

STUDENT HANDBOOK

2026-2027

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MESSAGE FROM THE DEAN FOR STUDENTS

Dear Student:

Welcome to the Elisabeth Haub School of Law and the Pace University community. Whether you are just beginning your legal education or returning for another year, we are glad you are here.

Law school is a time of transition, academically, socially, and personally. It is normal for that to feel challenging, and even overwhelming, at times. The Office of Student Affairs exists to make sure you do not have to navigate it alone. We advocate for students, help you understand your rights and responsibilities as a member of this community, and connect you with the people and resources you need. We also work closely with faculty and staff on the programs and activities that make law school more than just coursework.

This Handbook, effective August 2026, is your primary reference for the policies that govern your time at Haub Law. It supersedes all previously published rules, regulations, announcements, and statements with which it is inconsistent. Its provisions are binding on all matriculated Haub Law students, including those on a leave of absence or visiting at another law school, and all students are expected to have read and understood it.

Please note that Haub Law reserves the right to modify its rules, regulations, graduation requirements, course offerings, tuition, fees, and other matters addressed in this Handbook at any time, without prior notice; changes take effect upon posting. If you have questions about anything in the Handbook, the Office of Student Affairs is here to help.

You will find us on the first floor of Aloysia Hall, or you can contact us at (914) 422-4136 or studentaffairs@law.pace.edu. Reach out any time with questions or concerns.

You have taken a real step toward a demanding, meaningful career, and we take that seriously. We value you and look forward to supporting you as a member of this community.

Sincerely,

Stephanie Desiato

Stephanie Desiato
Dean for Students

OFFICE OF THE ACADEMIC DEAN

The Office of the Academic Dean is responsible for the overall development, delivery, and integrity of the academic program of the Law School. This includes the construction and staffing of the academic schedule, development of the curriculum, enforcement of academic standing rules, and, along with the Registrar, the supervision of registration. In addition, the Academic Dean oversees the Honor Board, the Advocacy Program, Academic Support, and Advanced Certificates and Paths to Practice. This Office also manages student academic advisement.

Academic Policies and the Honor Code: All students are responsible for reading and are held to the Academic Policies and the Honor Code, including the AI Policy, which are all available online on [the Campus Life webpage](#).

ADMINISTRATIVE SERVICES

REGISTRAR/BURSAR'S OFFICE

Registrar's Office: The Registrar's Office is responsible for all student records. The Office is also responsible for the administration of all standard examinations, grade processing, ranks, Dean's List certificates, distribution of the course schedule, registration for all courses, transcript processing, certifications to all state bars, exam schedule, academic calendar, and room assignments. Further information can be found on the [Registrar's webpage](#).

Bursar's Office: This office maintains students' financial records, produces statements of account, bills students for tuition, fees, health insurance and other student related fees, and approves and initiates refunds to students via Bank Mobile. Meal Plans may be purchased online. Payments may be submitted directly to the Bursar's Office; refunds for overpayments, or tuition cancellations or other credits may be requested. With proper documentation, the office will bill third parties on behalf of the student: employers, outside scholarship organizations, etc. This office works closely with the Financial Aid Office and the Office of Student & Campus Affairs. You may contact the Bursar's Office by phone at (914) 422-4032.

Identification Cards: All students must have a Pace University Identification card. The initial card is free. Replacement ID cards are subject to a \$30 processing fee. Student ID cards are property of the University and may be revoked in the case of abuse.

The Office of the Registrar and Bursar is located on the first floor of Aloysia Hall. Office hours are 9:00 a.m. to 5:00 p.m, Monday and Wednesday, Tuesday and Thursday 9:00 a.m.-7:00 p.m. Friday, 9:00 a.m.-1:00 p.m. in person and remotely until 5:00 p.m. and Saturday 9:00 a.m. to 11:00 a.m. during the Fall and Spring semesters.

Parking: Pace University provides parking areas on campus for use by students, faculty, staff and for the purpose of conducting university business. The method of registering vehicles and the regulations governing their use on campus are stated below.

All vehicles brought on campus must be registered with the Safety and Security Department. All students, faculty and staff must register their vehicles at the beginning of each academic year. Students are responsible for their guests. Guests must obtain a temporary parking permit and comply with all University regulations. For additional information on parking on campus, please visit the [Parking and Traffic Guidelines webpage](#).

Parking is permitted in designated areas only and prohibited in crosswalks, fire lanes, bus stops, unpaved areas, spaces reserved for the disabled and any other areas designated as "restricted parking."

Vehicles parked in violation of campus rules will be ticketed and in some cases towed at the owner's expense. Chronic violators will be referred to the Dean for Students for appropriate disciplinary action. With the exception of some designated parking spaces, all parking is on a first come, first serve basis. Possession of a parking permit or pass authorizes parking but does not guarantee a parking space.

Pace University assumes no responsibility for theft or damage to any vehicle. Complete parking and traffic regulations are available in campus security offices.

Parking spaces for handicapped persons are reserved for those who have special handicapped license plates or permits for handicapped parking issued by the State, County or Town of residence. Members of the University community who suffer a temporary disability, which clearly affects their ability to walk, may apply to the Safety and Security Department for a temporary handicapped parking permit. Any person with a temporary disability must present to the Safety and Security Department a doctor's letter on official stationery specifying the medical problem. This medical documentation must include an expiration date for handicapped parking privileges. Unauthorized parking in a handicapped space will result in a \$100 fine and an immediate tow.

FINANCIAL AID

APPLICATION PROCESS AND FILING DATES FOR FINANCIAL AID PROGRAMS

Eligible students in good standing who meet the federal application guidelines may file The Free Application for Federal Student Aid (FAFSA) electronically on the [FAFSA webpage](#). Pace University's federal code for White Plains is 002727. Our priority deadline for need based aid programs, such as the Trustee Tuition Grant is February 15 (prior to each academic year). Students may begin filing October 1. Students may file the FAFSA after February 15 but will lose priority consideration for Trustee Tuition Grants. Approximately one week from your FAFSA file date, a Student Aid Report (SAR) should be received with the information you reported. It is important to review the information and make any necessary corrections or updates as early as possible to ensure adequate time for revisions and the processing of your financial aid.

A REVIEW OF PROGRAMS COORDINATED BY THE FINANCIAL AID OFFICE

Federal Direct Unsubsidized Stafford Loan: As of July 1, 2026 all new JD students are eligible for up to \$50,000 in Unsubsidized loans. Returning students who meet the requirements will continue to be eligible for up to \$20,500 for a standard academic year (two semesters). The loan has no income cut-off or credit requirements. The loan is disbursed no earlier than 10 days before the first day of class. Interest that accrues on the loan while the student is in school can be paid quarterly, or it may be capitalized (added onto the principal of the loan). Repayment of principal begins six months after graduation or after the student ceases to be enrolled at least half-time. At least half-time enrollment during a semester is required to qualify for a loan during that semester. There is no penalty for prepayment, and a number of relatively flexible repayment options are available. The loans are processed by the Financial Aid Office. Students are required to sign a master promissory note (MPN) and Loan Entrance Counseling (LEC) online on the [Student Aid webpage](#). The MPN and LEC must be completed once (first time borrowers) and is valid for 10 years.

Direct Graduate PLUS Loans for Graduate or Professional Students: Returning Graduate or professional students who meet "Legacy" provisions are eligible to borrow under the Direct PLUS Loan Program. As of July 1st, all new and Non Legacy borrowers are unable to borrow Graduate

PLUS loans. Students should exhaust their federal Unsubsidized loan eligibility before applying for a Direct PLUS loan.

A student must be enrolled in school at least half time, be a U.S. Citizen, U.S. Permanent resident or an eligible non-citizen. A credit check is required, and you must submit a FAFSA. Students can apply and complete a Master Promissory Notes and Loan Entrance Counseling online on the [Student Aid webpage](#).

Please note: As of July 1, 2026 all federal loan amounts are determined by the number of credits a student is enrolled in, not Cost of Attendance. Students who are enrolled in less than 26 credits per academic year will have their federal loans adjusted.

Federal College Work-Study: The primary purpose for this program is to promote the part-time employment of students who have financial need. Employment may be secured at Pace University or with off-campus non-profit organizations through the Public Interest Law Center.

Private Educational Loans: Students who meet certain credit requirements may qualify for a Private Loan not to exceed the Cost of Attendance (COA) minus other financial aid. Please allow up to 4 weeks for processing. Haub Law does not recommend any particular lender. We will accept and certify a loan from any lender the student chooses. Please visit [Pace University's ELM Select page](#) to review a historical list of lender option.

Law Trustee Tuition Grant: This is a need-based grant program awarded to new students by admissions. Renewal of awards require Satisfactory Academic Progress and filing FAFSA by the priority deadline (February 15th). The grants are generally renewable each year to on-time (based on date of filing and receipt of FAFSA) applicants who, since the previous year, have shown no substantial increase in their financial strength as indicated by the information reported in the FAFSA. The grant may be applied only to tuition. It is not available during the summer term or for terms of enrollment for less than 6 credits. Students must maintain satisfactory academic progress.

Satisfactory Academic Progress Standards: For continuing students there are minimum academic progress standards that must be met to maintain eligibility for the federal student aid programs. A student must have achieved a cumulative grade point average of at least a 2.30 QPA and pass 60% of classes to be eligible to receive federal and institutional funding. If a student receives a probationary semester, the student must contact the Financial Aid Office to discuss a one-time waiver of the 2.30 QPA good standing requirement in order to secure loans.

Return of Financial Aid: If a student withdraws from all or a portion of their classes in a given semester, it may be necessary to return all or a portion of your financial aid to Direct Lending. Please see the Financial Aid Office for details. If a student is academically dismissed after a refund is processed and disbursed, once all tuition and fees have been cancelled, the student must return any dispersed portion back to the institution.

CENTER FOR CAREER & PROFESSIONAL DEVELOPMENT

The Center for Career and Professional Development ("CCPD") offers comprehensive services to Elisabeth Haub School of Law students and alumni, educating them on the diverse career paths available in the legal field. Within the CCPD, the Public Interest Law Center ("PILC") specifically guides students interested in public interest, government, and judicial opportunities. Through personalized counseling, proprietary career guides, and interactive programming, the CCPD and PILC empower students to build the skills and professional networks needed to reach their goals. Core services include:

- **Career Counseling & Strategy:** Individual advising on all aspects of the job search for private sector and public service roles, including judicial clerkships.
- **Application Assistance & Interview Preparation:** Professional reviews of resumes and cover letters and tailored mock interviews.
- **Resources:** Comprehensive job posting site (Symplicity), general job search tools, proprietary resources and career guides, and sample resumes and cover letters
- **Programming:** Programs on job search and application processes, career panels featuring expert practitioners, networking events with practicing attorneys, specialized career fairs, and on-campus recruiting programs.
- **Employer Outreach:** Active relationship-building with legal employers to secure job opportunities and connect students with practicing attorneys.

The CCPD and PILC encourage students to take advantage of the many services they provide.

CCPD & PILC Staff: The CCPD and PILC team is here to guide you through every step of your professional journey, from your first resume draft to launching your career. Led by Kapila Juthani, the Assistant Dean for Career and Professional Development, our team includes Haley Harvis, Director, Public Interest Law Center and Center for Career & Professional Development; Daniela Crispi, Assistant Director, Career Counseling; Elise Wagner, Assistant Director, Career Counseling; Debra Burg, Legal Analyst; Dominique Bourekas, Program Coordinator, Center for Career and Professional Development; and Diana Pedi, Program Manager, Public Interest Law Center. Kapila Juthani, Haley Harvis, Daniela Crispi, and Elise Wagner provide career counseling services to all students, while Debra Burg provides dedicated career counseling services to FLEX students during designated evening hours. All Advisors have J.D. degrees.

Debra Burg additionally coordinates some of the CCPD's employer outreach and reporting functions. Dominique Bourekas, the CCPD's Program Coordinator, manages the CCPD's on-campus recruiting programs, handles job postings received from employers seeking to hire Pace Haub Law students and alumni, and assists with all students, alumni, and employer matters. Diana Pedi, Program Manager for PILC, helps to administer PILC programs, including the law school's summer funding programs for public interest internships and the Pro Bono Justice program, which offers a range of opportunities for students to gain hands-on legal experience while helping people in need of legal assistance.

Location and Hours: The CCPD and PILC are located in Room 207 of Aloysia Hall, on the second floor. The CCPD and PILC are open Monday through Friday from 9am-5pm, with additional hours available by appointment. Additionally, office has designated hours for FLEX students on Tuesdays and Thursdays evenings during the semester, from 5pm-6:30pm. Students may schedule a counseling appointment with the CCPD or PILC by visiting the reception desk in Aloysia 207, calling the CCPD's main number at (914) 422-4217, or emailing individual counselors or the general office address (careers@law.pace.edu).

Website and Career Guides: The CCPD and PILC Classes page and website contain information about their offices as well as a range of proprietary resources and career guides, including sample resumes and cover letters. On the website, you can also find a [link to Symplicity](#), the law school's proprietary job posting site.

Symplicity Career Service Management System: Symplicity is a state-of-the-art, online career service management program. Once registered, students may schedule initial 1L meetings; upload and save resumes, cover letters, and writing samples; access employer job postings and apply to jobs; and apply for on-campus interviews. Students may search for jobs by employer, class year, location, practice area, or any number of search criteria. All students who wish to use CCPD and PILC services must register on Symplicity and are encouraged to become familiar with this invaluable

tool. While all law schools have this database, each is populated with its own postings unique to each law school. Therefore, Pace Haub Law job postings are for Pace Haub Law students and alumni only.

University Non-Discrimination Statement: Pace University is strongly committed to maintaining a working and learning environment that is free from unlawful discrimination, harassment or retaliation. The University is an equal opportunity employer and an academic institution which strongly believes that all employment and academic decisions must be made without regard to an individual's sex, gender, gender identity, or gender expression; race; color; national origin; religion; creed; age; disability; citizenship; marital or domestic partnership status; sexual orientation; genetic predisposition or carrier status; military or veteran status; status as a victim of domestic violence, sex offenses or stalking and any other characteristics that may be protected by law. All University officers, administrators, supervisors, staff, faculty members, students, visitors and applicants, as well as vendors, consultants, contractors and others with whom the University does business are prohibited from engaging in discrimination, harassment or retaliation in violation of the Pace University Policy against Discrimination, Harassment and Retaliation (PDF) (the "Policy"). Consequently, any employer, including any employer hosting a student intern, that utilizes any service of the Center for Career and Professional Development is required to comply with the Policy. Any employer who fails to comply with the Policy will be prohibited from utilizing the services of the Center.

Questions: The CCPD and PILC are happy to respond to any questions about their services or Symplicity system. Please contact the CCPD at (914) 422-4217 or careers@law.pace.edu, and the PILC at publicinterest@law.pace.edu.

DEPARTMENT OF LAW SCHOOL INFORMATION TECHNOLOGY SERVICES

Information Technology Services (ITS) provides technical support to students, faculty, and staff. Support services are located on all main campuses of Pace University (NY, PLV, and WP).

Law School IT is located in Aloysia Hall room 302. The hours of operation for this location is 9:00AM to 5:00PM, Monday through Friday. These times are subject to change based on need and staffing; there may be altered summer and holiday hours. In-person IT assistance is provided by appointments only and can be coordinated with Law IT staff by placing a helpdesk ticket.

The ITS Help Desk can be contacted by the following methods:

- **Phone:**(914)773-7777
- **Toll Free (within U.S.A only):** 1(855)722-3487
- **Email:** pacehelpdesk@pace.edu
- **Online:** itshelpdesk.pace.edu

Hours of operation can be found on the [ITS webpage](#), along with additional support-related information for all campuses.

ITS information (including the information in this document) and additional web resources, are available in the Information Technology section of the Pace Law School website. To access this section, please direct your browser to the [ITS webpage](#).

Appropriate Use Policy for Information Technology: Please note that registered law students are responsible for reading and abiding by the Appropriate Use Policy. It is your responsibility to access the document on the [Information Technology webpage](#), or by searching for it on the [Pace University website](#). Should allegations arise which implicate a student in misuse of IT resources, it will not be deemed a defense that he or she was unfamiliar with the policy. Pace University reserves the right

to amend or otherwise revise this document as may be necessary to reflect future changes made in the IT environment.

Access to technical resources at Pace University School of Law is a privilege and carries with it a responsibility to protect those resources. It is the policy of this Law School and Pace University that all computing, telecommunications, and associated network facilities be used ethically and legally, in accordance with the University's mission and all applicable licenses and contracts. Students are not permitted to install, delete or otherwise modify the software or hardware on the computers in the Law Library or anywhere else at the Law School or University. Any use that would impede teaching, learning or research, hinder the functioning of the Law School or University, violate an applicable license or contract, damage community relations or relations with institutions with whom Pace shares responsibility, or violate federal copyright law, violates this policy. Violation of this policy may result in suspension of privileges to access the information technology involved, initiation of disciplinary procedures or, in extreme cases, criminal prosecution under federal or state law. Students are responsible for all usage that is done under his or her username. Students should never disclose their passwords to anyone else.

Accounts: Students are assigned MyPace accounts at the beginning of their first semester at Pace Law School for use through their entire law school tenure. There is a single login required for all Pace University resources. Your MyPace username account login will be required to identify yourself when accessing all resources on the intranet and network, including email, student-use workstations in the library, authentication on the wireless network, the MyPace Portal, and additional resources. Your MyPace username will be your initials followed by randomized numbers and a character (example: js12345w). If you do not know your MyPace username, you can search for it in the Pace University Directory.

Using the Pace University Directory to find contact information:

1. Go to the [Pace University webpage](#) and type your name in the field titled **Search by Name**
2. Select **Students** or **All** from the dropdown list under **Person Type** and click **Search**
3. In the **Results** pane, select the **View Details** link for your name from the list
4. Your contact information will open in a new window

All Haub Law School students are provided two email addresses – one is the Pace University username followed by @pace.edu (e.g. js12345w@pace.edu), and the other is their law school specific email address which is generally *first_initial_last_name@law.pace.edu* (e.g. JSmith@law.pace.edu). All email is delivered to the one mailbox at <http://email365.pace.edu> and is accessed by logging in with your Pace username and password.

