

ELYON COLLEGE

**STUDENT
INFORMATION
HANDBOOK**

**1400 West 6 Street
Brooklyn, N.Y. 11204
Tel. (718) 259-5600**

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Message From The President

Welcome to Elyon College. Thank you for choosing Elyon College in building your educational and professional future.

Elyon programs are designed for the mature student, and will provide the educational key for success in the challenging and competitive world of the 21st century. Students should read and use this handbook primarily for reference for their day-to-day activities. Students should also refer to the Elyon College Catalog for more information.

Once again, it is a pleasure to welcome you to the growing family of Elyon College. The faculty and staff assure you the best possible educational experience and will help you plan for and achieve your educational and professional goals. We at Elyon are dedicated to providing you quality education.

We look forward to working with you.

Sincerely,

*Rabbi Chaim Waldman
President*

Mission And Philosophy

Elyon firmly believes that every individual was created by G-d to contribute to this world in a meaningful fashion through the maximum utilization of his/her particular abilities and talents. Therefore, our College has been designed to foster within each student a sense of self-esteem and a desire to make a positive change in society at large. We challenge our students to achieve their utmost and inculcate them with the knowledge and skills that fully actualize their potential, developing their respect for productivity and love for lifelong learning.

At our College, we believe that, in order to achieve utmost self-actualization and self-sufficiency, an individual must have the training that will lead to meaningful and constructive employment. We teach students the skills necessary to utilize their talents and become gainfully employed and successful in their ongoing educational endeavors, higher education or academic pursuits. Students are encouraged to develop a sense of social responsibility and become active participants in our global community, thereby making a positive difference in society.

The mission of Elyon College is two fold: to prepare individuals for service as Jewish community workers and leaders, as well as to prepare individuals for careers in the field of business. This is accomplished in an atmosphere that promotes self-development and a commitment to contributing selflessly to others. Consistent with its stated mission, Elyon College supports the following goals and objectives:

- To provide educational opportunities through a concentrated and structured program of study that prepares students for community leadership
- To provide educational opportunities that enable students to acquire the required skills and knowledge that will allow them to gain entry-level employment in the fields of Accounting and Technology
- To encourage caring, commitment, service, professionalism and ethical practices.
- To develop and offer curricula that provide an integral sequence of courses leading to the acquisition of coherent, reliable, and current knowledge
- To incorporate learning experiences that foster the ability to think critically, to work cooperatively, and utilize effective communication skills
- To maintain on-going contact with the community through organizations and agencies
- To monitor programs on a continuous basis to assess their outcomes
- To provide the foundations that will enable Elyon College graduates to pursue education at four-year institutions and instill a strong commitment to life- long learning
- To offer students close personal attention and advisement to ensure individual success
- To provide graduates with assistance with job placement, and opportunities for continued education
- To provide appropriate student services, including financial aid, academic advising, career placement, and other relevant support
- To foster the development of a highly qualified faculty that has a strong educational background and significant practical experience
- To support the academic achievement of all students and to allow students who choose and qualify to accelerate through the Associate Degree and Certificate programs
- To facilitate the academic programs with appropriate facilities, up-to-date equipment and timely access to learning resources.

The programs are directly related to the mission of the College, since they will prepare students for gainful employment, further their education, and enable them to become contributing citizens of their community.

In a supportive and caring learning environment, Elyon students will learn to be proud of their capabilities, responsible citizens, and ready, willing and able to become meaningful contributors to their communities.

College Location

Elyon College is located at:

1400 WEST 6 ST., BROOKLYN, N.Y. 11204

The telephone number is:

(718) 259-5600

Elyon College is located in the heart of a well preserved residential neighborhood, in close proximity to a shopping district and numerous conveniences. We are situated within short walking distance of the B4, B5 and B6 bus lines, as well as the N train, which connects directly to the B and M trains. We are also easily reached by the Belt Parkway (Bay Parkway exit) and the Prospect Expressway.

Facilities of the College occupy the upper floors of the West 6 Street High School building. The area designated for College operations contains spacious and well designed classrooms, state of the art computer laboratories, administrative and counseling offices, student lounge/library. The overall environment has been conceived with the express purpose of stimulating intellectual and personal growth.

Building Access

Elyon College is open to students and staff during the hours of 9:00 a.m. to 5:00 p.m., Sunday to Friday, except during the winter months when the building will close at 2:30 p.m. on Fridays, and 6:00 p.m. to 10:00 p.m., Monday to Thursday when there are evening classes. Visitors to the College must check in with the receptionist.

Administrative Guidelines

Student Responsibilities

Elyon College expects students to exhibit the highest levels of academic and personal integrity. In particular, students are expected to:

- Consult College policies, procedures and programs contained in the catalog and other pertinent College materials.
- Pursue their learning goals and academic work with honesty and integrity.
- Treat each other, faculty and staff, with respect and understanding.
- Meet financial obligations to the College in a timely manner
- Keep the College informed of changes in address, name, and telephone number.
- Behave in a manner consistent with the standards of the occupation or profession they plan to enter.

Students not practicing appropriate academic citizenship may be subject to suspension or dismissal.

Department and Demeanor

Personal Appearance - Personal appearance is extremely important in facilitating acceptance by other educational professionals. A professional appearance aids in establishing confidence and trust. The appearance of one individual is often generalized to the entire college.

Professional Conduct - Students are expected to conduct themselves in a manner consistent with the function of an institution of higher education and are required to abide by the standards of academic honesty, ethics, and professional conduct. Students are professional trainees and representatives of Elyon College.

Elyon College takes pride in preparing students for positions in the professional community. Therefore, it is expected that students will conduct themselves in a manner consistent with the highest educational and business standards.

Any student may be subject to suspension or expulsion for any conduct that violates the College's policy or that may be, at the College's discretion, detrimental to the College's reputation. The administration does not need to give further reason.

Inappropriate behavior of any kind, including the use of alcohol, illegal drugs, or evidence of cheating can lead to dismissal. Dismissal can be effected after only one such incident. The decision to dismiss a student will be that of the College.

The College shall not be under any liability for the expulsion; tuition of the student shall be refunded in accordance with the terms of the stated refund clause.

Dress Code

At Elyon, we are very proud of our College and our students. We prepare the students academically and professionally from the first day of classes. Elyon College is committed to preparing students with highest standards of ethical and moral responsibility. We ask the students to dress in business appropriate attire. Students are expected to dress appropriately and to present a general appearance of good taste proper to the situation and in accordance with dress standards established. Business attire is expected in preparation for the corporate look.

Classroom Rules

No smoking, food, or beverages are allowed in any classroom at any time. Designated areas must be used. Students should remain in the classroom area or authorized lounge area during breaks and between classes. Students may NOT under any circumstances, enter unoccupied offices or classrooms and remove chairs, or use equipment not provided by Elyon College.

- **Please do not litter!**
- **Use the litter facilities provided!**

Institutional Charges and Refund Policy

Tuition Payment and Costs

Tuition and Fees Payments for Programs of Study - Current tuition charges are

\$4,875 per semester for the AAS Degree in Accounting and Business Technology Program. If a student chooses to complete the program in 2 semesters, the total cost will be \$9,750. If a student chooses to complete the program in 4 semesters, the total cost will be \$19,500.

\$6,250 per semester for the AS Degree in Judaic Studies (for Education and Leadership) program. If a student chooses to complete the program in 2 semesters, the total cost will be \$12,500. If a student chooses to complete the program in 4 semesters, the total cost will be \$25,000.

\$4,500 per semester for the Certificate in Accounting and Business Technology. If a student chooses to complete the certificate in 2 semesters, the total cost will be \$9,000 with an additional \$4,500 for each additional semester.

\$4,500 per semester for the Certificate in Judaic Studies (for Education and Leadership) program. If a student chooses to complete the certificate in 2 semesters, the total cost will be \$9,000 with an additional \$4,500 for each additional semester.

The first semester tuition payment is due on the day of registration and by the start of any subsequent semesters. However, a plan, such as monthly installments, may be arranged, but semester tuition must be fully paid by the 10th week of each semester. The College enrolls only for credit full-time students. The cost of books is approximately \$450.00 per semester.

Payment may be made by check, cash, credit card, or money order. Each student should discuss alternate payment plans with the Director of Administration prior to the start of classes. Failure to meet financial obligations may result in the delay of instruction and/or dismissal of the student, withholding of academic records and/or transcripts, at the discretion of the College, until all financial obligations have been met.

Elyon College school administration may decide to pursue collection of delinquent accounts through a collection agency. A student must be in good financial standing in order to continue his/her studies and to graduate.

A \$100 non-refundable Registration fee is charged by the College upon enrollment. Tuition and fees are due on the day of registration unless alternative arrangements with the Director of Administration office have been made. Failure to meet financial obligations will result in delay of instruction and/or dismissal of the student at the discretion of the College.

The College does not offer housing and food services. The estimated cost for room and board for an independent student is \$4,680 per semester and for a dependent student it is \$1,920 per semester. Other living expenses are approximately \$1,980 per semester.

Refund Policy For Curricula Offered

The following tuition refund policy is approved by The New York State Education Department:

Cancellation And Refund Clause

- A. Student who cancels within 7 days of signing the enrollment agreement or is rejected by the college, or has a program cancelled or is a “no show” receives a full refund, with the exception of the non-refundable registration fee.
- B. Thereafter, the student will be liable for:
 1. The non-refundable registration fee, plus
 2. The cost of any textbooks or supplies accepted, plus
 3. Tuition liability as of the student's last date of physical attendance. Tuition liability is divided by the number of semesters in the program. Total tuition liability is limited to the semester during which the student withdrew or was terminated, and any previous terms completed.

