have a voice in many Seminary affairs through participation in some committees of the Faculty and Administration. Individual students may request an agenda item or hearing at governing councils of the Administration or Faculty when appropriate and may be invited to present their position or report.
  - E. **Clubs, Organizations and Projects:** Students may form and participate in a wide variety of clubs, organizations and projects that provide, beyond wholesome relaxation, many opportunities for individuals to develop specialized skills and interests. Any student wishing to initiate a new club should submit a proposal through a class officer to the Student Council.
- III. **STUDENT ACTIVITIES AND EVENTS** The purpose of these student activities, besides wholesome relaxation, is to provide opportunities for individuals to develop specialized skills and interests and to grow in better personal understanding of the heart and situation of those around them. Student activities offer a wide scope of choices through which each student can grow in leadership ability and explore non-academic areas, while developing personal potential.
- A. **Graduation Traditions** All Non-Graduating Students: It is Seminary tradition that every year all non-graduating students take responsibility to prepare for graduation. The Student Advocacy Council officers who are not graduating help coordinate efforts together with members of the Administration and staff.
  - B. **Community Outreach** Students are encouraged to gain experience by participating in programs offered by their local faith community in order to round out their Seminary training and prepare themselves for future leadership.
- IV. **THE STUDENT AND THE FACULTY** We are privileged at UTS to have a Faculty from diverse backgrounds with the highest qualifications. They deserve each student's highest respect. Therefore, students are advised to be punctual to classes and meetings, serious to learn and in every way considerate. Professors teach material from the perspective of their own background. Students should be aware that UTS Faculty members are not required to teach from any particular religious perspective, outside of denominational courses. From its inception, the school has valued a variety of religious perspectives.
- A. **Academic Freedom and Responsibility** As an academic institution, the Seminary is dedicated to promoting free inquiry in teaching, learning, expression and discussion of ideas. Academic freedom is absolutely essential to meaningful and creative scholarship. Nevertheless, freedom should not be confused with license and is to be exercised responsibly, within the principled spiritual, moral, ethical and scholarly norms of the Seminary. Students should not interfere with the rights and privileges of other students and members of the community. Therefore, any activities that disrupt the regular and essential operation of the Seminary or impede the free flow of ideas or personal movement and development are not permitted at UTS.
  - B. **Student Responsibilities**
    - 1. **Assignments** All students are responsible to complete class assignments within the time period specified by their instructors.
    - 2. **Attendance/Absences** Students are responsible to attend all classes for which they are registered. Any prolonged absences should be discussed with the instructor and Vice President for Academic Affairs.
  - C. **Faculty Responsibilities**
    - 1. **Faculty Office Hours** Professors will announce and/or post their office hours for individual consultation, and are occasionally available at other times by appointment. Students should consult directly with the professor for appointments. All of our instructors are quite willing to help students on an

individual basis and students should not hesitate to contact them.

2. **Academic Advisement** Students are assigned academic advisors at the beginning of their first year. Subsequent changes are possible. Academic advisors check a student's registration and grade reports, according to the academic policies and procedures administered by the Registrar's Office and assist students in planning their programs of study.

D. **The Library** Library regulations are available at the Library Office and on the website.

## V. STUDENT SERVICES

A. **Bulletin Boards** The bulletin board outside the Registrar's office is reserved for academic and student activities information and carry major announcements, schedules, etc. Other bulletin boards carry lost and found notices, housing information and security schedules, as well as personal notes. Other boards for posting public information are to be found outside the classrooms, and at other locations.

B. **The Office of Equal Opportunity and Affirmative Action (EOAA)** is responsible for monitoring the Seminary's compliance with federal and state nondiscrimination laws including Title IX, investigating complaints of discrimination, harassment, and sexual harassment, and overseeing the informal and formal grievance process in accordance with the Seminary's Policy Against Discrimination and Harassment. The Office of EOAA is managed by the UTS Chief Financial Officer. Individuals who wish to report a concern, seek guidance, file a formal grievance, or request training or other assistance may do so by contacting Mr. Redmond at (845) 758 3000 x235 (Barrytown) or Dr. Winings in NYC.

C. **Counseling and Psychological Services** Mentoring is available to all students for personal and academic problems. Serious matters are referred to appropriate professionals.

D. **Facilities Reservations and Scheduling** To reserve a meeting room on campus facilities for a special event, please contact the Faculty Secretary.

### E. Health Services

1. Students are solely responsible for their medical and dental expenses while at UTS. Students with long-term medical issues are encouraged to obtain the services of a local physician.
2. Healthcare in the United States can be expensive. Therefore, students, in particular married students with families here, are strongly encouraged to enroll in a health insurance plan upon registration and to maintain their health insurance while students at UTS. The Bursar can direct students to available reasonably-priced insurance plans. Students who elect to be uninsured must sign a waiver to that effect.
3. Incoming students are advised to attend to all known medical and dental problems prior to arriving at UTS. In this way members are ready to go to classes without delays or expensive medical or dental care. International students are encouraged to receive immunizations in their country and submit the record of immunization when they enroll.

F. **Identification Cards** Student I.D. cards are available after Registration through the Director of Admissions. I.D. cards are to be used only for verification of student status.

G. **Photocopying** Public photocopy machines are provided. Students may purchase copies and receive a code from the Registrar's office for the main copier. Students may also use the copier in the Library with the code as well. Any UTS computer or copy machine problems should be reported to the Registrar or the Library Director.

H. **Mail Room** The campus mailroom is located outside the Oak Room for NYC and near LH I in Barrytown. Important school notices and personal communications are

distributed through the student mailboxes.

- I. **Internet Access** Internet access, wireless or plug-in, is available in all parts of the campus at both locations.

## VI. STUDENT FINANCIAL POLICIES

- A. **Student Fees** Current student fees are available from the Finance Office. Students may also access their account information through the Student information System (Populi).
- B. **Deferred Payment Plan** Students selecting to defer payment must pay at least 25% of their tuition as well as a deferment fee at registration time. Seminary fees must be paid in full. The rest of the tuition must be paid prior to the next registration. Students cannot register if there are any debts from the previous semester.
- C. **Refunds**
  1. **Tuition:** Students who officially withdraw (see registration procedures for details) from courses up until the end of the 1st week of classes are entitled to a complete refund of tuition. Those withdrawing during the period between the start of the 2nd week until the end of the 5th week receive a 50% refund of tuition. No refund will be given to students who withdraw after the end of the 5th week of classes. A student is responsible to pay whatever balance remains after withdrawing.
  2. **Fees, Room and Board:** All fees are not refundable. Room and board will be charged on a pro rata basis on the Barrytown campus.
- D. **Campus Employment** UTS is no longer able to offer campus employment to recipients of the Interfaith Scholarship.

## VII. THE STUDENT AND THE SEMINARY

- A. **Student Responsibility to the Seminary** Students enter the Seminary voluntarily and are free to withdraw, subject to compliance with the regulations and policies of UTS. Attendance at the Seminary is a privilege, not a right, and students, who will be treated with dignity, are also expected to conduct themselves with dignity, courtesy, responsibility and integrity toward the Seminary and all individuals within the community. Every student is guaranteed due process in academic and non-academic grievances. Please see the APP Handbook for a detailed description of the process.
- B. **Implementation of the Student Code** Admission and continued attendance are dependent upon the student's pledge to uphold, in heart and action, the provisions of this Code. Students' compliance with the Student Code will be subject to review by the Administration. An individual who violates the Student Code may be subject to a period of probation. Serious or repeated violation of the Student Code may result in the student's suspension or dismissal. Unification Theological Seminary reserves the right to require the withdrawal of a student at any time, if in the judgment of the President of the Seminary or of the President's Cabinet such action is deemed necessary to safeguard the ideals of academic excellence or the moral and spiritual atmosphere of the Seminary. Students may seek redress of any grievances through student due process provisions.
- C. **Disciplinary Procedures** Violations of the Student Code and basic rules and regulations of the Seminary may result in disciplinary procedures. Students have the opportunity to discuss perceived violations with class officers, or Administrators before disciplinary procedures will be considered. The Seminary will rely on one or more of the following procedures, depending on the nature of the violation:
  1. Any member of the Seminary community may bring the alleged violation to the attention of the Vice President for Academic Affairs, who will then bring it to the attention of the appropriate class officers. They then bring the alleged violation to the attention of the student involved, clarify through discussion the area of violation, and encourage conformity with the Code and basic rules and

- regulations of the Seminary.
2. Informal Warning. The student will be informed by the class officer that continued violation may result in disciplinary action.
  3. If the violation continues, the Vice President for Academic Affairs will meet with the student, discuss the violation and encourage conformity with the Code.
  4. The violation will be brought to the attention of a special session of the President's Cabinet for their review, chaired by the Vice President for Academic Affairs. The student involved will be invited and encouraged to represent his/her situation. At the Cabinet's discretion, further action may be taken.
  5. Formal Warning or Reprimand. If the situation is still unresolved the President's Cabinet may issue a formal written warning or reprimand. The formal warning will contain notification of pending probation or suspension if the student continues to fail to conform with the Code.
  6. Social/Spiritual Probation. Students will be notified through the Vice President for Academic Affairs of a probationary period, not to exceed one school year. During this period the student must comply with all aspects of the Code and any specified conditions of the probation. Failure to do so may result in suspension or dismissal from the Seminary program.
  7. Suspension. Termination of student status will be put into effect for a given period of time. If readmission is possible, the terms under which it is granted will be specified in the order of suspension.
  8. Dismissal. Student status will be terminated with the notification that readmission will not be considered.
  9. Probation, suspension or dismissal for violations of the Student Code may be appealed to the President of the Seminary.
- D. **Case by Case Approach** Disciplinary measures will be decided upon by a case-by-case approach, allowing consideration for individual situations. The Seminary President, and/or the President's Cabinet will rule on the most serious and consistent violations, allowing swift action to be taken in matters that may threaten life, the welfare of the community and/or Seminary property.
- E. **Student Rights and Privileges** Upon acceptance at UTS, a student acquires the right to pursue the course of study to which he is admitted and the recognition that he will be treated as an adult in the family of God. Since a student's voice needs to be heard, Student Government has been established along with other means for student input in the academic realm. To protect and enhance student rights, the Student Due Process provisions have been developed. Those provisions are more fully discussed in section G. Due Process/Grievance Procedures.
1. **Confidentiality of Student Information** The Seminary maintains academic records of its students; these records are not meant to infringe upon any student's right to privacy. Therefore, a policy of confidentiality has been adopted regarding all information that becomes a part of the student's permanent record. Only those records will be kept that are necessary to meet the goals of both the student and the Seminary.
  2. **Access to Personal Student Records** Since information in the Seminary files is confidential, duplication shall be kept to a minimum and files will not be available to unauthorized persons without the student's consent.
- F. **Leave of Absence/Withdrawal Procedures**
1. **Leave of Absence:** Leaves of absence are normally granted for one term only, unless special circumstances justify an extended leave. A student desiring to take a leave of absence should meet with the Registrar to discuss his/her situation. A student should submit a formal request to the Registrar (forms are

available in the Registrar's office). A student who fails to return to UTS after their term of leave, and who has not requested and been granted a prolongation of their leave, is considered to have withdrawn. Students on Special Status are limited to only one leave of absence during their course of studies.

2. **Extended Leave of Absence:** To be granted an extended LOA, the student needs to submit a written request explaining how the LOA would contribute to his/her preparation or why it is necessary and include a plan covering the time away from UTS. The written request should include: Reason for requesting the leave (e.g. health, financial, etc.); Length of time requested; Plan of action; Pertinent information regarding fulfillment of academic requirements while on leave.
3. **Withdrawal and Re-Admission:** If a student wishes to withdraw, he/she should meet with the Director of Recruitment to discuss his/her situation. A student who has withdrawn and wishes to resume their studies at UTS may reapply to the Seminary by submitting the re-admission form to the Admissions Office. The form is available at the Admissions and the Registrar's Office. Final approval is granted by the President.

