

# STUDENT HANDBOOK



American Academy McAllister Institute of Funeral Service, Inc.

*August 2024*

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# 100: INTRODUCTION

Welcome to the American Academy McAllister Institute of Funeral Service (AAMI). This school has a rich history as a pioneer and a leader in funeral service education. Its founder, John McAllister, M.D., founded the New York School of Pathology and Operative Surgery in 1890 and was instrumental in the training of many of the leading surgeons in this country. He continued this institution until 1926 when he founded the McAllister School of Embalming. By then, he had completed more than 10,000 autopsies while serving 20 years as the Acting Coroners' Physician and Special Pathologist at the New York City Mortuary.

Dr. McAllister had the courage and vision to establish an embalming school with a lengthened program and rigorous faculty supervision at a time when there were minimal or non-existent standards for the licensing of funeral directors. He continued to direct the program and expand the activities of the School until shortly before his death in 1942. After serving in World War II, Dr. McAllister's son reopened the school. Lieutenant Colonel John McAllister was awarded the bronze star medal for meritorious service with a European Theater of Operations (ETO) ribbon and two stars.

In 1964, Lt. Col. McAllister merged the McAllister School of Embalming with the American Academy of Embalming and Mortuary Research, which had been educating students since 1931.

Since the school was founded, its greatest strengths have been in preparing students for academic success, licensure, and a lifelong career in funeral service. Our faculty is largely comprised of licensed funeral directors who have also achieved expertise in education. This combination makes for rich academic experiences that present the theoretical elements of funeral service education with a realistic eye toward their practical application.

Our graduates are competent, confident funeral service professionals who connect deeply with the communities they serve. Before they receive their diplomas, they have mastered funeral service theory and obtained practical experience working in funeral homes.

At AAMI, we are committed professionals seeking to shape future professionals in the richly satisfying profession of funeral service. We stand ready to help you succeed in an environment where the student truly comes first.

## 100.1 NAME OF INSTITUTION

The legal name of this academic institution is American Academy McAllister Institute of Funeral Service, Inc. Throughout this Handbook, the name will be abbreviated as AAMI.

## 100.2 ACCREDITATION

American Academy McAllister Institute of Funeral Service (AAMI) and the Funeral Service associate degree program offered by AAMI are accredited by the American Board of Funeral Service Education (ABFSE), 992 Mantua Pike, Suite 108, Woodbury Heights, NJ 08097 (816) 233-3747.

Web: [www.abfse.org](http://www.abfse.org).

## 100.3 MISSION STATEMENT

The mission of American Academy McAllister Institute of Funeral Service is to educate students in every phase of funeral service so that they may reach their full potential and achieve their goal to enter the funeral profession. AAMI is committed to creating a learning environment that supports educational excellence, endorses academic integrity and promotes steadfastness and ethical behavior in the funeral profession. As a leader in funeral service education for over 90 years, AAMI provides for and supports the educational needs of the funeral industry.

AAMI is an urban, not-for-profit, private, single-purpose academic institution that offers a campus and online associate degree program dedicated to the educational needs of the funeral industry. AAMI provides educational leadership through learning opportunities that anticipate, prepare for, and meet the challenges of educating a socially and economically diverse population. AAMI provides opportunities for students, faculty, and staff to study, research and observe the culture, customs and changing dynamics of the funeral profession.

## 100.4 CORE VALUES

A learning community has a unique set of values that support the growth and development of its students, faculty, and staff. These values emerge from and support the traditions of the institution and the profession it serves. By focusing on these values, AAMI empowers its entire community to respond to a changing world.

### Trust

AAMI believes that trust is at the center of all learning experiences and is the key to faculty and staff relationships with each other and with students.

### Mutual Respect

For a learning community to be successful there must be respect among all its members. Differences are prized and respected and disagreement is not meant or understood as personal animosity.

### Concern for Others

In a learning community, members care about their colleagues and students, encourage their achievements, and support them when they need assistance.

### Shared Responsibility

A learning community requires honesty, high integrity and personal responsibility of its members and expects that they will hold one another accountable for living up to these values.

### Community

Members of such a community learn to collaborate with one another in solving community problems through consultation and teamwork.

## 100.5 GOALS

1. To support and maintain academic integrity and academic excellence.
2. Upon completion, students will be able to:
  - a. Explain the importance of funeral service professionals in developing relationships with the families and communities they serve.
  - b. Identify standards of ethical conduct in funeral service practice.
  - c. Interpret how federal, state, and local laws apply to funeral service in order to ensure compliance.
  - d. Apply principles of public health and safety in the handling and preparation of human remains.
  - e. Demonstrate technical skills in embalming and restorative art that are necessary for the preparation and handling of human remains.
  - f. Demonstrate skills required for conducting arrangement conferences, visitations, services, and ceremonies.
  - g. Describe the requirements and procedures for burial, cremation, and other accepted forms of final disposition of human remains.
  - h. Describe methods to address the grief-related needs of the bereaved.
  - i. Explain management skills associated with operating a funeral establishment.
  - j. Demonstrate verbal and written communication skills and research skills need for funeral service practice.
3. To respond to and provide for the educational and academic needs of the funeral industry.
4. To actively seek, maintain and cultivate a qualified and diverse faculty and staff dedicated to accomplishing the goals of AAMI.
5. To provide quality instructional programs, appropriate technologies, support services and staff to achieve our educational goals.
6. To develop in each student a sense of responsibility and instill in each the moral obligations inherent in this time-honored vocation. In addition, it is the goal of the school to ensure that each student recognizes that his/her role in society fulfills a multi-dimensional, multi-faceted function. They will become:
  - a. Members of Society who dedicate themselves to the service of others in their hour of need. As members they learn that they will be present in the community for an extended time, often a career. As such, they learn to act with integrity so that the true nature of their work is seen for its time-honored, traditional value, and not as a windfall to be enjoyed at the loss of someone's loved one.
  - b. Managers who help to plan and organize the details of a funeral, a tribute to a life lived and an opportunity to bring the community together to pay its respects. They are hosts who provide an environment for the support of the community that brings comfort to the bereaved family.
  - c. Directors who professionally ensure the respectful disposition of a decedent and assist the bereaved family with getting back to the task of living.
7. To respond ethically and appropriately to internal and external constituents when defining standards of excellence and accountability.
8. To provide a meaningful curriculum at the post-secondary level of instruction that encourages outstanding teaching, appropriate research and a commitment to excellence.
9. To provide and maintain an environment that is welcoming, safe, functional, accessible and cost-effective.

10. To provide access to AAMI's Associate Degree program in all 50 states, the District of Columbia, U.S. territories and to the military and their dependents anywhere in the world.

## 100.6 AIMS AND OBJECTIVES

AAMI has as its central aim, the recognition of the importance of funeral service personnel as:

1. members of a human services profession
2. members of the community in which they serve
3. participants in the relationship between bereaved families and those engaged in the funeral service profession
4. professionals knowledgeable of and compliant with federal, state, provincial/territorial and local regulatory guidelines in the geographic area where they practice as well as professionals sensitive to the responsibility for public health, safety, and welfare in caring for human remains

AAMI has the following objectives:

1. to enlarge the background and knowledge of students about the funeral service profession
2. to educate students in every phase of funeral service and to help enable them to develop proficiency and skills necessary for the profession
3. to educate students concerning the responsibilities of the funeral service profession to the community at large
4. to emphasize high standards of ethical conduct
5. to provide a curriculum at the post- secondary level of instruction
6. to encourage student and faculty research in the field of funeral service

## 100.7 PROGRAM LEARNING OUTCOMES

Upon completion of the accredited program, students will be able to:

1. Explain the importance of funeral service professionals in developing relationships with the families and communities they serve.
2. Identify standards of ethical conduct in funeral service practice.
3. Interpret how federal, state, and local laws apply to funeral service in order to ensure compliance.
4. Apply principles of public health and safety in the handling and preparation of human remains.
5. Demonstrate technical skills in embalming and restorative art that are necessary for the preparation and handling of human remains.
6. Demonstrate skills required for conducting arrangement conferences, visitations, services, and ceremonies.
7. Describe the requirements and procedures for burial, cremation, and other accepted forms of final disposition of human remains.
8. Describe methods to address the grief-related needs of the bereaved.
9. Explain management skills associated with operating a funeral establishment.
10. Demonstrate verbal and written communication skills and research skills needed for funeral service practice.



## 100.8 CAMPUS

Although many of our classes have been taught online since 2006, we maintain a physical location at 1501 Broadway, 11<sup>th</sup> Floor New York, NY. The Port Authority Bus Terminal, Penn Station, Grand Central Terminal, and PATH trains are easily accessible and provide convenient transportation for the many students who commute from Connecticut, New Jersey, Long Island, Pennsylvania, and elsewhere.

AAMI is the only funeral service school in New York City.

## 200: FINANCIAL AID

### 200.1 ACADEMIC ELIGIBILITY FOR FINANCIAL AID

In order to maintain eligibility for financial aid, all students who receive financial aid from the federal and/or state government are required to meet specific standards of academic progress.

A financial aid “entrance interview” is required for all students receiving financial aid. In addition, a student must maintain a cumulative grade point average of a 2.0 in order to be considered in good academic standing. At the end of each semester, student records are reviewed and students whose semester grade point average falls below a 2.0 may be subject to academic sanctions and a loss of financial aid.

\*\*\*Students who enroll for the semester beginning on September 7, 2021 are subject to this policy.

\*\*\*Students who were enrolled prior to the semester beginning on September 7, 2021 have until the semester beginning on April 25, 2022 to establish a grade point average of 2.0 to maintain eligibility for financial aid.

When a student enrolls for the first time at AAMI, he/she is considered to be making academic progress for purposes of financial aid. However, if a student is dismissed for academic or attendance deficiency, financial aid will be discontinued. In some instances, student may file an appeal. The appeal process/forms are listed on AAMI’s website under SAP Appeal Process. Financial aid would automatically be restored once satisfactory academic progress is demonstrated. Students must also meet Pace of Completion and complete the program within the Maximum Timeframe as defined under the Satisfactory Academic Progress section.

#### Pace of Completion (PACE)-Quantitative Measure

Students must earn a grade of ‘D’ or better in 66.67% of credits attempted. Pace is determined by dividing the number of earned credit hours by the number of attempted credit hours. A grade of ‘D’ or better includes grades of ‘A’, ‘B’, ‘C’, ‘D’, ‘NCP’, ‘-R’, and ‘P’. A full listing of grades are included in the Catalog.

#### Maximum Timeframe (MTF)-Quantitative Measure

Students may attempt up to 103.5 credit hours to complete their program, which is 150% of the published program credit hours of 69 credit hours.

The Financial Aid office maintains current records on all students receiving financial aid and monitors their eligibility for such aid. More detailed information is available through the Financial Aid Office and the links below.

For Federal Aid

[www.fafsa.ed.gov](http://www.fafsa.ed.gov)

To find your home state website

[www.fafsa.com/statedeadlines](http://www.fafsa.com/statedeadlines)

For New York State  
literacy services

[www.HESC.com](http://www.HESC.com) Free financial aid and financial  
<https://studentaid.gov/>

## 200.2 FINANCIAL AID VERIFICATION

The federal government reserves the right to randomly select financial aid applications for verification. It is advised that all students planning on receiving financial aid apply far enough in advance in order to avoid delay of an award disbursement due to the verification process. Verification requires that all students who have been selected provide the Financial Aid Officer with income and citizenship documentation.

## 200.3 PELL GRANT PROGRAM

This program is for undergraduate students who are enrolled at least half-time and demonstrate financial need according to the Pell Grant Needs Analysis Formula. Maximum awards are established each year by Congress. Students may apply for the PELL Grant by using the Free Application for Federal Student Aid (FAFSA)\*. After the application is processed, a Student Aid Report (SAR) will be sent to the student and AAMI. The applicant should then submit the SAR to the Office of Financial Aid for advisement and processing, <http://www.fafsa.ed.gov> (School Code: 010813).

## 200.4 GUARANTEED STUDENT LOAN PROGRAM

### Robert T. Stafford Subsidized Loan

Students who have been accepted by AAMI may apply for this loan. Financial need must be demonstrated in order to receive this loan. This will be determined after the student files a Free Application for Federal Student Aid (FAFSA). Students who receive this loan pay no interest while in school and receive a 6-month grace period upon graduating or leaving school.

### Robert T. Stafford Unsubsidized Loan

Effective October 1, 1992 the Unsubsidized Federal Stafford loan became available to all students regardless of income. Students who do not demonstrate need for a subsidized loan may apply for this loan with the difference being that the interest will not be subsidized and therefore will accumulate while the student is attending school.

Students who are designated as independent may borrow an additional unsubsidized student loan. Under certain circumstances a dependent student may be approved for this loan as well. A Free Application for Federal Student Aid (FAFSA) must be filed.

Repayment of this loan begins when the student graduates or withdraws from school unless the subsidized and unsubsidized loans are consolidated.

### Plus Loan

Parents of dependent students who are enrolled at least half-time may apply for loans under this program. This loan is made directly to the parent to be used for college expenses of the student. Parent loans carry a variable rate of interest with repayment schedule arranged with the lender.

Loan limits are described in The Student Guide for Financial Aid issued by the Department of Education every year. It can be obtained from the Financial Aid Office.

## 200.5 APPLYING FOR FINANCIAL AID

Students must complete the Free Application for Federal Student Aid (FAFSA) annually each year. Financial Aid is determined by the information provided on the FAFSA. If students are selected for verification, they will receive an email asking them to make corrections online to their FAFSA or provide verification documents. AAMI cannot award aid until all the requested corrections are completed or all documentation has been verified. See Verification Process section for more details.

To complete the FAFSA, students will need the following documents:

- Student's Federal Income Tax Return
- Parent's Federal Income Tax Return (dependent students only)
- Student's W2s
- Parent's W2s (dependent students only)
- Parent's social security number, birth date, marital status and date of marriage (dependent students only)
- Amounts of any additional income received in an entire year, such as child support, social security, welfare benefits, etc.

Students submitting FAFSAs to AAMI will receive two separate replies after submitting this application.

- From the U.S. Department of Education, the students will receive a Student Aid Report (SAR).
- From AAMI, students will receive an email to their personal email account explaining the next steps.

Please keep in mind that the complete financial aid process may require additional paperwork and/or actions by the student to offer the best financial aid package possible. Additional reminders may be sent from AAMI to obtain required documentation to complete Verification.