(a) First Semester

If termination occurs College may keep

Prior to or during first week	0%
During the second week	20%
During the third week	35%
During the fourth week	50%
During the fifth week	70%
After the fifth week	100%

(b) Subsequent Semesters

If termination occurs College may keep

During the first week	20%
During the second week	35%
During the third week	50%
During the fourth week	70%
After the fourth week	100%

Refunds will be paid within forty five (45) calendar days from the documented date the student gives written or verbal notice of withdrawal to the institution or the date the institution terminates the student,

The following tuition refund policy is approved by The Accrediting Council for Continuing Education & Training (ACCET):

If an applicant never attends class (no-show) or cancels the contract prior to the class start date, all refunds due will be made within forty-five (45) calendar days of the first scheduled day of class or the date of cancellation, whichever is earlier. For an enrolled student, the refund due will be calculated using the last date of attendance (LDA) and be paid within forty-five (45) calendar days from the documented date of determination (DOD). The date of determination is the date the student gives written or verbal

notice of withdrawal to the institution or the date the institution terminates the student, by applying the institution's attendance, conduct, or Satisfactory Academic Progress policy. Cancellations:

1. Rejection of Applicant: If an applicant is rejected for enrollment by an institution, or if a prospective international student has his/her visa application rejected, a full refund of all tuition monies paid will be made to the applicant.
2. Program Cancellation: If an institution cancels a program subsequent to a student's enrollment, the institution will refund all monies paid by the student.
3. Cancellation Prior to the Start of Class or No Show: If an applicant accepted by the institution cancels prior to the start of scheduled classes or never attends class (no-show), the institution will refund all monies paid, less a maximum application/registration fee of \$200, if such charges are clearly noted in the enrollment agreement as being non-refundable. An institution may retain any actual housing costs incurred by the institutions and a maximum total of \$500 for any non-refundable charges clearly identified in the enrollment agreement, including any application/registration fee, courier fees, and travel cancellation insurance, when a student is recruited from outside the United States or its territories and possesses a student visa to enter the country for study.
4. Cancellation After the Start of Class: An institution may consider a withdrawal as a cancellation or no show (for example, within the first week of the program) provided this process is fully delineated in writing as part of the refund policy and provided to all students at or before enrollment. A student who is considered a cancellation or no-show under such a policy must have all charges refunded and all payments returned to the individual or the applicable funding source less the maximum allowable application/registration fee of \$200, if such charges are clearly noted in the enrollment agreement as being non-refundable. In no event may a student be treated differently based on the source of funding or the timing of disbursements or payments. Cancellations processed in accordance with the above section are not treated as a start by ACCET and, therefore, do not negatively impact the institution's completion rate.
5. Withdrawal or Termination after the Start of Class and after the Cancellation Period:
 - a. The institution may retain an administrative fee associated with withdrawal or termination not to exceed \$100.
 - b. During the first week of classes, tuition charges withheld will not exceed 10 percent (10%) of the stated tuition up to a maximum of \$1,000. When determining the number of weeks completed by the student, the institution will consider a partial week the same as if a whole week were completed, provided the student was present at least one day during the scheduled week.
 - c. After the first week and through fifty percent (50%) of the period of financial obligation, tuition charges retained will not exceed a pro rata portion of tuition for the training period completed, plus ten percent (10%) of the unearned tuition for the period of training that was not completed.
 - d. After fifty percent (50%) of the period of financial obligation is complete, the institution may retain the full tuition.

A comparison of the two policies will be made to determine which policy is more beneficial to the student and the student's account will be adjusted according to the refund that is most advantageous.

Treatment Of Title IV Funds When A Student Withdraws

The 1998 Reauthorization of the Higher Education Act requires colleges to calculate how much Title IV Funds a student earns based on a percentage of their attendance prior to their withdrawal. The amount of Title IV funds earned is calculated by dividing the number of hours the student attended by the number of hours in the payment period. This is the percentage of federal dollars earned by the student. Up through the 60% point in each payment period a pro rata schedule is used to determine the amount of Title IV funds the

student has earned at the time of withdrawal. If this percentage is greater than 60%, the student earns 100% of their Title IV funds for that payment period. The unearned portion of federal aid funds received must be returned to the appropriate aid program in accordance with the order of return of funds as mandated by law. This calculation may result in the student owing the College money based on the College refund policy as previously stated.

A student is expected to meet all financial obligations to Elyon College as scheduled. A student having difficulty meeting his/her financial responsibilities should contact the Financial Aid Office to discuss the problem and explore possible solutions. The Institute may refuse admittance to class and withhold transcripts and/or degrees if all financial obligations are not met.

Financial Aid (If And When Approved)

Elyon College upon participating in state and federal financial aid programs will require all students applying for financial assistance to complete the Free Application for Federal Student Aid (FAFSA). The document establishes eligibility for aid from federal and state governments. To be eligible for financial aid, students must be citizens of the United States or eligible non-citizens, enrolled in a New York State registered programs leading to a degree or certificate, not be in default or owe a refund on financial aid previously received and meet satisfactory academic progress standards. A student must reapply each academic year to determine continued eligibility. Students are urged to acquire additional relevant financial aid information bulletins and material from the Financial Aid office.

FINANCIAL AID PROGRAMS

Elyon College will assist students and their families to meet the cost of education by making sure that comprehensive financial aid information is made available. Students will be apprised of all available federal, state and other aid sources. They will be required to submit the relevant financial aid forms on or before enrollment. The Administration will track the Financial Aid packaging of every eligible student and, where necessary, assist students to address aid problems that may be encountered.

College procedures will assure that the College maintains all necessary Financial Aid records required by federal and state statutes and regulation that govern grant and loan programs. The Financial Aid Office will be responsible for all relevant student Financial Aid records.

THE TUITION ASSISTANCE PROGRAM (TAP)

Tuition Assistance Program (TAP) awards are available to New York State students who are enrolled full-time at the College. Award amounts are based on NYS taxable income and are received by filing an application for each award year (July 1 through June 30) of attendance at the College. The maximum amount a student may receive is \$5,000 per year. Amounts received are applied against tuition charges only and need not be repaid. To receive TAP in subsequent semesters, a student must maintain satisfactory academic progress and meet all HESC eligibility requirements.

THE FEDERAL PELL GRANT PROGRAM

The Pell Grant awards are Federal Aid awards available to students who are enrolled at least half time at the College. The Pell Grant provides up to \$4,310 for each undergraduate year. Amounts received are grants for educational expenses and need not be repaid. Pell Grants are not available to students who have received a bachelor's degree. Application for the Pell Grant must be made each award year (July 1 through June 30) that the student is in attendance. Award amounts are based on federal income tax return information, non-taxable income, and parent and student financial resources.

Sources of financial aid that may be available to Elyon College students is available in the College catalog.

FINANCIAL AID VERIFICATION POLICY AND PROCEDURES

Verification is the process of confirming, by the College, the accuracy of certain data provided by the student in the FAFSA. The United States Department of Education generally selects students for verification, but the College may also choose to verify certain application data.

It is the policy of Elyon College to provide each student, either in person or by mail, with a clear understanding of the forms and other documentation needed to verify her/his application. The documentation may include but is not limited to Federal income tax forms and Verification Worksheet. If a student is not clear of what is needed he/she should seek further explanation from the Financial Aid Office.

Because financial aid may not be available to a student who does not complete the verification process in a timely manner, each student is encouraged to submit the requested documents as soon as possible. A student who fails to complete the verification process by the appropriate deadline may be ineligible for financial aid.

The institution is required by federal regulations to make referrals to the United States Department of Education if it suspects that aid is requested under false pretenses. Moreover, if during verification an overpayment situation does occur, Elyon College will make every effort to collect the overpayment from the student. If, however, it is not collected, the College may refer the case to the United States Department of Education.

APPLYING FOR FINANCIAL AID

The process for applying for financial aid is extensive. The College may assist the student and her/his family as needed. The student must complete the FAFSA. That form is available from the College's Admissions and Financial Aid Offices, high college counselors and most public libraries. The FAFSA is used to determine eligibility for financial aid. At the student or parents' discretion, a separate loan application may be necessary in order to borrow funds.

DETERMINATION OF AWARDS

Aid dollars are awarded on the basis of formulas established by the Congress and in the case of New York's Tuition Assistance Program (TAP) by the state Legislature. The formulas take into consideration such factors as family income, family assets, family size, number of household members, and student earnings. Elyon College is not in any way involved in establishing the student aid formulas.

Attendance Policy

Elyon College believes that student attendance in class is critical for the successful completion of its programs. Students who are absent for unspecified reasons will be contacted to ascertain the reason for their absence. Students who exhibit irregular attendance may cause their grades to decline and their continued enrollment at the College may be in jeopardy. It is the student's responsibility to make up any missed course work. Student attendance is taken into consideration in assigning grades, and students are informed of this in the course syllabus.

Students must maintain an overall 80 percent attendance rate in order to graduate. Absences for more than 10 percent of scheduled classes may result in failure, grade reduction, other academic sanctions, or disciplinary measures. The student is responsible for supplying verification for the following excusable absences: personal illness or disabling injury, death in the family, family crisis or late start registration.

Students who are absent for 1 or more weeks will be advised and notified that she/he has reached a dangerous level of absences. These students are required to discuss with his/her instructor how the missing classes and work can be made up. All missing work must be made up in order to bring the attendance to the satisfactory level. Students who are absent for 2 or more consecutive weeks or 10 percent of scheduled classes without notifying the school of the causes of the absence will be automatically withdrawn from Elyon College.

Coming habitually late to class or leaving early can be disruptive to all. Students are considered late if they come 10 or more minutes after class has begun, and they are considered as leaving early if they leave 10 or more minutes before class is over. Three or more tardiness or early leaves is equal to one absence. Excused absences still count as an absence when calculating the 80 percent attendance requirement. Our goal is to prepare students for the business world, a community where punctuality is a key to success. three or more tardies or early leaves is equal to one absence.

Professional behavior and attitudes is an essential aspect of the program, and regular class attendance and accountability are reflections of professional behavior.

STUDENT ABSENCES

1. Students are not entitled to any “free cuts” or absences
2. Students are expected to attend every meeting of the classes for which they are registered and must satisfy the instructor that the reason for being absent is valid. The student is responsible for supplying verification for the following excusable absences: personal illness or disabling injury, death in the family, family crisis or late start registration.
3. Excessive absences may result in a reduction of grade or a final grade of non-attendance (F)

Student Services

Orientation

All new students attend an orientation session before formal classes begin. Traditionally, this is held a few days before College opens. It is designed to acquaint students with the policies of the College, as well as encourage a pleasant atmosphere where students, faculty, and staff meet for the first time.