G. **Due Process/Grievance Procedures**

1. **Academic Grievances:** The following procedure may be followed in a case where a student with a grievance relating to academic work and standards appeals for review.
  - a) The student must first consult with the Faculty member involved. Most cases should be resolved at this level.
  - b) A student who chooses to appeal the matter further may bring it to the Vice President for Academic Affairs. If the complaint is lodged against the Vice President, the President receives the appeal.
  - c) If the matter is not resolved by the Vice President, the student may appeal in writing to the Appeals Committee, which shall consist of the Vice President, two Faculty members (but not to include the Faculty member involved in the complaint), the President of the Student Advocacy Council and an additional student from the Student Advocacy Council chosen by the Council President. The Committee shall by majority vote (by secret ballot) arrive at a recommendation, to be presented in writing to the student and the Faculty member involved. Any decision made by the Grievance Committee will be binding on both parties.
2. **Non-Academic Grievances:** The following procedure may be followed in a case where a student with a grievance relating to a non-academic aspect of student life appeals for a review.
  - a) The student must first consult with one of their Student Advocacy officers. Most cases should be resolved at this level.
  - b) If the matter remains unresolved, the student may bring his/her appeal to the Vice President for Academic Affairs.
  - c) If further appeal is still necessary, the student may appeal in writing to the Ad Hoc Student Grievance Committee, which will meet for the purpose of hearing the grievance. Members of the Committee include: the Vice President for Academic Affairs, the Student Advocacy President, a Student Advocacy member, and two students-at-large. After hearing testimony from all parties involved, the Committee shall arrive at a recommendation by majority vote. The recommendation will be presented in writing to the student, all the parties involved, the

President's Cabinet, and to the President of the Seminary, who makes the final decision.

- VIII. **EMERGENCIES** All emergency/security situations should be reported immediately to the member of the administration closest at hand. Please give all pertinent details clearly. Also see relevant fire regulation and security sections.

**Contact persons:**

President: Dr. Richard Panzer

Vice President for Academic Affairs: Dr. Kathy Winings

- IX. **REVIEW AND REVISION OF THE HANDBOOK** The *Student Handbook*, with the policies contained therein, is reviewed throughout the academic year and may be revised using the following procedures
- A. Recommendations for revision are made by the UTS Community, through the Student Advocacy Council, the Director of Student Life, or members of the President's Cabinet.
  - B. Recommendations are reviewed by the and then approved by the President's Cabinet and the President of the Seminary.
  - C. Minor revisions go into effect after the approval by the President and following the notification of the student body. These are listed in the Appendix along with the date of their approval.
  - D. The Board of Trustees reviews the Handbook and renders decisions on major changes.
  - E. The Handbook will be printed in the summer and distributed to new students during Orientation at the beginning of each semester.

X. **PRIVACY OF EDUCATIONAL RECORDS**

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords former and presently enrolled students certain rights with respect to their education records. These rights include:

- (1) The right to inspect and review the student's education records within 45 days of the day the Seminary receives the request for access.
- (2) The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. The disclosure exceptions are defined below.
- (4) The right to file with the U.S. Department of Education a complaint concerning alleged failures by the Seminary to comply with the requirements of FERPA. Complaints may be filed with The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.
- (5) The right to obtain a copy of the Seminary's education records policy. Copies of this policy are available upon request at the Office of the Registrar.

Additionally, Section 99.7 of FERPA requires that schools annually notify students currently in attendance of their rights under FERPA. Students currently in attendance will be provided a statement of their FERPA rights in their registration materials.

The Seminary reserves the right to refuse to permit students from viewing the following records:

- Financial information submitted by parents
- Confidential letters or statements of recommendation submitted prior to January 1, 1975
- Letters that the student has waived the right to view
- Education records containing information on more than one student

- Sole Possession Records of staff and faculty maintaining personal notes in student’s folders. However, any material in the folder when it is transferred to another record keeper (e.g. Advisor, finance officer, Student Services, or professor) is no longer personal, and is, therefore, subject to the policies governing access.

### **FERPA Disclosure Exception**

The Seminary discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the Seminary in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the Seminary has contracted as its agent to provide a service instead of using Seminary employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the Seminary.

Under FERPA disclosure exceptions, the Seminary may release information from a student’s education record without prior consent to appropriate parties including:

- Federal officials in connection with federal program requirements;
- State and local officials legally entitled to the information;
- Appropriate authorities in connection with financial aid;
- Accrediting agencies, in connection with their accrediting functions;
- Courts or law enforcement in compliance with a lawfully issued judicial order, subpoena, or search warrant;
- Appropriate parties in a health or safety emergency, if necessary to protect the health or safety of the student or other individuals;
- Testing agencies for the purpose of developing, validating, researching, and administering tests.
- To parents who claim the student as a dependent for income tax purposes.

### **Information Release to Parents**

All parental rights to access education records, without consent, transfer to the student at age 18. Therefore, parents will only be given rights to access educational records if

1. The student has given the written consent,
2. In compliance with a subpoena,
3. By submission of evidence that the parents declare the student as a dependent (as defined by the Internal Revenue Service)
4. In connection with some health or safety issue. Students may obtain the form “Authorization to Release Education Record Information to Parents/Guardians/Spouses” in the Registrar’s Office to allow parents the right to access educational records as a dependent.

**Directory Information:** Under FERPA, the Seminary may release the following information at various times unless requested in writing not to do so by the student: student name, campus-wide identification number, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational institution attended by the student, grade level (including number of credits earned), and enrollment status (e.g.: undergraduate, graduate, full-time, part-time). Students must notify the Registrar in writing should they not want information made available by filling out a form at the Office of the Registrar.

**File Complaint:** Students have the right to file a complaint with the U.S. Department of Education concerning any alleged violations of FERPA by the Seminary.

Release of Information:

Send complaints to the following address:  
Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

## ***XI. DISCRIMINATION AND HARRASSMENT***

### ***Affirmative Action and Equal Opportunity***

The Seminary fully complies with all federal, state, and local laws and executive orders, including Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. The Seminary does not discriminate in its admissions, employment, or in the administration of any of its programs or activities on the basis of race, religion, gender, age, color, disability, national origin, veteran status, marital status, or sexual orientation. In addition, the Seminary aggressively seeks and encourages applicants for admission and employment from diverse racial and ethnic backgrounds.

It is the expressed policy of the Seminary to operate all of its educational programs and activities and to administer all employee programs including compensation and promotional opportunities in such a way as to ensure that they do not discriminate against any individual on the basis of the characteristics stated above.

The Seminary does not tolerate harassment in any form based upon race, religion, gender, age, color, disability, national origin, veteran status, marital status, or sexual orientation, nor does it tolerate any type of sexual harassment. Members of the Seminary community who believe that they have been subjected to such treatment are encouraged to call the UTS Chief Financial Officer at (845) 758 3000 x235.

### ***Discrimination and Harassment Policy***

#### **Policy Statement**

The Seminary is committed to providing a working and learning environment where all members feel valued and are fully empowered to claim a place in and responsibility for our shared working, living, and learning community. Members of the Seminary community, guests, and visitors have a right to be free from discrimination and harassment and to be treated with respect. The Seminary does not discriminate in the administration of its educational policies, admissions policies, scholarships and loan programs, athletic program, and other Seminary programs and activities, and does not tolerate discrimination or harassment of its faculty, administration, staff, students, or visitors.

The Seminary prohibits discrimination on the basis of race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, age, and any other characteristics protected by law.

#### **Scope of Policy**

This Policy prohibits discrimination against or harassment of members of the Seminary community and guests. Its scope is inclusive of, but is not limited to, any individuals regularly or

temporarily employed, studying, living, visiting, or with an official capacity at the Seminary (such as volunteers and contractors).

The filing of a complaint under this Policy is independent of any external investigation or court proceeding, and the Seminary will not necessarily wait for the conclusion of any external investigation or proceeding to commence its own investigation and to take immediate steps to ensure the safety and well being of members of the Seminary community. An allegation of discrimination or harassment is not proof of prohibited conduct, and a claim will not be taken into account during performance review, promotion, reappointment, or other evaluation unless a final determination has been made that the Policy has been violated, or an agreement has been reached as part of an informal resolution process. If necessary and appropriate, decisions regarding extension, reappointment, or promotion may be deferred, in consultation with the appropriate supervisor or review committee, until the matter is resolved.

### **Relationship to Academic Freedom and Responsibility**

As articulated in the Seminary statement on academic freedom, the Seminary is dedicated to freedom of inquiry in the pursuit of truth, is vigilant in defending the right of individuals to free speech, and is dedicated to the cultivation of an atmosphere in which all of its members may study, live, and work free from intolerance, discrimination, and harassment. The Policy will not be construed as undermining the principle of academic freedom, which may include the introduction of controversial and challenging matters and demanding methods of inquiry within the teaching environment. However, discrimination and harassment are not legally protected, nor are they excused by reference to academic freedom of expression. Discrimination and harassment undermine the educational mission of the institution, its integrity, and the intellectual, working, and living environment for members of our community.

### **Definitions**

- A. Discrimination is any distinction, preference, advantage for, or detriment to an individual compared to others that is based on an individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, or age that adversely affects a term or condition of an individual's employment, education, living environment, or participation in a Seminary activity, or is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a Seminary activity.
- B. Discriminatory Harassment is unwell-come conduct directed toward an individual based on the individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, or age that is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment, or participation in a Seminary activity.
- C. Retaliatory Harassment is intentional action taken by an individual or allied third party, absent legitimate nondiscriminatory reasons, that harms an individual as reprisal for filing a grievance or for participating in an investigation or grievance proceeding.
- D. Sexual Harassment is a form of unlawful gender-based discrimination. It may involve harassment of women by men, harassment of men by women, and harassment between persons of the same sex. Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that it sufficiently severe, persistent or pervasive that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from

the Seminary's educational program or activities or employment benefits or opportunities.

The unwelcome behavior may be based on power differentials (such as in quid pro quo harassment where submission to or rejection of unwelcome sexual conduct by an individual is used as the basis for employment or academic decisions), the creation of a hostile environment, or retaliation.

The Seminary's policy on sexual misconduct may also apply when sexual harassment involves physical contact. Examples of sexual harassment may include, but are not limited to,

- Egregious, unwanted sexual attention or other verbal or physical conduct of a sexual nature
- Implied or overt threats of punitive action, a result of rejection of sexual advances
- Conditioning a benefit on an individual's acceding to sexual advances
- Unwelcome, sexually explicit messages, statements, or materials
- Attempting to coerce an unwilling person into a romantic or sexual relationship
- Sexual violence
- Intimate partner violence
- Stalking, including cyberstalking
- Gender-based bullying

#### **Record Retention for Discrimination and Harassment Complaints**

The Campus Safety office is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with Seminary records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the Campus Safety office in cases where the parties have a continuing affiliation with the Seminary. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

#### **Reporting Obligations under the Clery Act**

Certain campus officials also have a duty to report sexual assault and other crimes for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report.

This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student conduct administrators, safety and Campus Safety personnel, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and "any other official with significant responsibility for student and campus activities." The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category.

This reporting protects the identity of the victim and may be done anonymously. All Clery reports of sexual assault and other crimes should be reported to Campus Safety (x211 in Barrytown).

## **Complaint Procedure**

The Seminary has two approaches for resolving complaints of alleged discrimination and harassment: informal resolution and the formal grievance processes. Informal resolution efforts and the formal grievance processes are not mutually exclusive, and neither is a prerequisite for the other. Moreover, the informal resolution process may be ended at any time in order to initiate a formal complaint.