## 200.6 FEDERAL FINANCIAL AID ELIGIBILITY REQUIREMENTS

To be eligible for financial aid consideration, a student must meet the following requirements:

1. Demonstrate financial need (for most aid programs);
2. Be a U.S. citizen or an eligible noncitizen;
3. Have a valid Social Security number (with the exception of students from the Republic of the Marshall Islands, Federated States of Micronesia, or the Republic of Palau);
4. Registered with Selective Service;
5. required if you're a male (you must register between the ages of 18 and 25)
6. Be admitted to the AAMI associate degree program;
7. Enrolled at least half-time (6 credit hours/semester) for Direct Loan Program eligibility;
8. Maintain Satisfactory Academic Progress;
9. Sign the certification statement on the Free Application for Federal Student Aid (FAFSA)

stating that:

- a. You are not in default on a federal student loan and do not owe money on a federal student grant and
- b. You will use federal student aid only for educational purposes; and

10. Show you're qualified to obtain a college education by:
- Having a high school diploma or a recognized equivalent such as a General Educational Development (GED) certificate;
  - Completing a high school education in a homeschool setting approved under state law (or—if state law does not require a homeschooled student to obtain a completion credential—completing a high school education in a homeschool setting that qualifies as an exemption from compulsory attendance requirements under state law).

## 200.7 TYPES OF FEDERAL FINANCIAL AID AVAILABLE AT AAMI

Students attending AAMI may be eligible for financial assistance from a number of sources. Some are federal, others are state programs. It is strongly recommended that applicants secure all available information and required forms from the Financial Aid Office prior to enrollment in order to obtain maximum financial assistance. Since this office maintains current information concerning various aid programs, specific questions should be addressed directly to the Financial Aid Officer.

Name of Aid	Type of Aid	College Expenses Covered	Annual Limits	Special Requirements
Federal Pell Grant	Grant	Tuition; fees; books; educational expenses	\$6,495 award amount based on need and determined by EFC	Student may not have a bachelor's or advanced degree *Subject to lifetime limits
Federal Direct Subsidized & Unsubsidized Loans	Loan	Tuition; fees; books; educational expenses	Dependent: \$5,500 - No more than \$3,500 may be in subsidized loans; 2nd year dependent limit \$6,500 with no more than \$4,500 in subsidized  Independent: \$9,500 - No more than \$3,500 may be in subsidized loans; 2nd year independent limit \$10,500 with no more than	Enroll in at least 6 credit hours Complete online entrance counseling Complete online master promissory note **Subject to lifetime limits  All loans MUST be repaid

*\* A student can receive the Pell Grant only up to 12 full-time semesters or the equivalent.  
\*\* Lifetime Direct Loan Limits: Dependent - \$31,000 with no more than \$23,000 in subsidized; Independent - \$57,500 with no more than \$23,000 in subsidized.  
\*\*\* Dependent students whose parents are unable to obtain a PLUS Loan may be eligible for additional Stafford Loan amounts.*

*All federal loans must be repaid. Repayment begins six (6) months after a student's enrollment drops below six (6) credit hours, including students attending part-time, graduating, and withdrawing. Additional information regarding loan repayment and required exit counseling is available at: <https://studentaid.ed.gov/sa/repay-loans/understand>*

*All loans require the completion of a Master Promissory Note, as well as Entrance Counseling. Both requirements are completed online*

			\$4,500 in subsidized  Actual award amounts based on Cost of Attendance and subsidized portions determined by EFC	
***Federal Parent PLUS Loan (Dependent Students Only)	Loan	Tuition; fees; books; educational expenses	Parents may borrow up to the Cost of Attendance less any other aid the student receives	Enroll in at least 6 credit hours Complete online parent loan application Complete online master promissory note  All loans MUST be repaid

at <https://studentaid.gov/> and can be found under the “Complete Aid Process” section of the website. Students will need their FSA ID and Password to complete these requirements.

Contact the financial aid office with any questions regarding federal aid.

Students who are first-time borrowers on or after July 1, 2013 were subject to statutory requirements that have limited a first-time borrower’s eligibility for Direct Subsidized Loans to a period not to exceed 150% of the length of the borrower’s educational program. In addition, under certain conditions, the requirements have caused first-time borrowers who have met or exceeded the 150% limit to lose the interest subsidy on their Direct Subsidized Loans.

The *FAFSA Simplification Act*, part of the Consolidated Appropriations Act, 2021 (Public Law 116-260) provides for a repeal of the 150% Subsidized Usage Limit Applies (SULA) requirements. Additional information on the 150% Direct Subsidized Loan Limit is available at: <https://fsapartners.ed.gov/knowledge-center/topics/150-percent-direct-subsidized-loan-limit-information>

Important Note: Aid received at another institution may affect the amount of aid a student is eligible for at AAMI and it is the responsibility of the student to only accept aid for which he or she is eligible with regard to annual limits. Students should contact the Financial Aid Office with any questions concerning aid amounts and eligibility.

## 200.8 ATTENDANCE POLICY FOR FEDERAL FINANCIAL AID

To receive credit in an AAMI course, a student must attend at least 80% of all scheduled hours. In addition to AAMI’s standard attendance expectations, Federal regulations also require that students establish attendance or participation in their courses each term to be eligible for federal financial aid.

There are many ways to establish attendance. The following examples of academically related activities may constitute attendance in a course; however, this is not an exhaustive list of activities:

- Physically attending a class where there is an opportunity for direct interaction between the instructor and students;
- Submitting an academic assignment;
- Taking an exam, an interactive tutorial or computer-assisted instruction; or
- Participating in an online discussion about academic matters.

The following list of activities do not qualify as activities where attendance can be established because they are not academic-related activities:

- Logging into an online class without active participation; or
- Participating in academic counseling or advisement.

For more information about the college's broader attendance policy, see Section 400.1 of this Handbook.

## 200.9 FINANCIAL AID VERIFICATION

Federal verification is a process whereby institutions are required by the U.S. Department of Education (ED) to verify the accuracy of information provided on a student's FAFSA in an effort to assure federal aid is awarded to those who are eligible. The federal government reserves the right to randomly select financial aid applications for verification. It is advised that all students planning on receiving financial aid apply far enough in advance in order to avoid delay of an award disbursement due to the verification process. Verification requires that all students who have been selected provide the Financial Aid Office with income and citizenship documentation.

For the 2021-2022 award year the FAFSA information selected by ED that an institution, applicant and, if appropriate, the applicant's parent(s) or spouse may be required to verify are:

- Adjusted Gross Income
- U.S. Income Tax Paid
- Untaxed Portions of Individual Retirement Account (IRA) Distributions
- Untaxed Portions of Pensions
- IRA Deductions and Payments
- Tax Exempt Interest Income
- Education Credits
- Income Earned from Work
- Number of Household Members
- Number of Household Members in College
- High School Completion Status
- Identity/Statement of Education Purpose

Please note that AAMI may select FAFSA items for verification beyond the items required by ED. Students will receive notification that they have been selected for verification which will specify the actions required by the applicant and the documents (if any) required for verification that must be submitted to AAMI to complete the verification process. The applicant also receives a FAFSA processing email notification from ED. This email states that their FAFSA was processed and a Student Aid Report (SAR) was generated that indicates their eligibility status and notifies them if they were selected for

verification. If the ED or AAMI selects an applicant for verification under this policy, the applicant must complete the required actions specified or provide the requested documents or information. Students will need to contact the Financial Aid Office for application/verification deadlines. This includes making any necessary corrections, submitting those corrections to the Central Processing System, and submitting the new corrected Student Aid Report (SAR) to AAMI.

The following consequences occur for applicants who fail to complete verification in a timely manner:

- Applicants who do not complete verification within the required deadlines will not qualify for federal financial aid.
- No federal grant or loan funds will be disbursed.
- No federal financial aid loan will be originated.
- If a loan was originated prior to the notice of verification, any undisbursed monies will be returned to the ED.
- If federal grant funds were disbursed prior to being selected for verification and there was an overpayment, the monies must be returned to the appropriate federal grant programs.
- Federal financial aid will not be disbursed, and refunds, if any, will not be available until verification is completed and corrections (if necessary) have been processed and received by AAMI from the ED.

## 200.10 WITHDRAWAL AND RETURN OF TITLE IV FUNDS (R2T4)

AAMI awards federal financial aid, also known as Title IV funds, with the assumption students will attend the courses for which the funds were awarded. When students withdraw, drop out, are dismissed, or take a leave of absence after beginning attendance, a calculation is required to determine if the federal aid for which the student was previously eligible needs to be reduced based on the date of withdrawal. The withdrawal date is the last date the student attended courses or participated in academically related activities.

Official Withdrawal - Official Withdrawal - A student provides official notification to the school of his or her intent to withdraw. The date the student initiates intent to withdraw the last date of attendance. Failure to attend class, notify the instructor, or stopping payment on a check or credit card is not considered an official drop or withdrawal. You must file an official drop form with the Registrar's office electronically or in person.

Academic advisors may also notify the administration of the student's withdrawal.

Unofficial Withdrawal - A student stops attending courses without notifying the school of intent to withdraw. AAMI is an attendance-taking institution and uses the last date of attendance reported by instructors to determine the amount of federal aid earned/ When a student is not in attendance for 60 percent of their courses and has not provided written intent to continue in the program, the student is considered withdrawn and a return of funds calculation must be processed. Federal funds must be returned no later than 45 days from the date AAMI determined the student withdrew.



### Return of Funds

The amount of federal aid returned is determined by the lesser of:

- 201 the amount of Title IV funds that the student does not earn, or
- 202 the amount of institutional charges the student incurred as of the date of withdrawal multiplied by the unearned percentage of funds.

If a student earned less than the aid disbursed, the calculation is broken down into the student portion of the return and the institution's portion to return. AAMI returns all required funds, including the student's portion, which may result in a balance due to the student account.

Funds are returned in the following order:

1. Unsubsidized Direct Loans
2. Subsidized Direct Loans
3. Direct PLUS Loans
4. Federal Pell Grants, if return of funds is required

Both the general AAMI refund policy and the separate federal Title IV Return of Title IV Funds policy are administered by the American Academy McAllister Institute of Funeral Service, Inc.

### Post Withdrawal Disbursement

If the federal aid disbursed to the student is less than the amount earned, and the student is otherwise eligible to receive the funds, a post-withdrawal disbursement (PWD) of the earned aid will be offered to the student. The PWD accepted by the student will first pay the balance owed to AAMI, and the excess amount is refunded in accordance with the refund policy.

Federal Grants - a PWD of grant funds will credit the student's account without the student's authorization within 45 days of the date AAMI determined the student withdrew.

Federal Direct Loans - Students eligible for a PWD will be notified via U.S. Mail within 30 days of the date AAMI determined the student withdrew. The student must accept the Federal Direct Loan within 14 days of the date the letter is mailed.

## 200.11 NEW YORK STATE FINANCIAL AID PROGRAMS

New York State financial assistance programs are entitlement programs and are administered by the New York State Higher Education Services Corporation, with headquarters in Albany. The applicant must be a New York State resident who is enrolled full-time and is matriculated in an approved New York post-secondary program. The Degree program in Funeral Service is registered and approved (HEGIS 5299.20).

TAP (Tuition Assistance Program) (School Code: 7952) is limited to legal residents of New York State who are matriculated at colleges and other post-secondary institutions located in New York State. A matriculated student is one who has been accepted as, and is registered as, a candidate for a degree.

To qualify as a New York State resident for New York State grants and scholarships you must:

1. currently reside in New York State, be an undergraduate, and have lived in New York State for the last two terms of high school; or
  2. have resided in New York State for at least 12 months immediately preceding the first term for which he/she is seeking aid and have established domicile (permanent residence) in New York State; or
  3. have been a resident when he/she entered military service, VISTA or the Peace Corps and have re-established New York State residency within 6 months after release from such service.
- The amount of the award is scaled according to net state taxable income, tuition and related fees and to the level of study. In addition, the recipient must be in good academic standing in accordance with the Commission of Education regulations and must not be in default of any guaranteed student loans.

#### OTHER NEW YORK STATE AWARDS

Awards available are the N.Y. State Regents Award for Children of Deceased or Disabled Veterans; the N.Y. State Regents Award for Children of Deceased Police Officers, Firefighters and Corrections Officers; the N.Y. State Regents Awards for Children of Deceased State Corrections Officers and State Civilian Employees of a Correctional Facility; Vietnam Veterans Tuition Awards; Student Aid to Native American Indians. Further information can be obtained from the Financial Aid Office.

#### VOCATIONAL REHABILITATION

Each State has a division of vocational and educational services operating in conjunction with their State Education Department, offering aid to qualified applicants. Eligible persons must contact their respective State vocational rehabilitation office well in advance of the desired enrollment date.

#### VETERANS ADMINISTRATION and DEPARTMENT OF DEFENSE EDUCATION BENEFITS

AAMI is approved to accept Tuition Assistance through the Department of Defense and to train Veterans and eligible dependents. Eligibility must be determined through direct consultation with the Department of Veterans Affairs. Applications, detailed information, and assistance in applying for benefits are available at V.A. offices.

## 200.12 FINANCIAL AID DEADLINE POLICY

Students should submit their financial aid application as early as possible. Students who are utilizing financial aid to pay for their tuition must submit the proper applications no later than 6 weeks prior to the start date of the semester in which they are enrolling.

The deadline for financial aid for a semester that has already expired is June 30 of the school year in question.

## 200.13 STUDENT COMPUTER INITIATIVE

The Student Computer Initiative requires all AAMI students to own or have access to a personal computer, hardware, printer, scanner, software, and have internet accessibility.

AAMI has built an allowance into the cost of attendance for all enrolled and transfer students, which increases eligibility for financial aid. The allowance covers the minimum AAMI computer and equipment purchase and is adjusted annually.

Adding an allowance to the student's COA does not necessarily mean financial aid funds will increase to cover the expense. If a student has already borrowed the maximum amount, is not eligible for a supplemental loan or does not have any remaining funding sources, there may be no financial aid to assist with the purchase of a computer or equipment.

To determine if there are any sources of financial aid available, students should contact the AAMI Office of Financial Aid.

Whether using a laptop already owned, or buying a new one, it should meet the System Requirements criteria found under the Student Services Tab located on AAMI's website, [www.funeraleducation.org](http://www.funeraleducation.org).

## 200.14 FUNERAL SERVICE SCHOLARSHIPS

### American Board of Funeral Service Education Scholarships:

Full information concerning these scholarships may be obtained by contacting with the Scholarship Committee, American Board of Funeral Service Education, 902 Mantua Pike, Suite 108, Woodbury Heights, NJ 08097. Website: [www.abfse.org](http://www.abfse.org) 816-233-3747

### New Jersey State Funeral Directors Association:

New Jersey applicants can obtain information from the Scholarship Committee, New Jersey State Funeral Directors Association, PO Box L, Manasquan, New Jersey 08736.

Students are also encouraged to check with their state funeral service professional association and state licensing boards for other scholarships that might be available.