Advisement

Since at this time we are a relatively small college, most of the advisement is carried out by the Associate Dean for Academic and Student Affairs and the Admissions and Judaic Studies Program Coordinator. Academic help is provided through peer tutoring, outside tutors will be recommended when necessary, and remediation help is available by instructors.

A referral list of available student support provided by various community social and health service agencies is available at the schools administrative office.

The Associate Dean for Academic and Student Affairs guides Elyon students to fulfill their requirements and accelerate their progress toward graduation by ensuring they take the appropriate courses from colleges such as Excelsior College or other certified online courses or proficiency exams whose credits can be transferred into Elyon College. The Associate Dean may also guide the students in their selection of courses required for the attaining of a Bachelaurate Degree. The administration is committed to helping those students who wish to accelerate through the Elyon College degree program and to the students’ timely achievement of their academic and vocational goals.

Students who encounter academic difficulties and/or have a pattern of unexcused absences are required to meet with the Associate Dean for Academic and Student Affairs. They will discuss ways to improve the situation and agree on a specific academic plan of action, which the student will follow in order to attain or return to good academic standing.

Library and Computer Lab with Internet Connectivity

Elyon College Library and Computer Lab offer a wide array of services, reflecting its academic setting and current curricula, to Elyon College students, faculty and staff.

Our library print collection consists of more than one thousand books. A majority of these books are in the circulation area and are available for borrowing. Reference books provide helpful information on general and specific topics. The reference and circulation collections support the Elyon College programs and courses.

The Elyon College community has access to electronic resources; both scholarly articles and full-text books. Reference service is also available for students in their research projects.

A complete copy of the Copyright policy is available in the catalog Appendix I, or at www.elyonlibrary.org and is posted in the library, the main office, and the computer lab.

Placement Assistance Service

Elyon College was founded on the principle of assisting students in seeking meaningful employment upon program completion. To that end, Elyon College employs a Director of Placement and Outreach and an Assistant for Placement and Outreach dedicated to offering students, graduates, and alumni career development services. While placement cannot be guaranteed, every effort will be made to assist our graduates in finding employment.

Through a career development seminar offered at the College, students learn to develop job strategies, set career goals, write resumes, acquire interviewing skills and secure job referrals. They also learn to prepare and present themselves for business.

The ultimate responsibility for placement, however, falls upon the student themselves. Their own efforts are necessary for the College's assistance to be effective. This includes preparation of draft resumes, availability for orientations and job-referrals, and students own job-seeking efforts.

Community Service/Work Practicum

The Judaic Studies AS Degree (for Education and Leadership) provides a non-paid, non-graded, noncredit-bearing community service/work practicum of 30 hours total. The students are required to divide their time between community service in an appropriate organization or association and a work practicum and observation in an educational setting.

The purpose of the community service portion of the practicum is to instill a communal responsibility in the students; the purpose of the work practicum is to promote a sense of the workplace.

The specific performance objectives for the Judaic Studies AS Degree (for Education and Leadership) work practicum portion are as follows:

- Participate in education workshops
- Observe and critique classroom lessons
- Deliver a well-organized, well-thought out lesson to his/her peers.

These objectives give students a chance to hone their communication and organizational skills and to have practical first-hand experience in a real world setting.

The Accounting and Business Technology AAS Degree students are required to complete a 30-hour community service practicum.

The purpose of the community service is to instill a communal responsibility in the students.

Students are permitted to fulfill their community service practicum throughout the duration of the time that they are enrolled at Elyon College and can do so concurrently with their program coursework.

However, the work practicum is generally completed toward the end of the academic program.

These practicums are non-paid, non-graded, and non-credit bearing.

Rentals of Textbooks and Calculators

Elyon College provides students with the opportunity to rent textbooks and graphing calculators. The fee to rent a textbook is \$40; the fee to rent a graphing calculator is \$50. If a student returns the textbook and/or calculator in a good usable condition, half the rental fee is returned to the student. The determination of the good usable condition of the returned items is at the College's sole discretion.

Graduation Ceremony

One graduation ceremony may be held each year for graduates from all programs. We encourage students to invite family and friends. A collation is served following the ceremony.

Extra Curricular Activities

Extra curricular activities consist of holiday celebrations such as Chanuka and Purim parties, weekend retreats, and school trips. Also, in the past two years, our students participated in a very successful Europe and Israel trip.

Academic Policies

Elyon College requests registration for two degree-granting programs and two Certificate programs. The degrees to be awarded are for the following:

- **Judaic Studies AS Degree (for Education and Leadership) 60 Credits**
- **Judaic Studies Certificate (for Education and Leadership) 36 Credits**

- **Accounting and Business Technology AAS Degree 60 Credits**
- **Accounting and Business Technology Certificate 36 Credits**

The Liberal Arts Core

The Liberal Arts Core is required in each of our programs. This traditional liberal arts core will provide the foundation in the communication, quantitative and critical thinking skills necessary for today's well educated citizen. The two course sequence in world civilization provides an historical and geographical examination of the contributions of all cultures to the expansion and exchange of ideas, science, technology, and commerce. Such knowledge and appreciation are necessary for today's global citizen

Serious academic coursework is required in the core programs. The curriculum is especially designed with special emphasis on business, career development and Jewish thought and civilization.

This handbook is an important document with which students should become familiar to ensure a clear understanding of academic policies and procedures which must be met to complete degree requirements. Academic and administrative information is also available.

Students are expected to familiarize themselves with the Elyon College policy regarding academic progress, computing Grade Point Average (GPA), probation and dismissal as well as the withdrawal protocol.

Academic Progress

Students are expected to complete the Associate Degree programs in not more than two and a half years, barring unforeseen circumstances. To remain in good standing, full-time Elyon College students must have completed no less than 24 credits at the end of their first year, with a GPA of at least 1.75. By the end of the second year, students must have completed no less than 48 credits with a GPA of at least 2.00, and have completed their program at the end of the fifth semester with a GPA of 2.00. The maximum time in which to complete the program is 150 percent of the total number of hours in the program.

Computing Grade Point Average

Elyon College uses a grading system in which the numerical equivalents of grades are:

Letter Grade	Percentage Equivalency	Grade Point Equivalency
A+	97.5-100	4.0
A	92.5-97.4	4.0
A-	90-92.4	3.7
B+	87.5-89.9	3.4
B	82.5-87.4	3.0
B-	80-82.4	2.9
C+	76-79.9	2.5
C	70-75.9	2.0
D	65.0-69.9	1.0
F	64.9 or below	0.0
W	Withdraw	NA
WF	Withdraw/Fail	0.0
I	Incomplete	NA

The letter grades of all work that qualifies for credit toward Elyon College are converted to this system for purposes of computing grade point averages. “F” grades are not included in the computation. Moreover, plus and minus signs are not used in computing grade point averages so that both an A+ and an A- are both recorded as A.

Computing your GPA:

Grade Received	Numerical Equivalent of Grade	Semester Hours of Credit	Quality Points
A	4	3	12
B	3	3	9
C	2	3	6
D	1	3	3
		12	30

$$30 / 12 = 2.5 \text{ (GPA)}$$

Probation And Dismissal

A student who has failed to achieve and maintain the minimum required grade point average will be placed on academic probation. Any student who had been placed on academic probation will have one semester to raise his/her average to the acceptable level. If after a semester the student does not meet the academic standard she/her will be dismissed.

Official Withdrawal

A student is considered officially withdrawn from Elyon College

1. When the student gives written or verbal notice of withdrawal to Elyon College
2. When the student is terminated by Elyon College by applying Elyon College's attendance, conduct, or satisfactory academic progress policy

Withdrawal From a Course

A student may withdraw from a course up until two weeks following the start of a semester. The student will receive a "W" on her/his transcript. This grade bears no grade point equivalent, and is not added into the end-of-semester average for a student. However, if the student withdraws two weeks beyond the start of the semester, she/he receives a "WF" for the course. A "WF" carries the grade point equivalent of "0" and is calculated in the final grade point average of the student. A student who withdraws at any point but does not file an Add-Drop form will receive a failing grade of "WF."

Incompletes for Individual Courses

A grade of incomplete is given when a student, who has been making satisfactory progress in a course, experiences an unexpected hardship or illness making it impossible for her/him to complete the course.

If a student received an "I" in a given course at the end of the term, she/he is required to remove this condition to the satisfaction of her/his instructor by the end of the first month of the following term. Failure to do so will result in a failing grade for the course.

Transcripts

Official transcripts are available from the Director of Administration and should be requested in writing.

Students will receive two free transcript, after which a processing fee of \$10 is charges.

Academic Appeals

Any appeals regarding academic matters must be made to the Dean/Associate Dean for Academic and Student Affairs. The Dean/Associate Dean may then refer the appeal to a faculty committee and/or the President.

Student Grievance and Complaint Procedures

Students should review the Student Handbook, School Catalog, and Enrollment Agreement to ensure that indeed a justified complaint exists. The aggrieved student should first bring the matter to the attention of his/her instructor if it involves a classroom issue, or if not resolved, student should contact the Associate Dean for Academic and Student Affairs.

If the student is not satisfied at this level or if the student for some reason feels unable to bring the matter first to the attention of the teacher and/or Associate Dean, the matter should then be brought to the attention of the President. The President may be contacted in person or in writing.

It is hoped that anyone with a complaint about the school, faculty or staff would seek to resolve this complaint with the administration. If complaint cannot be resolved with administration, student may appeal to Elyon College Board of Trustees, 1400 West 6th Street, Brooklyn, NY 11204

However, if complaint still goes unresolved, it may be filed with the New York State Education Department, Office of Higher Education, Room 977, Education Building Annex, Albany, New York 12234.

In addition, complaints can be registered with ACCET, Complaint Review Committee, 1722 N Street, NW Washington, DC 20036; Telephone: (202) 955-1113; Fax: (202) 955-1118 or (202) 955-5306; Email: complaints@accet.org; Website: www.accet.org. Please see complete ACCET procedure in Addendum II on page 57 of the Elyon College Catalog.

Plagiarism

At Elyon College, plagiarism is considered unacceptable conduct. As an Elyon student, you are required to accept standards of honesty and integrity during your college years.