Individuals who believe that they have been victims of sexual or some other form of harassment can reach out to the EO/AA Officer (Chief Financial Officer) who will meet with them to hear their concerns, and review available options for informal and formal resolution. Discussing a concern does not commit one to making a formal charge. However, an individual reporting harassment should be aware that the Seminary may decide that it is necessary to take action to address the harassment beyond an informal discussion.

The Seminary encourages the prompt reporting of any potential violations of this policy, so that it can take appropriate steps to maintain an environment free of harassment, and to ensure that its procedures are effective in promoting this goal. While no fixed reporting period has been established, early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of sexual and other forms of harassment.

### **A. Informal Resolution: Seeking Mediation**

- Informal resolution procedures are intended to allow the complainant and the respondent to provide detailed information about the alleged incident(s) of discrimination or harassment and reach a mutually agreeable resolution. The mediation process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties.
- With consent of both the complainant and the respondent, the Office of Equal Opportunity and Affirmative Action will contact a mediator whose training is appropriate to the conflict to be resolved. The mediator is not an advocate for either the complainant or the respondent. The role of the mediator is to aid in the resolution of problems in a non-adversarial manner.
- The informal resolution process ends when a resolution has been reached or when the complainant or the respondent has terminated the process. At any time during the mediation process, the complainant and the respondent are free to withdraw consent. A successful informal resolution results in a binding agreement between the parties.
- The mediator shall notify the EO/AA officer of the result of the mediation process. If the dispute is not resolved through mediation, the EO/AA officer shall immediately inform all affected parties and discuss with the complainant other alternatives for achieving resolution. The complainant may file a formal grievance with the Office of Equal Opportunity and Affirmative Action or withdraw the informal complaint. The informal resolution process, if unsuccessful, will not prejudice the rights of either party in the dispute. Therefore, should the informal resolution be unsuccessful, neither the reasons for the failure of the mediation nor any material or statements made during the process will be used in any subsequent proceedings or forums.

No written records of the mediation process, other than the final resolution, shall be retained by the EO/AA officer. Original documents shall be returned to their original source or to another site as agreed in the resolution by the complainant and the respondent.

## **B. Formal Grievance Process**

A formal grievance process may be initiated in person by meeting with the EO/ AA Officer or in writing to the Office of Equal Opportunity and Affirmative Action. The Seminary strongly encourages submission of grievances in writing after meeting first with the appropriate person. The formal grievance should be hand delivered or sent by certified mail to either the attention of the EO/AA officer, as appropriate, at: Office of Equal Opportunity and Affirmative Action, Unification Theological Seminary, 30 Seminary Drive, Barrytown NY. A formal grievance must identify and include the following information:

- Complainant's signature and the date signed;
- Name of the accused individual, his or her position or status, and contact information, if known;
- Clear and concise description of the alleged incident(s), when and where it occurred;
- Description of all informal efforts, if any, to resolve the issue(s) with the person involved. This includes names, dates and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
- Supporting documentation and evidence; and
- Names of witnesses or individuals who may have direct and relevant information about the specific allegation (with accompanying addresses, email addresses, and telephone numbers).

### **1. Confidentiality**

The Seminary will endeavor to maintain confidentiality in all informal and formal proceedings, except as otherwise specified in these statements of procedure. All documents relating to the alleged incident of discrimination or harassment will be maintained as confidential. Participants are authorized to discuss the case only with those persons who have a genuine need to know.

### **2. Preliminary Review of Complaint and Notice of Receipt**

- a) Upon receipt of a complaint, the EO/AA officer will review the complaint for appropriateness and timeliness. The EO/AA officer will provide the grievant with written notice of receipt of the complaint within 5 working days, and will advise the grievant of the Seminary's grievance procedures and forms of relief.
- b) Formal grievance complaints require that the respondent be advised of the allegations and the source of the complaint by the EO/AA officer. or the EO/AA officer, as appropriate, will provide the respondent with a copy of the formal grievance complaint within 5 working days of receipt of the complaint, and will advise the respondent of the Seminary grievance policy and procedures.
- c) The EO/AA officer, as appropriate, shall discuss with the grievant whether or not the alleged incidents of discrimination or harassment constitute a violation of the Seminary's nondiscrimination and nonharassment policy, and whether or not it is appropriate to convene a Grievance Hearing Panel. The decision to request a Grievance Hearing Panel rests with the grievant.
- d) If the respondent is a member of the faculty, staff, or administration, and the grievant requests a Grievance Hearing Panel, the grievance shall be transmitted to the respondent's senior administrative officer (the senior administrative officers of the Seminary include the President and the Vice President for Academic Affairs) who shall convene a Grievance Hearing Panel
- e) If the respondent is a student and the grievant requests a Grievance Hearing Panel, the complaint shall be transmitted to the Seminary Regulations Panel,

which shall provide fair and expeditious hearing to both grievant and respondent. The rules and procedures of the hearing shall be those normally in effect for the Seminary Regulations Panel. Detailed rules and procedures of the Seminary Regulations Panel are available from the Chief Financial Officer's office upon request.

**3. Hearing**

- a) The Grievance Hearing Panel, appointed and chaired by the respondent's senior administrative officer, will then conduct a hearing, including an examination of those witnesses and receipt of such documentary evidence as the panel may deem appropriate.
- b) Both parties will have the opportunity to review all other contents of the case file after the hearing. Contents of the file can only be seen in the office of the senior administrative officer in the presence of an observer. Notes may be taken while reviewing the file.

**4. Findings of the Panel**

The panel will deliberate in private session and will decide by closed vote whether a violation of the Seminary's Policy Against Discrimination and Harassment and/or other Seminary policies has occurred, based on the preponderance of the evidence. The chair does not vote. A decision that a violation has occurred requires majority agreement among the members eligible to vote. In the case of the finding of a violation, the senior administrative officer, in consultation with the members of the panel, shall determine the appropriate remedy or sanction. A written summary prepared by the chair of the Grievance Hearing Panel on the basis of this judgment shall be conveyed to both the grievant and the respondent within three working days after the deliberations have been completed. If the respondent is a member of the faculty, staff, or administration and has been found to be in violation of the Seminary's nondiscrimination and non-harassment policy, a written record of the grievance and the opinion by the Grievance Hearing Panel shall be retained in the files of the respondent's senior administrative officer. If the respondent is a student, a written record shall be kept in the files of the Seminary Regulations Panel. When the complaint has been resolved through informal mediation or judged not to be well founded through formal hearing procedures, a written record shall be retained only at the request of the respondent.

**5. Corrective Action**

The respondent's senior officer will impose prompt remedial and/or disciplinary action against any respondent found to have violated this policy. Responsive action may include, for example, targeted educational and training programs; the development and enforcement of explicit contractual agreements about future conduct; changes in the working, learning or living environment; formal censure; reassignment or removal from an elected or appointed position; suspension or expulsion; termination of employment; or other measures as the Seminary believes will be effective in ending the misconduct and correcting the effects of the harassment.

**6. Time Frame, Process, and Grounds for Filing a Request for Appeal**

Either party (complainant or respondent) may appeal the findings and/or sanctions of the panel within five (5) business days of receiving the written decision by delivering a signed and dated appeal by hand or by certified mail to the Office of Equal Opportunity and Affirmative Action, Unification Theological Seminary, Barrytown NY, 12507.

a) **Appeal Process**

- i. For students, the final disposition may be appealed by the grievant or the respondent through the Seminary Regulations Appeals Committee. Detailed rules and procedures of the Seminary Regulations Appeals Committee are available from the Chief Financial Officer's office upon

- request.
- ii. For faculty and staff, the final disposition may be appealed to the President by the grievant or the respondent within 30 days of the final ruling. The appeal process for faculty and staff is initiated by filing a written request for review with the EO/AA officer. The written request must specify one or more of the following criteria: 1) evidence of alleged procedural errors which impaired the ability of either party to adequately present herself or himself, or 2) the imposition of excessive penalty. Appeals may not be based on general dissatisfaction with the proposed disposition. The EO/AA officer will forward the appeal to the president. The president shall have the authority to affirm the finding or remand the finding to the senior administrative officer for reconsideration. A copy of the President's written decision may be expected within 30 days of the filing of the appeal and shall be sent to all parties and the senior administrative officer whose authority will be needed to carry out the disposition. The deadline may be extended by the President for good cause. The decision of the president on the appeal is final.

Sanctions will take effect immediately, notwithstanding an appeal. A request may be made to the panel chair to defer the effective date of sanctions in exigent circumstances. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the individual to his or her prior status, recognizing that some opportunities may be irretrievable in the short term.

### **Retaliation**

Retaliation against any person, including the accuser or person accused, for making a complaint, cooperating with an investigation, or participating in a grievance procedure is a violation of Seminary policy. Retaliation includes, but is not limited to, intimidation, coercion, harassment, making of threats, and any other adverse educational or employment action. Retaliation should be reported promptly to the Office of Equal Opportunity and Affirmative Action for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

### **False and Malicious Complaints**

False and malicious accusations of sexual or other harassment, as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

### **Record Retention for Discrimination and Harassment Complaints**

The Office of Equal Opportunity and Affirmative Action is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with Seminary records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the EO/AA officer in cases where the parties have a continuing affiliation with the Seminary. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

### **Support Resources**

- A. Confidential Support and Counseling: Individuals are encouraged to contact on-campus and off-campus counselors, or chaplains for confidential counseling regarding any harassment matter. Employees and faculty members are encouraged to contact UTS's Chief Financial Officer John Redmond at (845) 758 3000 x235, to access off-campus counseling resources, or contact members of the clergy and chaplains for confidential counseling regarding any harassment matter. Seeking counseling is not meant to take the place of instituting the informal or formal complaint process described above.
- B. Support Person: The complainant and the accused individual each may have a support person present with them during the informal and formal resolution process to provide moral support. The support person cannot be a party to the grievance or serve as a potential witness (character or factual). This support person must be a member of the Seminary community. Except as directed by the chair, a support person will limit his/her role in a hearing to that of a support person to the accused or the complainant/alleged victim. That is, a support person will have no speaking role at a hearing. A request may be made to the EO/AA officer(s) for special consideration to bring a support person who is not a member of the Seminary community in extraordinary circumstances. Witnesses and others involved in an investigation are not entitled to have a support person. Support persons must be identified to the EO/AA officer at least two (2) business days before the date of the meeting with the EO/AA officer or the hearing.
- C. Legal Counsel: It is the complainant's and the respondent's decision whether to seek the advice and assistance of an attorney at their own expense if they need legal advice. Although anyone has the right to seek legal advice, neither the complainant nor the respondent may be represented by legal counsel at investigatory interviews, informal resolution processes, or a Seminary administrative hearing.

## XII. STUDENTS IN RESIDENCE AT BARRYTOWN

### A. Use of Buildings and Grounds

1. Students are responsible for any damage they do to Seminary property. UTS is not responsible, at any time, for the personal property of students. Any thefts should be reported to the Director of Student Life and every effort will be made to locate the missing items.
2. No fixtures, pictures, decoration, etc. may be removed or attached to any wall, door, or window without permission from the Director of Student Life. No tacks, nails, screws, pins, glue, etc. may be used in or on walls, woodwork or Seminary furniture. Pictures, bulletin boards, etc. may be hung with molding hooks and picture wire.
3. Repair of damage to Seminary property will be charged to the student responsible. Painting of furniture, walls, may be done after permission has been obtained. Bedding, furniture, or any Seminary property should not be removed off campus.
4. No pets will be allowed on campus other than those that are kept in a small cage or aquarium, and then only with permission of the DSLC. Some exceptions may be made for students living in other than the Main Building and Massena House. All pets must be properly cared for and never present a nuisance to other community members.