Activating Your New MyPace Account: Before using any of the Pace online systems (email, wireless, Mypace portal, etc.), you must first activate your account. Once you have your username, direct your browser to [Pace's Adam webpage](#) and select account activation. This will involve setting up your new password and then choosing two secret questions and answers. The initial password format for new accounts will be the student's initials from their first and last name (lower-case), followed by a hyphen, and then their date of birth in MM-DD-YYYY format (add hyphens between month, day, and year). For example, if your name is John Smith, and you were born on January 3, 1998, your default password would be js-01-03-1998.

DUO Multifactor Authentication (MFA): Pace University uses Duo Multifactor Authentication (MFA) for access to designated applications, which helps to strengthen security measures and mitigate potential system access vulnerabilities. MFA, also known as 2-factor authentication, adds a second

verification step (or 2nd factor) by utilizing a mobile device possessed by the authorized Pace member seeking access to the application. Students will need to enroll one or more mobile devices (smartphones, tablets) for Duo Multifactor Authentication (MFA). For instructions on first-time device enrollment, visit Pace University's [Duo Multifactor Authentication webpage](#).

MyPace Portal: MyPace Portal provides access to student records, including grades and financial statements. Students will access the MyPace Portal to register for all classes. This is also where students can go to learn their “U” number—a numerical identifier that is used in place of Social Security numbers at Pace University.

To access MyPace Portal:

1. Go to [the Pace Portal](#) and log in using your MyPace Portal username, password and DUO passcode.
2. Click on the **Students** tab and explore to become familiar with the portal
3. To locate your U number click **Check your registration** status (for example), and you will see your U-number in the top-right corner of the page, to the left of your name.

Computer Resources: At Pace Law School students will use technology resources intensively, including word processing, on-line research, and email. There are computer facilities on the White Plains, Pleasantville, and New York campuses. All public use computers are configured to remove user information and data when logged off, shutdown, or restarted. It is very important that students remember to save all their work to other forms of storage.

White Plains Campus:

The Law Library has two computer labs and there are a few general access locations.

1. The main lab is on the first floor of the Library opposite the Circulation Desk. This lab has twelve computers and two networked printers.
2. The Law Library also has a computer lab on the third floor of the Glass Building with twelve computers. This lab is also used for teaching and training sessions in online research.
3. There are public access computers located in the carrels opposite the Reference Desk on the first floor of the Library. These computers print to the printer behind the Circulation Desk.
4. There are two computers in the Preston Student Lounge, one across from the registrar's desk, and other strategic locations throughout the campus.

Pleasantville and New York Campuses:

1. ITS maintains and manages several computer facilities on both campuses. See details and hours of operation for these campuses [Pace University's ITS Computer Labs webpage](#).
2. Library facilities on these campuses also have available computers and services. See details and hours of operation for their locations on the [Pace University Library webpage](#).

Student IT Resources: Learn about IT resources, access various systems and services on the [Student Technology Resources webpage](#).

Applications, Downloads, and Account Management: Apps/Download/Account Management Change, Unlock, or Reset your Password, and download MS Office, Skype for Business on the [Pace University Adam page](#).

PACE-WIFI and Pace Computer Access: Pace University MyPace usernames are required to access computers and related software in the Law Library, network printers, server storage and other network resources. This account is also required to connect to the wireless network on campus. For details on our wireless service and connection instructions visit the [Pace University Wireless webpage](#).

Student Printing: Pace University has implemented the Pharos Uni-Print solution to provide a "green", student-friendly approach to printing. Using the PaceOne Card or MyPace Account students can print, photocopy, and scan to email. Pace University provides the capabilities to print from any remote location and pick up materials from any designated print location. Students will receive a \$30.00 credit for printing at the start of the Fall, Spring, and Summer I semesters. To find out more visit the [Pace University Printing webpage](#).

Zoom: Please activate your Pace Zoom account. For information on how to activate your account and download your Pace Zoom client, please go to the [Pace University ITS webpage](#) that that has detailed instructions.

Exam4: Exam4 is an application that allows students to take final exams on personal laptops while locking down access to other applications on the computer. When exam time is near, you will receive an email to your Pace email account providing instructions on where and how to download the latest version of the software prior to your designated exam date.

LinkedIn Learning: Access a vast online library of instructional videos to improve your software, creative, and business skills on the [LinkedIn Learning webpage](#).

PaceAlert: Emergency Notification System: Register to receive emergency notifications via telephone, email and text messaging on the [Pace University Alert webpage](#).

ITS System Status: Find out about the latest IT related system outages, updates and news on the [ITS Status webpage](#).

OFFICE OF STUDENT AFFAIRS

Stephanie Desiato, Dean for Students, Nicole Rasco, Associate Director of Student Affairs and Residential Life, and Caroline Rosengarden, Student Affairs Administrator, support the development of community within the Law School.

Location and Hours: The office is located on the first floor of Aloysia Hall. We are open from 9:00 a.m.–5:00 p.m. with additional evening hours on Tuesdays. Students may schedule an appointment with the Dean or Associate Director by e-mailing studentaffairs@law.pace.edu.

Reasons to Visit Student Affairs

- You have a question, concern or problem and you are unsure where to go, or with whom to speak.
- You want to find out about services for students with disabilities and/or implementation of services.
- You are having personal problems that affect your academic performance.
- You need to miss classes or an examination due to an illness or another personal problem.
- You are a member of a student organization and have questions about your budget or hosting an event.
- You have suggestions or ideas about improving student life and would like to talk about it.
- You have financial concerns.
- You need to apply for a leave of absence.
- You are thinking about applying to transfer to another law school.

STUDENT ORGANIZATIONS AND ACTIVITIES

Student Organizations, representing many fields of interest, attempt to provide additional experiences that will aid in developing the individual. These groups offer opportunities for leadership, recognize scholarship, encourage citizenship and provide social experiences.

All recognized organizations fall under the jurisdiction of the Student Bar Association (SBA). The SBA Executive Board and Assembly are elected by the student body and are responsible for assisting in the policy-making decisions that affect organizations. All organizations are required to abide by all policies and decisions of the SBA and the administration. Please refer to the Student Organization Handbook on the [Student Organization website](#).

RESIDENTIAL LIFE

Community living is a valuable experience, which provides opportunities and rewards that will last a lifetime. Exposure to new people, ideas, cultures and ways of thinking create an environment ripe for growth and learning.

At Pace, our residential life program is centered in the belief that community living is an integral part of the total educational experience. The staff is committed to providing facilities, programs and services that complement your academic development and promote your personal and social development. Students are viewed as whole individuals working toward integration with others and enjoying the privileges of community membership, while accepting its inherent responsibilities.

Our programs, rules and guidelines are designed with your safety and welfare in mind. Residents are bound to follow the Guide to Community Living and the University's policies.

DINING SERVICES

The dining hall, operated by Chartwells Food Service, is located in Preston Hall. In addition to weekly specials that will be posted, a variety of daily items including hot and cold entrees will be available. For more information on campus dining, please visit the [Pace Eats webpage](#).

The dining hall is open:

Monday–Thursday	8:00 a.m.–6:30 p.m.
Friday	8:00 a.m.–2:00 p.m.
Saturday	9:00 a.m.–2:00 p.m.

TRANSPORTATION

Shuttle Bus: The Law School runs a shuttle bus that provides transportation from the lower parking lots to the law school buildings. In addition to the on-campus service, we provide transportation to and from the White Plains Metro North train station. The schedule can be found on the [Pace University Transportation webpage](#).

COUNSELING CENTER

[The Counseling Centers](#) at the New York City and Westchester campuses are here to help you manage the stressors and challenges that can arise during this time and support you as you achieve your goals and enhance your personal growth.

To make an appointment, please call (914) 773-3710 for the Pleasantville campus and (212) 346-1526 for the New York City campus. You can call the Counseling Center 24/7 to connect with a counselor.

The Counseling Center provides confidential services to registered Pace University students.

You do not have to call in advance to set up an appointment. Please feel free to come to our walk in hours. However, if you need to see someone sooner, please inform us and we will do our best to meet your needs. Walk-in hours are available virtually and in-person each weekday where students can connect with a counselor if there is a more urgent need.

- Westchester: (914) 773-3710 Screening Hours from 1:00 p.m. to 2:30 p.m.
- New York City: (212) 346-1526 Screening Hours from 12:30 p.m. to 2:30 p.m.

- For After-Hours emergencies:
 - Call the Counseling Center on your campus and follow the prompts to be connected to the after hours on-call counselor (Afterhours and Weekends):
 - New York City: (212) 346-1526
 - Westchester: (914) 773-3710
- Call 9-1-1 or go to your nearest emergency room
- Call the National Suicide Prevention Lifeline at 9-8-8
- Text HOME to 741741 to reach the [Crisis Text Line](#)
- Sexual Assault Resources (24-hour hotlines)
 - Victims Assistance: (914) 345-9111
 - Safe Horizons Rape and Sexual Assault: (212) 227-3000

Our services are confidential. This means that all information shared with a staff member and all written materials remain confidential unless you authorize, in writing, that information be communicated to specific others. The staff member, however, may disclose information deemed necessary to protect you or others from imminent physical danger, in cases where child abuse is evident, or upon court order.

The Counseling Center's policy on confidentiality is in accordance with the ethical standards of the American Psychological Association.

OFFICE OF STUDENT ACCESSIBILITY SERVICES (SAS)

Beginning a graduate career is an exciting and challenging experience. Assistance is available to students with disabilities through the Office of Student Accessibility Services (SAS) to enable you to have equal access to Pace University's educational programs and facilities.

The same rigorous admission and academic standards apply to students with or without a disability. In order to support the continued success of students with disabilities, the University prohibits discrimination on the basis of disability and is committed to providing equal access for students with disabilities to its facilities, programs, and activities. The University's commitment to equal educational opportunities for students with disabilities includes providing reasonable and appropriate accommodations for the needs of students with disabilities.

DISABILITIES AND ACCOMMODATIONS

Federal law, including the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, both as amended, as well as state and local laws prohibit institutions of higher education from discriminating against students with disabilities. The Americans with Disabilities Act recognizes an

individual with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

Students with, among others, visual, hearing, and mobility impairments; psychological disorders (including, but not limited to, specific learning disabilities, organic brain syndrome, attention deficit/hyperactivity disorder, emotional or mental health conditions, and other cognitive impairments); and chronic health conditions such as diabetes, heart disease, and HIV infection (whether asymptomatic or symptomatic) may be considered individuals with disabilities under applicable laws and may be eligible for reasonable accommodations.

Each student diagnosed with a particular disability will have a different level of functioning even within the same disability category. Further, compensation skills will also vary from one student to another and in the same student over time. Therefore, accommodations are determined on a case-by-case basis according to a student's documented needs, guidelines suggested by federal and state law, and criteria developed by the University.

Identifying and implementing a reasonable accommodation for a student with a disability is an interactive process that includes shared responsibility between the University and the student. Accommodations include, for example, academic adjustments or modifications, auxiliary aids and services, and adjustments to make the campus, residential housing and transportation accessible. Academic adjustments include such things as extended time to complete examinations, a distraction-reduced testing environment, permission to record classes, and course substitutions. Examples of auxiliary aids and services are note-taking services, readers and/or scribes for examinations, and sign language interpreters.

The University is required to provide a reasonable accommodation; it is not required to provide the specific accommodation requested by the student. In providing accommodations, the University is not required to lower or effect substantial modifications to essential requirements or to make modifications that would fundamentally alter the nature of the course, service, program or activity. Thus, for example, although the University may be required to provide extended time within which to complete a test, it is not required to change the substantive content of the test. Personal attendants, individually prescribed devices, readers for personal use or study, wheelchairs, hearing aids, and other devices or services of a personal nature are the responsibility of the student, not the University. Finally, the University is not required to make adjustments or provide auxiliary aids or services that would result in an undue burden on the University.

Funding for auxiliary aids and services may be available from certain state agencies such as, for example, the New York State Office of Vocational and Educational Services for Individuals with Disability. For those auxiliary aids and services that are likely to be funded by a state agency, the University may require the student to apply to the agency for funding. The University may provide assistance with the application for funding.

REQUEST FOR AN ACCOMMODATION

To request an accommodation for a qualifying disability, a student must self-identify and register with the Office of Student Accessibility Services for their campus. The Office of Student Accessibility Services is housed in the Counseling Center on both the New York City and Pleasantville campuses. The Office of Student Accessibility Services for the New York City campus may be contacted at (212) 346-1199. The Office of Student Accessibility Services for the Westchester campuses may be contacted at (914) 773-3201. Notifying other University offices, faculty or staff does not constitute giving notice to the University of a request for an accommodation. No one, including faculty, is authorized to evaluate the need and arrange for an accommodation except the Office of Student Accessibility Services staff. Moreover, no one, including faculty, is authorized to contact the Office of Student Accessibility Services on behalf of a student.

It is the student's responsibility to request an accommodation. Because some accommodations may take considerable time to arrange, students are urged to contact the Office of Student Accessibility Services in order to request an accommodation as soon as possible after receiving notice of admission to the University. Untimely requests may result in delay, substitution, or an inability to provide an accommodation. If a request for an accommodation is submitted late, the Office of Student Accessibility Services will, nevertheless, make every reasonable effort to process the request for an accommodation.

Before an accommodation will be provided, the student may be required to submit medical and/or other diagnostic information concerning the student's disability and limitations. If the information provided is unclear or incomplete, the student may be required to provide additional information or participate in further evaluations. The Office of Student Accessibility Services will, in conjunction with others as may be appropriate, evaluate the information provided by the student and health care providers; refer the student for additional testing and evaluation as may be necessary; make recommendations for the accommodations to be provided to the student; and, assist in arranging for the implementation of the accommodation to be provided.

If a student experiences difficulties with the implementation of the accommodation or, if after it has been implemented, a student has concerns that the expected results of the accommodation are not being met, the student must promptly notify the Office of Student Accessibility Services on the appropriate campus. The Office of Student Accessibility Services will, as may be appropriate, endeavor to remedy the situation. If a student disagrees with the accommodation recommended by the Office of Student Accessibility Services, he or she should promptly appeal the recommendation. If you wish to appeal the committee's determination, please provide your appeal in writing to the SAS Appeals Committee at sasappeals@pace.edu. Please include any documentation you would like the committee to review in addition to a personal statement of appeal including why you believe the determination was either unreasonable or did not meet your needs.

Faculty members who have concerns about a reasonable accommodation recommended by the Office of Student Accessibility Services for his or her class, should contact the Office of Student Accessibility Services on the appropriate campus.

Depending on the nature of the disability and the accommodation provided, a student may be required periodically to submit medical and/or diagnostic information demonstrating the current status of the disability and/or to renew the request for an accommodation.

Any questions about the services offered by the University to students with disabilities or the procedures for requesting an accommodation should be directed to the Office of Student Accessibility Services for the New York City campus at (212) 346-1526 or for the Westchester campuses at (914) 773-3201.

CONFIDENTIALITY

The information and documents provided to the University in support of a student's request for an accommodation shall be maintained as confidential. Individually identifiable information will not be disclosed except as may be required or permitted by law or pursuant to a release signed by the student.

COMPLAINTS OF DISABILITY DISCRIMINATION

If a student has concerns that they have been discriminated against because of a disability, they should contact the University's Affirmative Action Officer at (212) 346-1310 or (914) 773-3856.

UNIVERSITY HEALTH CARE

UHC offers a full range of primary health care services to Pace University students, faculty, and staff. UHC is staffed by Nurse Practitioners, who are advanced practice registered nurses (APRN).

Health care services available to Pace University students, faculty, and staff throughout the academic year include:

- Diagnosis and treatment of common illnesses such as sore throat, cough, or other infections and more
- Skin rashes
- Flu vaccines (during Flu season only)
- Health assessment with complete physical examinations
- Nursing and PA students clinical clearance and annual physical examination
- Women's health care
- Prescribing/refilling medication, except for controlled substances
- Ordering labs and radiology tests
- Management of chronic health problems
- Follow-up visits
- Referral to specialty care

Locations and Hours of Operation

New York City Campus

161 William Street
2nd Floor, Room 212
New York, NY 10038
Phone: (212) 346-1600

By Appointment Only. No Walk-in services.

Monday – Friday: 8:15 a.m.–5:00 p.m.

Closed Weekends.

Hours subject to change.

In the event of an emergency, please contact security: (212) 346-1800

Pleasantville Campus

Paton House – Ground Floor
861 Bedford Road
Pleasantville, NY 10570
Phone: (914) 773-3760

Monday – Friday: 9:00 a.m.–5:00 p.m.

Closed Weekends.

Hours subject to change.

In the event of an emergency, please contact security: (914) 773-3400

In the event a student or resident is diagnosed as having a medical condition or illness which poses the threat of transmission to or significant disruption of the community, in consultation with the Dean for Students, University Health Care may require the resident to vacate campus and his/her room until such time as it is determined that they may return.

NOTE: All students born after January 1, 1957 must show proof of immunity to Measles, Mumps, and Rubella.

HEALTH INSURANCE

We are pleased to announce the continuation of a program at Pace University that underscores the University's commitment to health and wellness and reaffirms our desire to enable you to complete your education at Pace without the worry of extreme financial hardship brought on by illness or injury.

The University has designed a mandatory [Student Accident and Sickness Insurance Plan](#) in partnership with Anthem for students attending Pace.

More information about the plan is available on the [Pace University Student Insurance](#) webpage.

Please note that the Accident/Sickness Insurance fee will automatically be included on your student invoice if you are a full-time student and must be paid with your tuition. For purposes of this plan, full-time is defined as being enrolled as a full-time day division student, paying full-time tuition.

If you have existing Accident and Sickness insurance coverage under another policy (self, parent, spouse, etc.) you may waive the mandatory Pace University coverage. The only way for you to waive the Pace University coverage is via the internet, using the PacePortal. Please print the confirmation page as proof that you have waived the coverage. **You must waive the Pace Insurance Plan each year you are enrolled.**

For details about **waiving the mandatory health insurance plan**, visit the [Pace University Health Insurance Waiver webpage](#).