Meaning of Plagiarism

- Copying someone else's work and representing it as the student's work
- Paraphrasing someone else's words or work without revealing its source
- Aiding another student in plagiarizing
- Asking someone to rewrite your essay, making the corrections
- Copying a report or term paper from the Internet without making changes

Disclosure Of Student Records

Elyon College's policy on the rights of students to access and review records are as follows:

NOTIFICATION RIGHTS UNDER FERPA WITH RESPECT TO STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA) afford students 18 years of age or older certain rights with respect to their educational records.

1. Students enrolled at Elyon College shall have the right to inspect and review the contents of their education records, within a reasonable amount of time but not more than 45 days after the institution receives the request for access. Students may request to review their education records by submitting a written request identifying the record(s) the student wishes to review to the Registrar. The institution will arrange for access and notify the student of the time and place where the records may be inspected.
2. Parental access to a student's record will be allowed by Elyon College without prior consent if: (1) the student has violated a law or the institution's rules or policies governing alcohol or substance abuse, if the student is under 21 years old; or (2) the information is needed to protect the health or safety of the student or other individuals in an emergency.
3. A student's education records are defined as files, materials, or documents, including those in electronic format, that contain information directly related to the student and are maintained by the institution, except as provided by law. Access to a student's education records is afforded to school officials who have a legitimate educational interest in the records. A school official is defined as a person employed or engaged by the institution in an administrative, supervisory, academic or support staff position (including law enforcement unit and health staff); a person or company (including its employees) with whom the school has contracted (such as an attorney, auditor, consultant or collection agent); a trustee serving on a governing board; or a person assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility or commitment to the school.
4. Students may request that the institution amend any of their education records, if they believe the record contains information that is inaccurate, misleading or in violation of their privacy rights. The request for change must be made in writing and delivered to the Director

of Administration, and must identify the part of the record the student wants changed and the reason for the requested change stated fully.

5. Directory information is student information that the institution may release to third parties without the consent of the student. Elyon College has defined directory information as the student's name, address(es), telephone number(s), e-mail address, birth date and place, program undertaken, dates of attendance, honors and awards, photographs and credential awarded. If a student does not want his or her directory information to be released to third parties without the student's consent, the student must present such a request in writing to the Director of Administration within 45 days of the student's enrollment or by such later date as the institution may specify. Under no circumstance may the student use the right to opt out to prevent the institution from disclosing that student's name, electronic identifier, or institutional e-mail address in a class in which the student is enrolled.
6. The written consent of the student is required before personally identifiable information from education records of that student may be released to a third party, unless the disclosure is otherwise allowed under an express FERPA exception to disclosure or is required by law.
7. A student who believes that Elyon College has violated his or her rights concerning the release of or access to his or her records has the right to file a complaint with the U.S. Department of Education. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Reasonable Accommodation For Students With Disabilities

Elyon College is committed to the principle that every qualified individual should have an equal opportunity to enroll at the College and complete a degree. In compliance with the Americans with Disabilities Act, the College will make reasonable accommodations for students with disabilities.

Students with disabilities not readily discernable and who are requesting reasonable accommodation must submit a statement describing any limitations from a physician who is a specialist in the area of disability. Students with learning disabilities who are requesting reasonable accommodations must submit either a diagnostic report from a physician or clinical psychologist who is a specialist in learning disabilities.

Students are encouraged to request reasonable accommodations at the time they enroll in Elyon College.

Campus Security Policy

Due to its limited size, Elyon College does not employ campus security personnel. Faculty and staff are to take whatever measures legally permissible to protect themselves and students in the event of a safety or security emergency.

Many parents are concerned about the safety of their sons and daughters when they are attending College. Elyon College understands the concerns of all persons attending our College. We accept the responsibility to employ and continually update security measures to ensure that our students enjoy their time at Elyon College and are as free as possible from any threats to their safety and well being.

We are fortunate to be able to report that we have never had an incident of a serious crime on the proposed Elyon College premises. We attribute this to our competent staff, our dedicated safety force and to our students themselves.

The cooperation and involvement of students, staff and faculty is essential for any college to be safe. All persons must assume responsibility for their personal belongings by taking simple, common sense precautions. The college is not assuming responsibility for any student's personal belongings.

Elyon College vigorously enforces college rules and ordinances regulating underage drinking, the use of controlled substances and weapons. (See sections regarding alcohol and substance abuse.)

Firearms and dangerous weapons of any kind are not permitted anywhere in the College. Use, possession, or sale of firearms or other dangerous weapons is strictly forbidden. Usage, sale or possession of such instruments are violations which will be treated in the same manner and handling of those found in possession of, or selling a controlled substance.

There is an electronic/cameras monitoring system in the building. This enhances the security of our staff and students. As of now, we are fortunate to be able to report that we have never had an incident of a serious crime on the Elyon College premises.

Elyon College is always maintained with safety as our primary concern. It is impossible for anyone to wander along the halls of the College without being observed. This enhances the security of our staff and students.

As required by the U.S. Department of Education, Elyon publishes all known occurrences of crimes committed on campus. These statistics are available in the Director's office and are also part of the orientation materials.

If a crime is committed, a police report must be completed and filed. Students are required to report any and all occurrences of a crime to Elyon College's personnel. If a sexual assault occurs on campus, the victim and witnesses to the crime must report the incident to Elyon College administration. The police will be contacted.

Criminal Reporting Policy

It is the policy of Elyon College that any incident which constitutes a crime under local, State or Federal statute is reported to the police at the discretion of the President. Any activity which would constitute a felony crime must be reported to the appropriate authorities. These statistics are available in the Director's office and are also part of the orientation materials.

Health Care

There are various hospitals, health care and counseling facilities located within a reasonable distance of the College. A listing of these facilities is available in the Admissions Office.

College Delays And Cancellation

In the event of inclement weather or other circumstances that make it impossible to maintain the normal schedule of classes, Elyon College will either follow a delayed start of classes or cancel classes. Announcements regarding late starts or cancellations will be posted on the WOR Radio Website, www.wor710.com, or students may call the WOR College Closing Hotline at (877) 871-9208 and follow the prompts. In general, if the New York City public colleges located in Brooklyn will be closed, Elyon College will also be closed.

No Smoking Policy

There is no smoking at any college facility. This includes all classrooms, libraries, laboratories, hallways, restrooms, conference and meeting rooms, entryways, and areas used in common by students and employees.

Drug Abuse Prevention Policy

The abuse of drugs and alcohol has a detrimental effect on health, impairs decision-making ability and may result in unintended behavior and consequences. Hence, the unlawful possession, use or distribution of illegal drugs and/or alcohol by students or Elyon College employees on College property or as part of any college related activities is strictly prohibited.

Disciplinary sanctions consistent with local, state and federal law will be imposed on students and staff who violate this policy. Students found guilty of violating the Drug Abuse Prevention Policy are subject to legal penalties and the following action:

- Student will be dismissed from College
- Student's file will be appropriately annotated and will be retained
- The right to request a refund of any monies will be forfeited

Unlawful Harassment Or Discrimination

Elyon College is committed to providing an environment that is free of discrimination and unlawful harassment. Actions, jokes, words or comments based on an individual's sex, race, ethnicity, age, religion, sexual orientation, or any other legally protected characteristic will not be tolerated. Sexual harassment is a form of conduct that is demeaning to another person and is strictly prohibited. Specifically, the College prohibits:

- Unwelcome sexual advances
- Requests for sexual favors
- All other verbal and physical conduct of a sexual or otherwise offensive nature.

Anyone engaging in sexual or other unlawful harassment or any bias related crime will be subject to disciplinary action up to and including dismissal for students and termination of employment for faculty and staff. These statistics are available in the Director's office and are also part of the orientation materials.

Policy On Substance Abuse And Alcohol

The United States Department of Education has issued regulations implementing the provisions of the Drug-Free Colleges and Communities Act Amendments of 1989. These regulations require that Elyon College distribute to you annually, in writing, the following information concerning the possession, use, or distribution of alcohol and illicit drugs in the College.

Standards Of Conduct

Statement Of Policy On Substance Abuse

While we at Elyon College feel that an individual's actions are his or her personal responsibility, the possession, use, or distribution of illegal drugs anywhere on campus cannot and will not be condoned. It is a known fact that involvement with drugs may harm an individual personally and professionally.

Since an individual who possesses or uses drugs is violating the law, Elyon cannot protect anyone who may break these laws from apprehension and prosecution by civil authorities.

Elyon College must recognize the interest and rights of the students as well as those in the academic community as a whole. We realize that drug abuse may be a symptom of deeper personal or emotional problems and accept the responsibility for assisting the individual to seek the help that is needed.

Since Elyon College is also very much a part of the community, we recognize our obligation to show our concern by maintaining the safety and well being to that community. It is necessary, therefore, to adhere to the following guidelines regarding the unlawful possession, use and distribution of drugs:

- Elyon College will not tolerate the unlawful use, possession or distribution of drugs anywhere on College property or at any college related activity.
- Upon finding the evidence of the above by any student, Elyon will take appropriate disciplinary action including, but not limited to, probation, suspension or expulsion.

In addition to the sanctions of Elyon College, students may also be subject to criminal prosecution under federal and state laws that specify fines or imprisonment for conviction of drug-related offenses. If necessary and appropriate the College will fully cooperate with law enforcement agencies.

Statement Of Policy On Alcoholic Beverages

Elyon College Regulations

The possession or use of alcoholic beverages anywhere in the College is discouraged and restricted. Any serving of alcoholic beverages is governed by the New York State Alcoholic Beverage Control Law and other laws of the State of New York. The following are the policies of Elyon College:

- Alcohol is banned at all student-sponsored functions
- At all staff functions and/or academic department events which students may attend, the organization sponsoring the activity must see that there is strict adherence to the New York State Alcohol Beverage Control Laws.