# 300: ACADEMIC POLICIES

## 300.1 ATTENDANCE POLICY

AAMI's attendance policy is designed to foster student success in the classroom and in most workplaces. Students are expected to attend all class meetings, just as they will be expected to report to work whenever scheduled.

- Failure to attend a class meeting **for any reason** is an absence, and the student must make up all material and assignments covered in a missed class. Students should notify the Administration office and the faculty member of any absences known in advance and provide the supporting documentation.
- Pursuant to New York State law, any student who is absent from school because of his or her religious beliefs must be given an equivalent opportunity to register for classes or make up any examination, study or work requirements which he or she may have missed because of such absence on any particular day or days. AAMI will not charge a fee of any kind for making available such equivalent opportunity to a student.
- A student will not receive credit in a course unless they attend at least 80% of scheduled class meetings. Students who miss scheduled class meetings because of religious beliefs (see above) or due to domestic/intimate partner violence will be given an equivalent

opportunity to make up those meetings. Students who attend fewer than 80% of a course's scheduled class meetings, including make-up opportunities as described above, will receive an NC grade on their transcripts and will be required to repeat the course. See Section 200.8 Attendance Policy for Federal Financial Aid.

Chronic lateness will not be tolerated and may result in suspension or dismissal from the program.

All absences are recorded in the school's operating system, (SONIS). AAMI does not give out attendance records, so students should maintain personal records of their absences.

## On-Campus Courses

Class instruction **begins** at the time indicated on the course schedule. Students must be in their seats and ready to begin at that time. They will not be allowed in the classroom after the class begins, and they must remain in the class for the entire session.

If a student is detained because of a meeting with a faculty or administration member, that person will accompany the student to class and ensure admission to the classroom or laboratory.

In the unlikely event an instructor fails to appear within 10 minutes of the scheduled start time, **one** student from the class should notify the Administration Office.

## Online Courses

Consistent with federal higher education policy regarding distance learning, AAMI's online attendance policy requires students to be in continuous attendance for the entire semester. To enforce these policies, AAMI maintains attendance records on all students to ensure that they are in continuous attendance.

AAMI uses the following process to track the attendance of online students:

- Students must participate in weekly academically-related activities in each class. Simply logging into the class is not credited as attendance. Each student must complete the academic activity assigned by the instructor.
- If a student does not participate in a weekly activity, the student is marked absent.
- If a student is marked absent for two consecutive weeks, the student will be contacted by an academic advisor.
- If the student has a documented excuse for the absences (e.g., illness, injury, hospitalization, death in the family, obligations, court appearances), the instructor will be notified, and the student must arrange for the completion of all delinquent assignments.
- If the academic advisor cannot reach the student, the instructor will be notified of the student's official "last date of attendance". This is typically the last week in which the student submitted an assignment. Absences and failure to submit assignments as required may result in an F or W grade for the course.
- To withdraw from a course and receive a W grade that does not affect the student's grade point average, the student must submit a written request for withdrawal to the Director of Student Services.

## Tutorial Instruction

Attendance is **mandatory** for assigned tutorial instruction. Students who miss assigned tutorial instruction because of religious beliefs (see above) or due to domestic/intimate partner violence will be given an equivalent opportunity to make up that instruction.

## Field Trips

Absence during a field trip is recorded as an absence from a scheduled class.

## 300.2 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level, such as AAMI. Parents of an AAMI student, even if the student is under 18, do not have the right to see the student's records unless the student provides AAMI with written consent to disclose particular records to their parents.

AAMI may, but is not required to, show parents their child's education records if the student is considered their "dependent" for federal tax purposes. AAMI will need to obtain a copy of the first page of the parents' most recent tax return, on which dependents are listed, or a written acknowledgement that the student is a dependent; and AAMI may, but is not required to, show parents the education records of their child who is under 21 at the time of the disclosure and relates to a determination by AAMI that the student has violated its drug or alcohol rules. Students to whom the rights to their records have transferred are called "eligible students." Eligible students have the right to inspect and review their own education records maintained by AAMI. Student records and information are maintained by the college and are available in the Office of the Registrar.

Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. Requests to correct records should be made in writing to the Registrar at:

Andre Rampaul, Registrar  
AAMI  
Administration Building  
1501 Broadway, 11<sup>th</sup> floor, Suite 1102 New York, New York 10036  
Phone: 212-757-1190  
Fax 212-765-5923  
Toll-Free 866-932-2264  
arampaul@aami.edu

If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or

eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

1. The disclosure is to school officials who have been determined to have legitimate educational interests in order to fulfill his or her professional responsibility. A school official is a person employed by the college in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of AAMI who performs an institutional service or function for which AAMI would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII (personally Identifiable Information) from education records, such as an attorney, auditor, contractor, consultant, volunteer, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for AAMI;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;
4. Appropriate parties in connection with financial aid to a student;
5. Organizations conducting certain studies for or on behalf of the school;
6. Accrediting organizations;
7. To comply with a judicial order or lawfully issued subpoena;
8. Appropriate officials in cases of health and safety emergencies; and
9. State and local authorities, within a juvenile justice system, pursuant to specific State

law.

Student records and information are maintained by the College and are available in the Office of the Registrar. Additionally, the law provides that schools may, upon request, provide directory information to persons with legitimate student interest, including military recruiters.

In accordance with FERPA provisions, AAMI's definition of directory information includes a student's:

- Name
- Email address
- Date of birth
- Dates of attendance (not daily records)
- Level of education (e.g., sophomore)
- Degree(s) received, if any
- Honors and awards received

A student may request that such information not be released without the student's prior written consent by completing the Non-Disclosure of Directory Information form with the Office of the Registrar. This form must be downloaded, filled out, and returned to the Office of the Registrar (see email and mailing addresses above). Students should be aware that if they sign a non-disclosure form to

block the release of directory information, they will subsequently need to sign a release form to authorize the release of any records (including transcripts) and information to others, such as financial institutions, employers, and other designated persons or entities, including recruiters.

For additional information, a student may contact the U.S. Department of Education about the Act at:

1-800-USA-LEARN (1-800-872-5327) (voice).

Individuals who use TDD may use the Federal Relay Service.

Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

### 300.3 ACADEMIC INTEGRITY POLICY

AAMI is committed to creating a learning environment that supports educational excellence and endorses academic integrity. All students are required to sign the Academic Integrity Statement that will be in force throughout the student's entire program at AAMI.

Academic dishonesty is prohibited at AAMI. Penalties for academic dishonesty include:

- Academic sanctions, such as failing or otherwise reduced grades
- Disciplinary sanctions, including suspension or expulsion

#### Definitions and Examples of Academic Dishonesty

1. ***Cheating*** is the unauthorized use or attempted use of material, information, notes, study aids, devices, or communication during an academic exercise. Example of cheating include:
  - a. Copying from another student during an examination or allowing another to copy your work.
  - b. Unauthorized collaboration on a take home assignment or examination.
  - c. Using notes during a closed book examination.
  - d. Taking an examination for another student or asking or allowing another student to take an examination for you.
  - e. Changing a graded exam and returning it for more credit.
  - f. Submitting substantial portions of the same paper to more than one course without consulting with each instructor.
  - g. Preparing answers or writing notes in a blue book (exam booklet) before an examination.
  - h. Allowing others to research and write assigned papers or do assigned projects, including using commercial term paper services.
  - i. Giving assistance to acts of academic misconduct/ dishonesty.
  - j. Fabricating data (in whole or in part).
  - k. Falsifying data (in whole or in part).
  - l. Submitting someone else's work as your own.

- m. Unauthorized use during an examination of any electronic devices such as cell phones, computers, or other technologies to retrieve or send information.

2. **Plagiarism** is the act of presenting another person's ideas, research or writing as your own. Examples of plagiarism include:

- a. Copying another person's actual words or images without the use of quotation marks and footnotes attributing the words to their source.
- b. Presenting another person's ideas or theories in your own words without acknowledging the source.
- c. Failing to acknowledge collaborators on homework and laboratory assignments.
- d. Internet plagiarism, including submitting downloaded term papers or parts of term papers, paraphrasing, or copying information from the internet without citing the source, or "cutting & pasting" from various sources without proper attribution.

3. **Obtaining Unfair Advantage** is any action taken by a student that gives that student an unfair academic advantage over another student, or an action taken by a student through which a student attempts to gain an unfair academic over another student. Examples of obtaining unfair advantage include:

- a. Stealing, reproducing, circulating, or otherwise gaining advance access to examination materials.
- b. Depriving other students of access to library materials by stealing, destroying, defacing, or concealing them.
- c. Retaining, using, or circulating examination materials which clearly indicate that they should be returned at the end of the exam.
- d. Intentionally obstructing or interfering with another student's work.

4. Falsification of Records and Official Documents occurs when any academic records have been provided with false information or misrepresentations. Examples of falsification include:

- a. Forging signatures of authorization.
- b. Falsifying information on an official academic record.
- c. Falsifying information on an official document, such as a grade report, letter of permission, drop/add form, ID card, or other college document.

## Methods for Promoting Academic Integrity

This Policy on Academic Integrity shall be included in the Student and Employee Handbooks. This policy is also available on the AAMI website.

The Student Handbook is distributed to all students upon admission and at any time there are substantial changes to the policies. The Employee Handbook was distributed to current faculty after the most recent revisions in 2022 and will be distributed to all new full- and part-time faculty on an annual basis.



## Reporting

1. The Academic Integrity Officer shall serve as the initial contact person with faculty members when they report incidents of suspected academic dishonesty.
2. The Academic Integrity Officer shall be responsible for maintaining students' academic integrity files.
3. A faculty member who suspects that a student has committed a violation of the AAMI Academic Integrity Policy shall review with the student the facts and circumstances of the suspected violation whenever feasible. If the faculty member concludes there has been an incident of academic dishonesty sufficient to affect the student's final course grade, the faculty member must submit a Faculty Report Form to the Academic Integrity Officer.
4. The Academic Integrity Officer shall update the Faculty Report Form after the suspected incident has been investigated and resolved. Unless the resolution exonerates the student, the completed report form **must** be placed in a confidential academic integrity file created for the student.

## Academic Versus Disciplinary Sanctions

The Academic Integrity Officer shall determine whether to seek a disciplinary sanction in addition to an academic sanction. In making this determination, the Academic Integrity Officer shall consult with the faculty member who initiated the case and may consult with other administrators, as needed.

Before determining which sanction(s) to seek, the Academic Integrity Officer also shall consult the student's confidential academic integrity file, if any, to determine whether the student has been found to have previously committed a violation of the Academic Integrity Policy, the nature of that infraction, and the sanction imposed or action taken.

The Academic Integrity Officer should seek disciplinary sanctions only if:

- there is a substantial violation;
- the student has previously violated the Policy; or
- academic sanctions may not be imposed because the student has timely withdrawn from the applicable course.

The Academic Integrity Officer may consider any mitigating circumstances in making the determination.

## Academic-Only Sanctions

1. If a student admits to academic dishonesty and does not contest the academic sanction, the faculty member may adjust the student's grade accordingly and notify the Academic Integrity Officer of the resolution by email. The Academic Integrity Officer shall then update the applicable Faculty Report Form to reflect that resolution.
2. If a student admits to academic dishonesty but contests the academic sanction, the student may appeal the academic sanction through the college's student grievance process (see

Section 600.4.) The student shall be allowed, at a minimum, an opportunity to present a written position with supporting evidence. The committee reviewing the appeal shall issue a written decision explaining the justification for the academic sanction imposed.

3. If a student denies the academic dishonesty, a fact-finding determination shall be made by the Faculty Council or other committee designated by the College. At a minimum, the student shall receive:

- a. written notice of the charges,
- b. the right to appear before the Committee; and
- c. the right to present witness statements or call witnesses.

The faculty member shall also have the right to appear before the Committee, and the Committee may request the testimony of any witness.

The Academic Integrity Officer may not serve on a college's Academic Integrity Committee.

## Disciplinary Sanctions

If AAMI decides to seek a disciplinary sanction, the disciplinary proceeding shall be completed before the academic sanction is addressed. The student's grade shall be held in abeyance by using the PEN grade established for this purpose.

- If the Faculty-Student Disciplinary Committee finds that the alleged violation occurred, then the faculty member may reflect that finding in the student's grade, but the student may also appeal the finding.
- If the Faculty-Student Disciplinary Committee finds that the alleged violation did not occur, then no sanction of any kind may be imposed.

Where a matter proceeds to the Faculty-Student Disciplinary Committee, the Academic Integrity Officer shall promptly report its resolution to the faculty member and file a record of the resolution in the student's confidential academic integrity file, unless the suspected violation was held to be unfounded.

## Findings of No Violation

If the Academic Integrity Committee finds that no violation occurred, the Academic Integrity Officer shall remove all material relating to that incident from the student's confidential academic integrity file and destroy it.

## 300.4 GRADE APPEALS/CHANGES

Students who are concerned about their grade in a particular course should first explain their concerns to the course instructor and try to resolve the issue with the instructor. Following that, if the student is still concerned that the grade has not been correctly determined, they may appeal the grade by contacting the Director of Student Services in writing.

John Fraser, Director of Student Services  
AAMI  
Administration Building  
1501 Broadway, 11<sup>th</sup> floor, Suite 1102 New York, New York 10036  
Phone: 212-757-1190  
Fax 212-765-5923  
Toll-Free 866-932-2264  
jfraser@aami.edu

- The student must state their request for a grade change and the basis for that change, including specifically identifying and documenting the factors that the student contends improperly affected their grade.
- The student must submit this written statement to both the Director of Student Services and the instructor no later than 30 days from the start of the semester directly following the semester in which the grade being appealed was assigned.
- The Director of Student Services will consult with the instructor and will make a decision on the basis of the information from the student and the instructor, and will then provide a written response to both the student and the instructor. The student will receive a written reply from the Director of Student Services within 15 days from receipt of the appeal. This reply shall be final.

## 300.5 REINSTATEMENT POLICIES

AAMI provides two options for students seeking reinstatement, one for students in good standing and the other after being dismissed for academic or attendance reasons. All students applying for reinstatement after more than four years will be required to start the program as a new student. All applications for reinstatement pursuant to both options are subject to the approval of the Academic Dean.

### Reinstatement for Students in Good Standing (Option 1)

This option is for students who withdrew from the AAMI Program in Good Academic Standing. While there is no limit to the number of times a student in Good Academic Standing may apply for reinstatement, the student must comply with AAMI's Policy for Completing the Associate Degree. Students should contact the Academic Dean for specific information and for the application for Reinstatement for Students in Good Standing.

### Reinstatement After Being Academically Dismissed or Dismissed Due to Non-Attendance (Option 2)

This option is for students who were dismissed for academic or attendance reasons and had to sit out one semester. The student must submit a reinstatement application and an essay describing the steps to be taken to achieve academic success. All previous financial and other obligations to AAMI must be met before the applicant will be considered for reinstatement.