### B. Requests for Repairs Problems or breakdowns of facility or UTS equipment should be reported by submitting a work request form or notifying the Director of Student Life or Director of Library Services.

1. Family Housing
  - a) Married student and family housing is let normally on a first-come, first-served basis. Students who are planning to bring a spouse or family to campus in Barrytown must apply in advance and must have advanced permission from the Housing Committee in writing before arriving with their family on campus.
  - b) The Business Manager assigns housing and consults with relevant staff when housing assignments or adjustments need to be made during the academic year.
  - c) Persons staying short-term on campus are expected to utilize UTS guest rooms; therefore, residents may not house unrelated persons (non-relatives) for more than seven days without written permission from the Business Manager.

## XIII. THE SEMINARY AND SOCIAL REGULATIONS

### A. Seminary Regulations

1. **Campus Order** UTS is a self-governing community committed to the general welfare of the entire community. In order to protect the rights, interests and safety of all its members, the Seminary maintains a number of regulations, both specific and general, which cover these areas. The Seminary respects the student's right to privacy, but reserves the right to enter any area, if necessary, in the interests of the community, or for reasons of safety, repair or maintenance.
2. **Public Order** Because the Seminary community upholds high moral and social standards, it is rare that disruptions of the public order occur. However, the Seminary does maintain a number of regulations concerning public order in the event that such may be necessary.

- a) Any interference with the regular conduct of Seminary programs, Seminary living or Seminary administration on UTS property is a violation of public order.
  - b) Any individual or group using or occupying Seminary property is responsible at all times for any damage done to such property by them.
  - c) All guests and visitors are also subject to these regulations. When an individual or group invites guests to the Seminary, the host or hostess assumes full responsibility for their awareness of these regulations.
  - d) Civil authorities may be notified by the Seminary of any violation of the public order, when it has been determined that normal Seminary procedures alone are inadequate to cope with the situation.
  - e) Any individual who fails to leave UTS property after being directed to do so may be ejected. In the event of personal injury, property damage or invasion of privacy, the Seminary may take such further action as it deems appropriate to compensate itself and any other parties adversely affected.
  - f) Students whose activities are infringed upon by non-students, including local youth, should request the offending party to leave, or notify an administrator. This includes the impedance of use of UTS computers, library space, the student lounge, recreation room and study rooms.
3. **Civil Law** The Seminary cannot and will not give members of its community protection from the consequences of violations of federal, state and local laws. Student, staff and Faculty offenders against any of these laws are also subject to disciplinary action by the Seminary, when such activities are disruptive of the educational and spiritual climate.
4. **Public Safety** Since the welfare and safety of the entire Seminary community depends on each individual, it is important that everyone upholds all fire, safety and health standards.
5. Fire Regulations
- a) Prevention
    - 1) Smoking is not allowed in the buildings at all, or on the grounds, except in designated locations for conference guests only.
    - 2) Burning of any kind is prohibited in the building. This includes gas lanterns, sterno or camp stoves, etc.
    - 3) Anything that constitutes a fire hazard is prohibited. Improperly stored flammable materials and littered areas may be ruled hazardous and cleared.
    - 4) Tampering with equipment, extinguishers, signs, fire doors, exit lights or the fire alarm system is prohibited.
    - 5) Please report to the Facilities and Equipment Supervisor concerning any broken or unusable fire equipment, any missing fire extinguishers, unlighted exit signs, etc.
    - 6) Open fires may not be built on the campus grounds without permission from the Facilities and Equipment Supervisor. In addition, a permit is needed from the town of Red Hook.
    - 7) Study the location of fire alarms, exits and fire equipment and know their use.
  - b) In Case of Fire
    - 1) Any fire should be reported immediately to the local fire department and the facilities supervisor for the Barrytown campus.

The glass in the fire alarm box nearest the fire should be broken and the alarm released for both campuses.

- 2) Responding to an alarm
  - (a) All windows and doors should be shut before exiting.
  - (b) Walk calmly and quickly to the nearest exit. Do not run.
- c) During an alarm
  - 1) Missing or injured persons should be reported to the Director of Student Life.
  - 2) Do not return to the building until it is officially declared safe.
  - 3) Do not use the telephone for personal incoming or outgoing calls; leave all lines free for authorized fire personnel only.
  - 4) Do not use vehicles on campus without permission. Leave all access roads free for fire trucks and personnel.
6. **Firearms** Possession or use of firearms, BB guns, explosives, ammunition, or fireworks of any kind is prohibited. Hunting is not allowed on the Barrytown campus.
7. **Security** To protect our community, we maintain a night security patrol of the campus property. Anyone who witnesses any suspicious activity or notices any questionable objects, suspicious people or circumstances should report it immediately to the administration. Since our campus has several miles of unfenced perimeter, every resident at the Seminary must keep a security-minded consciousness.

## **BARRYTOWN COLLEGE OF UTS 2014-2015 STUDENT HANDBOOK**

The Unification Theological Seminary's Barrytown College Program seeks to provide youth pursuing a Bachelor of Arts Degree with an education that reflects the values and attitudes learned within their own faith community in a physically and morally safe environment. Barrytown College is designed to engage its students in personal spiritual formation and integration, while also equipping them with the tools needed to understand and interact with a religiously and culturally diverse world.

Barrytown College of UTS is a religious Liberal Arts program rooted in the ideals of Unificationism, whose purpose is to educate the whole person. It combines rigorous academics and a constructive social environment oriented towards personal spiritual growth, preparation for a healthy marriage and active engagement in a community where God is present and honored.

The college seeks to create an environment where students:

- gain insights from the major world religious traditions,
- are equipped to work together with people of conscience inclusive of their faith perspectives and cultural backgrounds.
- exemplify an ethos of individual empowerment and creativity, mutual understanding, and responsible relationships.

### **I. Student Code**

As an academic institution, Barrytown College of UTS is dedicated to promoting free inquiry in teaching, learning, expression and discussion of ideas. Academic freedom is absolutely essential to meaningful and creative scholarship. Nevertheless, freedom should not be confused with license and is to be exercised responsibly, within the principled spiritual, moral, ethical and scholarly norms of Barrytown College. Students should not interfere with the rights and privileges of other students and members of the community. Therefore, any activities that disrupt the regular and essential operation of the College or impede the free flow of ideas or personal movement and development are not permitted at the college.

Students enter Barrytown College of UTS voluntarily and are free to withdraw, subject to compliance with the regulations and policies of the College. Attendance is a privilege, not a right, and students, who will be treated with dignity, are also expected to conduct themselves with dignity, courtesy, responsibility and integrity toward the College and all individuals within the community.

The willingness to make a public commitment to morality, purity, and sobriety characterizes mature and responsible individuals. For this reason, students are asked to sign the Student Code as a pledge of their willingness to uphold the ethical standards of

Barrytown College of UTS. Barrytown College reserves the right to place on probation, suspend or dismiss at its discretion, any student who fails to uphold the Student Code and the ethical standards implied therein, and maintain a satisfactory academic record and acceptable personal behavior and attitude.

Every student is guaranteed due process in academic and non-academic grievances.

### **The Student Code**

*To maintain the highest spiritual, academic and physical standards, Barrytown College of UTS expects all students to sign the Student Code prior to the beginning the academic program.*

*I commit myself before God:*

- i. To develop my relationship with God through regular spiritual practices;*
- ii. To attend enrolled classes and fulfill academic responsibilities with honesty and integrity;*
- iii. To uphold and live according to the highest moral and ethical standards in my personal life and my relationships with others;*
- iv. To refrain from premarital and extra-marital relationships, sexual harassment and pornography;*
- v. To respect the campus as a smoke-free, alcohol-free and drug-free environment;*
- vi. To respect the diversity of cultural and religious traditions as well as individuals;*

*I recognize that admission to Barrytown College of UTS is a privilege, and hereby make my sincere commitment in heart and action to the provisions of this code, and to all standards of the Program as described in the Student Handbook.*

## **II. Spiritual Life**

Barrytown College of UTS is committed and designed to support the spiritual growth and development of all its students and faculty. The fundamental aspect of relationship to God as the primary important foundation in life is recognized and encouraged through various resources, programs and personnel in the Program.

### **Resident Chaplain**

The Resident Chaplain at Barrytown provides support for the spiritual growth and development of the students and supervises campus ministry activities. The Chaplain's Office plans and provides for spiritual formation and spiritual life opportunities on campus, including an inclusive campus-wide worship service designed and facilitated by students.

The Chaplain also provides personal spiritual counsel, and helps the campus community link with various faith communities in the area to aid in spiritual growth and development. The Chaplain holds regular office hours on campus and is available as needed for crisis intervention.

## **Ministry Activities**

### **A. Worship Services**

On campus worship services are designed and facilitated by students who feel called to ministry. These services reflect the variety of faith practices throughout the world religions. The Chaplain supervises and supports this avenue of student leadership.

The Mid Hudson Valley Family Church worship service is held each Sunday on the Barrytown Campus. The Kingston Family Church meets on Saturdays in Kingston. Students are welcome, though not required, to attend either service.

### **B. Interfaith Visits & Spiritual Retreats**

Through Interfaith Visits, students experience other faith traditions. Through Spiritual Retreats, they can refresh and renew their relationship with the Divine.

### **C. Scriptural Study Groups**

Students gather in groups to read and share about any of the sacred books (Divine Principle, Bible, Quran, etc.)

### **D. Meditation and Morning & Evening Devotion**

These activities help students to develop their own authentic spiritual practice.

## **The Labyrinth at Barrytown**

The Labyrinth offers students an opportunity for spiritual reflection. As noted by the labyrinth developer Rev. Gillian Corcoran, "That's one of the beautiful things -- that people of all faiths and even if you don't have faith -- can walk the labyrinth." Labyrinths have been popular at times of social upheaval and change. Students are invited to use the labyrinth to reflect on their own journey.

## **Father's Trail**

When [Father's Trail](#) on the grounds of the Unification Theological Seminary in Barrytown was opened to the public in May of 2006, it formed another local link in the [Hudson Valley Greenway Heritage Trail](#). This trail system provides public access to scenic lands along the Hudson River in partnership with local organizations. The easement on the Father's Trail segment is held by the [Winnakee Land Trust](#).

The trail is a 1.25-mile loop that begins and ends near the main buildings. It's named in honor of the Reverend Sun Myung Moon, founder of the Unification Church. For now, the trail doesn't connect with any other local trails, though Greenway Heritage Trail managers hope that in the future the trail will connect with other nearby scenic areas.

All trails on campus are open to the public from dawn until dusk. Visit our website [www.barrytown.uts.edu](http://www.barrytown.uts.edu) to download a trail map.

## **III. Student Life**

The focus of Student Life is educating the whole person, which encompasses the mind,

body, spirit and emotions. Student Life Staff strive to create an environment of accountability, innovation, and personal leadership in students. Student Life is the nexus of student clubs & activities, educational programs for emotional & physical wellbeing, and outreach into the community & world.

**A. The Student Life Team**

- 1. Director of Student Life**
- 2. Resident Chaplain**
- 3. Resident Assistant(s)**

**B. Creating an Environment of Accountability, Innovation and Personal Leadership**

**1. Mentorship Training Program**

All students participate in the MTP for their first semester, and are then given the opportunity to lead and learn to care for others. Students explore their religious/cultural identity in the context of diversity which is fundamentally essential to becoming a mentor.

**2. Success Group**

All students are given the opportunity to periodically revisit their goals that they made at the beginning of the year, and answer the question, *Am I becoming who I came to be?*

**3. Student Programs**

Each student is given the opportunity to practice leadership through bringing their interest to campus in the form of a [program](#). Each student is asked to put on a program in their first semester at Barrytown College.