Alcohol health risks

Alcohol is chemically known as ethyl alcohol, a colorless liquid, and medically is a depressant that slows the activity of the brain and spinal cord. It has the potential to be abused because it affects the mind. Alcohol is usually ingested orally. One drink is the equivalent of 12 oz. of beer, 5 oz. of wine or 1 ½ oz. of hard liquor. The legal age for sale and consumption of alcohol is 21 in New York State. People that abuse alcohol may harm themselves or others. Alcohol abuse often results in automobile crashes, arrests, accidents and broken families. Very high doses cause respiratory depression and death. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants may have irreversible physical abnormalities and mental retardation. Research indicates that children of alcoholic parents are of greater risk of becoming alcoholics. One in eleven drinkers become alcoholics when they lose control over their drinking. This may result in the loss of employment, family and health problems. Continued heavy drinking can cause malnutrition, severe anxiety, hallucination, convulsions, heart disease, brain damage, ulcers and liver damage.

College sanctions

If it is deemed that you have violated the College's Statement of Policy on Substance Abuse, a member of the faculty, administration, staff or any other student may file a complaint against you. You may be suspended or placed on probation and/or be subject to possible prosecution by federal and state drug enforcement agencies.

Sanctions

Institutional

Elyon is committed to both the safety and health of all employees and students. In order to maintain a drug-free environment, the College maintains the following sanctions for all members of the community: warning, suspension, referral to a substance abuse program and termination or expulsion. The College reserves the right to immediately terminate or expel any employee or student who presents a risk to others.

State

See attached handout of the New York Penal Code involving controlled substances.

Federal

First conviction: Up to one year imprisonment and fine of \$1,000 but no more than \$100,000 or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years, and fine of at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

1. First conviction and the amount of crack possessed exceeds five grams;
2. Second crack conviction and the amount of crack possessed exceeds 3 grams;
3. Third and subsequent crack convictions and the amount of crack possessed exceeds one gram.

Forfeiture of personal and real property used to possess or facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment.

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

Civil fines of up to \$10,000.

Denial of federal benefits such as student loans, grants, contracts, and professional and commercial license, up to one year for the first offense, up to five years for second and subsequent offenses.

Ineligible to receive or purchase a firearm.

Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of the individual federal agencies.

Risks of Drug Use

HEALTH RISKS

Hallucinogens

Types: Phencyclidine, Lysergic Acid Diethylamide, Mescaline, Peyote, and Psilocybin

Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

The effects of PCP vary, but users frequently report a sense of distance and estrangement.

Time and body movement are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent.

Chronic users of PCP report persistent memory problems and speech difficulties. Some of these effects may last six (6) months to a year following prolonged daily use. Mood disorders—depression, anxiety, and violent behavior—also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors.

Stimulants

Types: Amphetamines, Methamphetamines, Ritalin, Cylert, Preludin, Didrex, Pre-State Voranil, Tenuate, Tepanil, Pondimin, Sandrex, Plegine, Ionamin, Nicotine, Cocaine, and Crack.

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to the physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, Delusions and paranoia. These symptoms usually disappear when drug use ceases. The use of nicotine in cigarette form can increase the amount of carbon monoxide in the bloodstream. Continued use of nicotine can lead to death through increased incidence of heart disease; emphysema; and cancers of the lung, throat, mouth and esophagus. Crack or freebase rock is extremely addictive, and its effects are felt within ten (10) seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by cardiac arrest or respiratory failure.

Narcotics

Types: Heroin, Methadone, Codeine, Morphine, Meperidine, Opium, Percocet, Percodan, Tussionex, Fentanyl, Darvon, Talwin, and Lomotil. Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, Nausea, and vomiting. Users also may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may result in diseases such as AIDS, endocarditic, and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience withdrawal symptoms.

Depressants

Types: Barbiturates, Methaqualone, Valium, Equanil, Miltown, Serax, and Tranxene. The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relax muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety to convulsions and death. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after they are born. Birth defects and behavioral problems may also result.

Inhalants

Types: Nitrous Oxide, Amyl, Nitrite, Butyl Nitrite, Chlorohydrocarbons (aerosol sprays), Hydrocarbons (solvents). The immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrites cause rapid pulse, headache, and involuntary passing of urine and feces. Long term use may result in hepatitis or brain damage. Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen

in the lungs or by depressing the central nervous system to the point that breathing stops. Long-Term use can cause weight loss, fatigue, electrolyte imbalance, and muscle fatigue. Repeated sniffing of concentrated vapors over time can permanently damage the nervous system.

Cannabis

Types: Marijuana, Tetrahydro-cannabinol, Hashish, and Hashish Oil. All forms of cannabis have negative physical and mental effects. Several regularly observed physical effects of cannabis are a substantial increase in the heart rate, bloodshot eyes, a dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are “high.” Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco smoke. Long-term users of cannabis may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of their lives.

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. The combination of depressants and alcohol will produce the described effects, but with much lower doses. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage of vital organs such as the brain and the liver.

New York State Penal Law

ARTICLE 220 – CONTROLLED SUBSTANCES

220.00 Controlled Substances; definitions:

- 1) “**Sell**” means to sell, exchange, give or dispose of to another, or to offer or agree to do the same.
- 2) “**Unlawfully**” means in violation of article thirty-three of the public health law.
- 3) “**Ounce**” means an avoirdupois ounce as applied to solids or semisolids, and a fluid ounce as applied to liquids.
- 4) “**Pound**” means an avoirdupois pound.
- 5) “**Controlled substance**” means any substance listed in schedule I, II, III, IV or V of
- 6) “**Marihuana**” means “**marihuana**” or “**concentrated cannabis**” as those terms are defined in section thirty three hundred two of the public health law.
- 7) “**Narcotic drug**” means any controlled substance listed in schedule I (b), I (c) or II (c) other than methadone
- 8) “**Narcotic preparation**” means any controlled substance listed in schedule III (d) r III (e)
- 9) “**Hallucinogen**” means any controlled substance listed in schedule I (d) (5), (18), (19), (20), (2) and (22).
- 10) “**Hallucinogenic substance**” means any controlled substance listed in schedule I (d) other than concentrated cannabis, lysergic acid diethylamide, r an hallucinogen
- 11) “**Stimulant**” means any controlled substance listed in schedule I (f), II (d).

- 12) **“Dangerous depressant”** means any controlled substance listed in schedule I (e) (2), (3), II (e), III(c) (3) or IV (c) (2), (31), (32), (40).
- 13) **“Depressant”** means any controlled substance listed in schedule IV (c) except (c) (2), (31), (32), (40).
- 14) **“College grounds”** means
 - (a) in or on or within any building, structure, athletic playing field, playground or land contained within the real property boundary line of a public or private elementary, parochial, intermediate, junior high, vocational, or high college, or
 - (b) Any area accessible to the public located within one thousand feet of the real property boundary line comprising, any such college or any parked automobile or boundary line comprising any such college. For the purposes of this section an “area accessible to the public” shall mean sidewalks, streets, parking lots, parks, playgrounds, stores and restaurants.
- 15) **“Prescriptions for a controlled substance”** means a direction or authorization, by means of an official New York state prescription form, a written prescription form or an oral prescription, which will permit a person to lawfully obtain a controlled substance from any person authorized to dispense controlled substances.

220.03 Criminal possession of a controlled substance in the seventh degree:

A person is guilty of criminal possession of a controlled substance in the seventh degree when he knowingly and unlawfully possesses a controlled substance.

CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SEVENTH DEGREE IS A CLASS A MISDEMEANOR.

220.06 Criminal possession of a controlled substance in the fifth degree:

A person is guilty of criminal possession of a controlled substance in the fifth degree when he knowingly and unlawfully possesses:

1. A controlled substance with intent to sell it; or
2. one or more preparations, compounds, mixtures or substances containing a narcotic preparation and said preparations, compounds, mixtures or substances are of an aggregate weight of one-half ounce or more; or
3. Phencyclidine and said phencyclidine weighs fifty milligrams or more; or
4. one or more preparations, compounds, mixtures or substances containing concentrated cannabis as defined in paragraph (a) of subdivision five of section thirty-three hundred two of the public health law and said preparations, compounds, mixtures or substances are of a aggregate weight of one-fourth ounce or more; or
5. Cocaine and said cocaine weighs five hundred milligrams or more. Criminal possession of a controlled substance in the fifth degree is a class D felony.

220.09 Criminal possession of a controlled substance in the fourth degree:

A person is guilty of criminal possession of a controlled substance in the fourth degree when he knowingly and unlawfully possesses:

1. one or more preparations, compounds, mixtures or substances containing a narcotic drug and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more; or
2. one or more preparations, compounds, mixtures or substances containing methamphetamine, its salts, isomers or salts of isomers and said preparations, compounds, mixtures or substances are of an aggregate weight of one-half ounce or more; or
3. one or more preparations, compounds, mixtures or substances containing a narcotic preparation and said preparations, compounds, mixtures or substances are of an aggregate weight of two ounces or more; or
4. A stimulant and said stimulant weighs one gram or more; or
5. Lysergic acid diethylamide and said lysergic acid diethylamide weighs one milligram or more; or
6. A hallucinogen and said hallucinogen weighs twenty-five milligrams or more; or
7. A hallucinogenic substance and said hallucinogenic substance weighs one gram or more; or
8. A dangerous depressant and such dangerous depressant weighs ten ounces or more; or
9. A depressant and such depressant weighs two pounds or more; or
10. one or more preparations, compounds, mixtures or substances containing concentrated cannabis as defined in paragraph (a) of subdivision five of section thirty-three hundred two of the public health law and

said preparations, compounds. Mixtures or substances are of an aggregate weight of one ounce or more; or

11. Phencyclidine and said phencyclidine weighs two hundred fifty milligrams or more; or
12. Methadone and said methadone weighs three hundred sixty milligrams or more; or
13. Phencyclidine and said phencyclidine weights fifty milligrams or more with intent to sell to it and has previously been convicted of an offense defined in this article or the attempt or conspiracy to commit any such offense.

CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE IS A CLASS C FELONY.