# 400: STUDENT CONDUCT

## 400.1 STUDENT CODE OF CONDUCT

AAMI seeks to provide and guarantee the best educational environment for its students. To carry out this goal, AAMI requires each student to obey all federal, state, and local laws, rules and regulations, as well as AAMI policies. AAMI will not tolerate deliberate disruptive actions, violence, or physical interference with the rights of any member of our community or with any authorized functions carried out on the campus. Online students are subject to this code of conduct as well as the Student Code of Conduct for Distance Learning, §500.1 of this Handbook.

In the interest of protecting the rights of all individuals on campus, AAMI has established standards of conduct and policies and procedures prohibiting discrimination, harassment, sexual assault and other disruptive, dangerous and/or illegal conduct.

Students are prohibited from:

- Making any verbal or physical threats of violence, or behaving in a coercive, intimidating, hostile or threatening manner to any member of the AAMI community or others on campus;
- Bringing weapons on campus – including but not limited to firearms, box-cutters, knives, or any other dangerous instrument that can be used to inflict bodily harm or damage to AAMI premises or other property;
- Engaging in unprofessional and/or illegal behavior or conduct, such as discrimination, harassment or retaliation (see Title IX Policy, Appendix B to this Handbook regarding sexual misconduct including sexual assault), falsifying official College documents, stealing, damaging personal or College property, using or distributing illegal substances, disrupting a class or other activities on AAMI’s premises;
- Uploading or downloading copyrighted works such as music, movies, software, video games and other copyrighted works, without proper permission, which may be a violation of Federal copyright law;
- Viewing sexually explicit or other inappropriate materials on any of the College’s computers;
- Any behavior that interferes with the operation of the College or any situation that recklessly or intentionally endangers or threatens the mental or physical health of any individual, including but not limited to threats, coercion, harassment, or acts of violence;
- Engaging in disruptive behavior, such as:
  - Engaging in loud conversations or use of inappropriate or foul language
  - Use of electronic devices that are audible to others
  - Taking materials out of any College office without the express permission of an appropriate College official
  - Using another student’s ID

While these items reflect important standards, this list does not cover every potential violation of the code of conduct. AAMI reserves the right to extend these principles to similar acts. Violations of this code may lead to disciplinary action, up to and including expulsion, depending on the gravity and frequency of the offense, including its effects.

Appendix A of this Handbook, Student Conduct Process for Non-Academic Misconduct Outside Title IX contains the process for handling violations of these standards of conduct, including complaints brought by other members of the AAMI community. Allegations of academic misconduct are not subject to this process, and are covered by the Academic Integrity Policy, Section 300.3 of this Handbook. The process for handling allegations of Title IX sexual harassment that meets the definitions of Title IX and AAMI's Title Policy is contained in Appendix B of this Handbook, AAMI's Title IX Policy.

## 400.2 NON-DISCRIMINATION POLICY

All students are required to participate in AAMI activities in a manner that prevents unlawful discrimination, including sexual harassment.

All students have a legal right to an educational environment free from unlawful discrimination and retaliation, including sexual harassment. It is the policy of AAMI not to tolerate unlawful discrimination based on age, race, color, creed, ethnic origin, national origin, citizenship status, disability, religion, sex, gender, gender expression, sexual orientation, marital or partnership status, pregnancy, military or veteran status, predisposing gender characteristics, or domestic violence status, or on any other legally protected basis. Students can enforce this right by filing a complaint internally with AAMI, with a government agency, or in court under federal, state, or local antidiscrimination laws. Allegations of sexual harassment should be made pursuant to AAMI's Title IX Policy (Appendix B to this Handbook), and AAMI will determine whether those allegations should be addressed via the Title IX Policy or the Student Conduct Policy in Appendix A to this Handbook.

A student or any other member of the AAMI community who wishes to make a complaint of other kinds of discrimination by a student should make that complaint pursuant to Appendix A. A student who wishes to make a complaint of other kinds of discrimination by an employee of AAMI should make that complaint to either Martin Goldstein at [mgoldstein@aami.edu](mailto:mgoldstein@aami.edu) or John Fraser [jfraser@aami.edu](mailto:jfraser@aami.edu) and the complaint will be investigated and if found to have merit, addressed.

## 400.3 CAMPUS SAFETY

AAMI has adopted regulations in accordance with the provisions of the Federal Campus Security Act of 1990. AAMI's Campus Security Manual is updated regularly. Copies are available for review in the Library and the Administration Office.

### Clery Act Statistics

The federal Clery Act requires AAMI to maintain on-campus crime statistics and to report "crimes of violence" on student transcripts, including:

- Murder
- Sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft

- Manslaughter
- Arson

The Advisory Committee on Campus Safety will provide, upon request, all campus crime statistics as reported to the United States Department of Education. The Registrar may be contacted by phone at 212-757-1190 or 1-866-932-2264.

In accordance with Federal Public Law 101-542, information regarding campus crimes at AAMI is provided on the security disclosure form in the AAMI application packet.

Information on crimes occurring at all colleges may also be found on the United States Department of Education website.

### *Sex Offenses*

Sex offenses are actionable, whether they are forcible or non-forcible.

**Forcible sex offenses** include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.

**Non-forcible sex offenses** include incest, and statutory rape pursuant New York State Law.

### *Alcohol*

Each student must view educational materials discussing the health risks associated with drug and alcohol abuse as part of our drug and alcohol abuse prevention program.

No alcoholic beverages shall be permitted on school premises. Any student found to be attending classes or on school property under the influence of alcohol shall be subject to disciplinary action by the Director of Student Services.

Any student found to be under the influence of or engaged in the sale of illegal drugs shall be subject to immediate dismissal and referral to the appropriate law enforcement authorities.

### *Notice to Parents of Students Under Age 21*

In compliance with Higher Education Amendment 6, Section 952, AAMI will notify parents or guardians of those students under age 21 who violate AAMI's policies or rules, in addition to local, state, and federal laws governing the use or possession of alcohol or controlled substances.

### *First Offense*

If a student is found to be in violation of the AAMI Alcohol Policy, the Director of Student Services shall hold a conference with the individual and discuss the consequences of this violation. The first offense will result in a warning. The student must then sign a statement confirming the offense and acknowledging that a second offense will lead to immediate dismissal from the program.

### Substance Abuse Services

The New York State Office of Addiction Services and Supports <https://oasas.ny.gov/>, supports and monitors a statewide network of prevention and treatment programs. They provide information and free referrals for persons seeking assistance.

### Amnesty Policy

The health and safety of every student at AAMI is of utmost importance. AAMI recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

AAMI strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to AAMI officials or law enforcement will not be subject to AAMI's code of conduct action for violations of alcohol or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

### Firearms

New York State Penal Law §§ 265.01(3) and 265.01-a expressly prohibit the carrying of firearms on college campuses—including those by concealed carry weapons permit holders. No AAMI student may carry a firearm on campus for any reason.

### Violence

Violations equivalent to the Clery Act (as updated by the Violence Against Women Act Final Regulations) Part I crimes covered under the legislation that would require a transcript notation are: murder; rape, fondling, incest, and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; manslaughter; and arson.

### Smoking

The New York State Clean Indoor Air Act prohibits smoking anywhere in the building. ***Students may not smoke in any area of the school.***

Smoking is permitted during a student's free time, at least 31 feet from the AAMI entrance. No one may block the building entrance, and those who throw their cigarette butts on the sidewalk or in the street could be subject to fines for littering.

### Spitting

Spitting is a health hazard. Students may not spit in trash cans, in water fountains, or on the sidewalk or street in front of the building.

## Mobile Devices

Cellular phones, smartphones, and other electronic devices must be silenced during class. During tests, all devices must be off and stored. Students who use their devices during tests will be investigated for cheating and could be subject to expulsion.

## Children

AAMI does not have childcare facilities on campus, and the classrooms and laboratories can be dangerous places for children. A student who appears on campus with a minor child will be asked to leave and will be marked absent.

## 400.4 DRESS CODE

While at AAMI, students are preparing for a career in a profession in which families are entrusting them with one of the most difficult times in their lives. Funeral directors' attire should not draw attention to them. Instead, their appearance must visually represent to the decedents' families that the funeral directors are neat, abide by all safety codes, and will give them and their loved ones remains the required care.

Below are some tips for making an appropriate impression while working in the profession. This is also the expected appearance of students while studying at or otherwise representing AAMI.

### The Basics

- Students must wear shoes, a shirt with pants or a skirt, or the equivalent (such as a dress).
- Clothing items must cover undergarments and have opaque fabric in the front and on the sides.
- Hair and headwear must allow the face to be visible.
- Specialized courses or assignments, such as laboratories or residencies, may require specialized attire or safety equipment.
- If you are not appropriately dressed, you may be denied entry to classrooms or laboratories, which will affect your attendance record.

### Recommendations

Commonly accepted clothing articles at AAMI and in the funeral profession include:

- Business suits
- Pant suits
- Dresses
- Dress pants
- Full-length casual pants
- Collared shirts
- Dress shirts
- Blouses



- Knee-length skirts
- Sweaters
- Sport coats
- Blazers
- Religious or spiritual garments

In inclement weather, rain or snow boots are permissible.

## Limitations

Clothing that draws attention to the funeral director and away from the families includes the below items and is inappropriate for on-campus learning:

- Denim
- Short pants
- Sleeveless tops
- Open-toed footwear
- Athletic and team wear
- Hospital uniforms, scrubs, and surgical clothing (not including masks)
- Items with slogans, logos, team names, profanity, and other messages unrelated to the funeral

There might be additional restrictions on attire, jewelry, accessories, and hair when necessary to protect the health and safety of the students.

# 500: DISTANCE LEARNING

## 500.1 STUDENT CODE OF CONDUCT FOR DISTANCE LEARNING

Although the online classroom environment is virtual, the standards of behavior are as important as they are in the classroom on campus. In other words, AAMI online classrooms are real classrooms with real teachers; therefore, appropriate student behavior is expected. To ensure that all AAMI students understand how to behave in an online environment, we have developed a code of conduct that all online students are required to follow, in addition to the Student Code of Conduct in §400.1 of this Handbook. This code of conduct addresses student interaction with AAMI faculty, staff, and other AAMI students, as well as their individual actions.

### Interactions with Faculty and Staff

1. Students should address all AAMI faculty and staff members as adults with the courtesy expected for education professionals. They are to use both the appropriate title (Mr., Mrs., Ms., Miss, or Dr.) and/or last name only. No other form of address is acceptable.
2. Students should phrase communications with AAMI faculty and staff in a polite and courteous manner appropriate for speaking to adults. The tone of emails and phone conversations must be respectful.

3. Since our online environment is a learning environment, students should not use excessive “slang” or language that they might use in other environments. Students must communicate with teachers in complete sentences.

4. Students are not to use obscene, profane, threatening, or disrespectful language or images in any communications with AAMI faculty and staff. These actions are prohibited.

5. Students must use their school email address and a profile picture that is appropriate for an educational environment. Email addresses that use profanity or may otherwise be construed as offensive, shall not be permitted in correspondence with AAMI faculty and staff. Profile pictures should be a headshot of the student only and may not be offensive or inappropriate in any manner. The AAMI administration reserves the right to determine if a student email address and/or profile picture is inappropriate. Students using an inappropriate profile picture will be required to update their user profiles.

## Interactions with Other Users

1. All communications with other students enrolled in AAMI must be of a course-related nature. Any sending of unsolicited email to other AAMI classmates is prohibited.

2. All communications with other students in any forum, course related email, discussion post, etc., must be polite, courteous, and respectful. Students are not to use obscene, profane, threatening, or disrespectful language or images in any communications with other AAMI students.

3. The integrity and authenticity of student work is something that we take seriously and check using a variety of technologies. Copying the work of others, allowing others to knowingly copy a student’s work, and/or misusing content from the Internet could result in removal from our courses with a failing grade. See Academic Integrity Policy, Section 300.3 of this Handbook.

4. Working together is useful in the traditional classroom, but is only permitted in our online environment with specific teacher instructions to do so. Work submitted by students must be original to the student and not copied from other students in the class. In addition, no other persons may not login to a student account and complete coursework on behalf of the student. See Academic Integrity Policy, Section 300.3 of this Handbook.

## Appropriate Use of the Internet

1. AAMI students are subject to all local, state, and federal laws governing the Internet. Consequently, program administrators will cooperate fully with local, state, or federal officials in any investigation related to illegal activities conducted through Internet access.

2. In the event there is a claim that a student has violated this policy, he/she will be notified of the suspected violation and given an opportunity to present an explanation.

3. Any student that violates this policy will be subject to disciplinary action that may result in removal from AAMI course(s), as well as other disciplinary or legal action.

## Disciplinary Action

Violations of this AAMI Student Code of Conduct for Distance Learning will be subject to the Student Conduct Process for Non-Academic Misconduct, Appendix A to this Handbook.

### 500.2 BLACKBOARD

Students are responsible for ensuring that they have the necessary computer hardware and software, including any course-specific software, needed to complete course assignments. Students must check each course syllabus to determine if any special hardware or software is needed. Students must have Internet access available to them throughout the term.

AAMI strongly discourages students from taking quizzes and tests or submitting course work through Blackboard using a mobile or handheld device (iPad, smartphone, etc.). A Blackboard Mobile Learn application is available as a companion tool to the Blackboard Learn desktop course environment, but it is not meant to replace it. It should be used for viewing course content and performing light communications tasks. Not all Blackboard course content will be compatible with the Mobile Learn app. Participation in Blackboard courses requires access to a fully supported laptop or desktop computer.

AAMI online courses are not self-paced. Students are expected to “attend” classes on a weekly basis, be active participants in the course throughout the term and adhere to deadlines and due dates provided in the course syllabus.

### 500.3 EMAIL

All active students are required to have an email address, as many official communications are transmitted to students, faculty, and staff by email.

We recommend one that clearly identifies the student by name, such as [johndoe@xxxxxxxx.com](mailto:johndoe@xxxxxxxx.com). It should also be private, used solely by the student, and protected by a strong password that is never shared with anyone.

### 500.4 BOOKSTORE

AAMI recommends that students order textbooks as early as possible through our online bookstore, [Akademos](#). Some courses have required reading and assignments due in the first week of the course.

### 500.5 COMPUTER USE

AAMI will not tolerate online harassment, cyberbullying, cyberstalking, copyright violations, or any other violation of federal, state, or city laws, rules, or regulations. See also Appendix H, Computer Usage Policy.

Students are provided access to the nine student computers in the computer lab only. The computer labeled “Teacher/Print Server” is available for faculty members **only**.