**4. Student Activities & Clubs**

Student Life staff supports student-run programs and activities on and off campus. Students may choose to start a club of their own. Ideas are available on the [Student Guide](#).

**5. Emotional and Physical Safety**

Students are accountable to one another for creating a safe environment. RAs facilitate wing meetings that address how to proactively maintain and foster an emotionally and physically safe residence hall. From Orientation, safety and emergency procedures are made clear to students.

**C. Student Center**

The Student Center features a student lounge, interfaith chapel, game room, weight room, and a multipurpose room used for exercise and dance. This is also where students can pick up their mail. The Student Center is an ideal alternate study spot for those who like to study with a little background noise. Students can gather between classes or in the evening.

D. **Barrytown College Campus Store**

A selection of Barrytown gear is available at the Book Nook in the Library or [online](#). Coffee and tea are also available at the Book Nook.

E. **Sports and Athletics**

Opportunities to develop an active life physically include both individual and team sports. Students are encouraged to start a sports club. Check the [website](#) for ideas. Participation in formal Athletic Leagues is based on student initiative.

Current facilities could support the following sports and activities:

Hiking	Volleyball	Ballroom Dance	Archery
Badminton	Billiards	Cross Country	Dodge ball
Lacrosse	Yoga	Pilates	Basketball
Martial Arts	Fishing	Soccer	Ultimate Frisbee
Table Tennis	Boxing	Cricket	Croquet
Fencing	Hand ball	Judo	Karate
Quidditch	Rugby	Tae Kwon Do	Tennis
Wrestling	Kayaking	Canoeing	Weight Lifting
Rowing	Waterskiing	Wakeboarding	Cycling

Local facilities also nearby support the following:

Baseball	Bowling	Equestrian	Figure Skating
Racquetball	Skiing	Snowboarding	Indoor Rock Climbing
Swimming	Paintball	Golf	Outdoor Rock Climbing
Raquetball	Softball	Squash	Trap & Skeet Shooting

F. **Health and Wellness**

1. **Student Wellness**

The Director of Student Life and the Resident Chaplain work together to proactively address emotional, spiritual and social concerns of students through programming, literature, and Resident Assistant training. Student Life administrators work directly with Campus Safety to address emergency situations. The on-call security number is 303-429-4187. Students can call this number 24 hours a day, 7 days a week.

2. **Medical Needs and Facilities**

Immediate medical health needs are addressed by local medical professionals.

In case of a medical emergency, **the closest emergency room** is

[Northern Dutchess Hospital](#)

6511 Springbrook Avenue  
Rhinebeck, NY 12572  
(845) 876-3001, toll free (877) 729-2444

If immediate transport is required, call an ambulance (911).

Other nearby hospitals:

HealthAlliance  
Hospital  
[Mary's Ave Campus](#)  
105 Mary's Avenue  
Kingston, NY 12401  
(845) 338-2500

HealthAlliance Hospital  
[Broadway Campus](#)  
396 Broadway  
Kingston, NY 12401  
(845) 331-3131

Students are solely responsible for their medical, vision and dental expenses while at Barrytown College of UTS. In case of a medical emergency, students should expect to go for treatment to the emergency room at area hospitals. Students with long-term medical issues are encouraged to obtain the services of a local physician.

Incoming students are advised to attend to all known medical and dental problems prior to enrolling in the college. In this way, students are ready to go to classes without delays or expensive medical or dental care. Costs are high in America. International students are advised to get immunizations and care in their home country before coming to campus.

**3. On Campus Counseling Resources**

Drissa Kone, M.Div., (Resident Chaplain)  
Rachel Curry, Certified Life Coach (Director of Student Life)

**4. Immunization Records**

Students are required to provide Barrytown College of UTS with their immunization records. If students need to obtain immunizations, they can do so with their own doctor or a local clinic. Check the Student Guide for details: <http://uts.libguides.com/studenthealth>

**5. Health Insurance**

In accordance with the new Federal Health Insurance regulations, all students up to the age of 26 years old must be allowed to remain on their parent's health insurance. All students are required to have health insurance and must provide evidence of coverage before each semester.

Refer to the Student Guide: <http://uts.libguides.com/studenthealth>

**G. Work Study**

The Federal Work-Study Program (FWSP) is a financial award and is given as part of the financial aid package. It is not an outright gift, but an amount that can be earned by working in jobs on campus. Money earned is to be used to pay the student's school account. In the case of an overage in your student account, you will receive a reimbursement check which you can use to pay for books, living expenses, or other college costs. Students are encouraged to utilize this financial aid funding wisely. If a student does not find suitable employment and cannot earn the amount of the financial aid award, the student will not receive the money allotted. Contact the Office of Financial Aid at [financialaid.bc@uts.edu](mailto:financialaid.bc@uts.edu) for a list of available positions or with questions about this type of federal aid.

**IV. RESIDENTIAL LIFE**

Barrytown College of UTS values student participation in the creation and enforcement of social regulations—a tradition that reflects the importance of giving students every opportunity to take responsibility for their educational and social development and the welfare of their community. Within this basic framework, the individual student is able to make responsible decisions about his/her behavior and participation.

**A. Housing Policies**

**1. Fire Safety**

Halogen lamps, matches and anything flammable are not allowed anywhere on campus. This includes candles, exceptions being sacred candles used for spiritual devotional practices, (allowed in the student chapel only), or birthday candles in a sanctioned birthday celebration.

Hotpots that turn off automatically are approved for dorm room use.

The use of flat irons and curling irons are allowed in the tiled bathroom. Hair dryers are allowed in personal bedrooms. Please check with your R.A. regarding the use of any other heated personal care appliance.

Fire safety inspections may be carried out at any time.

**2. Quiet Hours**

Quiet hours are 11:00 pm – 7:00 am Sunday through Thursday and 1:00 am – 7:00 am Friday and Saturday. During that time, noise must be contained to each room.

**3. Room Regulations**

Students may use thumb tacks on inside walls in their individual dorm

rooms (not on the ceiling or any outside facing walls). Anything other than thumb tacks must be approved. No fixtures, pictures, decoration, etc. may be removed or attached to any wall, door, or window without permission from Student Life. No tacks, nails, screws, pins, glue, tape, etc. may be used in or on woodwork, furniture, or walls except for as specified above.

Repair of damage to College property will be charged to the student responsible. College property should not be removed off campus. All furniture designated to the dorm room must stay in that room.

**4. Guest Policy**

Overnight guests may stay with students in their dorm room for up to three consecutive nights no more than once a month, allowing for reasonable visitation by a resident's friends, not long term or live-in visitors. At the time the guest enters the building, the host accepts responsibility and liability for the actions of their guest. Residential students are forbidden from giving their keys or entry codes to another to use in order to gain entry into the residence hall or the main building.

Guests are welcome to reserve a room in the Barrytown Conference Center. Room rates vary. Advance notice of 48 hours is suggested to ensure availability and quality service. Call (845) 369-6224.

**5. Pets**

No pets will be allowed on campus other than small fish, and then only with permission. No tanks greater than 3 gallons are allowed.

**6. Work Requests**

Any and all problems or breakdowns of facility or College equipment must be reported to the Resident Assistant.

**7. Married Student Housing**

Housing is available for married students with or without families. Interested students should apply through the Office of Student Life. As space may be limited, students are encouraged to plan ahead and request to be added to the waiting list. Students whose spouse plans to visit may request a temporary guest room through the Office of Student Life.

**8. Dining Services  
Meal Plans**

All students are enrolled in meal plan that consists of 21 meals a week, (three meals daily), served buffet style in the dining hall. Special diets are met on an as-needed basis with a note from a doctor explaining the

allergy. Obtain the Special Needs Dining Form from the [Student Guide](#).

### **Vending**

In addition to cafeteria prepared hot meals, vending machines are available in the dining area for non-mealtimes. Drinks and dry snacks are available in their respective machines.

## **V. COMMUNITY LIFE**

Barrytown College of UTS is a small, self-governing community committed to the general welfare of the entire community. In order to protect the rights, interests and safety of all its members, the College maintains a number of regulations. The College respects the student's right to privacy, and reserves the right to enter any area, if necessary, in the interests of the community, or for reasons of safety, repair or maintenance.

### **A. Campus Culture**

Our college community upholds high moral and social standards and maintains the following in order to support the safety and welfare of all its residents:

1. Any individual or group using or occupying college property is responsible at all times for any damage done to the property by them.
2. All guests and visitors are also subject to this regulation. When an individual or group invites guests to the property, the host or hostess assumes full responsibility for their awareness of college rules.
3. Civil authorities may be notified by the College as needed.
4. Any individual who fails to leave property after being directed to do so may be ejected. In the event of personal injury, property damage or invasion of privacy, the College may take such further action it deems appropriate to protect itself.
5. Students are responsible to report any suspicious or unlawful behavior to college authorities.

### **B. Drug and Alcohol Prevention**

#### **1. Drug and Alcohol Policy**

Barrytown College of UTS recognizes its responsibility to prevent the illicit use of drug or alcohol on College premises by faculty, students and employees. The effects of drug or alcohol dependency compromise work and academic performance as well as health care. This, therefore, is to advise that the College, in consultation with faculty, the Deans' offices and appropriate administration, has developed and adopted a Drug-Prevention Program which reaffirms our policy regarding the use of drugs and alcohol and provides specific information in compliance with the Drug-Free Schools and Communities Act Amendments of 1989. The Drug Prevention Program is as follows:

- It is the policy of Barrytown College of UTS to prohibit the unlawful possession, use or distribution of illicit drugs and the abuse of alcohol by faculty, employees and students on the premises or as part of any student activities.
- Violation of the above policy shall result in completion of an approved drug or alcohol counseling, treatment, or rehabilitation program as a requirement for continued enrollment. This policy includes appropriate disciplinary action, up to and including suspension or termination and possible referral for prosecution.
- The abuse of alcohol and illicit drugs is associated with a number of substantial health risks affecting performance both at work and home. Alcohol is associated with liver disease, ulcers, birth defects, malnutrition, heart disease and stroke and can cause brain damage. Its effects on performance include poor concentration, coordination and judgment, as well as absenteeism, lateness, mood swings and fatigue. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other young adults of becoming alcoholics. Cocaine (crack) can result in death from heart or respiratory failure, stroke or seizures, lung and voice damage. It causes impaired performance by decreasing attention span, causing poor judgment and mood swings, and induces paranoia, hallucinations and depression from withdrawal. The abuse of marijuana and anti-anxiety drugs (such as valium, librium or xanax) are also associated with both physical and performance impairments.
- The legal sanctions under federal, state or local laws for the unlawful possession or distribution of illicit drugs or alcohol are severe and substantial requiring mandatory imprisonment and/or

fines. Students may contact the Department of Human Resources for further information regarding federal and New York State penalties concerning unlawful distribution or trafficking of drugs and illegal possession of controlled substances.

- Barrytown College of UTS strongly encourages students, faculty and employees needing help in dealing with drug or alcohol dependence to participate in drug counseling and rehabilitation programs approved for such purposes by federal, state or local agencies. A description of some available drug or alcohol counseling, treatment or rehabilitation or reentry programs for students, faculty or employees is available through the Department of Student Life.

This statement shall be distributed annually and shall be posted in conspicuous places on the premises and at affiliate locations. It shall also be incorporated into the student orientation program. This Drug Prevention Program shall be reviewed biennially to determine its effectiveness and to implement changes to the program if they are needed, and to ensure that the disciplinary sanctions mentioned above are consistently enforced.

**C. Civil Law**

The College cannot and will not give members of its community protection from the consequences of violations of federal, state and local laws. Student, staff and faculty offenders against any of these laws are also subject to disciplinary action by the College, when such activities are disruptive of the educational and spiritual climate.