Providing false information on an on-line waiver request, or letting existing coverage lapse without informing the University may result in a charge for Pace Insurance coverage to the student's account and/or disciplinary action. The University or its agent(s) reserves the right to verify information regarding alternate coverage provided by the student as part of his/her on-line request to waive out of the Pace Insurance Plan.

Domestic students who are taking 1 to 11 credit hours are not required to have health insurance but can enroll into coverage if needed. To enroll, visit the [Pace University Student Insurance webpage](#).

IMMUNIZATION POLICY

New York State Public Health Law requires that all college and university students enrolled for at least six (6) semester hours or the equivalent per semester, or at least four (4) semester hours per quarter to submit proof/documentation of immunization for measles, mumps, rubella and meningococcal disease. This is required to access campus.

These diseases are highly contagious and can present serious health problems. With proper immunizations, these diseases can be controlled. For detailed information on the NYS Public Health Laws 2165 and 2167, please visit the [NYS Department of Health website](#). You can also find out more about [NYS Public Health Law 2165](#) and [Adult Immunization](#).

Students will not be allowed to attend classes unless they are in full compliance with the requirements of the New York State Department of Health Public Health Laws regarding

Proof of Immunization

All students that will physically access campus must submit proof of vaccination through the [University Health Care Patient Portal](#).

Required Vaccines

MMR Vaccination

Acceptable proof of immunization must include one or more of the following:

Record of vaccination documenting:

- Two (2) doses of measles given after your first birthday and at least 28 days apart (the first dose is considered Day 0)
- Mumps: 1 dose after first birthday
- Rubella: 1 dose after first birthday

OR

A report of the results of a blood antibody titer test, for immunity for measles, mumps and rubella. All students must provide exact dates of receiving the MMR vaccine or a copy of the immune titer.

Meningitis Certification

Students must document that they either have received the meningitis vaccine of at least 1 dose of meningococcal ACWY vaccine within the last 5 years OR a complete 2- or 3-dose series of MenB.

Students that decline the vaccine must complete and submit a meningitis waiver signed by the student or student's parent or guardian, via the University Health Care Patient Portal. To submit the Meningitis Waiver Form, please follow the steps outlined below:

- [Log in to the Patient Portal](#)
- Select Request an Exemption
- Select Meningococcal ACWY or B
- Select Continue
- Upload the completed [Meningitis Waiver form \(PDF\)](#)

COVID-19 Vaccination

With the federal government's planned ending of the COVID-19 Public Health Emergency Declaration scheduled for May 11, 2023, the University is adjusting its COVID-19 guidance as of that date. The COVID-19 vaccine mandate will no longer be in effect, and proof of vaccination will no longer need to be submitted for students and employees. We strongly recommend that all community members continue to follow CDC guidelines for vaccination, which recommend that everyone be up to date with [flu shots](#) and [COVID-19 vaccines](#) including booster doses. For students, New York State immunization requirements remain in place for MMR and meningitis.

Please also note there may be additional vaccine or mask requirements for those in clinical placements or clinical research settings.

Please be aware that New York State immunization requirements may differ from those of other states, and you may need to receive additional vaccinations in order to be in compliance.

OFFICE OF SAFETY AND SECURITY

The Office of Safety and Security ensures the safety of students, faculty, staff, and visitors of Pace University by providing a 24-hours a day, 365 day per year security presence on our New York City and Westchester campuses. The Department of Emergency Management is responsible for the coordination of emergency response and continuity planning.

Pace University security provides a 24 hour-a-day patrol presence on campus. All security personnel receive mandatory pre-employment training in accordance with federal and state laws. They also receive additional in-service training on a monthly basis. Security officers respond to an array of situations during their tour of duty. These requests for service may include medical emergencies or response to a fire or intrusion alarm. Security officers prepare incident or accident reports, and refer matters to other Pace departments or outside agencies, as necessary.

Law School Security Office Preston Hall/Guard Booth 24/7 Dispatch	(914) 422-4300
Pleasantville Security Office Alumni Hall 24/7 Dispatch	(914) 773-3400
New York City Security Office 24/7 Dispatch	(212) 346-1800

The Security Department also provides the following services to the University community:

- Provides walking escort service between any two points on campus between dusk and dawn.

- Regulates all [parking enforcement](#) on campus.
- Preston Hall Security Office maintains a Central Station where fire and intrusion alarms, emergency telephone systems and closed-circuit TV cameras are monitored.

Crime Reporting: Consistent with legal requirements, members of the Pace community will be advised on a timely basis regarding the occurrence of crimes on campus.

Special security notices are prepared in the event that a crime is committed on campus and are distributed throughout the University. These notices provide the facts related to the incident and alert members of our community to prevent future incidents from occurring. Incidents can be reported to campus security 24 hours a day. The Safety and Security Department also maintains statistics on campus crime and disciplinary referrals relating to violations of the University drug, alcohol and weapons policy. Statistics are published on the Safety and Security website and on the Department of Education website.

Lost and Found: Pace assumes no responsibility for personal property missing from or lost on University premises. You should exercise care for all personal property including apparel, handbags, wallets, briefcases, office articles, books, pictures, laptops or equipment. Missing property should be reported to the Safety and Security Department, which makes every reasonable effort to help recover it. Anyone finding unidentified property should bring it to the campus Security Office immediately.

Fire Safety

- If you suspect or see a fire, sound the alarm, and evacuate the building by way of the nearest stairwell.
- Close doors behind you and never use the elevator unless directed to do so by emergency personnel.
- If thick smoke is encountered, increase your visibility by crawling low to the floor. Toxic chemicals from smoke can be deadly in minutes.
- Check doors and metal knobs to see if they are hot. If they are, do not open the door. Use a wet shirt or towel to cover the crack at the base of the door to prevent smoke penetration.
- Listen for announcements through the public address system in the event of an emergency.
- If you are trapped, go to the window to signal for help. If there is a phone, call security and 911 to report your location.
- Once you are out of the building, report location of individuals with disabilities or others needing assistance to emergency personnel. Assemble at least 100 feet from the effected building.
- Individuals with disabilities should look for areas of refuge like stairwells with fire doors or safe areas in classroom buildings.
- Please take fire alarms seriously and do not ignore them. Do not worry about taking personal property with you; time is of the essence.
- Take responsibility for prevention; follow all rules relating to fire safety.
- Tampering with smoke alarms, pulling false alarms or misusing fire protection equipment is a criminal act and will be prosecuted. University disciplinary proceedings will also take place. These are dangerous pranks and should be reported immediately.

WEATHER CLOSING POLICY

Occasionally, the University is confronted by the need to close or otherwise modify its programs, support services and student activities because of inclement weather or other reasons beyond the University's control. Closings are normally announced through the major radio stations in New York City and Westchester County and often appear on their websites. In addition, students can also check the Pace University home page, and/or call the Pace Events Phone (PEP) for school closing information.

Although classes are planned to commence and conclude on the dates indicated in the academic calendar, via the modalities (in person, remote, hybrid) and with the instructors listed in Class Schedules and elsewhere on the University's Website, publications and announcements, unforeseen circumstances may necessitate adjustment to class schedules and extension of time for completion of class assignments, and/or modification of teaching modalities, course instructors, location of classes, and modalities for delivering academic support services and student activities. Examples of such circumstances may include the risk of exposure to communicable diseases within or in the area surrounding the University, pandemics or epidemics, government emergency directives and/or actions, strikes, termination of contracts or cessation of services by vendors, faculty illness, malfunction of University equipment (including computers), unavailability of particular University facilities occasioned by loss of access to or damage to the premises, repairs or other causes, school closings because of inclement weather or force majeure. The University shall not be responsible for the refund of any tuition or fees in the event of any such occurrence or for failure of a class or academic support services or student activities, to be completed on the date originally scheduled or via the original modality, or with the original faculty or staff member or in the original location. Nor shall the University be liable for any consequential damages as a result of such a changes.

EMERGENCY ALERTS

Safety is a top priority for Pace University. One of the most important tools in an emergency, small or large, is timely communication. Pace Alert is the emergency notification system that delivers time-sensitive emergency notifications via text, email, and/or telephone to the Pace University community.

All active students, staff, and faculty are automatically enrolled in the Pace Alert system upon hiring or enrolling in courses. Your Pace University email address provided during the application or hiring process is added to the system.

To update your preferences, add your mobile phone number, register supplemental contact information, update your contact information, or opt out of receiving messaging, [Pace University Alerts webpage](#).

Emergency Closing Information Lines

New York City Campus

Phone: (212) 346-1953

Pleasantville and Haub Law Campuses

Phone: (914) 773-3398

DISCIPLINARY AND GRIEVANCE PROCEDURES

General Statement of Policies: The University reserves the right, at its sole discretion and with or without prior notice, to promulgate new academic and nonacademic rules, policies and practices, as well as to amend or rescind existing academic and nonacademic rules, policies and practices. By applying for enrollment and by enrolling each applicant and enrolled student, respectively, agrees to be bound by all of the University's rules, policies, practices, including, without limitation, the Guiding Principles of Conduct. Applicants and enrolled students who fail to comply with the University's rules, policies and practices are subject to discipline that may include, but is not limited to, denial of admission, denial of academic credits or a degree, suspension and/or dismissal from the University.

Academic Integrity: Students are required to be honest and ethical in satisfying their academic assignments and requirements. Academic integrity requires that, except as may be authorized by the instructor, a student must demonstrate independent intellectual and academic achievements. Therefore, when a student uses or relies upon an idea or material obtained from another source, proper credit or attribution must be given. A failure to give credit or attribution to ideas or material

obtained from an outside source is plagiarism. Plagiarism is strictly forbidden. Every student is responsible for giving the proper credit or attribution for any quotation, idea, data, or other material obtained from another source that is presented (whether orally or in writing) in the student's papers, reports, submissions, examinations, presentations and the like.

Individual schools and programs may have adopted additional standards of academic integrity. Therefore, students are responsible for familiarizing themselves with the academic integrity policies of the University as well as of the individual schools and programs in which they are enrolled. A student who fails to comply with the standards of academic integrity is subject to disciplinary actions such as, but not limited to, a reduction in the grade for the assignment or the course, a failing grade in the assignment or the course, suspension and/or dismissal from the University.

Guiding Principles of Conduct: The primary functions of an institution of higher learning are teaching, learning, scholarship and service. Each member of the University community is required to cooperate with the University in its endeavors to foster and maintain the freedom of expression and exchange of ideas necessary to achieve excellence in teaching, learning, scholarship and service. The University strives to protect the rights of its students and employees (including faculty members) to publicize opinions through written and oral communications; to organize and join political associations; to convene and conduct meetings; and to advocate, demonstrate and picket in an orderly fashion. Further, members of the University community are responsible for fostering and maintaining respect for the dignity and uniqueness of one another.

In order to preserve an atmosphere in which a free exchange of ideas may flourish, and to ensure the dignity and safety of all members of the University community as well as the unimpeded operation of the University (and as required by federal, state and local laws including, without limitation, N.Y. Educ. Law § 6430), the University has adopted the Guiding Principles of Conduct.

The University Guiding Principles of Conduct applies to all members of the University community including, among others, employees, faculty members, students, applicants for academic admission and employment, visitors, guests, vendors, contractors, and other third parties while they are on University premises or at University-sponsored activities. References to "University premises" in these Guiding Principles of Conduct apply to premises either owned or leased by the University.

The Guiding Principles of Conduct are not exhaustive and include, but are not limited to, the following:

1. Civility, Responsibility and Respect

- Faculty, staff, and students are to respect the dignity of others, acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, inquiry and instruction, and free expression on and off campus. These freedoms of expression extend as far as the expression does not infringe on the rights of other members of the community or the orderly and essential operations of the University.
 - A. Compliance: Members of the University community must comply with the directions and expectations of Faculty and Staff regarding reasonable standards of behavior in classes, University Offices, and/or at University events and programs.
 - B. Compliance with University Administrators: Members of the University community are required to comply with the instructions of a University administrator, or other duly authorized agent of the University, too, for example, display or present identification. Members of the University community are also required to evacuate University premises and University Sponsored events when directed to do so by authorized personnel or mechanical device (such as a fire alarm).
 - C. Academic Freedom: Interference with academic freedom, including speech in the classroom and by University approved guest speakers, is prohibited.

- D. Lewd Conduct: While on University premises or at University-sponsored events, members of the University community must not dress or conduct themselves in a manner that would be considered lewd or indecent.
- E. Demonstration and Rallies: Strict compliance with the [University's policies and procedures concerning demonstrations and rallies](#) is required.
- F. Information Technology: Strict compliance with the University's policies and procedures concerning the appropriate use of information technology is required.
- G. Postings: Prior approval from the appropriate University administrator must be obtained before any materials or documents may be posted or distributed on University premises or at University-sponsored events.
- H. Recordings: Video recording/audio recording, including, but not limited to, cell phones, tape recorders or any other devices may not be used without appropriate prior authorization.
- I. University Operations: Obstruction of or interference with the normal operations and processes essential to the University is prohibited.
- J. Unfavorable Conduct: Conduct on or off campus in a manner that reflects harmfully or unfavorably on the University's good name and reputation is prohibited.
- K. Financial Obligations: Members of the University community are required to timely satisfy their financial obligations to the University, including, but not limited to, amounts due to the Office of Student Accounts, the University bookstore, the University library, University housing, the Student Development Office, and Safety and Security.

2. Theft, Vandalism or Property Damage

- A. Theft: The taking of another person's property and /or University property or services without permission or consent is prohibited.
- B. Willful destruction/damage: Willful destruction, misuse of, and/or damage to another person's property and/or University property and/or property utilized by the University shall be prohibited.

3. Weapons

- A. Weapons: The sale, purchase, possession or use of incendiary devices, explosives, or dangerous weapons (including any item or material which could be used to inflict injury or harm or to intimidate) on university premises or at university-sponsored events is prohibited.
- B. Toy and Imitation Weapons: Toy weapons, explosives, and firearms meant for recreational use and realistic-looking imitation weapons are prohibited in residence halls and on campus grounds, unless they are part of an event approved by the Office of the Dean for Students.

4. Alcohol and Other Drugs

- A. Alcohol
 - 1. Underage Alcohol Use: Consumption of alcohol by any member of the University community who is under the age of twenty-one is illegal and prohibited on University premises and at university-sponsored events. Supplying alcohol in any quantity to a member of the University community who is under the age of twenty-one is illegal and prohibited. (Further information may be found in the University's [Drug and Alcohol Policy](#).)
 - 2. Intoxication: Members of the University community are not permitted to be intoxicated, or to become intoxicated, while on university premises or at a University-sponsored event.
 - 3. Alcohol at University Events: Even though its possession or consumption may otherwise be lawful, alcohol, except in limited circumstances, is not permitted on University premises or at

University-sponsored events unless approved by the Dean for Students Office.

4. In the Presence of Alcohol: Students under the age of twenty-one should not be in the presence of Alcohol.

B. Drugs

1. Sale of Drugs: The unlawful sale, distribution and/or manufacture of controlled substance and/or drug paraphernalia on University premises or at University sponsored events is prohibited. (Further information may be found in the [University's Drug and Alcohol Policy](#).)
2. Possession of Drugs: The unlawful possession of controlled substances and/or drug paraphernalia on University premises or at University sponsored events is prohibited. (Further information may be found in the University's Drug and Alcohol Policy.)
3. Use of Drugs: The use of controlled substances and drug paraphernalia on University premises or at University sponsored events is prohibited. (Further information may be found in the University's Drug and Alcohol Policy.)
4. In the Presence of Drugs: Persons not using or possessing controlled substances and/or drug paraphernalia, should not be in the presence of those who are.

5. Physical and/or Mental Harm

- A. Cause Injury: Deliberate actions that cause, or might reasonably be expected to cause, injury, either physical or mental, to any member of the University community are prohibited.
- B. Violence: Engaging in any act of physical force that causes or is intended to cause harm is prohibited on or off campus. This may include physical restraint, assault, or psychological harm.
- C. Intimidation: Intentional behavior by a student or group of students that puts another student or group of students in fear of harm of person or property is prohibited on or off campus.
- D. Bias: Engaging in violence or intimidation against another person or destroying property because of bias or prejudice, whether on or off-campus, or at a University-sponsored event.
- E. Hazing: Any action or situation which recklessly or intentionally endangers the safety or mental or physical health of any member of the University community or involves the forced consumption of alcohol or drugs for the purpose of initiation into or affiliation with any organization is prohibited on University premises and at University-sponsored events. In addition, such conduct by students and employees (including faculty), whether on or off University premises or at University-sponsored events, also is prohibited.

6. Solicitation and Gambling

A. Solicitation

1. Solicitation by Student: Solicitation by students, student clubs and student organizations including, but not limited to, fundraising, on University premises or in connection with a University-sponsored event is prohibited without the prior approval of the Director of Student Engagement and/or Dean for students Office.
2. Selling of Goods: The solicitation of goods or services by one staff member to another during regularly scheduled work time is prohibited. Selling commercial goods and distributing promotional information and handbills in regular work areas is also prohibited. (A [copy of the Solicitation and Distribution policy](#) may be found in the Pace University Employee Handbook.)

3. 3rd Party Solicitation: All people who are not Pace University community members such as applicants for academic admission and employment, visitors, guests, vendors, contractors and other third parties, are prohibited from soliciting and/or distributing on University premises or in connection with University-sponsored events without prior approval from the Office of Safety and Security.
- B. Gambling: Gambling is not permitted on University premises or at any event sponsored by a student group or organization, unless approved by the Director of Student Engagement and/ or the Dean for Students Office.

7. Falsified Documents

A student may not knowingly provide false information or engage in misrepresentation to any University office/official. In addition, forgery, alteration, or unauthorized possession or use of University documents, records, or instruments of identification, forged or fraudulent communications (paper or electronic mail) are prohibited.

8. State/Local/Federal Law

Conduct by a student, faculty or staff member that violates local, state, or federal laws may also constitute a basis for disciplinary action by the University.

9. Overall Compliance

Strict compliance with all rules, policies and practices promulgated and/or adopted by the University is required.