1. Usage is limited to currently enrolled students. Alumni may use the computer lab with prior approval from the school administration.
2. Usage shall be limited to 30 minutes at a time when other students are waiting to gain access to a computer.
3. No user is allowed to remove, change, modify, uninstall, or tamper with any school hardware or software.
4. No user may install, uninstall, or modify any applications, utilities, passwords, or code on any PC or on the network.
5. Settings may not be changed on any AAMI computer or network folder.
6. No user can copy or otherwise take any copyrighted materials or applications for personal use.
7. All data stored on PCs or on the network becomes the property of AAMI and may be read, altered, or removed at AAMI's discretion.
8. Data files created by students should not be accessed by any other students. Others' files are off-limits.
9. At the end of each semester, data files may be deleted from any student PC and on the network drives. Students wishing to retain personal files must contact the network administrator at least two weeks prior to the end of the semester.
10. Students are not permitted to gain or attempt to gain access to any areas in the AAMI network other than their allocated resources. Any attempt to access confidential files may subject a student to expulsion.
11. The intentional introduction of any viruses or harmful code to any individual PC or on the network will result in the immediate suspension of computer usage privileges. Other punitive measures may be taken which may include expulsion, criminal charges, or any other measure deemed appropriate by the administration of the school.

## 500.6 SOCIAL MEDIA

AAMI has a strict policy against its employees and faculty members socializing with students, including online. This ensures student information is not shared in any way that allows a student to be personally identified. Unless there is a close family relationship between the student and faculty or staff member, AAMI employees are required to disconnect their accounts from students' accounts until the students graduate or permanently withdraw from the program.

## 600: STUDENT SERVICES

### 600.01 ACADEMIC SUPPORT

AAMI is committed to student success and retention. The purpose of the Academic Support Program is to identify and support to students who are struggling academically. The College intervenes with those who are exhibiting behaviors that put them at risk for failure.

“At risk” behaviors include:

1. Excessive absences
2. Lack of participation
3. Decline in quality of work
4. Failure to complete assignments
5. Poor test performance.

The Academic Support Program provides study skills workshops and tutoring sessions outside of class. All students are welcome to participate in scheduled tutorials. A copy of AAMI’s “Study Strategies” is attached as Appendix E. Any student not maintaining a 75% average in each class will be referred to academic support assistance.

### 600.02 CAREER DEVELOPMENT

Availability of employment in funeral service and related fields varies with economic conditions, geographic location, and other factors. AAMI communicates to students and graduates the job opportunities brought to our attention, but students should also take initiative to network throughout their education period and make consistent effort to secure job interviews.

AAMI does not guarantee placement or employment for its students or graduates.

### 600.03 COUNSELING

AAMI provides a counseling referral service for individuals who have experienced sexual misconduct. Contact the Director of Student Services for further information.

### 600.04 STUDENT GRIEVANCE PROCEDURE

All members of the AAMI community are expected to treat each other with respect and civility. Students have the right to receive fair and ethical treatment. This student grievance procedure is provided for the prompt and equitable resolution of student grievances that they are not being treated according to the above.

#### Definition

A grievance is a complaint by a currently enrolled student that there has been a violation, misinterpretation, or inequitable application of any of the provisions of this Student Handbook or

AAMI's Catalog, or treatment by a member of the AAMI community that is believed to be unfair or inappropriate. A grievance must be made in writing that details the occurrence that the student believes to be wrong. Disability accommodation grievances are included in this grievance procedure. The grievance process is designed to address concerns that are not already covered by existing policies or procedures. The following will not be considered a grievance pursuant to this procedure:

- Discrimination or harassment (covered by Discrimination Prevention Policy §400.2 and Title IX Policy Appendix B of this Handbook, respectively)
- Sexual misconduct (covered by Title IX Policy, Appendix B)
- Grade Appeals (covered by Grade Appeals Policy, § 300.4 of this Handbook)
- Financial Aid Appeals Process (see §200.1 of this Handbook for SAP Appeal)

A grievance is initiated by filing (either in person or electronically) a signed written statement with the Director of Student Services within 10 business days of the event that is the subject of the grievance or the last effort by the student to resolve the issue, whichever is later. It should include the name of the student, contact information, the nature of the grievance, a brief description of the facts that form the basis of the grievance, the name of the person(s) whose conduct is being grieved, the names of any other students or employees who witnessed the conduct, steps taken by the student to resolve the concern, and the remedy sought. Any supporting documentation should be attached to the statement.

At any stage of the proceedings the student must appear in person or by Zoom and may be represented by a member of the AAMI community (i.e., a student or employee of AAMI). Even when students are represented, they must appear for the proceedings.

## Informal Resolution and Investigation

Within five business days after the grievance is filed, the Director of Student Services will meet with the student and representative either in-person or virtually, if applicable, to explore an informal and mutually satisfactory resolution to the grievance, which will be memorialized in a writing signed by the student and the College. If the grievance is not resolved at this step, the College will conduct an investigation that is appropriate to the issue at hand, which may include reviewing documents and interviewing other witnesses, if warranted. The Director of Student Services will issue a written decision within five business days of the meeting.

## Appeals

If the grievance is not resolved at the above step the student may appeal to the Faculty Council. The appeal shall consist of a written, signed, and dated notice of appeal together with copies of the grievance, any additional documents the grievant wishes to submit and the decision of the Director of Student Services. The appeal shall be filed with the Director of Student Services of AAMI within five business days after receipt of the decision.

Within 10 business days after the notice of appeal is filed, the Faculty Council will meet with the student and representative either in-person or virtually, if applicable. If a mutually satisfactory resolution is not achieved, then the Faculty Council will issue to the student a written decision within five business days of the meeting. The written decision will include the council's reasoning and shall be final and binding.

## Time Limits

Failure at any step of this procedure to communicate the decision on a grievance within the specified time limits shall permit the aggrieved student to proceed to the next step. Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that step. The time limits specified in any step of this procedure may be extended, in any specific instance, by mutual agreement.

## Miscellaneous

The filing or status of any grievance under the provisions of this section shall in no way operate to impede, delay, or interfere with the right of AAMI to take the action complained of, subject, however, to the final decision on the grievance. AAMI reserves the right to make changes in policy, as necessary.

## 600.05 TRANSCRIPT NOTATIONS

If a student is found responsible for a crime of violence that meets the Clery Act reporting requirements AAMI shall make a notation on the transcript of student indicating the student was “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.”

The transcript of a respondent who withdraws from the institution while such conduct charges are pending, and who declines to complete the disciplinary process, will indicate the student “withdrew with conduct charges pending.” Those students who withdraw from AAMI and decline to complete the student conduct process forfeit any right to resume the conduct proceedings at any point in the future.

Students have the right to appeal a transcript notation to the Registrar. A transcript notation regarding a suspension may not be removed prior to one year after conclusion of the suspension, at the discretion of the Director of Student Services. Notations for expulsion shall not be removed unless the finding of responsibility is vacated.

Only definitive proof can vacate a finding a responsibility. A not-guilty verdict in a criminal court is not definitive proof of non-responsibility, nor is a failure to prosecute. If there is a student complainant in the underlying conduct process, AAMI will notify the student complainant, and the student complainant will have an opportunity to be heard if a respondent provides definitive proof resulting in vacating a responsibility determination.

## 600.06 DISABILITY ASSISTANCE

Federal law requires that all students with disabilities be guaranteed a learning environment that provides reasonable accommodation of their disabilities. Students are responsible for starting the process if they believe they need a disability accommodation. A student requesting accommodation for a disability must contact the Disability Officer, John Fraser at:

John Fraser, Disability Officer  
AAMI  
Administration Building  
1501 Broadway, 11<sup>th</sup> floor, Suite 1102  
New York, New York 10036  
Phone: 212-757-1190  
Fax 212-765-5923  
Toll-Free 866-932-2264  
[jfraser@aami.edu](mailto:jfraser@aami.edu)

A. Rights and Responsibilities

*Students with disabilities have the right to:*

- Participate fully and equally in AAMI's services and activities
- Receive reasonable accommodation pursuant to AAMI's individualized determination
- Have information about their disability kept confidential except as required to facilitate a requested accommodation

*Students with disabilities have the responsibility to:*

- Affirmatively request disability accommodations in a timely manner
- Meet AAMI's student qualifications including essential academic, technical, and professional standards
- Self-identify and provide documentation from an appropriate professional source that verifies the nature of the student's disability, the student's functional limitations, and explains the rationale for the particular accommodation being recommended
- Let the Disability Officer know if an accommodation is not working

*AAMI, through its faculty and staff, has the right to:*

- Maintain AAMI's academic standards, which include technical and professional standards, and to evaluate students pursuant to these standards
- Confirm the student's disability status and receive current, relevant documentation that supports the student's accommodation request
- Select among equally effective/appropriate accommodations
- Have appropriate staff discuss the nature of the student's disability with the student, with the signed consent of the student, in order to implement an accommodation
- Deny a student's request for accommodations when (1) the student's provided documentation does not identify a specific disability, fails to verify the need for the requested services, or is not provided in a timely manner or (2) the source of the documentation is not an appropriate professional source as defined below
- Deny requests for accommodations that are inappropriate or unreasonable, including any that pose a direct threat to the health and safety of others, or constitute a substantial change or alteration of an essential course element or program standard

B. Reasonable Accommodations

AAMI provides reasonable accommodations to students who submit documentation from a qualified professional to the Disability Officer in a timely fashion. Reasonable accommodations are individualized



based on each student's disability-related documented needs and the College program requirements. Students seeking accommodations should do so as early as possible, and at a minimum, two weeks before an exam.

Accommodations may include, but are not limited to:

- Testing accommodations
- Note-takers
- Use of a computer for exams
- Materials in alternative format (accessible texts/course materials)
- Provision of assistive technologies
- Permission to audio tape lectures
- Qualified interpreter services
- Reduced-distraction environment for testing

C. How to Request an Accommodation

1. A student must self-disclose their disability and request for accommodation to Disability Officer John Fraser who administers accommodations on behalf of AAMI.
2. A student is required to gather and submit current documentation of their disability
3. After a student submits the documentation of their disability, the Disability Officer will meet with the student to discuss reasonable accommodations and other supports available at AAMI.
4. Each semester, a student who is receiving an accommodation should meet with the Disability Officer to discuss accommodations for your courses and any accessibility needs. AAMI will provide accommodations letters for the student to submit to their professors.

D. Documenting a Disability

To establish eligibility for disability accommodations, a student must provide documentation that indicates that the disability substantially limits a major life activity. Examples of major life activities include walking, speaking, breathing, performing manual tasks, seeing, hearing, and caring for oneself.

*Documentation must include the following:*

1. Documentation must show a substantial impact for the student on one or more major life activities and indicate whether the impact is current and stable, or is episodic/fluctuating
2. Documentation must confirm the nature and extent of the student's disability based on current professional standards and techniques
3. Documentation must confirm the student's functional limitations and validate the student's need for accommodations
4. Any test results provided should be recent, relevant, and comprehensive. If appropriate, the documentation must also contain test scores and interpretation (ex. learning disability report, audiogram, etc.)

5. The evaluation must be provided by a licensed clinical professional familiar with the history and functional implications of the student's impairment(s) and must not be a member of the student's family
6. The evaluation must show the official letterhead of the professional describing the student's disability with the name, title, and professional credentials of the evaluator
7. The report must be dated and signed by the evaluator

A student may submit their Individualized Education Plan (IEP) from their high school as evidence of past accommodations, but it alone is not sufficient documentation to support the need for accommodation at AAMI.

#### *Incomplete or insufficient documentation*

If a student submits documentation that is incomplete or insufficient to determine the extent of the disability or reasonable accommodations, AAMI has the right to request further documentation, with the student bearing the cost of the evaluation. AAMI does not itself perform any diagnostic evaluation of disabilities but can provide students with testing resources that they may utilize at their own expense.

#### E. Limits in Providing Accommodations

The purpose of disability accommodation is to provide equity and access. A reasonable accommodation cannot fundamentally alter course requirements. For example, the Disability Officer cannot require a faculty member to excuse a disabled student from required course assignments. Similarly, the Disability Officer cannot alter the technical standards of a program. Students with disabilities are required to fulfill such standards with or without accommodation. For example, if a degree program requires a student to pass a licensing exam, the Disability Officer can grant the student testing accommodations, but it cannot excuse a student from taking the exam.

#### F. Tips for Talking With Instructors

When talking with your instructors about your need for accommodation, you should identify yourself as a student with a disability who has registered with the Disability Officer, and provide them with your accommodations letter that you receive from AAMI. Make it clear that you are a serious, motivated student who will succeed in their class if a reasonable allowance is made for a specific problem you have in a specific area. Engage in creative, respectful problem solving. Be calm and courteous; do not ask for unreasonable adjustments, and do not get angry.

#### G. Problems With Accommodations

If you have problems with receiving your accommodation, or the accommodation is not effective, it is your responsibility to contact the Disability Officer to seek assistance. AAMI will work with you to resolve the issue informally. If your problem is not resolved via this informal process to your satisfaction, you may appeal AAMI's reasonable accommodation provided through the Student Grievance Process (Section 600.4).

## H. Student Grievance Procedure

AAMI is committed to maintaining an environment in its educational programs and activities that is free from discrimination, harassment, or retaliation. Consistent with this commitment, it is the policy of AAMI not to tolerate discrimination based on disability. If student believes he or she has been treated unfairly because of his or her disability, the student should raise this concern through AAMI's student grievance procedure, available at Section 600.4 above.

## 600.07 ON-CAMPUS FACILITIES

### Library

Students may take out library books, videos, and audio tapes by showing their Student identification (ID) card or another photograph ID. There is a fee of \$0.25 per day for overdue books.

All bound periodicals and certain reference books are **only** for use in the library and may not be removed for any reason. Students may submit requests for copies of these materials to the Librarian. Black-and-white copies will be made for a fee of \$0.10 per standard page (8 1/2 x 11) and \$0.15 per legal-sized page.

The Library Handbook is in the Library.

### Classrooms

Students may **not** eat in the classrooms or laboratories, nor may they lean any parts of their bodies against the walls. This includes feet and heads.

Damage to school property must be reported immediately to the instructor or Administration Office. Students may be disciplined and held financially responsible for damage that is not accidental or due to ordinary "wear and tear."

### Computer Laboratory

Students may use the computer lab for research, completing classroom assignments, and preparing resumes for employment in funeral service. With approval of the AAMI Administration, alumni may also use the computer lab for the same activities.

The complete Computer Usage Policy is attached as Appendix H.

### Student Lounge

If you wish to eat on the premises, you may use the student lounge. Garbage must be placed in waste receptacles and beverage cups emptied in the washrooms prior to disposal. All spills are to be taken care of by the students. The microwave and counters must always be kept clean. Failure to follow these rules will cause this privilege to be suspended.