**D. Fire Regulations**

**1. Prevention**

1. Smoking is not allowed in the buildings or on the grounds.
2. Burning of any kind is prohibited in the building. This includes gas lanterns, sterno or camp stoves, etc.
3. Anything that constitutes a fire hazard is prohibited. Improperly stored flammable materials and littered areas may be ruled hazardous and cleared.
4. Tampering with equipment, extinguishers, signs, fire doors, exit lights or the fire alarm system is prohibited.
5. Please report to the Office of Student Life concerning any broken or unusable fire equipment, any missing fire extinguishers, unlighted exit signs, etc.
6. Study the location of fire alarms and know your exits.

7. Regular fire drills will be conducted.
8. If there are disabled residents residing in your hall, please ensure that the resident, hall staff, and Campus Safety are agreed on the evacuation procedure.

**2. In Case of Fire**

- a. Your primary concern is to get out of the building.
- b. Pull fire alarm.
- c. Any fire should be reported immediately to the local fire department and the facilities supervisor.
- d. Do not attempt to put out any fire.

**3. Responding to an alarm**

- a. Walk calmly and quickly to the nearest exit. Do not run. Do not use the elevator
- b. Do not prop fire doors.

**4. During an alarm:**

- a. Missing or injured persons should be reported to the staff member on duty.
- b. Gather in the predetermined areas, and do not reenter the building unless instructed by Campus Safety or the Fire Department.
- c. Do not use any landline telephone for personal incoming or outgoing calls; leave all lines free for authorized fire personnel.
- d. Do not use vehicles on campus without permission. Leave all access roads free for fire trucks and emergency personnel.

**5. Interference**

- a. Residents not leaving the building after a fire alarm sounds, whether during an actual fire or a drill, will be held responsible for obstructing the evacuation of the building and referred to the Student Conduct System.
- b. Any interference with the evacuation of the building from non-residents of the hall will result in a referral to the Student Conduct System.

**6. Use of Electrical Appliances:**

In order to prevent fires and overloaded electrical circuits, Barrytown College has established safety policies regarding the use of electrical appliances.

- a) The following items are prohibited (except where specifically

authorized): hot plates, percolators, toasters, immersion heaters, popcorn poppers, hot pots, frying pans, rice cookers and any other appliances using or involving heating elements (exceptions listed below).

- b) The following items may be used if under 1000 watts, and no more than two of the following items are to be plugged into the same circuit at one time: hair dryers, flat irons and curling irons.
- c) The following items are permitted if properly used: clocks, fans, sewing machines, record players, electric toothbrush, tape recorders, CD players, vacuum cleaners, electric razors, televisions, radios, VCRs, DVD players, video game consoles, computers, printers, scanners, and fax machines. Mini-refrigerators are also allowed if plugged directly into the wall, without use of an extension cord.
- d) All appliances must have the Underwriters Laboratory approval (UL) stamped on the article.
- e) All appliances, except for clocks, radios, etc., especially those involving heating elements, should be unplugged, not merely switched off, when left unattended.
- f) Any and all electrical repairs including blown fuses, must be made through the Resident Assistant.

**E. Firearms & Weapons**

Possession or use of firearms, BB guns, explosives, ammunition, or fireworks of any kind are not allowed. Items that are meant to cause bodily harm are also prohibited. Knives with a blade longer than 2.5 inches are not allowed without special permission from the Student Life Office.

**F. Vehicles**

All privately owned vehicles must be registered with Student Life. Students should park registered vehicles in designated areas. Please be courteous and do not use spaces labeled for faculty, staff or guests, or block sidewalks or roadways. Never park within 10 feet of a fire hydrant. Speed should be reduced for on-campus driving and caution is urged, particularly near playing children or pedestrians.

**G. Bicycles**

Bicycle owners should label and lock their bicycle, utilizing a bike rack. Bikes should never block entrances or public walkways.

**VI. STUDENT CONDUCT CODES**

The commitment of the College to maintain high standards of intellectual growth and personal conduct imposes on each student the necessity of agreeing to observe and uphold the standards and regulations, whether expressly stated or implied. The College

recognizes the impossibility of enlarging the category of regulations to provide for every contingency. Rather, it expects students to build for themselves a wholesome philosophy of life that will guide them in making intelligent decisions that are socially and spiritually constructive.

Each student is held accountable for his/her behavior and is expected to be familiar with all College regulations. The following violations are listed in two categories: Major Infractions and General Infractions. Any violation is strictly prohibited and may result in disciplinary action ranging from a warning letter, probation, suspension or dismissal from the College.

#### **A. Major Infractions**

- The possession or consumption of alcohol or a container that at some point held alcohol.
- The possession, sale, use, or distribution of any narcotic, drug, marijuana, or other addictive or hallucinogenic substances, except as prescribed by a physician. (Note: Medical marijuana is not legal in NY State.) Possessing equipment and paraphernalia for the use or possession of these substances.
- The use or possession of tobacco products, including cigarettes, cigars, chewing tobacco or snuff.
- Demeaning or derogatory actions directed against a person or persons because of race, religion, ethnic origin or gender.
- Theft or damage to public or private property.
- The possession of pornographic literature or sexually dehumanizing or exploitative photographs, cartoons or materials.
- Participation in hazing and initiation tactics which involve any activity expected of someone joining a group that humiliates, degrades, abuses or endangers, regardless of the person's willingness to participate.
- The failure to meet financial obligations or the writing of bad checks relative to business transactions.
- Furnishing false or misleading information on College records.
- Possession or use of firearms, explosives, dangerous chemicals, or other weapons on campus.
- Failure to comply with the directions of Barrytown College officials acting in the performance of duties.
- Failure to comply with local, state, and federal laws.
- Assaulting, threatening, harassing, or endangering in any manner, the health and safety of any person.
- Unauthorized occupancy of College facilities or buildings.
- Picketing, protesting, demonstrations, rallies, or distribution of leaflets which directly interfere with or seek to discourage the orderly operation of the College community.

- Interference with the orderly operation of the College by breach of the peace, physical obstruction, coercion, noise or other forms of disturbance.

**B. General Infractions**

General infractions include (but are not limited to) actions such as those pertaining to quiet hours, excessive noise at any time (including stereos), possession of pets, abusing guest policy, using unapproved cooking devices, unauthorized selling or soliciting, safety issues (such as climbing out windows, sitting on ledges and roofs), unsafe use of skateboards or bicycles, unauthorized removal of common area furniture, propping open of locked doors, throwing or dropping objects from windows, throwing snowballs or other objects in the vicinity of residence halls, and the abuse of the internet system. Pirating/illegal downloading is not allowed.

Note: Music should not be heard outside a student's room or outside the residence hall. Violations may result in removal of the stereo/speaker or other equipment. The excessive noise infraction includes car stereos.

**C. Social Media**

Students are reminded that pictures and information posted on the Internet via social media platforms such as Twitter and Facebook are public information. Future employers often utilize social media platforms to gather information on prospective employees.

Furthermore, pictures or information from these sources that describe or document behavior which reasonably suggest that a violation of college policy has taken place, on campus or at a College sponsored function off-campus, is subject to further investigation and verification by College authorities. Any policy violations that are documented as a result of such an investigation will result in appropriate disciplinary action by the College.

**D. Sexual Harassment**

Sexual harassment is contrary to federal and state laws which prohibit any form of sexual harassment, including, but not limited to, vulgar language or other conduct creating a sexually hostile environment; unwelcome sexual advances; or any connection between any sexual advances and employment, financial aid, academic or professional performance. Barrytown College of UTS will, therefore, not tolerate any such behavior which, in addition to violating federal and state laws, is contrary to the College's goal of encouraging behavior which respects each person's dignity.

Students who believe they are being subjected to sexual harassment should report the matter confidentially to any of the following:

- Director of Student Life

- Dean of the College
- A member of the faculty or staff with whom they feel comfortable

E. **Sexual Assault**

In cases where sexual assault occurs, under the Campus Sexual Assault Victim's Bill of Rights Act of 1991, Barrytown College will assist students who are sexually assaulted on campus. All students will have the support of the college response team in notifying the proper authorities and obtaining evidence. A response team of the Dean and the Director of Student Life are available for reporting and counsel. Student Life will support the victim with whatever decision is made regarding formal charges; we believe this is a personal decision that the victim must control.

Local Sexual Assault Response Center: Sexual Assault Nurse Examiner (SANE) Program. HealthAlliance of the Hudson Valley's Mary's Ave. Campus, in conjunction with the Ulster County District Attorney's Office, operates a Sexual Assault Nurse Examiner (SANE) program.

The [SANE Program](#) provides

- Services by specially trained SANE registered nurses offered 24-hours a day, 7 days a week.
- Free of charge services to victims of sexual assault.
- Access to nurses who are trained in forensic evidence gathering techniques and the psychological needs of the victim.
- Private and separate areas where all services are performed.
- Shower facilities, toiletries and replacement clothing if needed.
- Counseling and support, through the Crime Victims Assistance Program (CVAP), to victims who choose to file a report (within 30 days).

If an injury requires immediate medical treatment, the patient is referred to the hospital's emergency department for further evaluation and treatment.

**Location:** HealthAlliance Hospital, Broadway Campus 396 Broadway, Kingston, NY 12401. **Emergency Number (Blackberry Cell Phone): (845) 802-3522.**

General Telephone: [\(845\) 331-3131](tel:(845)331-3131)

Website: <http://www.hahv.org/archives/service/sexual-assault-nurse-examiner-sane-program>.

F. **Disciplinary Process**

1. **Disciplinary Procedures**

- a) Investigation. Reports of alleged student misconduct or violation of College policy will be investigated. The student involved will be informed of the investigation.
- b) Student Interview. If the result of the investigation suggests a violation

of College policy or standards has occurred, the student is called for an interview. The student is then confronted with the results of the investigations and given opportunity to comment on the offense.

- c) Referral for Adjudication. On the basis of the facts, the Dean of the College will determine whether there has been a violation of the College standards or policy and will inform the student of the procedure that will be followed in adjudicating the matter.

**2. Adjudication Procedures:** The following procedures are a means of adjudicating student misconduct:

- a) The Resident Life Staff may impose disciplinary sanctions after review and counsel with the student.
- b) Resident Life Staff will initially hear most major infractions.
- c) In consultation with individual parties, the Director of Student Life may impose additional disciplinary measures. The Director will review cases with major infractions. The Director of Student Life may review appeals of decisions made previously in the adjudication process.
- d) The Judicial Appeals Committee made up of faculty, staff and students, can hear an appeal of a decision from the Director of Student Life. The committee will only review major infractions of the Student Conduct Code. The committee will review the appeal request and determine if there is a valid basis for an additional hearing. If there is an additional hearing, the committee's recommendations will be given to the Dean and the Dean will render the final decision.

**3. Disciplinary Actions and Penalties**

Disciplinary action may result in any of several penalties. The sanction imposed depends upon the nature of the offense, the circumstances, and the previous behavior of the student. The Director of Student Life and appropriate committees have authority to impose disciplinary actions which they deem to be in the best interest of the student and the institution. The following are possible disciplinary actions:

- a) Censure. This action implies that the student's behavior was inappropriate and not to be condoned. The action is not noted on the student's transcript nor is part of the permanent record.
- b) Disciplinary Probation. Probation implies that the offense was of a more serious nature. The length of the probationary period will be defined for each case. When on disciplinary probation, one is not eligible to participate in co-curricular activities in which the student would represent the College to individuals and groups other than the students, faculty and staff. Violations during the probationary period will usually result in suspension. Other conditions of probation may be set by the hearing authority.