220.16 Criminal possession of a controlled substance in the third degree:

A person is guilty of criminal possession of a controlled substance in the third degree when he knowingly and unlawfully possesses:

1. a narcotic drug with intent to sell it; or
2. a stimulant, hallucinogen, hallucinogenic substance, or lysergic acid diethylamide, with intent to sell it and has previously been convicted of an offense defined in article two hundred twenty or the attempt or conspiracy to commit any such offense; or
3. a stimulant with intent to sell it and said stimulant weighs one gram or more; or
4. lysergic acid diethylamide with intent to sell it and said lysergic acid diethylamide weighs one milligram or more; or
5. a hallucinogen with intent to sell it and said hallucinogen weighs twenty-five milligrams or more; or
6. a hallucinogenic substance with intent to sell it and said hallucinogenic substance weighs one gram or more; or
7. one or more preparations, compounds, mixtures or substances containing methamphetamine, its salts, isomers or salts or isomers with intent to sell it and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more; or
8. a stimulant and said stimulant weighs five grams or more; or
9. lysergic acid diethylamide and said lysergic acid diethylamide weighs five milligrams or more; or
10. a hallucinogen and said hallucinogen weighs one hundred twenty-five milligrams or more; or
11. a hallucinogenic substance and said hallucinogenic substance weighs five grams or more; or
12. one or more preparations, compounds, mixtures or substances containing a narcotic drug and said preparations, compounds, mixtures or substance are of an aggregate weight of one-half ounce or more; or
13. Phencyclidine and said phencyclidine weighs one thousand two hundred fifty milligrams or more.

CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE IS A CLASS B FELONY.

220.18 Criminal possession of a controlled substance in the second degree:

A person is guilty of criminal possession of a controlled substance in the second degree when he knowingly and unlawfully possesses:

1. one or more preparations, compounds, mixtures or substances containing a narcotic drug and said preparations, compounds, mixtures or substances are of an aggregate weight of two ounces or more; or
2. one or more preparations, compounds, mixtures or substances containing methamphetamine, its salts, isomers or salts of isomers and said preparations, compounds, mixtures or substance are of an aggregate weight of two ounces or more; or
3. A stimulant and said weighs ten grams or more; or
4. lysergic acid diethylamide and said lysergic acid diethylamide weighs twenty-five milligrams or more; or
5. a hallucinogen and said hallucinogen weighs six hundred twenty-five milligrams or more; or
6. a hallucinogenic substance and said hallucinogenic substance weighs twenty-five grams or more; or
7. Methadone and said methadone weighs two thousand eight hundred eighty milligrams or more.

CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE IS A CLASS A-II FELONY.

220.21 Criminal possession of a controlled substance in the first degree:

A person is guilty of criminal possession of a controlled substance in the first degree when he knowingly and unlawfully possesses:

1. one or more preparations, compounds, mixtures or substances containing a narcotic drug and said preparations, compounds, mixtures or substances are of an aggregate weight of four ounces or more; or
2. Methadone and said methadone weighs five thousand seven hundred sixty milligrams or more.

CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE IS A CLASS A-I FELONY.

220.25 Criminal possession of a controlled substance; presumption:

1. The presence of a controlled substance in an automobile, other than a public omnibus, is presumptive evidence of knowing possession thereof by each and every person in the automobile at the time such controlled substance was found; except that such presumption does not apply
 - (a) to a duly licensed operator of an automobile who is at the time operating it for hire in the lawful and proper pursuit of his trade, or
 - (b) to any person in the automobile if one of them, having obtained the controlled substance and not being under duress, is authorized to possess it and such controlled substance is in the same container as when he received possession thereof, or
 - (c) When the controlled substance is concealed upon the person of one of the occupants.
2. The presence of a narcotic drug, narcotic preparation, marihuana or phencyclidine in open view in a room, other than a public place, under circumstances evincing an intent to unlawfully mix, compound, package or otherwise prepare for sale such controlled substance is presumptive evidence of knowing possession thereof by each and every person in close proximity to such controlled substance at the time such persons if
 - (a) one of them, having obtained such controlled substance and not being under duress, is authorized to possess it and such controlled substance is in the same container as when he received possession thereof, or
 - (b) One of them has such controlled substance upon his person.

220.31 Criminal sale of a controlled substance in the fifth degree:

A person is guilty of criminal sale of a controlled substance in the fifth degree when he knowingly and unlawfully sells a controlled substance.

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIFTH DEGREE IS A CLASS D FELONY.

220.34 Criminal sale of a controlled substance in the fourth degree:

A person is guilty of criminal sale of a controlled substance in the fourth degree when he knowingly and unlawfully sells:

1. a narcotic preparation; or
2. a dangerous depressant or a depressant and the dangerous depressant weighs ten ounces or more, or the depressant weighs two pounds or more; or
3. concentrated cannabis as defined in paragraph (a) of subdivision five of section thirty-three hundred two of the public health law; or
4. phencyclidine and the phencyclidine weighs fifty milligrams or more; or methadone; or
5. any amount of phencyclidine and has previously been convicted of an offense defined in this article or the attempt or conspiracy to commit any such offense; or
6. A controlled substance in violation of section 220.31 of this chapter, when such sale takes place upon college grounds.

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE IS A CLASS C FELONY.

220.39 Criminal sale of a controlled substance in the third degree:

A person is guilty of a criminal sale of a controlled substance in the third degree
When he knowingly and unlawfully sells:

1. a narcotic drug; or

2. a stimulant, hallucinogen, hallucinogenic substance, or lysergic acid diethylamide and has previously been convicted of an offense defined in article two hundred twenty or the attempt or conspiracy to commit any such offense; or
3. a stimulant and the stimulant weighs one gram or more; or
4. lysergic acid diethylamide and the lysergic acid diethylamide weighs one milligram or more; or
5. a hallucinogen and the hallucinogen weighs twenty-five milligrams or more; or
6. a hallucinogenic substance and the hallucinogenic substance weighs one gram or more; or
7. one or more preparations, compounds, mixtures or substances containing methamphetamine, its salts, isomers or salts of isomers and the preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more; or
8. phencyclidine and the phencyclidine weighs two hundred fifty milligrams or more; or
9. A narcotic preparation to a person less than twenty-one years old.

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE IS A CLASS B FELONY.

220.41 Criminal sale of a controlled substance in the second degree:

A person is guilty of criminal sale of a controlled substance in the second degree when he knowingly and unlawfully sells:

1. one or more preparations, compounds, mixtures or substances containing a narcotic drug and the preparations, compounds, mixtures or substances are of an aggregate weight of one-half ounce or more; or
2. one or more preparations, compounds, mixtures or substances containing methamphetamine, its salts, isomers or salts of isomers and the preparations, compounds, mixtures or substances are of an aggregate weight of one-half ounce or more; or
3. a stimulant and the stimulant weighs five grams or more; or
4. lysergic acid diethylamide and the lysergic acid diethylamide weighs five milligrams or more; or
5. a hallucinogen and the hallucinogen weighs one hundred twenty-five milligrams or more; or
6. a hallucinogenic substance and the hallucinogenic substance weighs five grams or more; or
7. Methadone and the methadone weigh three hundred sixty milligrams or more.

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE IS A CLASS A-II FELONY.

220.43 Criminal sale of a controlled substance in the first degree:

A person is guilty of criminal sale of a controlled substance in the first degree when he knowingly and unlawfully sells:

1. one or more preparations, compounds, mixtures or substances containing a narcotic drug and the preparations, compounds, mixtures or substances are of an aggregate weight of two ounces or more; or
2. Methadone and the methadone weighs two thousand eight hundred eighty milligrams or more.

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE IS A CLASS A-I FELONY.

220.44 Criminal sale of a controlled substance in or near college grounds:

A person is guilty of criminal sale of a controlled substance in or near college grounds when he knowingly and unlawfully sells:

1. a controlled substance in violation of any one of subdivisions one through six of section 220.34 of this chapter, when such sale takes place upon college grounds; or
2. A controlled substance in violation of any one of subdivisions one through eight of section 220.39 of this chapter, when such sale takes place upon college grounds.

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN OR NEAR COLLEGE GROUNDS IS A CLASS B FELONY.

220.45 Criminally possessing a hypodermic instrument:

A person is guilty of criminally possessing a hypodermic instrument when he knowingly and unlawfully possesses or sells a hypodermic syringe or hypodermic needle.

CRIMINALLY POSSESSING A HYPODERMIC INSTRUMENT IS A CLASS A MISDEMEANOR.

220.46 Criminal injection of a narcotic drug:

A person is guilty of criminal injection of a narcotic drug when he knowingly and unlawfully possesses a narcotic drug and he intentionally injects means of a hypodermic syringe or hypodermic needle all or any portion of that drug into the body of another person with the latter's consent.

CRIMINAL INJECTION OF A NARCOTIC DRUG IS A CLASS E FELONY.

220.50 Criminally using drug paraphernalia in the second degree:

A person is guilty of criminally using drug paraphernalia in the second degree when he knowingly possesses or sells:

1. Diluents, dilutants or adulterants, including but not limited to, any of the following: quinine hydrochloride, manifold, manatee, lactose or dextrose, adapted for the dilution of narcotic drugs or stimulants under circumstances evincing an intent to use, or under circumstances evincing knowledge that some person intends to use, the same for purposes of unlawfully mixing, compounding or otherwise preparing any narcotic drug or stimulant; or
2. Gelatin capsules, glassine envelopes, vials, capsules or any other material suitable for the evincing or intent to use, or under circumstances evincing knowledge that some person manufacturing, packaging or dispensing of any narcotic drug or stimulant; or scales and balances used or designed for the purpose of weighing or measuring controlled substances, under circumstances evincing an intent to use, or under circumstances evincing knowledge that some person intends to use, the same for purpose of unlawfully manufacturing, packaging or dispensing of any narcotic drug or stimulant.

CRIMINALLY USING DRUG PARAPHERNALIA IN THE SECOND DEGREE IS A CLASS A MISDEMEANOR.

220.55 Criminally using drug paraphernalia in the first degree:

A person is guilty of criminally using drug paraphernalia in the first degree when he commits the crime of criminally using drug paraphernalia in the second degree and he has previously been convicted of criminally using drug paraphernalia in the second degree.

CRIMINALLY USING DRUG PARAPHERNALIA IN THE FIRST DEGREE IS A CLASS D FELONY.