## Student Lockers

A limited number of lockers are available for students attending classes on campus. Lockers are not assigned and may be used on a first-come, first-served basis. A student may only use one locker at a time.

Students must select their lockers, provide their own locks, and notify the Administration Office of their selected locker numbers. They must also empty their lockers prior to graduation or dismissal from the program.

## Emergency Preparedness

In the event of an emergency, call 911 and notify the Administration Office immediately.

# 700: GRADUATION

## 700.1 GRADUATION REQUIREMENTS

## 700.2 CLASS PICTURES

Students in their last semester are asked to submit a headshot shot photo for their senior class composite photo prior to graduation to the Director of Student Services. Students that prefer to not to submit a photo may opt out from the composite class photo by informing the Director of Student Services. It is suggested that the students be appropriately groomed and dressed (business or business casual). Students may purchase the class composite photograph by contacting the Director of Student Services. There may or may not be photo packages available to choose from. The cost of composite photographs is the student's responsibility.

## 700.3 CLASS RINGS

Students who may want to purchase class rings may purchase them from [ArtCarved](#). The costs of the rings vary, based on the student's customizations. AAMI has no control over the cost or quality.

## 700.4 GRADUATION CEREMONY

The Graduation Ceremony is held once a year in May.

## 700.5 RESIDENCY

As a provider of an online degree program, AAMI is subject to the regulations and requirements of each state with regard to delivering online courses to students residing in each respective state. State Regulations vary from state to state, requiring educational institutions wishing to offer a degree to comply with these regulations and apply for authorization to offer the degree.

Every state requires approval of out-of-state institutions delivering online learning in their state. States in which AAMI is approved are subject to change. Students should contact the Admissions Office before relocating in order to verify that AAMI is approved to offer its associate degree in that state.

**STATE LICENSURE REQUIREMENTS** Funeral Service is a licensed vocation requiring each candidate to pass a licensing examination. The laws prescribing requirements for the license, which vary from state to state, can be found at: [www.theconferenceonline.org](http://www.theconferenceonline.org) (click on "Resources" and then "State Licensing Requirements"). If you have been convicted of a criminal offense, check with the Funeral Service Licensing Board of the state in which you wish to be licensed to ensure that the conviction will not jeopardize your ability to qualify for licensure in that state.

As your first step you should be familiar with the educational, legal, and other requirements in the state or states in which you wish to be licensed. If you decide to make Funeral Service your career, AAMI will assist you in securing more detailed information by referring you to the appropriate state agency.

**BEFORE MOVING TO ANOTHER STATE:** An online student who is enrolled in the AAMI associate degree program and considers moving or moves to a state in which AAMI is not authorized to provide online education, should communicate with the state’s funeral licensing board(s) and appropriate higher education agencies regarding the acceptance of the AAMI credits and associate degree for licensure.

# APPENDIX A

## STUDENT CONDUCT PROCESS FOR NON-ACADEMIC MISCONDUCT OUTSIDE OF TITLE IX

This process is provided to address complaints of non-academic misconduct by students promptly and fairly, in compliance with other AAMI policies and laws. For conduct that falls under the scope of Title IX, please see AAMI's Title IX policy under Appendix B.

### Making a Complaint

A complaint of student misconduct may be made either orally or in writing to the Director of Student Services. If a complaint is made orally, the Director of Student Services or designee will prepare a written statement of the complaint for the complainant's review, correction if necessary and signature. All complaints, whether prepared with the assistance of the Director of Academic and Student Services or not, must include:

1. The complainant's name and contact information.
2. A brief description of the alleged misconduct, including date(s) and time(s) it occurred, and/or the date the complainant first knew of the alleged misconduct.
3. The name(s) of the student(s) allegedly responsible for the misconduct ("respondent").
4. Copies of materials and names of witness(es), if any, that may be relevant to the investigation of the allegations.
5. Whether or not the complainant has initiated a court action or a complaint of discrimination or other complaint with a local, state, or federal agency.
6. The remedy sought by the complainant.
7. The signature (may be electronic) of the complainant.

AAMI encourages prompt reporting of complaints of student misconduct so that rapid response and appropriate action may be taken. Due to the sensitive nature of many such complaints, including sexual misconduct and discrimination, and the effect such misconduct may have on some complainants, there will be no time limits on reporting misconduct pursuant to this process. However, given that with the passage of time, investigating may become more difficult, complaints should be reported as soon as reasonably possible.

### Sexual Misconduct

AAMI previously had one process for addressing sexual misconduct. Given the Title IX Regulations promulgated in May 2020 and effective August 14, 2020, AAMI will now have two processes for addressing sexual misconduct. The Title IX regulations provide a more restrictive definition of "sexual harassment" and a more restrictive geographic scope that AAMI must investigate and adjudicate pursuant to the requirements of Title IX. The Title IX reporting, investigation and adjudication process in the AAMI Title IX Policy (see Appendix B) will apply only to allegations that meet the Regulations' definitions ("Title IX Category Violations").

AAMI will also address any allegations of violations of its policies, including allegations of sexual misconduct that do not meet the strict definitions of the Regulations. Those allegations (“College Category Violations”) are also reflected in the Title IX Policy (Appendix B) and will be addressed through this Student Conduct Policy and the employee conduct process in the Employee Handbook as applicable to the accused individual.

AAMI encourages all individuals who make a complaint of sexual misconduct to do so pursuant to the Title IX Policy, so that it can be processed and adjudicated through the applicable policy.

## Disability Accommodations

A complainant or respondent with a disability who requires accommodation in the complaint, investigation, hearing, or any other phase of the student conduct process is responsible for disclosing the need for accommodation to the Title IX Coordinator, whose contact information is:

Martin Goldstein, Title IX Coordinator  
Administration Office  
1501 Broadway, 11<sup>th</sup> floor, Suite 1102 New York, New York 10036  
Phone: 212-757-1190  
Fax 212-765-5923  
Toll-Free 866-932-2264  
[mgoldstein@aami.edu](mailto:mgoldstein@aami.edu)

The Title IX Coordinator may consult with the Director of Student Services and Disability Officer (“Disability Officer”) in deciding whether to grant a disability accommodation request. The Disability Officer’s contact information:

John Fraser, Disability Officer  
Administration Office  
1501 Broadway, 11<sup>th</sup> floor, Suite 1102 New York, New York 10036  
Phone: 212-757-1190  
Fax 212-765-5923  
Toll-Free 866-932-2264  
[jfraser@aami.edu](mailto:jfraser@aami.edu)

## Informal Resolution

The Title IX Coordinator or designee, who may be internal or external to the college, may resolve any misconduct allegation with a respondent as the College deems appropriate, except for allegations of Clery Act crimes of violence or allegations of sexual misconduct, which shall only be resolved informally by agreement among the college, the complainant and respondent. Any such agreement must be voluntary and must be memorialized in writing.

## Investigation of Complaint

The Title IX Coordinator or designee, who may be internal or external to the college, will initiate an investigation of the alleged conduct within five (5) business days of notification, which will be handled



by an impartial individual who may be internal or external to AAMI. The investigation will include written notification to the parties of the investigation, and interviews with the complainant, the respondent(s), and at the discretion of the investigator, other individuals who may have information regarding the alleged conduct.

The investigator shall prepare a written report that fairly summarizes the relevant evidence within thirty (30) business days following the initiation of the complaint. A copy of the report will be simultaneously provided to the complainant and respondent(s).

## Advisors and Support Persons

A complainant or respondent in a sexual misconduct matter where the requested penalty is suspension or expulsion may be accompanied by an advisor of their choice, at their own expense, or by an advisor appointed by the college (who may be internal or external to the college, and must be unbiased) during any stage of the process.

A complainant or respondent in a non-sexual misconduct matter where the requested penalty is suspension or expulsion may be accompanied by an advisor of their choice, at their own expense, during any stage of the process, but are not entitled to an advisor appointed by the college.

An advisor may ask questions on behalf of their advisee at the hearing, may not participate in other meetings during the process except to consult with their advisee in a quiet and non-disruptive manner. An advisor's questioning at a hearing must be conducted in a respectful, non-intimidating and non-abusive manner.

A party with a disability may be granted a support person for the process, which is different from an advisor. A support person will be permitted to assist the party as needed.

## Hearing

The Director of Student Services shall designate an impartial Hearing Officer, who may be internal or external to the college, who will convene a hearing within ten (10) business days of the parties being provided the investigative report. The college will present charges and has the burden of proof by preponderance of the evidence. Each party may testify, present witnesses and evidence, and be cross-examined by the other party's advisor, if any. Parties may not directly cross-examine each other. A party that does not have an advisor may submit to the Hearing Officer suggested cross-examination questions to be asked of the other party and the other party's witnesses to the Hearing Officer. The college may cross-examine respondent and respondent's witnesses. Formal rules of evidence will not apply. A recording or transcript shall be made of the hearing. The Hearing Officer has discretion over the procedures of the hearing, including whether to ask suggested cross-examination questions.

Following the conclusion of the hearing, the Hearing Officer will review the investigation report and the evidence, deliberate, and determine whether the respondent is responsible or not responsible for the alleged conduct, and will notify both parties and the Director of Student Services. If the respondent is found responsible for any charge, both parties will have ten (10) business days to submit a personal impact statement to the Director of Student Services, who will provide these to the Hearing Officer. The Hearing Officer will consider those statements along with all other evidence and testimony in determining the sanction.

The sanctions imposed will be determined by the severity of the conduct, any prior misconduct, and the student's understanding and willingness to accept responsibility for his or her behavior. Possible sanctions include, but are not limited to those listed in the Title IX Policy.

The Hearing Officer will issue a written determination that includes:

1. The charges.
2. The findings of fact.
3. The rationale for determination of responsibility or non-responsibility for each charge.
4. The sanctions.
5. Information about how the procedures of both parties to appeal.

The Hearing Officer will provide the written determination to the parties simultaneously.

## Transcript Notations

If a student is found responsible for a crime of violence that meets the Clery Act (20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII)) reporting requirements, AAMI shall make a notation on the transcript of the student indicating the student was "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation." The transcript of a respondent who withdraws from the institution while such conduct charges are pending, and who declines to complete the disciplinary process, will indicate the student "withdrew with conduct charges pending." Those students who withdraw from AAMI and decline to complete the student conduct process forfeit any right to resume the conduct proceedings at any point in the future.

A transcript notation regarding a suspension may not be removed prior to one year after conclusion of the suspension, at the discretion of the Director of Student Services. Notations for expulsion shall not be removed unless the finding of responsibility is vacated.

Only definitive proof can vacate a finding a responsibility. A not-guilty verdict in a criminal court is not definitive proof of non-responsibility, nor is a failure to prosecute. Before vacating a finding of responsibility, if there is a student complainant in the underlying conduct process, AAMI will notify the student complainant, and the student complainant will have an opportunity to be heard if a respondent provides definitive proof resulting in vacating a responsibility determination.

## Appeals

Either party may appeal a finding or sanction by submitting a written statement to the Program Director of Student Services within five (5) business days of the report being provided to them. The appeal will be heard by the AAMI Faculty Council, which is a panel of three unbiased instructors, one of whom shall be the chairperson. If the allegations concern sexual misconduct, the Faculty Council shall not include the Title IX Coordinator. The Director of Student Services shall provide a copy of a party's appeal to the other party. The other party may submit a statement to the Director of Student Services within five (5) business days of the submission of the appeal. The decision shall be rendered within ten (10) business days of the submission of the opposing party's statement, or if there is no statement from the opposing party, within fifteen (15) business days of the submission of the appeal.

## Time Limits

The college will make every effort to adhere to all time limits in this policy. However, it may be appropriate in certain circumstances for the college to extend a time limit in this policy for as short a time as possible when extenuating circumstances require additional time. In such case, the appropriate college official shall so inform the complainant and respondent(s) in writing. Any extensions should be kept to a minimum and must be reasonable.

## Conduct of Meetings and Hearings

All interviews, meetings and hearings conducted pursuant to this policy may be conducted either in-person, in separate rooms, and/or virtually, in the discretion of the college. Interviews and meetings may be conducted by telephone or other electronic means. Hearings must be conducted so that the Hearing Officer and the parties may simultaneously see and hear any party or witness providing information or answering questions.

## Clery Act Compliance

The college is required to include for statistical reporting purposes the occurrence of certain incidents in its Annual Security Report (ASR). Neither the names of individuals involved in incidents nor the specific details of the incidents are reported or disclosed in ASRs. In the case of an emergency or ongoing dangerous situation, the college will issue a timely warning to the campus, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual. In such circumstances, the name of the alleged perpetrator may be disclosed to the community, but the name of the victim/complainant will not be disclosed.

## Coordination With Other Policies

A sexual misconduct complaint made pursuant to AAMI's Title IX Policy may be referred to this process if it is dismissed for failing to meet the Title IX requirements. If such a complaint has been investigated pursuant to the Title IX Policy, it will not be re-investigated. AAMI retains discretion to not respond to, investigate or adjudicate circumstances in which no college interest is implicated.

A particular situation may potentially invoke one or more college policies or processes. The college reserves the right to determine the most applicable policy or process and to utilize that policy or process.

## APPENDIX B

### GRIEVANCE PROCEDURE FOR SEX-BASED HARASSMENT COMPLAINTS FOR STUDENTS

#### I. Scope of Procedure

Sex-Based Harassment is considered discrimination on the basis of sex if it includes harassment due to actual or perceived sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

#### II. Jurisdiction of Procedure

American Academy McAllister Institute's ("AAMI") Title IX Coordinator will determine if this Grievance Procedure applies to a Complaint. This Grievance Procedure will apply when the following elements are met, in the reasonable determination of the Title IX Coordinator:

- The conduct alleged occurred on or after August 1, 2024;
- The conduct alleged occurred in the United States, except for cases of sexual assault, domestic violence, dating violence and stalking, in which case, if such occurred off campus or during study abroad, will be subject to the jurisdiction of this Grievance Procedure;
- The conduct alleged occurred in AAMI's Education Program or Activity; and
- The conduct alleged, if true, would constitute Sex-Based Harassment as defined in this Grievance Procedure.

**NOTE:** AAMI has an obligation to address a sex-based hostile environment under its Education Program or Activity, even when some conduct alleged to be contributing to the Hostile Environment occurred outside AAMI's Education Program or Activity, or outside of the United States. AAMI's Title IX Coordinator will work with all Complainants to assess such complaints that may fall under these criteria, and direct to appropriate College Policies and Procedures that may apply if this Grievance Procedure does not. AAMI will communicate all such decisions in writing to the Complainant. Any such dismissals shall be subject to appropriate appeal rights under this Grievance Procedure as outlined in the Dismissals section below.