Any member of the University community who violates the University's rules, policies or practices, including, among others, the Guiding Principles of Conduct, may be subject to disciplinary action (including without limitation immediate ejection from University premises and/or University-sponsored events) and/or to legal actions. Similarly, any recognized club or organization that violates its constitution and/or by-laws, or authorizes conduct prohibited by the University's rules, policies or practices may be subject to disciplinary action (including without limitation rescission of approval for that club or organization to operate on University premises or at University-sponsored events, whether on or off University premises). As may be necessary, the University may request the assistance of law enforcement agencies to maintain order and/or may seek injunctive relief.

DISCIPLINARY PROCEDURES AND HEARINGS

Student Resolution Options and Procedures

Students who are subject to the University's student conduct process because of an alleged violation of the Guiding Principles of Conduct or other practice or policy of the University may elect to resolve the charges by an Administrative, Informal, or a Formal Resolution. Administrative Resolution is for first time and low-level violations of the Guiding Principles of Conduct. If the Administrative Resolution does not result in an agreement of the charges for which the student accepts responsibility and the sanctions to be imposed, the student may elect to have the alleged charges resolved through an Informal Resolution. Formal Resolution is only reserved for incidents where a student may be separated from the university (suspension, residence hall removal/ban, or expulsion).

Terms and Procedures for Case Resolution

Interim Action Policy

The University may impose interim action, including interim suspension, when a student's conduct threatens personal safety or property, or interferes with the essential operations of the University. This action may also be taken if a student, after being warned by University faculty, staff, or administrators, continues to violate University rules and regulations. If necessary, the University may

take steps to remove the student from its premises and involve civil authorities if required. Interim actions will follow the procedures outlined below:

Conditions for Interim Action

Interim suspension may be imposed to address:

- Threats or danger to personal safety
- Physical Violence or Cause Injury
- Damage to property
- Interference with University operations
- Continued violation of rules despite warnings

Authorization of Interim Action

Interim actions are authorized by the Vice President for Student Affairs and Dean for Students. In the Vice President's absence, the Associate/Assistant Vice President or another designated officer may authorize such actions, following consultation with appropriate staff.

Notification Process

1. Immediate Notification

- The University officer initiating the interim action must notify the Dean for Students for the respective campus as soon as practicable.

2. Written Notice to the Student

- Within 10 business days of the incident, the Dean for Students must send the student written notice via University email. The notice will include:
 - Details of the interim action (termination, continuation, or modification).
 - The substance of the disciplinary charge, if applicable.
 - A request for the student to indicate their preferred resolution process (Informal or Formal Resolution).

Review and Contestation of Interim Action

1. Review by the Dean

- The Dean for Students will determine whether the interim suspension will continue, be modified, or terminated.
- Interim suspension may affect a student's enrollment and/or residence hall status.

2. Student Contestation

- The student has 72 hours or 3 business days to contest the interim suspension in writing.
- If the Dean does not terminate the interim suspension within 3 business days of receiving the student's written response, the matter will proceed to resolution.

Resolution Procedures

1. Informal or Formal Resolution

- The student may choose either an Informal or Formal Resolution process, as outlined in the University's Procedures for Disciplinary Resolution.

2. Failure to Respond

- If the student fails to respond to the Dean's notice within the specified timeline, the Dean may schedule a Formal Resolution meeting.
- Written notice of the Formal Resolution meeting will be sent to the student at least 10 business days before the meeting date. This notice will be delivered via university email.

3. Continuation of Interim Suspension

- Interim suspension remains in effect until the resolution process is completed or the Dean determines it is no longer supported by sufficient evidence.

Delivery of Notices

All notices to the student will be delivered via University email. If necessary, notices may also be sent via certified mail to ensure delivery and documentation.

This policy ensures that interim actions are applied judiciously and with procedural fairness, safeguarding the rights of the student while maintaining the safety and integrity of the University community.

Types of Resolutions

The university offers multiple pathways to resolve disciplinary issues, with varying levels of formality and negotiation. If a student does not agree to the outcome of the initial administrative process, they have the chance to pursue other options for resolving the charges. The Office of Community Standards reserves the right to have a case designated as an informal or formal resolution if separation from the residence halls or the university is a potential sanction for a student.

Administrative Resolution

For first time/low-level offenses, students will be offered to resolve their case through an administrative resolution option. The Case Resolution Facilitator (CRF) and the student attempt to reach an agreement about the violation/charges and the appropriate sanction(s) if applicable. This is done by the CRF sending a letter to the student's email address with a finding of responsible or not responsible with appropriate sanctions if applicable. If the student agrees with the findings, then the case is closed. Administrative resolution outcomes are not eligible for appeal once agreed upon.

If an Agreement is Not Reached

If the Administrative Resolution does not result in an agreement about both the violation and the sanction, the student can proceed Informal Resolution. This provides a path for the student to dispute or negotiate the charges further and the right to appeal.

Informal Resolution: This is a less formal process where the student and a CRF meet 1 on 1 to resolve the issue outside of a formal hearing. The student can provide their perspective and the CRF may have questions. Decisions and sanctions may be appealed.

Separation level (suspension, residence hall removal/ban/expulsion) cases can be resolved through the Informal Resolution Process. This is the Office of Community Standards & Compliance designated approach in all repeat/higher level/ or separation level cases unless the student requests for a Formal Resolution Hearing. Students will be given this option in their meeting with the CRF. If student declines, it will proceed through the Informal Resolution Process.

Formal Resolution: A more structured process, involving a hearing, where a formal decision is made regarding the violation and the consequences. This may include two CRF's being present as decision makers. Both respondent and complainant participate and may cross examine each other. This is only reserved for cases that may warrant separation from the university or residence halls.

Informal Resolution

1. Role of the Case Resolution Facilitator

- The Case Resolution Facilitator (CRF) is the individual responsible for overseeing the Informal Resolution process.
- Their main task is to investigate the alleged violation of the university's Guiding Principles of Conduct and/or Guide to Residential Living.

2. Meeting with the Case Resolution Facilitator

- The student will meet with a conduct administrator (an individual responsible for overseeing disciplinary matters) to discuss the situation surrounding the alleged violation

3. Investigation Process

- To conduct the investigation, the Case Resolution Facilitator may gather evidence and information through:
 - Interviews with the alleged respondent (the student accused of the violation) and witnesses who may have relevant information about the case.
 - A review of written statements provided by the respondent, witnesses, or others involved.

- An examination of the alleged respondent's student file, which could include previous disciplinary records or academic history, if applicable.

4. Determination of Violation and Sanction

- After gathering and reviewing the relevant information, the Case Resolution Facilitator will decide if a violation of university policies occurred.
- They will also determine what, if any, disciplinary action is necessary based on their findings.

In short, the Informal Resolution involves a fact-finding process led by the Case Resolution Facilitator, who investigates the situation, evaluates whether a violation occurred, and decides what disciplinary measures, if any, should be applied.

Formal Resolution

1. Adversarial Nature of the Resolution

- The Resolution is not a formal trial, so it does not adhere to strict legal rules of evidence.
- The Case Resolution Facilitator has the discretion to determine what is just, fair, and reasonable regarding the relevance and materiality of evidence and how questioning is conducted.

2. Procedural Guidelines

- **Opening and Closing Statements:** Each party involved (the complainant and the alleged respondent) will have an opportunity to present an opening and closing statement.
- **Order of Testimony:**
 - The reporting party and their witnesses will present their case first.
 - The alleged respondent will have the chance to testify and present evidence, but they are not compelled to testify, and no negative inference will be made if they choose not to testify.
- **Questioning of Witnesses:** Each party can ask questions of adverse witnesses (witnesses presented by the other party).

3. Observers and Advisors

- **Observers:** Each party may have two observers (in addition to their advisor). Observers can be non-university members (family, friends, parents, etc.).
- **Advisors:** If any party plans to have an attorney as their advisor, they must notify the Case Resolution Facilitator 72 hours (about 3 days) in advance, allowing for the presence of University Counsel.

4. Evidence and Decision-Making

- The decision will be based solely on the evidence presented during the Formal Resolution meeting, including the alleged respondent's student file.
- The Case Resolution Facilitator will make a decision based on the preponderance of credible evidence, meaning the decision is made based on what is "more likely than not."
- The complainant carries the burden of proof, meaning they must show it is more likely than not that the alleged respondent committed the violation.

5. Non-appearance or Departure of the Alleged Respondent

- If the alleged respondent fails to appear at the meeting, the Case Resolution Facilitator may either postpone the meeting or proceed with a decision based on the available record.
- If the alleged respondent walks out during the meeting voluntarily, the session will continue, and no negative inference will be drawn from their departure."

6. Recording and Documentation

- A recording of the meeting will be made at the university's expense and maintained for seven years. Parties involved can request a copy of the recording or a transcript at their own expense.
- Written Decision: The written decision will be forwarded to all parties within five business days after the conclusion of the meeting, and it will be recorded with the Dean for Students at the appropriate campus.

The Formal Resolution provides a structured process where both parties present their case, the Case Resolution Facilitator oversees questioning and evidence, and the decision is made based on a fair preponderance of evidence. There are specific provisions regarding observers, advisors, evidence handling, and the appearance or non-appearance of the alleged respondent. The process is recorded and documented, and decisions are issued within five business days.

Non-Admission Resolution

This option provides an alternative for students facing both university disciplinary charges and related criminal charges.

1. Eligibility and Purpose

- The Non-Admission Resolution option is available to students who are facing both university disciplinary charges (for violating the university's rules) and criminal charges (related to the same incident).
- This option allows the student to negotiate the charges and the sanctions without admitting or denying the charges. The student can work out a resolution for the disciplinary matter without formally taking responsibility for the alleged misconduct.

2. Resolution Process

- In this process, the student can negotiate the charges they are willing to accept and the sanctions to be imposed, but without admission of responsibility for the charges.
- Even though the student does not admit guilt, the university will treat them as if they had accepted responsibility for the charges in any future disciplinary proceedings.

3. No Appeal

- The decision made through the Non-Admission Resolution process cannot be appealed. This is an important distinction, as it limits the student's ability to challenge the outcome once the resolution is agreed upon.

4. If Negotiation Fails

- If the student and the hearing officer (the individual overseeing the process) cannot agree on the charges or sanctions, they can resolve the disciplinary matter through an Informal Resolution or a Formal Hearing.

5. University's Discretion

- The university has the sole discretion to deny a student's request to use the Non-Admission Resolution option. This means that the university can choose not to allow the student to proceed with this option if they determine it is not appropriate.

The Non-Admission Resolution provides students facing both university and criminal charges an option to resolve their disciplinary matter without admitting guilt. The student negotiates the charges and sanctions, but this process cannot be appealed. If an agreement isn't reached, the student can choose other forms of resolution, such as an Informal or Formal Hearing. The university also has the discretion to deny this option.

Advisors in Case Resolution Meetings

Advisors who attend case resolution meetings must adhere to the following guidelines:

1. Pre-Meeting Contact

- Advisors must contact the Case Resolution Facilitator at least 48-hours prior to the scheduled meeting to discuss their role and ensure they understand the meeting protocols.

2. Participation Limitations

- Advisors may not disrupt the proceedings in any way, and are not allowed to speak during the meeting at any time.
- If an Advisor wishes to speak privately with the student they are advising, they must wait until the Case Resolution Facilitator or other participants have finished speaking. The Advisor should then request permission from the Case Resolution Facilitator to briefly address the student privately (via break out rooms in Zoom or a private area) before the meeting continues.
- The reporting party and their witnesses will present their case first.
- The alleged respondent will have the chance to testify and present evidence, but they are not compelled to testify, and no negative inference will be made if they choose not to testify.
- Questioning of Witnesses: Each party can ask questions of adverse witnesses (witnesses presented by the other party).
- Observers in Formal Hearings are only allowed to observe and may not interrupt at any time during the meeting.
-

3. Disruptions and Consequences

- Advisors must not disrupt the proceedings. Disruptive behavior includes, but is not limited to:
 - Speaking over the Case Resolution Facilitator.
 - Engaging in argumentative or combative verbal exchanges with the Case Resolution Facilitator.
 - Making statements or outbursts impedes the flow of the meeting.
- If the Advisor disrupts the meeting, the Case Resolution Facilitator may ask them to leave, and the meeting will proceed without the Advisor present.

Resolution Sanctions

If the Case Resolution Facilitator determines that the student has committed a violation(s), a sanction will be imposed. The sanctions that may be imposed include (but are not limited to) the following:

- **Admonition:** A verbal warning that a student's conduct is improper or violates University rules or regulations coupled with a direction to cease and desist.
- **Reprimand:** A formal written notice that the student has engaged in improper conduct and a warning that subsequent violations may result in more severe disciplinary action.
- **Restitution:** Restitution may include payment to an individual or to the University to cover the cost of damage, destruction, defacement, theft, or unauthorized use of property. Students found responsible through the student conduct process will have all restitution payments added to their University Student Account.
- **Fine:** A monetary amount assessed as a penalty for improper conduct or violation of University rules and regulations. Fines for specific violations are enumerated in University publications (i.e., Catalog, Student Handbook, Guide to Residential Living).
- **Educational Sanction:** Community restitution or required participation in a project or activity, either within or outside the University, during a period and in a manner consistent with the nature and severity of the violation(s) as determined by the Case Resolution Facilitator in consultation with appropriate university personnel.
- **Restriction or Revocation of Privileges:** Alteration, limitation or revocation of certain privileges associated with membership or participation in the University community for a specified or indefinite period of time. Examples of such privileges include but are not limited to: entering University property or facilities; use of or participation in programs, activities, events and services on or off campus; membership, election to or holding office in a club, organization or society; representing the University on a committee or in a program or activity; operation or parking of a motor vehicle on University premises; visitation by guests;

participation in recreational, intramural or varsity athletic programs; use of University technology resources.

- **Probation:** Specified or indefinite period during which infraction-free conduct must be maintained coupled with a warning that subsequent improper conduct or violation of University rules or regulations may result in more severe disciplinary action including separation from residence and/or the University. [May include restriction and/or revocation of privileges as described above as well as winter/summer housing and room selection].
- **Suspension:** A suspended student will be temporarily deprived of all rights and privileges normally afforded to an enrolled student. Separation from a residence hall, class, or classes and/or University facilities or premises and revocation of rights and privileges is for a specified period between one day and a full academic year. Conditions may be placed on the student's return. In the case of Suspension from the University the sanction may be recorded in the student's academic record. A student may be suspended from residence and not from the University.
- **Dismissal:** A dismissed student will be separated from residence or from the University community for a period of no less than one full academic year. A student may be dismissed from residence and not from the University. In the case of Dismissal from the University, the sanction may be recorded in the student's academic record. Conditions may be applied, and reinstatement of residence or as an enrolled student must be in the form of a petition, in writing to the Dean for Students.
- **Expulsion:** The most severe form of disciplinary action. An expelled student may not return to residence and/or the University. The student is permanently separated and loses all rights and privileges associated with membership in the University community. In the case of Expulsion, the sanction may be recorded in the student's academic record. The decision to expel a student may be made only by the Director of Residential Life or higher authority in the case of expulsion from residence, or the Dean for Students or higher authority in the case of expulsion from the University.

Evidence shows the irresponsible use of alcohol (by students underage and students drinking hard liquor) increases the risk of harm to themselves and others. Therefore, more severe sanctions will be imposed upon any student found to have distributed alcohol or consumed it in excess as well as on students that consumed or distribute illegal drugs or medication that are not prescribed.

The chart below shows examples of violations and the associated point values. Points are assigned within a given range based upon the circumstances of the specific incident. This list is not inclusive of all violations. All sanctions are subject to the discretion of the Case Resolution Facilitator (CRF).

Factors that may be considered when determining a resolution sanction(s):

- Nature, scope, and severity of violation(s)
- Impact on the individual(s) involved and/or on the residence or University community
- Aggravated, intentional, repeated, or multiple violation(s)
- Disciplinary and civic history
- Acknowledgement of accountability / responsibility for improper conduct
- Remorse, cooperation

When a student is separated from the University for disciplinary or academic reasons or violation of the Academic Integrity code, prior to the end of a semester, or officially withdraws from any course or courses, regardless of the method of instruction, by filing a written notice at the Student Accounts office by accessing Pace University's Voice Response System, or withdraws using the Student Accounts website, cancellation of tuition, student activity and special course fees only will be made. Please note: Application, general institution, and installment fees are non-refundable. Housing and meal plan fees are governed by the Housing Agreement. Cancellations will be made according to the Tuition Cancellation Policy Schedule shown in the respective term Class Schedule Booklet.

The University is under no obligation to delay or forego its disciplinary process or the imposition of any disciplinary sanction pending the investigation or proceedings involving criminal charges or a civil action.

Disciplinary sanctions which do not restrict or revoke a student's rights or privileges or otherwise affect the student's status as enrolled; or sanctions applied as a result of informal resolution as described in the Student Handbook may not be appealed.

Nothing in the preceding guidelines should be construed as limiting or preventing in any way, the right or authority of other officials of the University to take necessary and appropriate action, which affect students consistent with the officials' stated, published, or implied role or responsibility.

Furthermore, a Dean for Students may take disciplinary action in cases where they observe a student violating rules or regulations, or the terms of a previously applied disciplinary sanction, without following the disciplinary procedures described in the Student Handbook. If a staff member reports to the Dean that they observed a student violating a previously applied sanction, the Dean may impose additional sanctions without following the disciplinary procedures in the Student Handbook.

In the case of single, multiple, or repeated violations the Case Resolution Facilitator may apply one or more sanctions of varying severity up to and including the level of their designated authority. A resolution sanction may be instituted immediately or put in abeyance pending appeal.

Process for Appeal of a Resolution Action

A student, who is found responsible of violating a University regulation and subsequently disciplined, may request an appeal through the Student Conduct Online system Guardian. Instructions for the appeal process are listed within the decision letter via email from the Case Resolution Facilitator. Appeals will only be accepted through the Guardian system within five (5) regularly scheduled class days following the date the student receives notification of the Case Resolution Facilitator's decision. There are 4 grounds upon which a student may appeal a decision as a result of a disciplinary resolution:

- **Procedural Error:** A material deviation from established procedures that likely affected the outcome.
- **New Information:** not known previously to the student, is sufficient to require that the decision and/or sanction be modified or vacated.
- **Disproportionate Sanction:** Sanction is clearly outside the institution's sanctioning norms for the conduct and context.
- **Conflict of Interest or Bias:** The Case Resolution Facilitator or decision maker has a bias or a conflict of interest in relation to the respondent or complainant in the matter.