220.60 Criminal possession of precursors of controlled substances:

A person is guilty of criminal possession of precursors of controlled substances when, with intent to manufacture a controlled substance unlawfully, he possesses at the same time:

1. car amide (urea) and propanedioc and malonic acid or its derivatives, or
2. ergot or an ergot derivative and diethylamine or dimethylformamide or diethylamide, or
3. Phenylacetone (1-phenyl-2 propanone) and hydroxylamine or ammonia or formamide or benzaldehyde or nitrothane or methylamine.
4. pentazocine and methyl iodide; or
5. phenylacetone nitrile and dichlorodiethyl methylamine or dichlorodiethyl benzylamine; or
6. diethylphenylacetone nitrile and dimethylaminoisopropyl chloride; or
7. (g) piperidine and cyclohexanone and bromobenzene and lithium or magnesium; or
8. (h) 2, 5-dimethoxy benzaldehyde and nitroethane and a reducing agent.

CRIMINAL POSSESSION OF PRECURSORS OF CONTROLLED SUBSTANCES IS A CLASS E FELONY.

220.65 Criminal sale of a prescription for a controlled substance:

A person is guilty of criminal sale of a prescription for a controlled substance when, being a practitioner, as that term is defined in section thirty-three hundred two of the public health law; he knowingly and unlawfully sells a prescription for a controlled substance. For the purposes of this section, a person sells a prescription for a controlled substance unlawfully when he does so other than in good faith in the course of his professional practice.

CRIMINAL SALE OF A PRESCRIPTION IS A CLASS C FELONY.

ARTICLE 221- MARIHUANA

221.00 Marihuana; definitions:

Unless the context in which they are used clearly otherwise requires, the terms occurring in this article shall have the same meaning ascribed to them in article two hundred twenty of this chapter.

221.05 Unlawful possession of marihuana:

A person is guilty of unlawful possession of marihuana when he knowingly and unlawfully possesses marihuana.

Unlawful possession of marihuana is a violation punishable only by a fine of not more than one hundred dollars. However, where the defendant has previously been convicted of an offense defined in this article or article 220 of this chapter, committed within the three years immediately preceding such violation, it shall be punishable:

1. only by a fine of not more than two hundred dollars, if the defendant was previously convicted of one such offense committed during such period, and
2. By a fine of not more than two hundred fifty dollars or a term of imprisonment not in excess of fifteen days or both, if the defendant was previously convicted of two such offenses committed during such period.

221.10 Criminal possession of marihuana in the fifth degree:

A person is guilty of criminal possession of marihuana in the fifth degree when he knowingly and unlawfully possesses:

1. marihuana in a public place, as defined in section 240.00 of this chapter, and such marihuana is burning or open to public view, or
2. One or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than twenty-five grams.

CRIMINAL POSSESSION OF MARIHUANA IN THE FIFTH DEGREE IS A CLASS B MISDEMEANOR.

221.15 Criminal possession of marihuana in the fourth degree:

A person is guilty of criminal possession of marihuana in the fourth degree when he knowingly and unlawfully possesses one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than two ounces.

CRIMINAL POSSESSION OF MARIHUANA IN THE FOURTH DEGREE IS A CLASS A MISDEMEANOR.

221.20 Criminal possession of marihuana in the third degree:

A person is guilty of criminal possession of marihuana in the third degree when he knowingly and unlawfully possesses one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than eight ounces.

CRIMINAL POSSESSION OF MARIHUANA IN THE SECOND DEGREE IS A CLASS D FELONY.

221.25 Criminal possession of marihuana in the second degree:

A person is guilty of criminal possession of marihuana in the second degree when he knowingly and unlawfully possesses one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than sixteen ounces.

CRIMINAL POSSESSION OF MARIHUANA IN THE SECOND DEGREE IS A CLASS D FELONY.

221.30 Criminal possession of marihuana in the first degree:

A person is guilty of criminal possession of marihuana in the first degree when he knowingly and unlawfully possesses one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than ten pounds.

CRIMINAL POSSESSION OF MARIHUANA IN THE FIRST DEGREE IS A CLASS C FELONY.

221.35 Criminal sale of marihuana in the fifth degree:

A person is guilty of criminal sale of marihuana in the fifth degree when he knowingly and unlawfully sells, without consideration, one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compound, mixtures or substances are of an aggregate weight of two grams, or less; or one cigarette containing marihuana.

CRIMINAL SALE OF MARIHUANA IN THE FIFTH DEGREE IS A CLASS B MISDEMEANOR.

221.40 Criminal sale of marihuana in the fourth degree:

A person is guilty of criminal sale of marihuana in the fourth degree when he knowingly and unlawfully sells marihuana except as provided in section 221.35 of this article

CRIMINAL SALE OF MARIHUANA IN THE FOURTH DEGREE IS A CLASS A MISDEMEANOR.

221.45 Criminal sale of marihuana in the third degree:

A person is guilty of criminal sale of marihuana in the third degree when he knowingly and unlawfully sells one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than twenty-five grams.

CRIMINAL SALE OF MARIHUANA IN THE THIRD DEGREE IS A CLASS E FELONY.

221.50 Criminal sale of marihuana in the second degree:

A person is guilty of criminal sale of marihuana in the second degree when he knowingly and unlawfully sells one or more preparations, compound, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than four ounces, or knowingly and unlawfully sells one or more preparations, compounds, mixtures or substances containing marihuana to a person less than eighteen years of age.

CRIMINAL SALE OF MARIHUANA IN THE SECOND DEGREE IS A CLASS D FELONY.

221.55 Criminal sale of marihuana in the first degree:

A person is guilty of criminal sale of marihuana in the first degree when he knowingly and unlawfully sells one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than sixteen ounces.

CRIMINAL SALE OF MARIHUANA IN THE FIRST DEGREE IS A CLASS C FELONY.

Campus Safety Information

Many parents are concerned about the safety of their sons and daughters when they are attending College. Elyon College understands the concerns of all persons attending our College. We accept the responsibility to employ and continually update security measures to ensure that our students enjoy their time at Elyon College and are as free as possible from any threats to their safety and well being.

We are fortunate to be able to report that we have never had an incident of a serious crime on the proposed Elyon College premises. We attribute this to our competent staff, our dedicated safety force and to our students themselves.

The cooperation and involvement of students, staff and faculty is essential for any college to be safe. All persons must assume responsibility for their personal belongings by taking simple, common sense precautions.

Elyon College vigorously enforces college rules and ordinances regulating underage drinking, the use of controlled substances and weapons. (See previous sections regarding alcohol and substance abuse.)

Firearms and dangerous weapons of any kind are not permitted anywhere in the College. International use, possession of sale of firearms or other dangerous weapons is strictly forbidden. Usage, sale or possession of such instruments are violations which will be treated in a manner unlike the treatment and handling of those found in possession of, or selling a controlled substance.

Elyon College is always maintained with safety as our primary concern. It is impossible for anyone to wander along the halls of the College without being observed. This enhances the security of our staff and students.

Sex Crimes Prevention Appendix

SEXUAL HARRASSMENT

Sexual Harassment is a violation of a federal (Section 703 of the Civil Rights Act) Law. It is the policy of Elyon College to prohibit the harassment of any member of the College community by another on the basis of sex. Anyone who feels that he or she has been subjected to sexual harassment should immediately report the incident to President's Office without fear of reprisal.

All members of the College community are responsible for helping to make the College a safe, non-threatening environment. All complaints of sexual harassment or sexual assault will be promptly handled with the identity of the complainant and the accused kept confidential. The College will maintain confidential documentation of all allegations and investigations, and will take appropriate action to remedy any violation of policy.

SEXUAL ASSAULT AND RAPE INFORMATION

Sexual assault involves intercourse, unwelcome physical contact, or any other sexual activity with a person who does not give free and full consent. Anyone can be raped, regardless of age, sex, appearance or way of dressing. No matter what the circumstances, if you have been raped, a vicious crime has been committed against you. You are not to blame!!

WHAT TO DO IF YOU HAVE BEEN SEXUALLY ASSAULTED OR RAPED

Immediately report the assault to the College administration and/or the police. Do not change your clothes, wash, and shower or urinate. Doing so may eliminate important evidence, which could lead to the arrest of your attacker. Make sure to seek counseling. Rape is a traumatic experience and a trained person can help you deal with your feelings.

New York State Penal Law

ARTICLE 130 - SEX OFFENSES

130.00 Sex offenses; definitions of terms:

The following definitions are applicable to this article:

1. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight.
2. **“Deviate sexual intercourse”** means sexual contact between persons not married to each other consisting of contact between the penis and the anus, the mouth and the penis, or the mouth and the vulva.
3. **“Sexual contact”** means any touching of the sexual or other intimate parts of a person not married to the actor for the purposes of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as the touching of the victim by the actor, whether directly or through clothing.
4. **“Female”** means any female person who is not married to the actor. For the purposes of this article “not married” means:
 - a. the lack of an existing relationship of husband and wife between the female and the actor which is recognized by law, or
 - b. the existence of the relationship of husband and wife between the actor and the female which is recognized by, at the time the actor commits an offense proscribed by this article by means of forcible compulsion against the female, and the female and the actor are living apart at such time pursuant to a valid and effective:
 - i. order issued by a court of competent jurisdiction which by its terms or in its effect requires such living apart, or
 - ii. decree or judgment of separation, or
 - iii. written agreement of separation subscribed by them, and acknowledged in the form required to entitle a deed to be recorded which contains provisions specifically indicating that the actor may be guilty of the commission of a crime for engaging in conduct which constitutes an offense proscribed by this article against and without the consent of the female
5. **“Mentally defective”** means that a person suffers from a mental disease or defect which renders him incapable of appraising the nature of his conduct
6. **“Mentally incapacitated”** means that a person is rendered temporarily incapable of appraising or controlling his conduct owing to the influence of a narcotic or intoxicating substance administered to him without his consent or to any other act committed upon him without his consent.
7. **“Physically helpless”** means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
8. **“Forcible compulsion”** means compel by either:
 - a. **Use physical force**; or
 - b. **A threat**, express or implied, which places a person in fear of immediate death or physical injury to himself, herself or another person, or in fear that he, she, or another person will immediately be kidnapped.
9. **“Foreign object”** means any instrument or article, which, when inserted in the vagina, urethra, penis, or rectum, is capable of causing physical injury.