Conduct that occurs under AAMI's Education Program or Activity includes but is not limited to conduct that occurs in a building owned or controlled by a student organization that is officially recognized by AAMI, and conduct that is subject to AAMI's disciplinary authority under the Student Conduct Policy.

If all elements of jurisdiction are met, AAMI will investigate the allegations according to this Grievance Procedure as appropriate, unless informal resolution is pursued or there are grounds for dismissal of the complaint.

### **III. Non-Discrimination in Application**

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, race, color, national origin, religion, creed, age, disability, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, criminal conviction, or other protected classes covered by applicable federal, state, or local law. All requirements and protections are equitably provided to individuals regardless of such protected status(es) or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the U.S. Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>. Individuals may also file complaints with the New York State Division of Human Rights (DHR), using contact information available at <https://dhr.ny.gov/complaint>.

### **IV. Students' Bill of Rights**

All Students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of Domestic Violence, Dating Violence, Stalking, and Sexual Assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the Reporting Individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from Retaliation by the institution, any Student, the Accused and/or the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a Reporting Individual or Complainant, Accused, or Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

## V. Definitions

1. **Accused** means a person accused of a violation who has not yet entered an institution's judicial or conduct process.
2. **Admission** means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an Education Program or Activity operated by AAMI.
3. **Bystander** means a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of the rules or policies of an institution.
4. **Code of conduct** means the written policies adopted by an institution governing student behavior, rights, and responsibilities while such student is matriculated in the institution.
5. **Consent** means a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate Consent. The definition of Consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Consent to any sexual act or prior consensual sexual activity between or with any Party does not necessarily constitute Consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot Consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to Consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When Consent is withdrawn or can no longer be given, sexual activity must stop. "Consent" and "affirmative consent" may be used interchangeably under this Grievance Procedure.
6. **Complainant** means:
  - (1) a student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment as defined in these procedures and who was participating or attempting to participate in AAMI's Education Program or Activity; or
  - (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment under this grievance procedure and who was participating or attempting to participate in AAMI's Education Program or Activity at the time of the alleged Sex-Based Harassment.

A Complainant may also be referred to as a Reporting Individual in this Grievance Procedure, in alignment with New York State Education Law Article 129-B.

7. **Complaint** means an oral or written request to AAMI that objectively can be understood as a request for AAMI to investigate and make a determination about alleged Sex-Based Harassment at the institution.
8. **Confidential Employee** means:
  - (1) an employee of AAMI whose communications are privileged under Federal or State law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies;
  - (2) an employee of AAMI whom the recipient has designated as confidential for the purpose of providing services to persons related to Sex-Based Harassment. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about Sex-Based Harassment in connection with providing those services; or
  - (3) an employee of AAMI who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex-Based Harassment. The employee's confidential status is only with respect to information received while conducting the study.
9. **Disciplinary Sanctions** means consequences imposed on a Respondent following a determination under this grievance procedure that the Respondent violated AAMI's prohibition Sex-Based Harassment.
10. **Education Program or Activity** means any academic, extracurricular, research, occupational training or other Education Program or Activity operated by AAMI that receives Federal financial assistance.
11. **Party** means Complainant or Respondent.
12. **Peer Retaliation** means Retaliation by a Student against another Student.
13. **Relevant** means related to the allegations of Sex-Based Harassment under investigation as part of this Grievance Procedure. Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.
14. **Remedies** means measures provided, as appropriate, to a Complainant or any other person AAMI identifies as having had their equal access to AAMI's Education Program or Activity limited or denied by Sex-Based Harassment. These measures are provided to restore or preserve that person's access to AAMI's Education Program or Activity after AAMI determines that Sex-Based Harassment occurred.

15. **Respondent** means a person who is alleged to have violated AAMI's prohibition on Sex-Based Harassment.
16. **Retaliation** means intimidation, threats, coercion, or discrimination by any person by AAMI, a Student, or an employee or other person authorized by AAMI to provide aid, benefit, or service under AAMI's Education Program or Activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this grievance procedure including an informal resolution process.
17. **Sex-Based Harassment** means sexual harassment and other harassment on the basis of sex, including harassment because of gender identity, sexual orientation, sex characteristics, sex stereotypes, and/or pregnancy and other conditions, that is:
- (1) *Quid pro quo harassment.* An employee, agent or other person authorized by AAMI's Education Program or Activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- (2) *Hostile Environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from AAMI's Education Program or Activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the Complainant's ability to access AAMI's Education Program or Activity; (ii) the type, frequency, and duration of the conduct; (iii) the Parties' ages, roles within AAMI's Education Program or Activity, previous interactions and other factors about each Party that may be Relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred; and (v) other Sex-Based Harassment in AAMI's Education Program or Activity;
- (3) *Sexual Assault* (as defined in the Clery Act, 20 U.S.C. 1092(f)) means any sexual act directed against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent;
- (4) *Dating Violence* (as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act) means any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
- (5) *Domestic Violence* means any felony or misdemeanor crimes committed by a person who: (A) is a current or former partner of the victim under the family or domestic violence laws of New York, or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C)



shared a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of New York; or

(6) *Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

18. **Student** means a person who has gained Admission.
19. **Supportive Measures** means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party's access to AAMI's Education Program or Activity, including measures that are designed to protect the safety of the Parties or AAMI's educational environment; or (2) provide support during AAMI's grievance procedures for Sex-Based Harassment or during the informal resolution process.

## VI. NOTE: Disability Accommodations

### *Generally*

This procedure does not alter any institutional obligations under applicable federal disability laws, including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, among others. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Procedure that do not fundamentally alter the Procedures. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

### *Requests for Reasonable Accommodations During the Title IX Grievance Procedure*

If the Complainant or Respondent discloses a disability, the Title IX Coordinator may consult, as appropriate, with the Disability Officer to provide support to students with disabilities to determine how to comply with applicable law including, without limitation, Section 504 of the Rehabilitation Act of 1973 in the implementation of any Supportive Measures, or any other reasonable accommodations requested during the Grievance Procedure.

### *Contact information for AAMI's Disability Officer*

Name: John Fraser  
Title: Disability Officer  
Office Address: Administrative Office, 1501 Broadway, 11<sup>th</sup> Floor, Suite 1102,  
New York, NY 10036  
Email Address: [jfraser@aami.edu](mailto:jfraser@aami.edu)  
Telephone Number: 212-757-1190

## **VII. Policy for Alcohol and/or Drug Use Amnesty**

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

## **VIII. Basic Requirements of the Grievance Procedure**

AAMI is required to:

- Treat Complainants and Respondents equitably;
- Ensure that any person designated by AAMI as a Title IX Coordinator, investigator, or decisionmaker does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
- Establish reasonably prompt timeframes for the major stages of this Grievance Procedure, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the Parties that includes the reason for the delay;
- Ensure that reasonable steps to protect the privacy of the Parties and witnesses during the pendency of the Grievance Procedure are taken, provided that the steps do not restrict the abilities of the Parties to obtain and present evidence, including by speaking to witnesses (as long as such does not result in Retaliation), consult with their family members, confidential resources, or advisors, or otherwise prepare for or participate in this Grievance Procedure;
- Ensure an objective evaluation of all evidence that is Relevant and not otherwise impermissible under this Procedure, including both inculpatory and exculpatory evidence, and provide that credibility determinations must not be based on a person's status as a Complainant, Respondent or Witness;
- Exclude impermissible evidence from consideration as defined in the Grievance Procedure; and
- Clearly articulate principles for how AAMI will determine which policies and procedures apply if not all such complaints are handled under this institutional Grievance Procedure.

Per New York State Law, AAMI is also required to additionally ensure that Complainants are advised of their right to:

- Notify local law enforcement, and/or state police;
- Have emergency access to a Title IX Coordinator or other appropriate official trained in interviewing victims of sexual assault who shall be available upon the first instance of

disclosure by a Complainant to provide information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated New York Penal Law should be addressed to law enforcement or to the district attorney, who shall also explain whether he or she is authorized to offer the reporting individual confidentiality or privacy, and shall inform the Complainant of other reporting options;

- Disclose confidentially the incident to institution representatives, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for Complainants;
- Disclose confidentially the incident and obtain services from the state or local government;
- Disclose the incident to institution representatives who can offer privacy or confidentiality, as appropriate, and can assist in obtaining resources for reporting individuals;
- File a report of sexual assault, domestic violence, dating violence, and/or stalking and the right to consult the Title IX Coordinator and other appropriate institution representatives for information and assistance, ensure that Complainants know that reports shall be investigated in accordance with this Grievance Procedure and/or any other institutional policies that may be applicable, and ensure that a Complainant's identity will remain private at all times if said Complainant wishes to maintain privacy;
- Disclose, if the accused is an employee of AAMI, the incident to AAMI's Human Resources Department or the right to request that a confidential or private employee assist in reporting to the appropriate representative for the Human Resources Department, at which point, such referral shall be handled according to the appropriate policies and procedures related to employee complaints;
- Receive assistance from appropriate AAMI representatives in initiating legal proceedings in family court or civil court; and
- Withdraw a complaint or involvement from AAMI's Grievance Procedure at any time.

## **IX. Reporting Sex-Based Harassment Occurring Between Students to the Institution**

### *Non-Confidential Reports*

Any person may report sex discrimination, including Sex-Based Harassment (whether or not the person reporting is the person alleged to be the victim of the conduct that may constitute sex discrimination or Sex-Based Harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

#### **Contact Information for the Title IX Coordinator at AAMI:**

Name: Martin Goldstein

Title: Title IX Coordinator

Office Address: Administrative Office, 1501 Broadway, 11<sup>th</sup> Floor, Suite 1102

New York, NY 10036

Email Address: [titleixcoordinator@aami.edu](mailto:titleixcoordinator@aami.edu)  
Telephone Number: 212-757-1190

### *Confidential Reports*

The following officials at AAMI will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited by Title IX:

- Title IX Coordinator or designee(s);
- Officials with Authority to institute corrective measures under Title IX;
- All other employees at AAMI that are not designated as confidential resources

There are other confidential options available for crisis intervention, resources and referrals, but these are not reporting mechanisms to the institution, meaning that disclosure on a call to one of these hotlines does not provide any information to AAMI.

Complainants are encouraged to additionally contact a campus confidential or private resource so that AAMI can take appropriate action in these cases. Some resources for confidential disclosure **NOT** to the institution are:

- The New York State Office for the Prevention of Domestic Violence hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>. Additional disclosure and assistance options that can be found and are presented in several languages can also be found here: <http://www.opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906).
- SurvJustice: <http://survjustice.org/our-services/civil-rights-complaints/>;
- Legal Momentum: <https://www.legalmomentum.org/>;
- NYSCASA: <https://nyscasa.org/responding>;
- NYSCADV: <http://www.nyscadv.org/>;
- Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>;
- GLBTQ Domestic Violence Project: <http://glbtqdv.org/>;
- RAINN: <https://www.rainn.org/get-help>; and
- Safe Horizons: <http://www.safehorizon.org/>.

### *Privacy vs. Confidentiality*

References made to confidentiality refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean AAMI offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. AAMI will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

### *At the First Instance of Disclosure of a Report*

AAMI shall ensure that, at a minimum, at the first instance of disclosure by a Complainant to a AAMI representative, the following information shall be presented to the Complainant: "You have the right to

make a report to university police or campus security, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from Retaliation for reporting an incident; and to receive assistance and resources from your institution.”

## **X. Supportive and Interim Measures**

### *Providing Supportive Measures*

Complainants who report allegations of Sex-Based Harassment have the right to receive supportive measures from AAMI regardless of whether they file a complaint. Supportive measures are non-disciplinary and non-punitive. Supportive measures may vary depending upon what is reasonably available at AAMI.

As appropriate, supportive measures may include without limitation:

- Counseling services (in-person or virtual)
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services, as available
- Restrictions on contact applied to one or more Parties (no contact orders)
- Changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Training and education programs related to Sex-Based Harassment
- Assistance by AAMI’s police or security forces, if applicable, or other officials in obtaining an order of protection or, if outside of New York state, an equivalent protective or restraining order

Supportive measures must not unreasonably burden either Party and must be designed to protect the safety of the Parties or AAMI’s educational environment, or to provide support during AAMI’s Sex-Based Harassment grievance procedures under this policy, or during informal resolution under this procedure.

AAMI may modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or may continue them beyond that point within AAMI’s discretion.

AAMI will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one Party of supportive measures provided to another Party, unless necessary to provide the supportive measure or restore or preserve a Party’s access to AAMI’s Education Program or Activity, or there is an exception that applies, such as:

- AAMI has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to an appropriate third Party with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;

- To carry out the purpose of the policy when it is necessary to address conduct that reasonably may constitute Sex-Based Harassment under Title IX in AAMI's Education Program or Activity;
- As required by Federal law, federal regulations, or the terms and conditions of a federal award; or
- To the extent such disclosures are not otherwise in conflict with Title IX, when required by State or local law or when permitted under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g, or its implementing regulations, 34 CFR Part 99).

**Note on Orders of Protection and their equivalent:** AAMI must provide a copy of the order of protection or equivalent when it is received by AAMI, and Parties shall have the opportunity to meet or speak with the Title IX Coordinator, who can explain the order and answer questions about it, including information from the order about the Accused's/Respondent's responsibility to stay away from the protected person or persons. Parties are entitled to an explanation of the consequences for violating these orders, including without limitation, arrest, additional conduct charges, and interim suspension or emergency removal, as applicable. A Complainant is also entitled to call on local law enforcement in effecting an arrest for violating such order, in accordance with limits on current law enforcement jurisdiction and procedures.

*Process for Review of Supportive Measures*

AAMI provides for a Complainant or Respondent to seek modification or reversal of AAMI's decision to provide, deny, modify or terminate a supportive measure. Grounds for challenge of supportive measures include, but are not limited to:

- Whether a supportive measure is reasonably burdensome;
- Whether a supportive measure is reasonably available;
- Whether a supportive measure is being imposed for punitive or disciplinary reasons;
- Whether the supportive measure is being imposed without fee or charge; and
- Whether the supportive measure is effective in meeting the purposes for which it is intended, including to restore or preserve access to the Education Program or Activity, provide safety, or provide support during the Grievance Procedure.

Request for a modification or reversal of a supportive measure must be timely, and should be submitted within five (5) business days. AAMI will conduct a fact specific inquiry into timeliness.

This review will be conducted by an impartial employee of AAMI, who did not make the challenged decision on the original supportive measure request. The impartial employee of AAMI who makes this determination will have the authority to modify or reverse the decision if that impartial employee determines that the decision to provide, deny, modify or terminate the supportive measure was inconsistent with the procedures as outlined above for providing supportive measures in accordance with the Title IX regulations.

Parties are only allowed to challenge their own individual supportive measures. Challenges by one Party will not be heard to supportive measures afforded to the opposite Party, unless that supportive measure directly impacts the Party making such challenge (i.e., two-way no contact orders).