Non-grounds examples: Disagreement with outcomes or credibility assessments without showing clear error; dissatisfaction with sanctions within range; attempts to reargue admitted/available evidence; new witnesses available but not used without good cause.

The officer considering the appeal reserves the right to modify the decision of the Case Resolution Facilitator. As soon as practicable, the decision on appeal will be made and a new decision letter will be emailed to the student.

Releasing Resolution Information

Details relating to the resolution proceeding, the decision and the names of the individuals involved will not be made available except as required for internal University purposes or as required by law, or when charges are made, or proceedings instituted by or against the University or any member of the University community in courts or governmental agencies. The University shall notify both the accuser and the accused of the outcome (final determination with respect to the alleged sex offense and any sanction that is imposed) of any campus resolution proceeding brought alleging a sex offense.

Time Limits

An alleged violator who elects to have a charge resolved by an Informal Resolution may waive the two (2) business day advance Notice of Charge requirement. All other time limits contained in the foregoing Resolution Procedure may be extended by mutual written consent of the complainant and

the alleged violator, or by the Case Resolution Facilitator or the decision maker(s) considering an appeal.

DRUG AND ALCOHOL POLICY

As members of the Pace University community, students are responsible for knowing and complying with all University policies, practices, and procedures. These policies may be found in various locations, including, but not limited to, the online [Student Handbook](#).

In accordance with legal requirements, the University distributes certain policies and information to students and other members of the Pace University community.

Students who have questions regarding these policies and information, or any University policy, practice, or procedure, are encouraged to seek clarification from the Dean for Students on their respective campus.

The University reserves the right to amend its policies, practices, and procedures at any time, with or without prior notice. When practicable, the University will endeavor to provide advance notice of such changes. Students are responsible for remaining informed of updates to existing policies, as well as the implementation of new policies and procedures.

Policy Statement

Pace University is firmly committed to maintaining a healthy and safe environment for all members of the University community. The unlawful use of alcohol or drugs, or any use that violates this Policy, will not be tolerated.

University policy strictly prohibits the unlawful use, possession, sale, distribution, or manufacture of alcohol and controlled substances on University property or at University-sponsored programs and activities. Additionally, except in limited circumstances outlined below, alcohol is not permitted on University property or at University-sponsored programs and activities, even when possession or consumption may otherwise be lawful.

There are two limited exceptions to the prohibition on the possession and consumption of alcohol on University property and at University-sponsored programs and activities. The first exception permits the moderate possession and consumption of alcohol at University-sponsored programs and activities by individuals who are legally permitted to do so, provided that prior written approval has been obtained from the appropriate University representative. The second exception allows students who are at least 21 years of age or older to consume alcoholic beverages of no more than 12% ABV and no more than 72 ounces in volume in the privacy of their room. Neither the volume nor the percentage of alcohol by volume may exceed these amounts.

This Policy applies to all members of the University community, including students, faculty, and staff, as well as contractors, vendors, licensees, invitees, and visitors.

This Policy complies with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act and is distributed to all students, faculty, and staff.

Controlled Substances and Alcohol

The illegal use of controlled substances and alcohol and the abuse of alcohol and prescription drugs may lead to permanent health conditions including, but not limited to, disorders of the central nervous system, reproductive functioning, cardiovascular and pulmonary systems, and endocrine functioning. In addition, there may be both short-term and long-term effects on cognition, memory, retention, information processing, coordination, athletic performance, academic performance, and the exercise of judgment.

Controlled Substances

All drugs, whether illegal or prescribed, alter the chemical balance of the body. The misuse of drugs may lead to addiction and even death. Drug addiction and abuse can cause serious damage to the brain, stomach, lungs, liver, kidneys, heart, and the immune and reproductive systems.

Possession of a Controlled Substance

Under federal law (21 U.S.C. § 844), it is unlawful for any person to knowingly or intentionally possess a controlled substance, unless such possession is authorized by law, such as when the substance has been obtained pursuant to a valid prescription.

Penalties for the unlawful possession of a controlled substance for personal use vary depending on prior convictions. A first conviction may result in up to one (1) year of imprisonment, a minimum fine of \$1,000, or both. A second conviction may result in a period of imprisonment ranging from fifteen (15) days to two (2) years, along with a minimum fine of \$2,500. A third or subsequent conviction may result in imprisonment ranging from ninety (90) days to three (3) years, and a minimum fine of \$5,000.

Federal law does not impose different penalties for simple possession based on the quantity of a controlled substance, including cocaine base (commonly referred to as crack cocaine). Enhanced penalties based on drug type or quantity apply to distribution and trafficking offenses, not to possession for personal use.

Trafficking In Controlled Substances

Under federal law (21 U.S.C. § 841), it is unlawful to knowingly or intentionally manufacture, distribute, dispense, or possess with intent to manufacture, distribute, or dispense a controlled substance. These offenses are commonly referred to as drug trafficking offenses.

Penalties for trafficking in controlled substances are significantly more severe than those for simple possession and vary depending on the type of controlled substance involved, the quantity involved, and any prior convictions.

Federal law also provides enhanced penalties in certain circumstances. If a person 18 years of age or older distributes a controlled substance to a person under the age of 21 (21 U.S.C. § 859), penalties may be doubled for a first conviction and tripled for subsequent convictions. Enhanced penalties may also apply for distributing, manufacturing, or possessing with intent to distribute a controlled substance within 1,000 feet of a school, college or university, playground, or public housing facility, or within 100 feet of a youth center, public swimming pool, or video arcade facility (21 U.S.C. § 860). In such cases, penalties may likewise be doubled for a first offense and tripled for subsequent offenses.

The [website of the Drug Enforcement Administration](#) is a useful source of information about controlled substances.

Alcohol

Inappropriate use and abuse of alcohol is often associated with lower academic performance and failures, sexually transmitted diseases and unplanned pregnancies, vandalism, aggressive behaviors including sexual assault and rape, injuries, death, and prosecution for crimes related to the consumption of alcohol. Even small amounts of alcohol may impair the ability to concentrate, as well as the judgment and coordination required to drive a car safely, thus increasing the likelihood that the driver will be involved in an accident. Small to moderate amounts of alcohol may also increase the incidence of a variety of aggressive acts, including spousal and child abuse. Moderate to high doses of alcohol can cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses may result in respiratory depression and even death. When used in conjunction with other depressants of the nervous system, even a small amount of alcohol can result in these effects.

Repeated use of alcohol may lead to dependence or addiction. The sudden cessation of alcohol consumption produces withdrawal symptoms such as severe anxiety, tremors, hallucinations and convulsions, and can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, may also lead to permanent damage to vital organs such as the brain and liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Infants with fetal alcohol syndrome have irreversible physical abnormalities and mental retardation. Further, research shows that children of alcoholic parents are at greater risk than other children of becoming alcoholics themselves.

Federal law establishes 21 years of age as the minimum legal drinking age nationwide under the National Minimum Drinking Age Act. While this federal law requires states to enforce the minimum drinking age or risk the loss of federal highway funding, criminal penalties related to alcohol use are governed primarily by state law, including New York State law.

Under New York State law, it is unlawful to sell, give, or cause to be sold or given, any alcoholic beverage to a person under the age of 21. Individuals who violate this law may be subject to criminal penalties, which can include imprisonment for up to one-year, monetary fines, or both, depending on the circumstances of the offense.

New York State law also prohibits persons under the age of 21 from possessing alcoholic beverages with the intent to consume them. Violations may result in monetary fines, completion of an alcohol awareness program, community service, or a combination of these sanctions, based on the nature of the violation and any prior offenses.

It is a violation of New York State law for a person under the age of 21 to present false, fraudulent, or another person's written proof of age for the purpose of purchasing or attempting to purchase alcoholic beverages. Penalties may include fines, community service, and completion of an alcohol awareness program or substance abuse evaluation. The use of a false or fraudulent government-issued identification, such as a driver's license, may constitute a felony offense and can result in significant criminal penalties, including imprisonment and monetary fines, depending on the charge and circumstances.

New York State law makes it unlawful to operate a motor vehicle while intoxicated, defined as having a blood alcohol content (BAC) of 0.08 percent or higher, or while in an intoxicated or impaired condition due to alcohol or other drugs. Operating a motor vehicle while impaired by alcohol or drugs is a criminal offense and carries serious legal consequences.

Additionally, under New York's Zero Tolerance Law, a person under the age of 21 who operates a motor vehicle with a BAC between 0.02 percent and 0.07 percent is subject to civil penalties, including monetary penalties, fees, and suspension or revocation of driving privileges. Further details regarding penalties for Driving While Intoxicated, Driving While Ability Impaired, and Zero Tolerance violations are outlined in Appendix C – Driver's License Penalties. ([See Appendix C – Drivers License Penalties \(PDF\)](#)).

University Sanctions

Any violation of the University's Drug and Alcohol Policy may be disciplined in accordance with the University's disciplinary procedures for students and for employees. Further, the University may refer the student or employee for criminal prosecution. Any sanction imposed by the University is independent of, and is in addition to, any penalty imposed in connection with a criminal conviction.

The sanctions that may be imposed on a student include, but are not limited to, probation, suspension, dismissal and expulsion from University housing and/or the University. The sanctions imposed on an employee may include the termination of their employment.

The sanctions described below are illustrative of the range and severity of sanctions that may be imposed on a student, but they do not constitute a complete list of the possible sanctions. In

determining a sanction, the University will consider the nature and severity of the violation, the impact of the transaction on the Pace community as well as on the community at large, and the student's disciplinary history.

Alcohol/Cannabis Violation

There are 3 levels/offenses of alcohol violations. Greater sanctions may be imposed for each successively higher level of violation including Parental/Guardian notification:

- **Level 1/First Offense.** A student found responsible for a Level 1 or first offense is subject to the following mandatory sanctions: disciplinary probation for a period of three (3) months and assignment of conduct points. In addition, the student will be required to complete one (1) educational sanction, which may include an under-the-influence reflection paper, Marijuana 101 with a reflection activity, or another approved educational sanction that includes a reflection component. A guest's restriction in the residence hall may be imposed. For students on Pace athletic teams, coach notification will be sent to the Director of Athletics.
- **Level 2/Second Offense.** Typically involves a repeat offense or a first offense that resulted in harm to the student, others, or property, or transport to the hospital. Sanctions include, but are not limited to, six (6) months to one (1) year of probation, the assignment of conduct points, parental/ Guardian notification, and a final warning if applicable. The student must also complete two (2) educational sanctions, which may include an Alcohol and Other Drug (AOD) assessment, alcohol education programs with reflection activity, guest restriction in the residence halls, revocation of privileges in the residence halls or other campus activities, or other educational sanctions as assigned. Any alcohol-related hospital transport will automatically result in a Level 2 violation and includes a mandatory referral for assessment by an AOD counselor.
- **Level 3/Third Offense.** Reflects a pattern of repeated misconduct or a serious incident involving harm to the student, others or property. These violations carry out the most serious institutional sanctions. Sanctions may include removal from the University for no less than one (1) year, suspension from the residence halls and/or the University for no less than one (1) year, completion of an AOD re-assessment, and the assignment of conduct points.

Controlled Substances

Violations of the University's Drug and Alcohol Policy relating to the unlawful possession, use, or distribution of controlled substances, even if a first offense, are serious in nature. Such violations may result in more severe disciplinary sanctions, even if there is no harm to the student, others, or property, than if the violation is related to the use of alcohol. Sanctions include, but not limited to, probation, suspension from housing or University, dismissal, or expulsion.

- **Level 1/First Offense.** A student found responsible for a Level 1 violation will be placed on probation for a period of three (3) months and may be assigned up to fifteen (15) conduct points. In addition, the student will be required to complete a reflection paper. A guest restriction within the residence halls will also be imposed for the duration of the probationary period or as otherwise specified in the outcome letter.
- **Level 2/Second Offense.** A student found responsible for a second violation involving possession or use of illegal drugs other than cannabis, possession of drug paraphernalia, or being a party to such activity will be placed on probation for six (6) months and may receive up to fifteen (15) conduct points. The student will be required to complete an Alcohol and Other Drug (AOD) Assessment and submit a reflection paper. Parental notification will occur, and a final warning will be issued, indicating that any subsequent violation may result in more severe disciplinary action. Additional sanctions may include revocation of privileges within the residence halls and/or participation in other campus activities.
- **Level 3/Third Offense.** A student found responsible for a third violation will be placed on University Probation for a period of not less than one (1) year. The student may also be

suspended from the residence halls and/or the University for not less than one (1) year. An Alcohol and Other Drug (AOD) re-assessment will be required, and the student may receive up to fifteen (15) conduct points. Further disciplinary action may be imposed as deemed appropriate based on the severity and circumstances of the violation.

Elevated Drug Violation

A student found responsible for the manufacture, distribution, possession with intent to sell, or sale of any illegal drugs, or for being a party to such activity, will be subject to the most severe disciplinary action. Sanctions will include full University Suspension for a period of not less than one (1) year. Depending on the severity of the violation, including the nature, scope, and impact of the conduct, the student may also be subject to expulsion from the University.

Reporting Requirements

Any employee, including a student employee, who works in any capacity under a federal grant or contract must notify his or her immediate supervisor of his or her conviction for a violation of any criminal drug statute (including misdemeanors) occurring in the workplace no later than 5 calendar days after such conviction. This applies to direct charge employees and to indirect charge employees who perform any support or overhead functions related to the grant. The supervisor must then promptly report the conviction to the Vice President for Human Resources. Under the Drug-Free Workplace Act, the University is required by law to report the conviction to the federal funding agency within 10 days of receiving notice of the conviction from the employee or from any other source.

Parental Notification

If the University determines that a student under the age of 21 violated the Drug and Alcohol Policy, the University may disclose to a parent or legal guardian of the student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the University, governing the use or possession of alcohol or controlled substances. If practicable, the student will be informed in advance that his or her parents or legal guardian are going to be given notice of the student's violation of the University's Drug and Alcohol Policy.

SMOKE FREE LEARNING AND WORK ENVIRONMENT

An increasing number of studies document the health hazards of environmental tobacco smoke on both the smoker and non-smoker. In order to minimize health risks, improve the quality of air, and enhance the campus environment, Pace University has adopted a smoke-free policy.

The smoke-free policy applies to all University facilities on all campuses. This includes all meeting rooms, computer operations rooms, classrooms, offices, hallways, elevators, public or reception areas, restrooms, gymnasiums and corridors, and other common-access areas. Common-access areas of all residence halls are smoking-prohibited areas. Smoking is allowed in a dormitory room by mutual consent of its residents.

- Smoking is prohibited within 50 feet of all building main entrances.
- Smoking is prohibited in the eating facilities on all campuses.
- Smoking is prohibited in all areas where a safety hazard exists, such as storage and hazardous materials handling areas.
- Smoking is prohibited in all Pace University vehicles used for transporting employees and/or students, supplies or any other use.
- Smoking is prohibited in the Security Guard Booths.

DRUG AND ALCOHOL USE AMNESTY POLICY

Student use, misuse and/or abuse of alcohol and other drugs are a serious concern that is addressed by the University in its Guiding Principles of Conduct, which is enforced through the University's

Student Disciplinary Procedures. However, when students are in immediate need of medical assistance or when they are reporting or disclosing domestic violence, dating violence, stalking or sexual assault pursuant to the University's Sex-Based Misconduct Policy, the University's paramount concern for the health and safety of its students outweighs enforcement of the Guiding Principles relating to the use, misuse and/or abuse of alcohol and other drugs. The University has adopted this Drug and Alcohol Use Amnesty Policy to address those two circumstances.

Amnesty for Students Who Facilitate Timely Medical Assistance

Pace University takes pride in the partnership that exists between its students and those who respond to emergencies. The health and safety of Pace students as they relate to critical incidents regarding the use, misuse and/or abuse of alcohol and other drugs are of paramount concern, especially when an individual is in need of timely medical assistance. Students must never hesitate to contact University Safety and Security or residence hall staff when they suspect that they are or another student or a non-student is in need of urgent medical care stemming from intoxication because they are concerned that the incident may lead to disciplinary actions against themselves or others.

Some examples of situations when students may hesitate to summon timely and urgent medical assistance needed by an intoxicated individual are:

- A student is apprehensive about calling for help for herself because she used drugs in violation of the law and the University's Guiding Principles of Conduct.
- Bob, a student, is reluctant to call for help for another student who is unconscious and vomiting due to alcohol intoxication because Bob fears he will be held responsible for their excessive drinking.
- Mark, a student, hosts a party at which alcohol and other drugs are available. A guest becomes very intoxicated and seems to be in need of medical attention. Mark, who smoked pot during the party, is concerned that if he calls for medical attention for the intoxicated guest he (Mark) will be subject to disciplinary charges.
- Eleanor, a student, attends a party at which alcohol and other drugs are available. Another student attending the party becomes very intoxicated and seems to be in need of medical attention. Eleanor is concerned that the intoxicated student will be subject to disciplinary charges if she (Eleanor) calls for medical attention for him.
- A very intoxicated student has been "put to bed" by their roommate who fears that calling for help will result in disciplinary actions against each of them because they had been drinking together.

In order to encourage students to summon medical attention for intoxicated individuals, whether themselves or others, students who call for medical attention may be eligible for amnesty and, if it is granted, the calling student will not be disciplined for violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs. Similarly, the intoxicated individual for whom medical attention was summoned may be eligible for amnesty and, if it is granted, the intoxicated student will not be disciplined for violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs. Amnesty will be granted by the Dean for Students (or the Dean's designee) only if the criteria identified below have been satisfied. Such amnesty will be granted to a student only once and repeat offenders will not be granted amnesty even if they would otherwise be eligible.