- c) Restitution. The offender is required to make reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages. Restitution may be combined with another of the possible disciplinary sanctions.
4. **Community Service.** In certain circumstances, a student will be assigned hours of community service to be completed on campus or in the community. A report of any hours assigned will be made to the Director of Student Life immediately. All community service will be assigned a completion date. Failure to complete service at the specified time will be considered a major infraction of the Student Conduct Code. The new violation could be subject to a hearing.
5. **Leave of Absence.** When a student's behavior and/or attitude seem inconsistent with College expectations, it may be mutually agreed that the student should take a leave of absence to evaluate his/her relationship with Barrytown College of UTS. Terms of the leave will vary from case to case. Each case will be reviewed by the Dean for readmission.
6. **Suspension.** The student's enrollment at the college may be suspended for a specific period of time; the period may vary from a portion of a semester to a year. A student who is suspended for a period greater than one semester must apply to the Admissions Committee for readmission for subsequent semesters. The suspension will normally be followed by a period of disciplinary probation. Students are subject to academic penalties for work missed as a result of disciplinary action. Faculty are not obligated to permit makeup of missed assignments and examinations in such cases.
7. **Expulsion.** One's status as a student may be terminated for an indefinite period with little, if any, likelihood of readmission.

NOTE: A student's privilege to hold office, participate in co-curricular activities or represent the College in some other activity may be restricted by any of the above disciplinary actions.

#### 8. **Individual Guarantees**

In all disciplinary proceedings, the College guarantees the following:

- The student shall receive notice of the nature of the charges made.
- The student shall receive a fair and impartial hearing.
- The student may call witnesses on his/her behalf.
- The student shall have a specific time to prepare for a hearing.
- The student can request a private hearing when more than one defendant is involved.

- The student will receive a decision in writing.
- The student shall have the right of one appeal unless disciplinary action involves a "Leave of Absence" or higher, such an appeal to be made within three (3) working days of written notification of a decision.

In disciplinary action involving a "Leave of Absence" or higher, the accused may ask to confront his/her accusers. The Director of Student Life will determine the feasibility of such a request.

## VII. PRIVACY OF EDUCATIONAL RECORDS

### A. FERPA

The Family Educational Rights and Privacy Act of 1974 affords former and presently enrolled students certain rights with respect to their education records. These rights include:

- (1) The right to inspect and review the student's education records within 45 days of the day Barrytown College of UTS receives the request for access.
- (2) The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. The disclosure exceptions are defined below.
- (4) The right to file with the U.S. Department of Education a complaint concerning alleged failures by Barrytown College of UTS to comply with the requirements of FERPA. Complaints may be filed with The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.
- (5) The right to obtain a copy of Barrytown College of UTS's education records policy. Copies of this policy are available upon request at the Office of the Registrar.

Additionally, Section 99.7 of FERPA requires that schools annually notify students currently in attendance of their rights under FERPA. Students currently in attendance will be provided a statement of their FERPA rights in their registration materials.

The College reserves the right to refuse to permit students from viewing the following records:

- Financial information submitted by parents
- Confidential letters or statements of recommendation submitted prior to

January 1, 1975

- Letters that the student has waived the right to view
- Education records containing information on more than one student
- Sole Possession Records of staff and faculty maintaining personal notes in student's folders. However, any material in the folder when it is transferred to another record keeper (e.g. Advisor, finance officer, Student Services, or professor) is no longer personal, and is, therefore, subject to the policies governing access.

#### **B. FERPA Disclosure Exception**

Barrytown College of UTS discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.

Under FERPA disclosure exceptions, Barrytown College of UTS may release information from a student's education record without prior consent to appropriate parties including:

- Federal officials in connection with federal program requirements;
- State and local officials legally entitled to the information;
- Appropriate authorities in connection with financial aid;
- Accrediting agencies, in connection with their accrediting functions;
- Courts or law enforcement in compliance with a lawfully issued judicial order, subpoena, or search warrant;
- Appropriate parties in a health or safety emergency, if necessary to protect the health or safety of the student or other individuals;
- Testing agencies for the purpose of developing, validating, researching, and administering tests.
- To parents who claim the student as a dependent for income tax purposes.

#### **Information Release to Parents**

All parental rights to access education records, without consent, transfer to the student at age 18. Therefore, parents will only be given rights to access educational records if

5. The student has given the written consent,

6. In compliance with a subpoena,
7. By submission of evidence that the parents declare the student as a dependent (as defined by the Internal Revenue Service)
8. In connection with some health or safety issue. Students may obtain the form "Authorization to Release Education Record Information to Parents/Guardians/Spouses" in the Registrar's Office to allow parents the right to access educational records as a dependent.

**Directory Information:** Under FERPA, Barrytown College of UTS may release the following information at various times unless requested in writing not to do so by the student: student name, campus-wide identification number, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational institution attended by the student, grade level (including number of credits earned), and enrollment status (e.g.: undergraduate, graduate, full-time, part-time). Students must notify the Registrar in writing should they not want information made available by filling out a form at the Office of the Registrar.

**File Complaint:** Students have the right to file a complaint with the U.S. Department of Education concerning any alleged violations of FERPA by the college.

Release of Information:

Send complaints to the following address:  
Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

## VIII. DISCRIMINATION AND HARASSMENT

### *Affirmative Action and Equal Opportunity*

Barrytown College of UTS fully complies with all federal, state, and local laws and executive orders, including Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. The College does not discriminate in its admissions, employment, or in the administration of any of its programs or activities on the basis of race, religion, gender, age, color, disability, national origin, veteran status, marital status, or sexual orientation. In addition, the College aggressively seeks and encourages applicants for admission and employment from diverse racial and ethnic backgrounds.

It is the expressed policy of Barrytown College of UTS to operate all of its educational programs and activities and to administer all employee programs including compensation and promotional opportunities in such a way as to ensure that they do not discriminate against any individual on the basis of the characteristics stated above.

Barrytown College of UTS does not tolerate harassment in any form based upon race, religion, gender, age, color, disability, national origin, veteran status, marital status, or sexual orientation, nor does it tolerate any type of sexual harassment. Members of the College community who believe that they have been subjected to such treatment are encouraged to contact Dr. Michael Mickler, UTS Vice President of Institutional Resources, at 845-752-3000 ext. 249, or [mm@uts.edu](mailto:mm@uts.edu).

### **Policy Statement**

Barrytown College of UTS is committed to providing a working and learning environment where all members feel valued and are fully empowered to claim a place in and responsibility for our shared working, living, and learning community. Members of the Barrytown College of UTS community, guests, and visitors have a right to be free from discrimination and harassment and to be treated with respect. Barrytown College of UTS does not discriminate in the administration of its educational policies, admissions policies, scholarships and loan programs, athletic program, and other college programs and activities, and does not tolerate discrimination or harassment of its faculty, administration, staff, students, or visitors.

The college prohibits discrimination on the basis of race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, age, and any other characteristics protected by law.

### **Scope of Policy**

This Policy prohibits discrimination against or harassment of members of the College community and guests. Its scope is inclusive of, but is not limited to, any individuals regularly or temporarily employed, studying, living, visiting, or with an official capacity at Barrytown College of UTS (such as volunteers and contractors).

The filing of a complaint under this Policy is independent of any external investigation or court proceeding, and the college will not necessarily wait for the conclusion of any external investigation or proceeding to commence its own investigation and to take immediate steps to ensure the safety and wellbeing of members of the college community. An allegation of discrimination or harassment is not proof of prohibited conduct, and a claim will not be taken into account during performance review, promotion, reappointment, or other evaluation unless a final determination has been made that the Policy has been violated, or an agreement has been reached as part of an informal resolution process. If necessary and appropriate, decisions regarding extension, reappointment, or promotion may be deferred, in consultation with the appropriate supervisor or review committee, until the matter is resolved.

## **Relationship to Academic Freedom and Responsibility**

As articulated in the Barrytown College of UTS statement on academic freedom, Barrytown College of UTS is dedicated to freedom of inquiry in the pursuit of truth, is vigilant in defending the right of individuals to free speech, and is dedicated to the cultivation of an atmosphere in which all of its members may study, live, and work free from intolerance, discrimination, and harassment. The Policy will not be construed as undermining the principle of academic freedom, which may include the introduction of controversial and challenging matters and demanding methods of inquiry within the teaching environment. However, discrimination and harassment are not legally protected, nor are they excused by reference to academic freedom of expression. Discrimination and harassment undermine the educational mission of the institution, its integrity, and the intellectual, working, and living environment for members of our community.

## **Definitions**

A. Discrimination is any distinction, preference, advantage for, or detriment to an individual compared to others that is based on an individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, or age that adversely affects a term or condition of an individual's employment, education, living environment, or participation in a college activity, or is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a college activity.

B. Discriminatory Harassment is unwell-come conduct directed toward an individual based on the individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, or age that is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment, or participation in a college activity.

C. Retaliatory Harassment is intentional action taken by an individual or allied third party, absent legitimate nondiscriminatory reasons, that harms an individual as reprisal for filing a grievance or for participating in an investigation or grievance proceeding.

D. Sexual Harassment is a form of unlawful gender-based discrimination. It may involve harassment of women by men, harassment of men by women, and harassment between persons of the same sex. Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from the college's educational program or activities or employment benefits or

opportunities.

The unwelcome behavior may be based on power differentials (such as in quid pro quo harassment where submission to or rejection of unwelcome sexual conduct by an individual is used as the basis for employment or academic decisions), the creation of a hostile environment, or retaliation.

The college's policy on sexual misconduct may also apply when sexual harassment involves physical contact. Examples of sexual harassment may include, but are not limited to,

- Egregious, unwanted sexual attention or other verbal or physical conduct of a sexual nature
- Implied or overt threats of punitive action, a result of rejection of sexual advances
- Conditioning a benefit on an individual's acceding to sexual advances
- Unwelcome, sexually explicit messages, statements, or materials
- Attempting to coerce an unwilling person into a romantic or sexual relationship
- Sexual violence
- Intimate partner violence
- Stalking, including cyberstalking
- Gender-based bullying

### **Record Retention for Discrimination and Harassment Complaints**

The Campus Safety office is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with college records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the Campus Safety office in cases where the parties have a continuing affiliation with the college. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

### **Reporting Obligations under the Clery Act**

Certain campus officials also have a duty to report sexual assault and other crimes for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report.

This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student conduct administrators, safety and Campus Safety personnel, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and "any other official with significant responsibility for student and campus activities." The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category.

This reporting protects the identity of the victim and may be done anonymously. All Clery reports of sexual assault and other crimes should be reported to Campus Safety.

### **Complaint Procedure**

The College has two approaches for resolving complaints of alleged discrimination and harassment: informal resolution and the formal grievance processes. Informal resolution efforts and the formal grievance processes are not mutually exclusive, and neither is a prerequisite for the other. Moreover, the informal resolution process may be ended at any time in order to initiate a formal complaint.

Individuals who believe that they have been victims of sexual or some other form of harassment can reach out to the Equal Opportunity/Affirmative Action (EO/AA) Officer (Dr. Michael Mickler, VP of Institutional Resources, at 845-752-3000 ext. 249, or [mm@uts.edu](mailto:mm@uts.edu)) who will meet with them to hear their concerns, and review available options for informal and formal resolution. Discussing a concern does not commit one to making a formal charge. However, an individual reporting harassment should be aware that the college may decide that it is necessary to take action to address the harassment beyond an informal discussion.

The college encourages the prompt reporting of any potential violations of this policy, so that it can take appropriate steps to maintain an environment free of harassment, and to ensure that its procedures are effective in promoting this goal. While no fixed reporting period has been established, early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of sexual and other forms of harassment.