130.05 Sex offenses; lack of consent:

1. Whether or not specifically stated, it is an element of every offense defined in this article, except the offense of consensual sodomy, that the sexual act was committed without the consent of the victim.
2. Lack of consent results from:
 - (a) forcible compulsion
 - (b) incapacity to consent
 - (c) Where the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor’s conduct.
3. A person is deemed incapable of consent when he is:
 - (a) less than 17 years old; or
 - (b) mentally defective; or
 - (c) mentally incapacitated; or
 - (d) physically helpless

130.10 Sex offenses; defense:

In any prosecution under this article in which the victim's lack of consent is based solely upon his incapacity to consent because he was mentally defective, mentally incapacitated, or physically helpless, it is an affirmative defense that the defendant, at the time he engaged in the conduct constituting the offense, did not know of the facts or conditions responsible for such incapacity to consent.

130.16 Sex offenses; corroboration:

A person shall not be convicted of consensual sodomy, or an attempt to commit the same, or of any offense defined in this article of which lack of consent is an element but results solely from incapacity to consent because of the victim's mental defect or mental incapacity, or an attempt to commit the same, solely on the testimony of the victim, unsupported by other evidence tending to:

- (a) establish that an attempt was made to engage the victim in sexual intercourse, deviate sexual intercourse, or sexual contact, as the case may be, at the time of the occurrence; and
- (b) Connect the defendant with the commission of the offense or attempted offense.

130.26 Sexual misconduct:

A person is guilty of sexual misconduct when:

1. Being a male, he engages in sexual intercourse with a female without her consent; or
2. He engages in deviate sexual intercourse with another person without the latter's consent; or
3. He engages in sexual conduct with an animal or a dead human body.

SEXUAL MISCONDUCT IS A CLASS A MISDEMEANOR (MEANING A DEFINITE SENTENCE, WHICH SHALL NOT EXCEED ONE YEAR).

130.28 Rape in the third degree:

A person is guilty of rape in the third degree when:

- 1 he or she engages in sexual intercourse with another person to whom the actor is not married who is incapable of consent by reason of some factor other than being less than 17 years old; or
- 2 being 21 year old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than 17 years old.

RAPE IN THE THIRD DEGREE IS A CLASS E FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED FOUR YEARS)

130.30 Rape in the second degree:

A person is guilty of rape in the second degree when, being eighteen years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than 14 years old. Rape in the second degree is a class D felony (meaning a sentence fixed by court, which shall not exceed seven years)

130.35 Rape in the first degree:

A male is guilty of rape in the first degree when he engages in sexual intercourse with a female:

- 1 by forcible compulsion; or
- 2 who is incapable of consent by reason of being physically helpless; or
- 3 who is less than 11 years old.

RAPE IN THE FIRST DEGREE IS A CLASS B FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED 25 YEARS).

130.38 Consensual sodomy:

A person is guilty of consensual sodomy when he engages in deviate sexual intercourse with another person.

CONSENSUAL SODOMY IS A CLASS B MISDEMEANOR (MEANING A DEFINITE SENTENCE, WHICH SHALL NOT EXCEED THREE MONTHS).

130.40 Sodomy in the third degree:

A person is guilty of sodomy in the third degree when:

1. he engages in deviate sexual intercourse with a person who is incapable of consent by reason of some factor other than being less than 17 years old; or
2. Being 21 years old or more, he engages in deviate sexual intercourse with a person less than 17 years old.

SODOMY IN THE THIRD DEGREE IS A CLASS E FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED FOUR YEARS)

130.45 Sodomy in the second degree.

A person is guilty of sodomy in the second degree when, being eighteen years old or more, he engages in deviate sexual intercourse with another person to whom the actor is not married less than 14 years old.

SODOMY IN THE SECOND DEGREE IS A CLASS D FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED SEVEN YEARS).

130.50 Sodomy in the first degree:

A person is guilty of sodomy in the first degree when he engages in deviate sexual intercourse with another person:

1. by forcible compulsion; or
2. who is incapable of consent by reason of being physically helpless; or
3. Who is less than 11 years old?

SODOMY IN THE FIRST DEGREE IS A CLASS B FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED 25 YEARS).

130.55 Sexual abuse in the third degree:

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that

- (a) Such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old, and
- (b) Such other person was more than 14 years old, and
- (c) The defendant was less than five years older than such other person.

SEXUAL ABUSE IN THE THIRD DEGREE IS A CLASS B MISDEMEANOR (MEANING A DEFINITE SENTENCE WHICH SHALL NOT EXCEED THREE MONTHS).

130.60 Sexual abuse in the second degree:

A person is guilty of sexual abuse in the second degree when he subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than 17 years old; or
2. Less than 14 years old.

SEXUAL ABUSE IN THE SECOND DEGREE IS A CLASS A MISDEMEANOR (MEANING A DEFINITE SENTENCE, WHICH SHALL NOT EXCEED ONE YEAR).

130.65 Sexual abuse in the first degree:

A person is guilty of sexual abuse in the first degree when he subjects another person to sexual contact:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or

3. Who is less than 11 years old?

SEXUAL ABUSE IN THE FIRST DEGREE IS A CLASS D FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED SEVEN YEARS).

130.70 Aggravated sexual abuse:

1. A person is guilty of aggravated sexual abuse when he inserts a foreign object in the vagina, urethra, penis, or rectum of another person causing physical injury to such person:
 - (a) By forcible compulsion; or
 - (b) When the other person is incapable of consent by reason of being physically helpless; or
 - (c) When the other person is less than 11 years old.
2. Conduct performed for a valid medical purpose does not violate the provisions off this section.

AGGRAVATED SEXUAL ABUSE IS A CLASS B FELONY (MEANING A SENTENCE FIXED BY COURT, WHICH SHALL NOT EXCEED 25 YEARS).

ELYON COLLEGE
STUDENT ADVISORY FORM

STUDENT _____ DATE _____

REASON FOR CONFERENCE:

Erratic attendance _____
Excessive tardiness _____
Department _____
Financial aid _____

Academic progress _____
Demeanor _____
Other (explain below) _____

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE ACTION TAKEN OR SUGGESTION MADE TO STUDENT:

STUDENT RESPONSE:

_____ acknowledges having read this form.
Student

Advisor

Student

ELYON COLLEGE
STUDENT SERVICES TUTORIAL ASSISTANCE

TODAY'S DATE: _____

STUDENT'S NAME _____ PHONE NUMBER _____

PROGRAM _____

Instructor's recommendation: _____

Instructor's signature: _____

Course (s) in which the student needs to be tutored:

Assignments:

Tutor assigned: _____ Date: _____

Advisor: _____ Date: _____

ELYON COLLEGE
STUDENT COURSE EVALUATION

Date: _____

Student Name: _____

Instructor: _____

Course: _____

Please assist us with future course development by checking the appropriate columns.

5=Strongly Agree 4=Agree 3=Neutral 2=Disagree 1=Strongly Disagree

Instructor	5	4	3	2	1
1. My instructor spoke clearly and was easily understood.					
2. My instructor showed me ways to learn and motivated me.					
3. My instructor explained the subject matter until I understand it.					
4. My instructor is an expert in the subject.					
5. My instructor was well prepared and arrived on time for each class.					
6. My instructor stimulated my interest in the subject.					
7. My instructor was present and available for assistance.					
8. My instructor was interested in my success in this course.					
Course	5	4	3	2	1
9. I was actively involved in learning.					
10. The textbook and learning materials for this course were helpful and on an appropriate level.					
11. The course description accurately described the curriculum.					
12. The length of the course was appropriate for the material covered.					
13. The pace of the course was appropriate.					
14. The ratio of the instructors to students was adequate.					
15. Textbooks and handouts were useful and easy to understand.					
16. Safety lectures and proper usage of equipment were addressed.					
17. Assignments were relevant to the topics.					
18. There was a good balance between lectures and hands-on activities.					
19. Adequate time was provided for questions and discussion.					
20. I was challenged throughout the duration of the course.					
21. My expectations were met.					
22. I will use what I have learned in the future.					
23. I have been equipped to perform this activity outside the					

classroom.					
24. I would recommend this course to others.					
Classroom	5	4	3	2	1
25. Classroom was in good location.					
26. Classroom was clean, hazard free, and well lit.					
27. Classroom was well ventilated and room temperature was satisfactory.					
28. Seating was comfortable.					
Equipment	5	4	3	2	1
29. Equipment was functional and overall in good condition.					
30. Equipment was functional and overall in good condition.					
31. Equipment was available and prepared for use.					
32. I received hands-on training with equipment.					
Media Services	5	4	3	2	1
33. Media Services computers and Internet access were available for assignments and career research.					
34. Periodicals and audio/visual aids were appropriate to programs.					

List of Services and Sources of information

Advisement and Counseling Services of Elyon College provides many important services to students. These services can be broken down into several components:

- Educational Counseling, including choosing a major and study skills, time management, and note-taking
- Understanding requirements for academic success, help in vocational decision making, exploring options and requirements
- Assistance with adjusting to college life, expectations and college regulations
- Academic counseling, including information about college academic requirements and changes in those requirements, choice of course assistance at registration.
- Special support offered to students in poor academic standing.
- Financial Aid offices

Where To Get Help Outside The College

Any student seeking help may consult with any of the following: (If necessary, someone at the College will help the student contact them.)

SELF HELP

Alcoholics Anonymous
(212) 870-3400

Al-Anon
(212) 647-1680

Narcotics Anonymous
(212) 929-6262

Cocaine Hotline
(212) 262-2463

Alcoholic Council of Greater New York
(212) 252-7022

WEB SITE RESOURCES

Department of Justice Violence against Women Office:

www.usdoj.gov/vawo

Department of Education Web site on campus safety:

www.suny.edu/sunypp/documents.cfm?doc_id=444

Higher Education Center for Alcohol and Other Prevention Web site:

www.eric.ed.gov/ERICWebPortal/recordDetail?accno=ED400733

Students' Bill of Rights

According to New York Education Law Article 129-B, a *Students' Bill of Rights* have been adopted by Elyon College. All students have the right to:

1. make a report to local law enforcement and/or state police;
2. have disclosure of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. make a decision about whether or not to disclose a crime or violation and consent to participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. be protected from retaliation by the College, any student, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the College;
9. have access to at least one level of appeal of a determination;
10. be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. exercise civil rights and practice of religion without interference by the investigative, criminal justice or judicial or conduct process of the institution.