- The Drug and Alcohol Amnesty Policy applies to students who seek medical attention for intoxicated individuals (including themselves) and to the intoxicated individual for whom medical attention is summoned.
- A student seeking amnesty under this Drug and Alcohol Amnesty Policy is required to cooperate fully in any investigation of the incident.
- In order for the calling student to be eligible for amnesty, he or she must have (i) violated the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, (ii) summoned medical assistance for himself or herself or another individual who reasonably seemed to require medical assistance due to intoxication from alcohol or other drugs, (iii) cooperated fully in any investigation of the incident, (iv) participated in the Student Disciplinary Procedures and Hearings process and taken responsibility for his or her violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, and (v) not been granted amnesty previously.
- In order for the student in need of medical assistance to be eligible for amnesty, he or she must have (i) violated the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, (ii) been sufficiently intoxicated from alcohol or

other drugs that it was reasonable for medical assistance to be summoned, (iii) cooperated fully in any investigation of the incident, (iv) participated in the Student Disciplinary Procedures and Hearings process and taken responsibility for his or her violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, and (v) not been granted amnesty previously.

- Medical attention is defined to include an assessment by Safety and Security, the residence hall staff, and emergency medical responders. Therefore, this Drug and Alcohol Amnesty Policy applies even if Safety and Security, the residence hall staff or emergency medical responders determines it is unnecessary for the intoxicated individual to be transported to a medical facility.
- Even if amnesty is granted to a student for his or her violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, the student is subject to sanctions pursuant to the Student Disciplinary Procedures and Hearings process for other violations of the Guiding Principles of Conduct arising out of the same incident, e.g., the sale and distribution of alcohol and other drugs, damage to University property, hazing. Furthermore, under certain circumstances, for example, the sale and distribution of alcohol and other drugs, may require that the University report the incident to local law enforcement agencies.
- Information concerning the intoxicated individual who received medical attention on site and/or was transported to a medical facility due to intoxication will be recorded by the University in accordance with the applicable University procedure. In other words, an incident involving the use, abuse and/or misuse of alcohol and other drugs that results in medical attention being summoned will never be entirely "off the record."
- If the Dean for Students (or the Dean's designee) decides to grant amnesty, information concerning the incident as it relates to the use, abuse and/or misuse of alcohol or other drugs will not be part of the calling or the intoxicated student's disciplinary file and normally will not be reported to prospective employers or noted on the student's transcript. In conducting background checks, some government agencies require complete disclosure which includes the release of all the student's records.
- In determining whether to call the emergency contact person listed for an intoxicated student, the University will follow the applicable procedure.
- An intoxicated student may be summarily suspended and, in order to be considered for reinstatement, will be required to meet with the Dean for Students (or the Dean's designee) in accordance with the Student Disciplinary Procedures and Hearings process. A notation of a summary suspension is not included on a student's transcript.

Amnesty for Students Who Report or Disclose Sex-Based Misconduct

The University realizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that Sex-Based Misconduct, including but not limited to domestic violence, dating violence, stalking or sexual assault, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to University officials. Therefore, pursuant to the University's Sex-Based Misconduct Policy, a student bystander or incident participant acting in good faith who reports or discloses any incident of domestic violence, dating violence, stalking or sexual assault to Pace University officials or law enforcement will not be summarily suspended or disciplined for violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs occurring at or near the time of the commission of the domestic violence, dating violence, stalking or sexual assault. Amnesty will be granted by the Dean for Students (or the Dean's designee) in consultation with the Title IX Coordinator/Affirmative Action Officer only if the criteria identified below have been satisfied. There is no limitation on the number of times that such amnesty may be granted to students acting in good faith who report or disclose Sex-Based Misconduct.

- Amnesty for students who report or disclose Sex-Based Misconduct applies regardless of whether the intoxicated individuals (including themselves) require\receive medical attention.
- In order for a student who reports or discloses Sex-Based Misconduct to be eligible for amnesty, he or she must have (i) violated the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, and (ii) reported or disclosed in good faith, an incident of domestic violence, dating violence, stalking or sexual assault

to Pace University officials or law enforcement, for himself or herself or another member of the University community.

- Even if amnesty is granted to a student for his or her violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, the student is subject to sanctions pursuant to the Student Disciplinary Procedures and Hearings process for other violations of the Guiding Principles of Conduct arising out of the same incident, e.g., the sale and distribution of alcohol and other drugs, damage to University property, hazing.
- Information concerning the intoxicated individual who received medical attention on site and/or was transported to a medical facility due to intoxication will be recorded by the University in accordance with the applicable University procedure. In other words, an incident involving the use, abuse and/or misuse of alcohol and other drugs that results in medical attention being summoned will never be entirely "off the record."
- If the Dean for Students (or the Dean's designee) in consultation with the Title IX Coordinator/Affirmative Action Officer grants amnesty, information concerning the incident as it relates to the use, abuse and/or misuse of alcohol or other drugs will normally not be part of the calling or the intoxicated student's disciplinary file and will normally not be reported to prospective employers or noted on the student's transcript.
- In determining whether to call the emergency contact person listed for an intoxicated student, the University will follow the applicable procedure.

Questions about this Drug and Alcohol Amnesty Policy should be directed to the Dean for Students offices.

Pleasantville

Phone: (914) 773-3351

Email: plvstudentaffairs@pace.edu

New York City

Phone: (212) 346-1306

Email: nycstudentaffairs@pace.edu

REGULATION OF CONDUCT ON CAMPUSES AND COLLEGE PROPERTY USED FOR EDUCATIONAL PURPOSES

Section 6430—General Provisions

Pace University has established rules and regulations as enumerated in this Handbook and in other University publications, in compliance with the New York State Education Law and the General Municipal Law for the maintenance and enforcement of public order.

Item 5 of the Pace University Guiding Principles of Conduct expressly provides that engaging in any of the enumerated conduct constitutes a violation of University rules and regulations and shall be considered sufficiently serious to warrant disciplinary action.

Such rules and regulations shall govern the conduct of students, faculty and other staff as well as visitors, licensees, and invitees on Pace campuses, properties, and at University sponsored activities. The penalties for violations of these rules and regulations are clearly set forth in this Handbook and shall include provision for the ejection and ban of a violator from Pace University campuses. In the case of a student, staff or faculty violator, penalties may include suspension, expulsion or other appropriate disciplinary action, and in the case of an organization which authorizes such conduct, withdrawal of permission for that organization to operate on Pace University property or at any Pace sponsored activities or events on or off campus. Such penalties shall be in addition to any penalty pursuant to the penal law or any other law to which a violator or organization may be subject.

A copy of these rules and regulations shall be given to all students enrolled at Pace and shall be deemed to be part of the by-laws of all organizations operating on Pace campuses. Organizations agree to annually review their by-laws with individuals affiliated with such organizations.

(Compliance with Chapter 597, Article 129-A as amended; Section 6430: September 30, 2003).

CAMPUS CRIME STATISTICS

View the [Pace University campus crime statistics \(PDF\)](#). In addition, the Pace University President's Advisory Committee on Campus Security will provide upon request all campus crime statistics as reported to the United States Department of Education. Contact Mr. Vincent Beatty, Executive Director, Safety and Security, at (914) 773-3604, to request a hardcopy of the University's campus crime statistics. View the [United States Department of Education reports campus crime statistics](#).

ANNUAL FIRE SAFETY AND SECURITY REPORT

To review the Pace University Annual Fire Safety and Security Report, visit the [Safety and Emergency Management webpage](#).

PACE UNIVERSITY FERPA POLICY

The Family Educational Rights and Privacy Act ("FERPA") is a federal law designed to protect the privacy of a student's education records, establish a student's right to access and review his or her education records, provide guidelines for the correction of inaccurate and misleading information that may be contained in those education records, and create a right to file complaints about alleged FERPA violations with the Department of Education.

Once a student reaches 18 years of age or attends a postsecondary institution, the rights created by FERPA transfer from the student's parents to the student. These rights include:

- The right to have access to and review his or her education records maintained by the postsecondary institution.
- The right to seek amendment of his or her education records that contain inaccurate and misleading information.
- The right to limit the disclosure of personally identifiable information in his or her education record.
- The right to file a complaint about alleged FERPA violations with the Family Policy Compliance Office of the Department of Education.

FERPA protects personally identifiable information in a student's education records. Education records are defined under FERPA as those records, files, data, video and audio tapes, handwritten notes and other material that contain information that is directly related to a student and maintained by Pace University or a party acting for the University. There are exceptions, however, to the definition of education records. For example, the term education record does not include:

- Records kept in the sole possession of the maker, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the records
- Records of the Safety and Security Department of the University.
- Records relating to a student's employment with the University.
- Records maintained by a physician, psychiatrist, psychologist, and other health care professionals in connection with treatment of a student.

- Records created or received by the University after a student is no longer in attendance and that are not directly related to the student's attendance at the University.
- Grades on peer-graded papers before they are collected and recorded by the instructor.

Personally identifiable information includes, but is not limited to:

- The student's name.
- The name of the student's parents or other family members.
- The address of the student or the student's family.
- The student's social security number or student identification number.
- Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
- Any information that alone, or in combination with other information, is linkable to a specific student that would allow a reasonable person who does not have knowledge of the relevant circumstances to identify the student with reasonable certainty.

Access to and Review of Education Records

Under FERPA, a student has the right to have access to and review his or her education records with the exception of the following records: (i) information contained in an education record concerning students other than the student whose education record is being accessed; (ii) financial records, including any information those records contain, of the student's parents; and (iii) confidential letters and statements of recommendation placed in the student's education records after January 1, 1975 provided the student has waived his or her right to review those letters, and confidential letters and statements of recommendation placed in the student's education records before January 1, 1975 and used only for the purpose for which they were specifically intended. (In order to waive the right to review confidential letters and statements of recommendation in a student's education record, the student must submit a completed and signed *Waiver of Right to Review Confidential Letters and Statements of Recommendation* form to the Office of Student Assistance.)

Any student who wishes to access and review his or her education records must submit a dated written request to the custodian of the record, e.g., the Office of Student Assistance, a department chair, a program director, a faculty member. No later than 45 days after receiving the student's request, the custodian will make arrangements for the student to review his or her education records. A representative of the University may be present during the inspection, and the student may be required to present valid photo identification before accessing the records. Photocopies of the records are available upon request and for a fee of fifteen cents per page.

Amendment of Education Records

Under FERPA, a student who believes information in his or her education records is inaccurate, misleading, or in violation of the student's privacy rights recognized by FERPA, has the right to request that the records be amended. The right to seek amendment of an education record does not include changes to a grade unless the grade assigned was inaccurately recorded, an opinion, or a substantive decision made by the University about the student.

To request an amendment, the student must submit a written request to the custodian of the record. The request should clearly identify the portion of the record the student seeks to have amended and specify the reasons for the requested amendment. If the custodian of the record determines the information contained in the record is inaccurate, misleading, or in violation of the student's privacy

rights recognized by FERPA, the custodian will amend the record and notify the student of the amendment in writing.

If the custodian determines an amendment of the student's education record is not warranted because it is not inaccurate, misleading or in violation of the student's privacy rights recognized by FERPA, the custodian will inform the student in writing of the decision not to amend and will also inform the student of his or her right to a hearing on the matter. The student's written request for a hearing must be received by the dean for students of the student's home campus within 30 calendar days of the date of the custodian's decision denying an amendment, and the hearing shall be held within a reasonable time thereafter. Within 5 business days after receiving the student's written request for a hearing, the dean for students or his or her designee will appoint a hearing officer to review the matter. The hearing officer must be a University representative with no direct interest in the outcome of the matter.

The hearing officer shall, in his or her sole discretion, determine whether, under the circumstances, the hearing should be conducted in-person or by telephone. The hearing officer shall provide the student and the custodian of the education record at issue with reasonable notice of the date, time, and place of the hearing if it is to be in-person and the date and time if it is to be conducted by telephone. The student and the custodian shall each have the opportunity to present evidence at the hearing in support of their respective positions. The student may, at his or her own expense, be assisted or represented by one or more individuals, including an attorney, of the student's choice.

Within a reasonable time after the hearing, the hearing officer will notify the student and the custodian of the record in writing of the hearing officer's decision. The hearing officer's decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision. If the hearing officer determines the information contained in the record is inaccurate, misleading, or in violation of the student's privacy rights recognized by FERPA, the record will be amended. However, if the hearing officer determines the information is not inaccurate, misleading, or otherwise in violation of the student's privacy rights recognized by FERPA, the education record will not be amended and the student has the right to place a statement in his or her record commenting on the contested information and explaining why he or she disagrees with the hearing officer's decision.

Disclosure of Education Records to Third Parties

Absent an exception under FERPA, the University must obtain a student's prior written consent before it discloses personally identifiable information from a student's education records to a third party. In order to authorize the disclosure of personally identifiable information from his or her education records to a third party, a student must complete, sign and date the *Authorization to Disclose Information from Education Records* form and submit it to the custodian of the record from which the disclosure is to be made.

FERPA provides a number of exceptions, however, that allow the University to disclose information from a student's education record without the student's consent. Circumstances under which the University may disclose personally identifiable information from a student's education records without obtaining the student's consent, include, but are not limited to, the following:

- To University officials with a legitimate educational interest in the personally identifiable information to be disclosed. A University official includes, without limitation, faculty; officers; administrators; administrative assistants and clerical staff; safety and security staff; trustees; attorneys; auditors; health care providers; members (including student members) of University-sponsored committees and disciplinary boards; student employees assisting other University officials in performing their duties and responsibilities for the University; and a contractor, volunteer or other party to whom the University has outsourced University services or functions. A University official has a legitimate educational interest in the personally identifiable information to be disclosed if the official needs to review the education record in order to fulfill his or her professional duties and responsibilities for the University.

- To officials of another school in which the student seeks or intends to enroll
- To the parents of a tax-dependent student as defined in section 152 of the Internal Revenue Code of 1986.
- In connection with the student's request for or receipt of financial aid if the information is necessary to determine the eligibility, amount or conditions of the aid, or to enforce the terms and conditions of the aid.
- In connection with a health or safety emergency if knowledge of the personally identifiable information is necessary to protect the health or safety of the student or other individuals.
- To the parents of a student under the age of 21 at the time of disclosure, and the disclosure concerns the student's violation of a federal, state or local law or University policy regarding the use or possession of alcohol or a controlled substance, provided the University has determined the student has committed a disciplinary violation with respect to the use or possession, and the disclosure does not conflict with any state law that prohibits such disclosure.
- Directory information (see discussion below of directory information).
- To comply with a judicial order or lawfully issued subpoena.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing with respect to the alleged crime.
- The final results of a disciplinary proceeding related to a crime of violence or non-forcible sex offense may be released to any third party if the student who is the alleged perpetrator is found to have violated the University's policies. Disclosure under this exception is limited to the name of the student perpetrator, the violation committed, and any sanction imposed. The disclosure shall not include the name of any other student, including the victim or a witness, without the prior written consent of the other student.
- To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.
- To organizations conducting studies for or on behalf of the University for the purposes of administering predictive tests or student aid programs, or improving instruction.
- To accrediting organizations to carry out their accrediting functions.

Directory Information

FERPA permits the University to disclose directory information to the public without obtaining the student's prior written consent. Directory information is defined by FERPA as information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The University has defined directory information more specifically as:

- Student's name
- Campus telephone number

- Campus address
- University email address
- Date of birth
- College or school in which the student is enrolled
- Program and/or field of study
- Enrollment status, e.g., undergraduate or graduate student, full-time, part-time, not enrolled, graduated
- School attended immediately prior to enrolling at the University
- Dates of attendance
- Degrees and honors
- Awards received
- The weight and height of members of athletic teams

Students may “opt out” of directory information and request that directory information, as defined above, be withheld, in whole or in part, and released only with the student’s prior written authorization. Students who wish to opt-out of some or all of the directory information must complete and sign a *Request to Opt-out of Directory Information* form and submit it to the Office of Student Assistance on or before September 30 of each year. (Students who transfer to the University in the spring semester or return to the University in the spring semester after a leave of absence must submit a completed and signed *Request to Opt-out of Directory Information* form to the Office of Student Assistance on or before February 15.) Students who wish to revoke their previous request to opt-out of some or all of the directory information must submit a completed and signed *Request for Revocation of Opt-out of Directory Information* form to the Office of Student Assistance.

Complaints of Alleged Failures to Comply with FERPA

A student who believes his or her FERPA rights have been violated or that the University has failed to comply with the requirements of FERPA has the right to file a complaint with the federal office that administers FERPA. Complaints should be addressed to:

Family Policy Compliance Office
US Department of Education
400 Maryland Ave, SW
Washington, DC 20202-5901
Phone: 202-260-3887

Additional information about FERPA and relevant forms are available on the [Pace University Registrar webpage](#).

AFFIRMATIVE ACTION POLICY STATEMENT

The Affirmative Action Policy of Pace University is adopted pursuant to its commitment to the principles of equal opportunity for all minorities and women, which specifically pledges the University to a policy of non-discrimination toward any person in employment or in any of its programs because

of race, color, religion, disability, national or ethnic origin, sexual orientation, age, sex or marital status. Pace University admits, and will continue to admit, qualified students of any race, color, religion, disability, national or ethnic origin, sexual orientation, age, sex or marital status, to all rights, privileges, programs and activities generally accorded or made available to students at the school. It does not, and will not discriminate on the basis of race, color, religion, disability, national or ethnic origin, sexual orientation, age, sex or marital status, in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

Persons who believe that their rights or privileges have not been respected or violated under the policy may address their concerns, claims or inquiries concerning the application of Title IX and implementing regulations, as well as inquiries concerning the application of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and Title VI of the Civil Rights Act, to the Title IX Coordinator/Affirmative Action Officer or Assistant Secretary for [Office for Civil Rights](#).

Bernard Dufrense

Title IX Coordinator/Affirmative Action Officer
163 Williams Street
10th Floor, Room #1017
New York, NY 10038
NYC Campus
Phone: (212) 346-1310
Fax: (914) 989-8032
Email: amiles@pace.edu

PACE UNIVERSITY POLICY AND PROCEDURE - DISCRIMINATION, NON-SEX-BASED¹ HARASSMENT AND RETALIATION

Pace University is strongly committed to maintaining a working and learning environment that is free from unlawful Discrimination, Harassment or Retaliation. The University is an equal opportunity employer and an academic institution which strongly believes that all employment and academic decisions must be made without regard to whether an employee or student possesses characteristics protected by federal, state, or local law and this Policy and Procedure ("protected characteristics").