#### **A. Informal Resolution: Seeking Mediation**

- Informal resolution procedures are intended to allow the complainant and the respondent to provide detailed information about the alleged incident(s) of discrimination or harassment and reach a mutually agreeable resolution. The mediation process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties.
- With consent of both the complainant and the respondent, the Office of Equal Opportunity and Affirmative Action will contact a mediator whose training is appropriate to the conflict to be resolved. The mediator is not an advocate for either the complainant or the respondent. The role of the mediator is to aid in the resolution of problems in a non-adversarial manner.
- The informal resolution process ends when a resolution has been reached or when the complainant or the respondent has terminated the process. At any time during the mediation process, the complainant and the respondent are free to

withdraw consent. A successful informal resolution results in a binding agreement between the parties.

- The mediator shall notify the EO/AA officer of the result of the mediation process. If the dispute is not resolved through mediation, the EO/AA officer shall immediately inform all affected parties and discuss with the complainant other alternatives for achieving resolution. The complainant may file a formal grievance with the Office of Equal Opportunity and Affirmative Action or withdraw the informal complaint. The informal resolution process, if unsuccessful, will not prejudice the rights of either party in the dispute. Therefore, should the informal resolution be unsuccessful, neither the reasons for the failure of the mediation nor any material or statements made during the process will be used in any subsequent proceedings or forums.

5. No written records of the mediation process, other than the final resolution, shall be retained by the EO/AA officer. Original documents shall be returned to their original source or to another site as agreed in the resolution by the complainant and the respondent.

## **B. Formal Grievance Process**

A formal grievance process may be initiated in person by meeting with the EO/AA Officer or in writing to the Office of Equal Opportunity and Affirmative Action. The College strongly encourages submission of grievances in writing after meeting first with the appropriate person. The formal grievance should be hand delivered or sent by certified mail to either the attention of the EO/AA officer, as appropriate, at: Office of Equal Opportunity and Affirmative Action, Unification Theological Seminary, 30 Seminary Drive, Barrytown NY. A formal grievance must identify and include the following information:

- Complainant's signature and the date signed;
- Name of the accused individual, his or her position or status, and contact information, if known;
- Clear and concise description of the alleged incident(s), when and where it occurred;
- Description of all informal efforts, if any, to resolve the issue(s) with the person involved. This includes names, dates and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
- Supporting documentation and evidence; and
- Names of witnesses or individuals who may have direct and relevant information about the specific allegation (with accompanying addresses, email addresses, and telephone numbers).

## **7. Confidentiality**

Barrytown College of UTS will endeavor to maintain confidentiality in all informal and formal proceedings, except as otherwise specified in these statements of procedure. All documents relating to the alleged incident of discrimination or harassment will be maintained as confidential. Participants are authorized to discuss the case only with those persons who have a genuine need to know.

## **8. Preliminary Review of Complaint and Notice of Receipt**

- a) Upon receipt of a complaint, the EO/AA officer will review the complaint for appropriateness and timeliness. The EO/AA officer will provide the grievant with written notice of receipt of the complaint within 5 working days, and will advise the grievant of the college's grievance procedures and forms of relief.
- b) Formal grievance complaints require that the respondent be advised of the allegations and the source of the complaint by the EO/AA officer. or the EO/AA officer, as appropriate, will provide the respondent with a copy of the formal grievance complaint within 5 working days of receipt of the complaint, and will advise the respondent of the college grievance policy and procedures.
- c) The EO/AA officer, as appropriate, shall discuss with the grievant whether or not the alleged incidents of discrimination or harassment constitute a violation of the college's nondiscrimination and non-harassment policy, and whether or not it is appropriate to convene a Grievance Hearing Panel. The decision to request a Grievance Hearing Panel rests with the grievant.
- d) If the respondent is a member of the faculty, staff, or administration, and the grievant requests a Grievance Hearing Panel, the grievance shall be transmitted to the respondent's senior administrative officer (the senior administrative officers of the college include the President, the Dean of the College, and the Director of Student Life) who shall convene a Grievance Hearing Panel
- e) If the respondent is a student and the grievant requests a Grievance Hearing Panel, the complaint shall be transmitted to the College Regulations Panel, which shall provide fair and expeditious hearing to both grievant and respondent. The rules and procedures of the hearing shall be those normally in effect for the College Regulations Panel. Detailed rules and procedures of the College Regulations Panel are available from the Chief Financial Officer's office upon request.

## **9. Hearing**

- a) The Grievance Hearing Panel, appointed and chaired by the respondent's senior administrative officer, will then conduct a hearing, including an examination of those witnesses and receipt of such documentary evidence as the panel may deem appropriate.

- b) Both parties will have the opportunity to review all other contents of the case file after the hearing. Contents of the file can only be seen in the office of the senior administrative officer in the presence of an observer. Notes may be taken while reviewing the file.

#### **10. Findings of the Panel**

The panel will deliberate in private session and will decide by closed vote whether a violation of the college's Policy Against Discrimination and Harassment and/or other college policies has occurred, based on the preponderance of the evidence. The chair does not vote. A decision that a violation has occurred requires majority agreement among the members eligible to vote. In the case of the finding of a violation, the senior administrative officer, in consultation with the members of the panel, shall determine the appropriate remedy or sanction. A written summary prepared by the chair of the Grievance Hearing Panel on the basis of this judgment shall be conveyed to both the grievant and the respondent within three working days after the deliberations have been completed. If the respondent is a member of the faculty, staff, or administration and has been found to be in violation of the college's nondiscrimination and non-harassment policy, a written record of the grievance and the opinion by the Grievance Hearing Panel shall be retained in the files of the respondent's senior administrative officer. If the respondent is a student, a written record shall be kept in the files of the College Regulations Panel. When the complaint has been resolved through informal mediation or judged not to be well founded through formal hearing procedures, a written record shall be retained only at the request of the respondent.

#### **11. Corrective Action**

The respondent's senior officer will impose prompt remedial and/or disciplinary action against any respondent found to have violated this policy. Responsive action may include, for example, targeted educational and training programs; the development and enforcement of explicit contractual agreements about future conduct; changes in the working, learning or living environment; formal censure; reassignment or removal from an elected or appointed position; suspension or expulsion; termination of employment; or other measures as the college believes will be effective in ending the misconduct and correcting the effects of the harassment.

#### **12. Time Frame, Process, and Grounds for Filing a Request for Appeal**

Either party (complainant or respondent) may appeal the findings and/or sanctions of the panel within five (5) business days of receiving the written decision by delivering a signed and dated appeal by hand or by certified mail to the Office of Equal Opportunity and Affirmative Action, Unification Theological Seminary, Barrytown NY, 12507.

##### **a) Appeal Process**

- i. For students, the final disposition may be appealed by the grievant or the respondent through the College Regulations

Appeals Committee. Detailed rules and procedures of the College Regulations Appeals Committee are available from the Chief Financial Officer's office upon request.

- ii. For faculty and staff, the final disposition may be appealed to the President by the grievant or the respondent within 30 days of the final ruling. The appeal process for faculty and staff is initiated by filing a written request for review with the EO/AA officer. The written request must specify one or more of the following criteria: 1) evidence of alleged procedural errors which impaired the ability of either party to adequately present herself or himself, or 2) the imposition of excessive penalty. Appeals may not be based on general dissatisfaction with the proposed disposition. The EO/AA officer will forward the appeal to the president. The president shall have the authority to affirm the finding or remand the finding to the senior administrative officer for reconsideration. A copy of the president's written decision may be expected within 30 days of the filing of the appeal and shall be sent to all parties and the senior administrative officer whose authority will be needed to carry out the disposition. The deadline may be extended by the President for good cause. The decision of the president on the appeal is final.

Sanctions will take effect immediately, notwithstanding an appeal. A request may be made to the panel chair to defer the effective date of sanctions in exigent circumstances. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the individual to his or her prior status, recognizing that some opportunities may be irretrievable in the short term.

## **Retaliation**

Retaliation against any person, including the accuser or person accused, for making a complaint, cooperating with an investigation, or participating in a grievance procedure is a violation of college policy. Retaliation includes, but is not limited to, intimidation, coercion, harassment, making of threats, and any other adverse educational or employment action. Retaliation should be reported promptly to the Office of Equal Opportunity and Affirmative Action for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

## **False and Malicious Complaints**

False and malicious accusations of sexual or other harassment, as opposed to complaints

which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

### **Record Retention for Discrimination and Harassment Complaints**

The Office of Equal Opportunity and Affirmative Action is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with college records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the EO/AA officer in cases where the parties have a continuing affiliation with the college. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

### **Support Resources**

- D. Confidential Support and Counseling: Individuals are encouraged to contact on-campus and off-campus counselors, or chaplains for confidential counseling regarding any harassment matter. Employees and faculty members are encouraged to contact Dr. Michael Mickler, UTS Vice President of Institutional Resources, at 845-752-3000 ext. 249, or [mm@uts.edu](mailto:mm@uts.edu), to access off-campus counseling resources, or contact members of the clergy and chaplains for confidential counseling regarding any harassment matter. Seeking counseling is not meant to take the place of instituting the informal or formal complaint process described above.
- E. Support Person: The complainant and the accused individual each may have a support person present with them during the informal and formal resolution process to provide moral support. The support person cannot be a party to the grievance or serve as a potential witness (character or factual). This support person must be a member of the college community. Except as directed by the chair, a support person will limit his/her role in a hearing to that of a support person to the accused or the complainant/alleged victim. That is, a support person will have no speaking role at a hearing. A request may be made to the EO/AA officer(s) for special consideration to bring a support person who is not a member of the college community in extraordinary circumstances. Witnesses and others involved in an investigation are not entitled to have a support person. Support persons must be identified to the EO/AA officer at least two (2) business days before the date of the meeting with the EO/AA officer or the hearing.

**Legal Counsel:** It is the complainant's and the respondent's decision whether to seek the advice and assistance of an attorney at their own expense if they need legal advice. Although anyone has the right to seek legal advice, neither the complainant nor the

respondent may be represented by legal counsel at investigatory interviews, informal resolution processes, or a college administrative hearing.

### **Bias-related Crime**

According to New York Police Department Guidelines a "Bias Related Crime" or "Hate Crime" is any offense or unlawful act that is motivated in whole or in part by a person's, a group's or a place's identification with a certain race, religion, ethnicity, sexual orientation, disability, gender or age.

In order to effectively handle incidents of Bias Related Crimes and prevent future occurrences of such crimes, victims or witnesses of a Hate Crime are encouraged to immediately report the incident to the *Dr. Michael Mickler, VP of Institutional Resources* by calling 845-752-3000, ext. 249 or by going to Room 200 in the West Wing of the Barrytown campus so that the matter may be thoroughly investigated. Counseling and referral services are offered by the Office of Student Life, located on the second floor of the east wing. Other services are available and listed in the Student Handbook. There are also numerous public resources available to victims of Hate Crimes in the Office of Student Life.

### **Policy Statement regarding the prohibition of the marketing of credit cards**

Pursuant to the requirement of the New York State Educational Law, Article 129-A, section 6437, the following policy has been adopted to promote the best interests of Barrytown College of UTS/Unification Theological Seminary students.

#### Prohibited Conduct

The Unification Theological Seminary prohibits the advertising, marketing, or merchandising of credit cards to students by vendors on College owned, operated, or controlled property and at any College sponsored event without prior approval from *John Redmond, the Chief Financial Officer*, who will ensure that any exception to the prohibition complies fully with all applicable State and Federal laws. This prohibition applies to all banks and other commercial entities (including their third-party representatives) that engage in the on-campus marketing of credit cards to student through solicitation activities.

NOTE: Many useful links are included in this handbook. Access them by downloading the online copy of the handbook, available on the Student Guide, accessible at <http://uts.libguides.com/studentlife>.