All University officers, administrators, supervisors, staff, faculty members, students, visitors and applicants, as well as vendors, consultants and contractors with whom the University does business are prohibited from engaging in Discrimination, Harassment or Retaliation in violation of this Policy and Procedure.

If you believe that you have been Discriminated against or subjected to Harassment on the basis of any of the protected characteristics described in this Policy and Procedure, or if you believe you have been Retaliated against for making a good faith complaint of prohibited Discrimination or Harassment or for participating in an investigation into a complaint or report of prohibited Discrimination or Harassment, you may report such incident(s) to the persons identified in the Complaint Procedure set forth below.

¹ This Policy and Procedure does not apply to reports of sexual assault, sexual harassment, gender-based harassment, dating violence, domestic/intimate partner violence, sexual exploitation, and stalking, which are subject to investigation exclusively pursuant to the [University's Sex-Based Misconduct Policy and Procedure \(PDF\)](#).

University officers, administrators and other employees with managerial or supervisory authority (e.g., supervisors, directors, managers, Deans, Department Chairs, etc.) - must report any Discrimination, Harassment or Retaliation that comes to their attention, regardless of whether a complaint is made. All other University staff, faculty, students or third parties who have witnessed or learned of conduct prohibited by this Policy and Procedure are strongly encouraged to promptly report it to the persons identified in the Complaint Procedure section of this Policy and Procedure.

The University shall take prompt and appropriate corrective action whenever instances of alleged prohibited Discrimination, Harassment and/or Retaliation come to its attention. The University is committed to investigating all instances of alleged or suspected prohibited Discrimination, Harassment and/or Retaliation, including anonymous complaints or reports from anonymous sources, even if the victim of such Discrimination, Harassment and/or Retaliation does not make a complaint, does not want the matter investigated or does not cooperate with the investigation.

This Policy and Procedure applies regardless of the sexual orientation, sex, gender identity, age, race, nationality, religion or disability of parties and witnesses. Reasonable accommodations will be provided to individuals with disabilities when necessary to allow them to fully utilize this Policy and Procedure.

DEFINITION OF DISCRIMINATION

Discrimination is the materially adverse treatment of an individual or group of individuals because they possess a protected characteristic. These characteristics include: sex, gender or gender identity; race; color; national origin; religion; creed; age; disability; citizenship; marital or domestic partnership status; sexual orientation; genetic predisposition or carrier status; military or veteran status; status as a victim of domestic violence, sex offenses or stalking and any other characteristics that may be protected by law.

The definition of Discrimination includes: unequal treatment in regards to the terms and conditions of employment (e.g., hiring, firing, compensation, benefits, assignment, transfer, recall, layoff, recruitment, testing, access to facilities and programs, training, etc.); and unequal treatment in terms of academic programs (e.g., grading, class assignments, testing, internships, fellowships, work study, scholarships, access to facilities, admission to programs, etc.) based on a protected characteristic.

Prohibited Discriminatory practices include:

- employment or academic decisions based on stereotypes or assumptions about the abilities, traits or performance of individuals with protected characteristics.
- denying employment or academic opportunities to a person because of marriage to or association with an individual with a protected characteristic.
- Discriminatory practices by third parties (e.g., visitors, applicants, vendors, consultants, contractors, alumni, etc.) are also prohibited. The third party violates this Policy and Procedure if it engages in conduct which affects the work or learning environment of University employees or students in a Discriminatory, Harassing or Retaliatory manner prohibited by this Policy and Procedure, while they are on the premises of the University or otherwise working or interacting with University students or employees.

DEFINITION OF HARASSMENT

A. Harassment. Harassment on the basis of any protected characteristics described in this Policy and Procedure is strictly prohibited by this Policy and Procedure and is a form of discrimination prohibited by various statutes including Title VI of the Civil Rights Act of 1964, Title IV of the Higher Education Act of 1965, as amended, Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, Westchester County Human Rights Law and the New York City Human Rights Law. For purposes of this Policy and Procedure, Harassment is defined as physical, verbal, visual or other conduct relating to any protected characteristics described in this Policy and Procedure other than sex or gender when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status (quid pro quo harassment);
- submission to, or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual (quid pro quo harassment); or
- such conduct has the purpose or effect of interfering unreasonably with an individual's work or academic performance, or creating an intimidating, hostile, or offensive work or academic environment that is, or would be, offensive to a person of reasonable sensitivity and sensibilities (hostile environment Harassment).

This definition prohibits conduct which is intentional and also conduct which, regardless of intent, has the effect or impact of creating an intimidating, hostile or offensive working or learning environment on the basis of any protected characteristics described in this Policy and Procedure other than sex or gender.² Therefore, it makes no difference in determining whether conduct violates the Policy and Procedure, that the person accused of violating this Policy and Procedure ("Respondent") was "just joking", "teasing" or being "playful" or had an evil motive. The fact that a person does not object to the alleged Harassing conduct or does not request that the Harassing conduct stop does not mean that he/she welcomes the conduct. Harassing conduct prohibited by this Policy and Procedure includes, but is not limited to, such things as:

- making or threatening reprisals after a negative response to a request to engage in Discriminatory conduct;
- engaging in visual conduct such as leering or making obscene, taunting or threatening gestures;
- displaying suggestive, obscene or degrading material, objects, pictures, cartoons, posters;
- using visual or audio electronic devices or media (such as radio, television, telephone, social media, computers, email, etc.) to broadcast, distribute or transmit offensive statements, images or other material;
- making derogatory comments about an individual's protected characteristics; or jokes concerning protected characteristics or traits;
- Using degrading words relating to an individual's or group of individuals' protected characteristics to describe the individual(s);
- engaging in verbal or written slurs, degrading or negative stereotyping; and
- engaging in physical conduct such as touching, petting, pinching, impeding or blocking movements, or assault.

Harassment is also prohibited if it involves Harassment by or of a co-worker, supervisor, officer, administrator, visitor, or person doing business with the University as defined by this Policy and Procedure. Harassment is also prohibited if it involves Harassment by or of a faculty member or student, or between students.

² See footnote 1, *supra*, regarding the University's Sex-Based Misconduct Policy pursuant to which complaints and reports of sexual and gender-based harassment are investigated.

RETALIATION DEFINED

Retaliation occurs when an adverse action is taken against an individual because the individual has engaged in an activity protected by law or this Policy and Procedure. A Retaliation claim is established if a person who engages in activity protected by law or this Policy and Procedure, suffers an adverse action in their work or learning environment and there is a causal nexus between the adverse action and the protected activity. An adverse action is one that materially affects a term or condition of an individual's employment, education, living environment or participation in a University activity or program. It includes any conduct which would deter a reasonable person from engaging in protected activity.

RETALIATION IS PROHIBITED

Retaliation of any kind against an individual who makes a good faith report of unlawful Discrimination or Harassment, or who participates in an investigation into a complaint of prohibited Discrimination or Harassment, is strictly prohibited. Retaliation is prohibited regardless of whether the underlying complaint of Discrimination or Harassment is substantiated. If you believe you have been Retaliated against for making a good faith complaint of prohibited Discrimination or Harassment, or for participating in an investigation into a complaint of prohibited Discrimination or Harassment, you may immediately report such incident(s) to the persons identified in the Complaint Procedure set forth below.

LOCATION OF DISCRIMINATION, HARASSMENT OR RETALIATION

This Policy and Procedure prohibits Discrimination, Harassment and Retaliation in the employment and academic environment of the University. That environment is not limited to the property boundaries of the University's campuses. The University's employment and academic environment extends throughout the United States and abroad, wherever the University's students and employees and those of third parties associated with the University participate in or support University activities and programs. Conduct and behavior at off-campus activities and programs (*e.g.*, off-campus classes or lectures, athletic events, development activities, alumni events, study abroad, etc.) are regulated by this Policy and Procedure. The relevant inquiry focuses on whether prohibited conduct had an impact or effect on the work or learning environment of persons covered by this Policy and Procedure. Therefore, the Policy and Procedure may be violated even if the prohibited conduct occurs off-campus or during an employee's, student's or third party's off-duty time.

ADMINISTRATION AND ENFORCEMENT

Who administers this Policy and Procedure?

The Title IX Coordinator/Affirmative Action Officer is responsible for ensuring the University's compliance with discrimination laws and for administering this Policy and Procedure. The Title IX Coordinator/Affirmative Action Officer is Bernard Dufrense. He can be reached at 163 William Street, 10th Floor or (212) 346-1310 or (914)923-22610.

The Title IX Coordinator/Affirmative Action Officer is available to answer any questions that members of the University community may have about this Policy and Procedure and to assist them in gaining access to available resources.

COMPLAINT PROCEDURE

This Complaint Procedure provides for (i) a prompt, appropriate and impartial investigation of any complaint of prohibited Discrimination, Harassment and/or Retaliation; (ii) appropriate disciplinary action against an individual found to have engaged in prohibited Discrimination, Harassment or

Retaliation; and (iii) appropriate remedies for a victim of prohibited Discrimination, Harassment and/or Retaliation.³

The persons listed below have been designated by the University as the individuals with whom complaints or reports of Discrimination, Harassment or Retaliation prohibited by this Policy and Procedure shall be filed:

Students:	Title IX Coordinator/Affirmative Action Officer, Campus Dean for Students, Vice President for Human Resources, University Counsel
Staff:	Title IX Coordinator/Affirmative Action Officer, Employee's Supervisor, Employee's Manager, Vice President for Human Resources, University Counsel
Faculty:	Title IX Coordinator/Affirmative Action Officer, Dean, Provost, Vice President for Human Resources, University Counsel

These persons will accept the complaint/report and refer it to the Title IX Coordinator/Affirmative Action Officer and other appropriate individuals to initiate an investigation in accordance with this Complaint Procedure.

THE COMPLAINT

Complaints of prohibited Discrimination, Harassment and/or Retaliation, or reports of such conduct, may be made verbally or in writing, but persons who make a complaint claiming to be a victim ("Complainants") or other persons reporting such conduct, are strongly encouraged to file a written complaint or a written report. Written complaints should be made using the Complaint Form annexed hereto as "Appendix A." Complaints or reports should be as detailed as possible and should include the name(s) of the individual(s) involved, the name(s) of any witness(es), when and where the complained of conduct occurred, direct quotes and/or evidence (e.g., notes, emails, pictures, etc.) of the complained of conduct, indirect evidence (e.g., statistical information reflecting Discrimination), whether or not the conduct complained of has been reported to the University before and if so, when, to whom, and what the resolution of the previous complaint was.

If the Complainant or person reporting the alleged violation, requests confidentiality, the University will take reasonable steps to investigate and respond consistent with any such request. If the Complainant or person reporting the alleged violation, asks that the complaint or report not be pursued, or refuses to participate further in the investigation, they will be informed that their lack of participation may impede the investigation and resolution of the matter. The University shall have discretion to determine how best to proceed in investigating and responding in any such situations.

TIMELINESS OF COMPLAINT

There is no statute of limitations with respect to alleged violations of this Policy and Procedure. However, Complainants or persons with knowledge of a violation are urged to report the alleged violation as soon as possible in order to permit the best possible investigation to be conducted. The availability and memory of witnesses and the availability of documentary evidence, particularly electronic evidence, may be diminished by the passage of time. University officers, administrators and employees with managerial or supervisory authority (e.g., supervisors, directors, managers,

³ If a tenured faculty member or full-time non-tenured faculty member prior to expiration of a contract of appointment is determined pursuant to this Policy and Procedure to have engaged in prohibited Discrimination, Harassment or Retaliation, any suspension or termination of such faculty member will be subject to the University's Academic Dismissal Policy and Procedure.

Deans, Department Chairs, etc.) must report any Discrimination, Harassment or Retaliation that comes to their attention as soon as possible, regardless of whether a complaint is made.

PRELIMINARY DETERMINATION

Prior to the commencement of an investigation under this Policy and Procedure, the Title IX Coordinator/Affirmative Action Officer shall make a preliminary determination as to whether the complaint or report of an alleged violation is within the scope of this Policy and Procedure (whether the complaint or report is describing facts and/or making allegations, which, if true, would constitute Discrimination or Harassment based on protected characteristics or Retaliation in violation of this Policy and Procedure). If the Title IX Coordinator/Affirmative Action Officer determines that the complaint or report is alleging sexual assault, sexual harassment, gender-based harassment, dating violence, domestic/intimate partner violence, sexual exploitation or stalking, the complaint or report will be referred for investigation pursuant to the University's Sex-Based Misconduct Policy and Procedure. If the Title IX Coordinator/Affirmative Action Officer determines that the complaint or report of an alleged violation is not within the scope of this Policy and Procedure or the Sex-Based Misconduct Policy and Procedure, the complaint or report will be referred to appropriate University administrators for their consideration in accordance with other applicable University policies.

THE INVESTIGATION

All complaints or reports of prohibited Discrimination, Harassment and Retaliation, will be promptly and appropriately investigated by the Title IX Coordinator/Affirmative Action Officer or another individual or individuals selected from a trained pool of investigators. (The individual who investigates the complaint is hereafter referred to as the "Investigator.") Investigators will advise Complainants of the availability of counseling, medical or other support services.

SELECTION OF THE INVESTIGATOR

In the ordinary course, the Investigator will be the Title IX/Coordinator/Affirmative Action Officer. However, if the Title IX Coordinator/Affirmative Action Officer is unavailable or has a conflict of interest, or the University determines due to the circumstances that another Investigator should investigate the complaint or report, then the Investigator will be selected from a pool of individuals from the University who have been trained in the requirements of this Policy and Procedure, Title VI of the Civil Rights Act of 1964, Title IV of the Higher Education Act of 1965, as amended, Title IX of the Education Act Amendments of 1972 and the employment discrimination statutes. Such training, in addition to ensuring Investigators understand what constitutes Harassment, Discrimination and Retaliation, will also include the methodology for conducting investigatory interviews, gathering and summarizing evidence, writing reports and general investigatory techniques. Similarly trained individuals from outside the University, who may be attorneys, may also be selected to be the Investigator. Selection of an Investigator will be by the Chief Administrative Officer in consultation with the Title IX Coordinator/Affirmative Action Officer and University Counsel.⁴

The following Complaint Procedure Diagram identifies the persons to whom complaints will be referred and the Decision Makers and Appeal Officers who will be involved in resolving the complaint. As you can see, the identity of these persons varies depending upon whether the Respondent is a student, faculty member, other employee, or a third party. In the event there is no actual complaint from a Complainant, the University will nonetheless address any report of a violation of this Policy and Procedure by making a reasonable effort to follow the steps contained in the Complaint Procedure Diagram.

⁴ In the event that the Chief Administrative Officer has a conflict of interest, another appropriate University Administrator will select the Investigator, in consultation with the Title IX Coordinator/Affirmative Action Officer and University Counsel.

Complaint Procedure Diagram:

Respondent	Complaint Intake Person	Investigator	Decision Maker	Appeal Officer
Faculty Member	• Title IX Coordinator/Affirmative Action Officer • Dean • Provost • Vice President for Human Resources • University Counsel	Title IX Coordinator/ Affirmative Action Officer or another Investigator From Trained Pool	Provost (with prior opportunity for comment/ recommendation from the Faculty Review Committee)	President
Student	• Title IX Coordinator/Affirmative Action Officer • Campus Dean for Students • Vice President for Human Resources • University Counsel	Title IX Coordinator/ Affirmative Action Officer or another Investigator From Trained Pool	Campus Dean for Students for the campus other than where the incident occurred	Provost
Staff	• Title IX Coordinator/Affirmative Action Officer • Employee's Supervisor • Employee's Manager • Vice President for Human Resources • University Counsel	Title IX Coordinator/ Affirmative Action Officer or another Investigator From Trained Pool	Vice President for Human Resources	Chief Administrative Officer
Third Party	• Title IX Coordinator/Affirmative Action Officer • Vice President for Human Resources • University Counsel	Title IX Coordinator/ Affirmative Action Officer or another Investigator From Trained Pool	Chief Administrative Officer	Chief Financial Officer
President or Senior Executives who report to him/her	• Title IX Coordinator/Affirmative Action Officer • Vice President for Human Resources • University Counsel	Title IX Coordinator/Affirmative Action Officer or another Investigator From Trained Pool	Executive Committee of Board of Trustees (with the recusal of the President and Chair of the Board of Trustees)	Chair of the Board of Trustees

OBJECTIONS TO THE INVESTIGATOR, DECISION MAKER OR APPEAL OFFICER

The Complainant or Respondent may object to the participation of the particular Investigator, a member of the Faculty Review Committee (defined on page 11 of this Policy and Procedure), the Decision Maker or Appeal Officer based on a conflict of interest or other facts suggesting that the Investigator, Faculty Review Committee member, Decision Maker, or Appeal Officer is unable to fulfill his or her responsibilities in an impartial manner. Such objection must be made in writing to the Title IX Coordinator/Affirmative Action Officer prior to any recommendation or decision being issued by the person and in no event, later than two calendar days after the Respondent or Complainant, if any, learn the identity of the person or persons who will be serving in these roles. In all cases except when the objection is to a member of the Faculty Review Committee, the Title IX Coordinator/Affirmative Action Officer will refer the objection to the Chief Administrative Officer, who will evaluate the objection and, in consultation with the Title IX Coordinator/Affirmative Action Officer and University Counsel, decide whether to uphold or deny the objection. If the objection is upheld, appropriate replacement or replacements will be selected by the Chief Administrative Officer in consultation with the Title IX Coordinator/Affirmative Action Officer and University Counsel.⁵ If the objection is to a member of the Faculty Review Committee, the Title IX Coordinator/Affirmative Action Officer will refer the objection to the appropriate Location Faculty Grievance Committee.

The Location Faculty Grievance Committee, in consultation with the Title IX Coordinator/Affirmative Action Officer and University Counsel, shall determine whether to uphold or deny the objection, and if the objection is upheld, select an appropriate alternate Faculty Review Committee member. The Chief Administrative Officer and the Location Faculty Grievance Committee shall set forth the reasons for their objection determinations in writing, which they shall transmit to the Complainant, the Respondent and the Title IX Coordinator/Affirmative Action Officer.

DELEGATION OF AUTHORITY

Any University administrator or official empowered by this policy, may delegate his or her authority to any other appropriate University official. Delegation of authority may be necessary to avoid conflicts of interest or where time constraints or other obligations prevent a University official named in this policy from fulfilling his or her designated role.

CONDUCT OF THE INVESTIGATION

During the course of the investigation, the Complainant and the Respondent shall each be afforded an opportunity to present his/her version of the event(s) to the Investigator(s), provide the names of witnesses and any other evidence. Investigators shall determine who is present during the interviews. The Respondent will have no right to directly question any witnesses, including the Complainant, or to be present during such questioning. Attorneys or other representatives for a Complainant, Respondent or witness will not, as a general rule, be allowed to attend investigatory interviews. As part of their investigation, Investigators will also confer with the Title IX Coordinator/Affirmative Action Officer, the Vice President for Human Resources and University Counsel to determine whether the Respondent has been the subject of any previous complaints, reports or investigations and whether the Complainant has made previous complaints or reports of prohibited Discrimination, Harassment or Retaliation. The University will take immediate action as it deems necessary and appropriate, while investigating the complaint, to ensure there is no further Discrimination, Harassment or Retaliation. All members of the University Community are urged to cooperate with this Complaint Procedure and any investigation being conducted by the University into a complaint of prohibited Discrimination, Harassment or Retaliation. A failure to do so may

⁵ In the event that the Chief Administrative Officer has a conflict of interest, another appropriate University Administrator will determine the objection and select an appropriate replacement or replacements, in consultation with the Title IX Coordinator/Affirmative Action Officer and University Counsel.

impede the investigation and may result in unfortunate consequences such as adverse inferences being drawn, decisions being made based on the limited information available and, for university employees who refuse to cooperate, possible discipline up to and including discharge being imposed.

CONFIDENTIALITY

The University shall keep all complaints of prohibited Discrimination, Harassment and/or Retaliation, and the investigation into such complaints, confidential to the extent reasonably possible consistent with the law and the University's obligation to conduct an appropriate investigation. In the event the information concerning the allegations becomes public, the University may respond or comment in a manner that it deems appropriate.

INVESTIGATOR'S REPORT

Following the completion of the investigation, the Investigator shall promptly prepare a written report of the investigation ("Investigation Report") that contains the following:

- a copy of any written complaint filed by the Complainant and if none was filed by the Complainant, then a written summary of the complaint or report prepared by the investigator.
- a copy of any document reviewed by the Investigator in connection with the investigation.
- to the extent known by the Investigator, the name(s) of the Complainant(s), the name(s) of the Respondent(s), the name of every person interviewed by the Investigator in connection with the investigation and the name of any persons presented by the parties as witnesses and a summary of any evidence provided.
- the name of each individual the Investigator attempted to interview but did not interview in connection with the investigation, the attempts that the Investigator made to interview such individual(s), and the reason(s) why such individual(s) was not interviewed.
- a summary of each interview conducted by the Investigator in connection with the investigation;
- a list of the relevant facts that the Investigator found during the investigation.
- a recommendation based on the evidence obtained by and available to the Investigator as to whether or not the complaint alleging a violation of the Policy and Procedure is substantiated or unsubstantiated using a preponderance of the evidence standard⁶;
- a description of any prior complaints made against the Respondent and/or by the Complainant, the resolution of any prior complaints, whether any information from the previous complaints was relied upon by the Investigator in making any findings of fact or recommendations in the report⁷;
- a recommendation as to what, if any, remedial measure(s) (e.g., Harassment training, etc.) should be taken in light of the complaint and/or factual determination; and
- a recommendation as to what, if any, disciplinary measure(s), including suspension or termination, should be taken against the Respondent.

⁶ A preponderance of the evidence means to prove that something is more likely so than not so and does not require proof to an absolute certainty or beyond a reasonable doubt.

⁷ Notwithstanding the existence of a prior complaint or complaints, a determination as to whether this Policy has been violated in a given situation will be based on the information obtained during the Investigation into that specific situation. However, if the Respondent is found to have engaged in such prohibited conduct in the current case, then previous determinations of Discrimination, Harassment and/or Retaliation may be considered by the Investigator, Faculty Review Committee, Decision Maker and Appeal Officer, with respect to the severity of remedial/disciplinary action in the current case.

Upon completion of the Investigation Report, the Investigator shall forward it (including the findings of fact and recommendations) to the appropriate Decision Maker listed in the Complaint Procedure Diagram, or his/her designee. The time needed to complete an investigation will vary based upon several factors, including the complexity, severity and extent of the allegations. It is expected most investigations will be completed within twenty-one calendar days and only rarely will the investigation exceed forty-five calendar days.⁸

If the Complainant or Respondent is a faculty member, then the Investigator, at least five calendar days prior to submitting the Investigation Report to the Decision Maker, shall submit the report to a Faculty Review Committee. The Faculty Review Committee will consist of three faculty members selected from and by the appropriate Location Faculty Council Grievance Committee. The Faculty Review Committee shall have five days to submit their written comments/recommendation, if any, regarding the Investigation Report to the Decision Maker before the Decision is made.

THE DECISION

Within seven days of receiving the Investigation Report from the Investigator, the Decision Maker shall issue a written Decision (setting forth the basis therefor), which, in whole or in part: (i) accepts the recommendations contained in the Investigation Report; or (ii) rejects the recommendations in the Investigation Report. In making the Decision, the Decision Maker shall accept the Findings of Fact made by the Investigator if they are substantially supported by the evidence. If such Findings or Fact are not substantially supported by the evidence, the Decision Maker may reverse the Findings of Fact, modify them or remand the investigation to the Investigator or another Investigator for further action consistent with the Decision Maker's Decision. The Decision Maker shall promptly, no later than two calendar days, forward the Decision to the Investigator, the Respondent and Complainant, if any, and the Faculty Review Committee if the Complainant or Respondent is a faculty member. In addition, the Decision Maker shall forward the Decision to any University officials the Decision Maker believes should be made aware of the Decision.⁹

APPEALS

Within five calendar days of the date of receipt of the Decision, the Complainant, if any, or the Respondent may file a written appeal to the appropriate Appeal Officer listed in the Complaint Procedure Diagram. The appeal must include a detailed statement setting forth the ground(s) upon which the appeal is based. The sole grounds upon which a Complainant may base an appeal are as follows:

- the finding that the violation was unsubstantiated was not based on a preponderance of the evidence.
- material evidence exists that was not available to the Investigator or the Decision Maker during the investigation or prior to issuance of the Decision;
- the Investigator or Decision Maker made a substantial procedural error that may have affected the investigation or Decision;

⁸ Circumstances may arise that require time periods to be extended for good cause. When such circumstances arise, the Complainant and Respondent will be informed.

⁹ If the Alleged Wrongdoer is a faculty member, the Decision Maker shall not issue a decision until after the earlier of his or her receipt of the Faculty Review Committee's comments/recommendations or the expiration of the five calendar day Faculty Review Committee Investigation Report comment period. If the Decision Maker or Appeals Officer remands such investigation to the Investigator or another Investigator for further action, upon completion of the revised Investigation Report, the Investigator shall deliver the revised Investigation Report to the Faculty Review Committee, which shall have a new five calendar day period within which to provide their comments/recommendations with respect to such revised Investigation Report and forward it to the Decision Maker.

- the Investigator or Decision Maker had a conflict of interest that may have affected the investigation or Decision and was not known to the Complainant prior to the investigation or issuance of the decision; and/or
- any disciplinary measure to be taken against the Respondent is inadequate.

The sole grounds upon which a Respondent may base an appeal are as follows:

- the finding that the violation was substantiated was not based on a preponderance of the evidence.
- material evidence exists that was not available to the Investigator or Decision Maker during the investigation or prior to the issuance of the Decision.
- the Investigator or Decision Maker made a substantial procedural error that may have affected the investigation or the Decision.
- the Investigator or Decision Maker had a conflict of interest that may have affected the investigation or Decision and was not known to the Respondent prior to the investigation or issuance of the Decision.
- any disciplinary measure(s) to be taken against the Respondent is excessive.

Within five business days of receiving a timely appeal, the appropriate Appeal Officer shall request that the Investigator forward to the Appeal Officer: (i) the Investigation Report and investigative file; (ii) the Decision made by the Decision Maker; and (iii) the Investigator's written communications to the Complainant and Respondent informing each of the outcome of the investigation. Upon receiving such a request, the Investigator shall promptly forward these documents to the Appeal Officer. Upon receiving these documents, the Appeal Officer shall decide the appeal, with the burden on the appealing party to prove one or more of the limited grounds for appeal by a preponderance of the evidence. The Appeal Officer shall have discretion to stay implementation of the Decision while the appeal is pending. The Appeal Officer shall issue a written appeal decision within five days following receipt of the material from the Investigator and transmit the decision to the Investigator, the Decision Maker, the Complainant, if any, and the Respondent. The Appeal Officer may affirm the decision in whole or in part, modify the decision, reverse the decision, or send it back to the Investigator or Decision Maker for further investigation and/or consideration. In addition, the Appeal Officer shall forward the appeal decision to any University officials the Appeal Officer believes should be made aware of the appeal decision. Unless the Appeal Officer sends the decision back for further investigation, the Appeal Officer's decision is final. When a decision is sent back to the Investigator for further investigation, the Investigator shall issue a revised Investigative Report, and the Decision Maker will consider the new information and render a new decision. The parties will then have an opportunity to appeal that decision in accordance with the procedure set forth above.

MISCELLANEOUS PROVISIONS

- All time periods may be extended by the University for good cause shown.
- In the event the allegations of Discrimination, Harassment or Retaliation are involved with other violations of university policies, the University reserves the right to select the process or processes to be used to determine all charges that arise out of the same incidents and/or allegations and whether any overlapping procedures are to be utilized sequentially, simultaneously or not at all. In the event a criminal investigation is also being conducted into events that are the subject of an investigation under this Policy and Procedure, it will not delay the University's investigation into the same matter. However, the University may decide to coordinate its investigation with evidence being gathered during the criminal investigation.
- The Title IX Coordinator/Affirmative Action Officer will also serve as the centralized record keeper of records concerning complaints and investigations and will ensure that Investigators and Decision Makers under this Policy and Procedure are made aware of prior complaints and investigations involving Respondents. Additional records

concerning complaints and investigations may also be maintained by the Vice President for Human Resources and University Counsel.

- Students may utilize this Complaint procedure and/or they may complain directly to the Office of Civil Rights of the [Department of Health and Human Services](#).
- At any time after a complaint is made, the University, Complainant and Respondent may decide an attempt should be made to informally resolve the complaint through informal methods such as mediation.
- The President or his or her designee may take steps that he or she may deem necessary and appropriate, on an interim basis during the pendency of an investigation or appeal, to protect the Complainant, the Respondent, or any other member(s) of the University community, and/or to protect the interests of the University. Such steps may include actions intended to separate individuals or minimize contact between them such as allowing students to change academic or living situations, temporarily transferring or suspending students, staff or faculty, or any other action deemed necessary and appropriate.
- Any suspension or termination of a tenured faculty member or full-time non-tenured faculty member prior to expiration of a contract of appointment will be subject to the University's Academic Dismissal Policy and Procedure.

All questions about this Policy and Procedure should be directed to the Title IX Coordinator/Affirmative Action Officer or University Counsel.

RECORDS DISCLOSURE

Disciplinary proceedings conducted by the University are subject to the Family Educational Rights and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the University without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Students should be aware, however, that information collected during the investigation process may be subpoenaed in civil or criminal proceedings.

Additional information about the University's FERPA policies can be found on [Pace University's Student Records webpage](#).

EXAMPLE OF COMPLAINT FORM

Complete the fields below. Use the Tab key to move through fillable fields and checkboxes.

Date(s) of Incident(s):

Complainant:

Person(s) About Whom Complaint Is Made:

Description of Incident(s) (attach additional sheets if necessary):

Name(s) of Witness(es), if any:

Has the incident(s) been reported before?

☐ Yes ☐ No

If yes, when, to whom, and what was the resolution?

Complainant Signature:

Date:

For Office Use

Complaint Received By:

Name/Signature, Title:

Date:

**ACKNOWLEDGMENT OF RECEIPT OF PACE UNIVERSITY'S
POLICY AND PROCEDURE -
DISCRIMINATION, NON SEX-BASED HARASSMENT AND
RETALIATION**

By my signature below, I acknowledge that I have received a copy of Pace University's Policy and Procedure - Discrimination, Non-Sex-Based Harassment and Retaliation. I agree to read this Policy and Procedure thoroughly, and if I do not understand any aspect of this Policy, I will seek clarification from

Acknowledgment Information

Print Name:

Signature:

Date:

HATE/BIAS-RELATED CRIME POLICY - POLICY STATEMENT:

The New York State Legislature found and determined that "criminal acts involving violence, intimidation, and destruction of property based upon bias and prejudice" have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes," victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable, physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the groups to which the victims belong. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to a healthy democratic process. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them.

Pace University's Guiding Principles of Conduct clearly and unequivocally states that "membership in the University community is accompanied by the responsibility to maintain and foster an environment characterized by freedom of expression, inquiry and exchange of ideas and respect for the dignity and uniqueness of each individual." In addition, the University has established standards of behavior to ensure the safety of all members of the University community. The commission of a crime of violence, intimidation, or destruction of property by a member of the Pace community is unacceptable. The commission of such a crime out of bias or prejudice is repugnant and will not be tolerated. The University, through its discrimination, sex-based misconduct, disciplinary or employment policies, procedures and practices and/or by referral to local law enforcement officials, will seek appropriate redress including criminal prosecution against any student, staff, or faculty member who violates this policy. The University will also refer to local law enforcement officials, violations of this policy by contractor and vendor personnel, licensees, invitees and visitors, and reserves the right to eject and or bar those violators from University premises and activities.

Definition: Under the New York State Hate Crimes Act of 2000 (codified as Article 485 of the New York State Penal Law), a person commits a hate crime when he or she commits an offense specified in the Act and either:

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

Copies of applicable current University policies and procedures; applicable federal, state, and local laws as well as applicable regulations concerning hate crimes; and the penalties under New York State law for commission of hate crimes are available in the offices of Security, the Affirmative Action Officer, the Dean for Students, Student Affairs, Human Resources, and the Counseling Center on each campus. These offices offer brochures, workshops, and seminars to educate the campus community. From time to time, special notices and articles are also posted, distributed or appear in student newspapers and other University publications.

HATE/BIAS RELATED CRIME REPORTING

There are numerous ways available within the University to report a hate/bias-related crime. Hate/Bias crimes may be reported to the Affirmative Action Officer (AAO), who is the University official delegated with responsibility to investigate all reports of discrimination within the University.

The AAO, Arletha (Lisa) Miles, has an office in New York City (212) 346-1310 or amiles@pace.edu located at 163 William St., 10th Floor, Room 2017, New York, New York 10038; and can be reached in Westchester at (914) 923-2610. All crimes, including hate/bias-related crimes, may be reported to the Campus Security Office, Dean for Students, Office of Multicultural Affairs (New York City) or Diversity Programs (Westchester) or the Human Resources Offices. All crime emergencies on campus may be reported to the Pace Campus Security via the Intra University Emergency Phone, extension 777.

If you are unsure as to whether a hate/bias-related crime may have occurred, or desire to speak with someone confidentially, you may contact the Counseling Centers in New York City (212) 346-1526 or Westchester (914) 773-3710.

The University is required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. §1092(f), to report all hate/bias-related crimes to the United States Department of Education as part of its annual crime statistics reporting. You can find these statistics on the Pace University website at www.pace.edu (select "S" from the A–Z index, Safety and Security, Campus Statistics). When a hate/bias-related crime occurs on campus, the University community will be notified at the time and in the manner described in the section on Safety and Security, Crime Reporting, which is in this handbook.

PROCEDURES FOR HANDLING HATE/BIAS-RELATED CRIMES

Complaints involving hate/bias-related crimes may be initiated as appropriate, through the University Policy and Procedure [Non Sex-Based Discrimination, Harassment and Retaliation \(PDF\)](#), [University Sex-Based Misconduct Policy and Procedure \(PDF\)](#), or the [University Disciplinary Procedures](#), which are described in the handbook. Complaints involving faculty or staff should be initiated through the AAO [see above] or the Human Resource Office. Any complaint involving a bias-related crime may be made directly to local law enforcement agencies.

PENALTIES FOR COMMISSION OF A HATE/BIAS-RELATED CRIME

Internal University sanctions against a student, student group or organization can include a wide range of penalties as enumerated in the handbook including actions such as warning, restitution, probation, and up to and including expulsion (permanent separation) from the University.

Penalties against faculty and staff are determined through established employment practices and may include up to termination.

In addition, the New York State Hate Crimes Act of 2000 revised the State Penal Law to impose criminal penalties for hate crimes. Such penalties include incarceration.

HATE/BIAS-RELATED CRIME PREVENTION INFORMATION

Pace University is intent on insuring a safe and secure environment, free from bias and prejudice for all its community members. The University provides to new students each year, information on bias-related crime, alcohol and drug use, Sex-Based Misconduct (including sexual harassment and sexual assault), and general crime prevention through various means including orientations, this handbook, and in other relevant publications and brochures. The University also provides information and encourages discussion of these and related topics through workshops, seminars, discussion groups,

media presentations, and a wide variety of activities, events, and programs sponsored by the University departments and student organizations. Students are also exposed to these issues through the curriculum of University 101, the required extended orientation course taken by all freshmen. Counseling and Support Victims and/or witnesses to hate/bias-related crimes may obtain counseling and support from the University Counseling Center, University offices of Multicultural Affairs or Diversity Programs, or the Dean for Students. Faculty and staff may seek counseling and support through the University Employee Assistance Program. The above policy, information and procedures are in compliance with the New York State Hate Crimes Act of 2000 and section 6436 of the New York State Education Law.