### *Emergency Removal*

AAMI retains the authority to remove a Respondent from all or part of AAMI's Education Program or Activity on an emergency basis, where AAMI (1) undertakes an individualized safety and risk analysis, and (2) determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of Sex-Based Harassment justifies removal.

AAMI will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal. The individual who hears the challenge to the removal determination should not be involved in any decision regarding responsibility or appeal of that decision regarding responsibility.] The President will appoint an impartial employee of the institution to hear and decide the challenge.

The decisionmaker who hears a challenge to an emergency removal must not be involved in any decision regarding responsibility or appeal of a determination.

Emergency removals will not be considered Relevant evidence that can be considered in reaching a determination of whether Sex-Based Harassment occurred.

### *Administrative Leave*

AAMI retains the authority to place a non-student employee Respondent on administrative leave during the Grievance Procedure, consistent with the Employee Handbook.

**Note on student employees:** when a Complainant or Respondent is both a student and an employee of AAMI, AAMI must make a fact-specific inquiry to determine whether this procedure applies to that student employee. AAMI will consider if the Complainant or Respondent's primary relationship with AAMI is to receive an education and whether the alleged Sex-Based Harassment occurred while the Party was performing employment-related work.

## **XI. The Title IX Grievance Procedure for Sex-Based Harassment Occurring Between Students**

### **A. Filing a Complaint**

#### *Who can make a Complaint?*

- A Complainant (as defined in Section VI(6) of this Grievance Procedure); or
- The Title IX Coordinator.

*Note on Title IX Coordinator initiated Complaints:* In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an Informal Resolution process, the Title IX Coordinator must determine whether to initiate a Complaint of Sex-Based Harassment. This determination is fact-specific, and the Title IX Coordinator must consider:

- The Complainant's request not to proceed with the initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;

- The risk that additional acts of Sex-Based Harassment would occur if a complaint is not initiated;
- The severity of the alleged Sex-Based Harassment, including whether the Sex-Based Harassment, if established, would require the removal of a Respondent from campus or imposition of another Disciplinary Sanction to end the Sex-Based Harassment and prevent its recurrence;
- The age and relationship of the Parties, including whether the Respondent is an employee of AAMI;
- The scope of the alleged Sex-Based Harassment, including information suggesting a pattern, ongoing Sex-Based Harassment, or Sex-Based Harassment alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether Sex-Based Harassment occurred; and
- Whether AAMI could end the alleged Sex-Based Harassment and prevent its recurrence without initiating this Grievance Procedure.

If after considering these and other Relevant factors, the Title IX Coordinator determines that the conduct as alleged present as an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents AAMI from ensuring equal access on the basis of sex to its Education Program or Activity, the Title IX Coordinator may initiate a Complaint.

If the Title IX Coordinator does initiate the Complaint after making this determination, the Title IX Coordinator must notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures as listed in Section VI of this Grievance Procedure.

*Is there a particular format that the Complaint needs to be in?*

As defined in VI(6) of this Grievance Procedure, a Complaint can be an oral or written request to AAMI that objectively can be understood as a request for AAMI to investigate and make a determination about alleged Sex-Based Harassment at the institution. Complaints can be made in-person, over the phone, or sent electronically.

*Who can I report a Complaint to?*

Any reports of Sex-Based Harassment may be made directly to the Title IX Coordinator, whose contact information is listed at the beginning of this Grievance Procedure. There are other ways in which a Party may report a Complaint.

AAMI requires that any employee who is not a Confidential Employee and who either has authority to institute corrective measures on behalf of AAMI or has responsibility for administrative leadership, teaching, or advising in AAMI's Education Program or Activity must notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute Sex Discrimination, including Sex-Based Harassment.

All other employees at AAMI who are not Confidential Employees and are not employees as identified above are required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute Sex-Discrimination, including Sex-Based Harassment. If an employee has



personally been subject to conduct that reasonably may constitute Sex Discrimination, including Sex-Based Harassment, under Title IX or any institutional policy or this Grievance Procedure, these requirements do not apply to an employee reporting a personal Complaint.

*What is the timeframe for AAMI to evaluate if the Title IX Coordinator is initiating an investigation under this Grievance Procedure?*

The Title IX Coordinator must evaluate whether the Complaint falls under this Grievance Procedure ten (10) business days after the Complaint is made, and must issue the Notice of Allegations as soon as practicable after the Complaint is evaluated. If there are any delays or extensions, the Title IX Coordinator must appropriately notice the Parties in writing, on a case-by-case basis, with good cause and the rationale for the extension or delay.

*Can I make a Complaint and request initiation of the Grievance Procedure even if I have made a complaint to law enforcement?*

Yes. AAMI has an obligation to appropriately evaluate all Complaints, regardless of whether there is a concurrent complaint before law enforcement. This process is an administrative process that is different from the criminal justice process. Per New York state law, it is required that AAMI's process run concurrently with a criminal justice investigation and proceeding, however, temporary delays are allowed as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than ten days except when law enforcement specifically requests and justifies a longer delay.

## **B. Multi-Party Situations and Consolidation of Complaints**

AAMI may consolidate complaints alleging Sex-Based Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sex-Based Harassment arise out of the same facts or circumstances.

AAMI can consider factors when making this fact-specific determination, which include, but are not limited to:

- The facts and circumstances of the particular complaints when deciding whether to consolidate, including the toll of separate proceedings on the Parties; and
- Any risks to the fairness of the investigation or outcome.

## **C. Allegations Potentially Falling Under Two Policies**

**If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.**

## **D. Dismissal of a Complaint**

### *Grounds for Dismissal*

AAMI may dismiss a complaint of Sex-Based Harassment for any of the following reasons:

- AAMI is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in AAMI's Education Program or Activity and is not employed by AAMI;
- The Complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint of these procedures, and AAMI determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute Sex-Based Harassment under Title IX or this grievance procedure even if proven; or
- AAMI determines that the conduct alleged in the complaint, even if proven, would not constitute Sex-Based Harassment under Title IX or these procedures. Note: AAMI must make reasonable efforts to clarify the allegations with the Complainant before dismissing under this basis.

### *Notice of Dismissal*

If AAMI dismisses a complaint, AAMI is required to promptly notify the Complainant of the basis for dismissal.

If the dismissal of the complaint occurs before a Notice of Allegations is issued to the Respondent, the Title IX Coordinator does not need to notice the Respondent at that time. However, if the Complainant appeals the dismissal, the Respondent will need to be noticed of the complaint allegations and given an opportunity to respond to the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, then AAMI must notify the Respondent and Complainant of the dismissal and the basis for the dismissal simultaneously in writing.

Appeal rights must also be outlined in any notification of dismissal of a complaint, as included below under Appeal of Dismissals.

### *Appeals of Dismissals*

AAMI must notify the Complainant that a dismissal may be appealed and provide the Complainant with an opportunity to appeal the dismissal of a complaint on the following grounds:

- Procedural irregularity: procedural irregularity that affected the outcome of the matter (i.e., a failure to follow AAMI's own policy to a degree that had material effect on the outcome of the matter);
- New evidence: New evidence that would change the outcome and that was not reasonably available when the determination whether Sex-Based Harassment occurred or dismissal of the complaint was made; and
- The Title IX Coordinator, investigator(s), or decisionmaker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome of the matter.

If the dismissal occurs after the Respondent has been notified of the allegations, then AAMI must also notify the Respondent that the dismissal may be appealed on the grounds set out above.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities (if possible) remain available during the pendency of the appeal.

If a Party appeals, the institution will as soon as practicable notify the other Party in writing of the appeal, however the time for appeal shall be offered equitably to all Parties and shall not be extended for any Party solely because the other Party filed an appeal.

Appeals must be filed within ten (10) business days of the receipt of the determination. Appeals may be no longer than three (3) pages, including attachments. Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the Party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the decision-maker, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter. Outcome of appeal will be provided in writing simultaneously to both Parties, and include rationale for the decision.

## **E. Notice of Allegations**

Upon initiating AAMI's Grievance Procedures, the Title IX Coordinator shall provide a notice of allegations in writing to the Parties whose identities are known. Such notice will occur as soon as practicable after AAMI receives a complaint, if there are no extenuating circumstances. AAMI will provide the Notice of Allegations within ten (10) business days after receiving a complaint.

### *What does the Notice of Allegations Include?*

The written Notice of Allegations must include:

- AAMI's Grievance Procedures and AAMI's Informal Resolution process;
- Sufficient information available at the time of the issuance of the Notice of Allegations to allow the Parties to respond to the allegations, which includes the identities of the Parties involved in the incident(s), the conduct alleged to constitute Sex-Based Harassment under the Grievance Procedures, the date(s) and location(s) of the alleged incident(s), to the extent that information is available to AAMI; and a statement that the Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence;
- A statement that the Respondent is presumed not responsible for the alleged Sex-Based Harassment until a determination is made at the conclusion of AAMI's Grievance Procedure and that prior to the determination, the Parties will have an opportunity to present Relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- Parties may have an advisor of their choice, and that the advisor may be, but is not required to be, an attorney;

- AAMI’s code of conduct prohibits knowingly making false statements or knowingly submitting false information during AAMI’s Grievance Procedures;] and
- If, in the course of an investigation, AAMI decides to investigate additional allegations of Sex-Based Harassment by the Respondent toward the Complainant that are not included in the original written Notice of Allegations provided, AAMI is required to provide written notice of any additional allegations to the Parties whose identities are known.

*What if AAMI decides to investigate additional allegations of Sex-Based Harassment?*

If, in the course of an investigation, AAMI decides to investigate additional allegations of Sex-Based Harassment by the Respondent toward the Complainant that are not included in the original issued written Notice of Allegations, or that are included in a complaint that is consolidated under this Grievance Procedure, AAMI shall provide notice of the additional allegations to the Parties whose identities are known.

*What if I have safety concerns about a Notice of Allegations being issued to a Respondent?*

To the extent that AAMI has reasonable concerns for the safety of any person as a result of providing a written Notice of Allegations, AAMI through the Title IX Coordinator, may reasonably delay providing the written Notice of Allegations in order to address the safety concern appropriately. Reasonable concerns must be based on individualized safety and risk analysis and not on mere speculation or stereotypes.

## **F. Advisor of Choice and Participation of Advisor of Choice**

A Party’s advisor of choice may accompany the Party to any meeting or proceeding (virtually or in-person), and AAMI cannot limit the choice of who that advisor may be or their presence for the Parties in any meeting or proceeding unless such advisor does not follow AAMI’s established rules of decorum and rules around participation.

During the grievance process, the advisor may speak quietly with the party he or she is advising or pass notes in a non-disruptive manner. The advisor may attend all meetings and hearings but may not intervene in an investigation meeting or speak directly to the investigator, including by making objections or providing evidence. While the advisor may provide guidance and assistance to the party, all written submissions must be authored and signed by the party personally. AAMI reserves the right for the Investigator or decisionmaker to reschedule a meeting or hearing, or to remove an advisor at any time based on violation of these rules or other unprofessional behavior by the advisor.

## **G. Investigation**

*General Rules of Investigations*

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation of the conduct alleged to constitute Sex-Based Harassment in a reasonably prompt timeframe, after issuing the Notice of Allegations.

AAMI, and not the Parties, have the burden to conduct an investigation that gathers sufficient evidence to determine whether Sex-Based Harassment occurred under this Grievance Procedure. This burden

does not rest with either Party, and either Party may decide not to share their account of what occurred, or may decide not to participate in the investigation or hearing. This does not shift the burden of proof away from AAMI, and does not indicate responsibility.

AAMI cannot access, consider, or disclose medical records without a waiver from the Party (or parent, if applicable) to whom the records belong, or of whom the records include information. AAMI will provide an equal opportunity for the Parties to present witnesses, including fact and expert witnesses, and other inculpatory or exculpatory evidence, as described below.

#### *Notice of Participation*

AAMI will provide written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the Party to prepare to participate, if a Party is invited or expected to participate in any such meeting or proceeding. Parties can request remote participation for any such meeting or proceeding and virtual access will be provided.

#### *Advisors of Choice and Participation of Advisors of Choice*

AAMI will provide the Parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of the advisor for the Complainant or Respondent in any meeting or proceeding. This is true regardless of whether the Parties attend the meeting or proceeding in-person or via remote methods. Advisors cannot speak on behalf of the party they are advising, but they may quietly confer with the party they are advising.

#### *Expert Witnesses*

Parties may present expert witnesses as part of an investigation.

Parties are allowed to call “expert witnesses” for direct examination and credibility assessment by the hearing officer, and cross examination. AAMI does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify, the decisionmaker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses regardless of whether all Parties present experts as witnesses.

#### *Access to and Review of the Investigative Report*

The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will provide each Party and their advisors of choice with an equal opportunity to access and review an accurate description of the Relevant evidence collected throughout the investigation that is not otherwise impermissible in the form of an investigative report.

The Parties and their advisors of choice will also have an equal opportunity to access and review the underlying Relevant and not otherwise impermissible evidence summarized in the investigative report upon the request of any Party.

The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will provide each Party and their advisors of choice with a reasonable opportunity to respond to the investigative report. Both Parties will have the opportunity to respond to the investigative report prior to the live hearing.

AAMI will take reasonable steps to prevent and address the Parties' and their advisors of choice's unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure. Participating individuals who engage in the unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure may be subject to AAMI Student Code of Conduct and other College policies and/or procedures that may apply.

**Note:** Disclosures of information and evidence for purposes of administrative proceedings or litigation related to the complaint of Sex-Based Harassment are authorized and not considered unauthorized disclosures potentially subject to other disciplinary action.

#### *Review and Access to Relevant and Not Otherwise Impermissible Evidence*

Each Party will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that are Relevant and not otherwise impermissible, to the Title IX Coordinator and/or an investigator designated by the Title IX Coordinator. The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will review all evidence gathered through the investigation and determine what evidence is Relevant and what evidence is impermissible regardless of relevance, consistent with this Grievance Procedure.

Each Party and their advisors of choice will have an equal opportunity to review and access the evidence that is Relevant to the allegations of sex-based discrimination and not otherwise impermissible regardless of relevance prior to the conclusion of the investigation. The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will provide each Party with a reasonable opportunity to respond to the evidence. Both Parties will have the opportunity to respond to the evidence prior to and during the live hearing.

AAMI will take reasonable steps to prevent and address the Parties' unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure. Participating individuals who engage in the unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure may be subject to AAMI Student Code of Conduct and other College policies and/or procedures that may apply.

**Note:** Disclosures of information and evidence for purposes of administrative proceedings or litigation related to the complaint of Sex-Based Harassment are authorized and not considered unauthorized disclosures potentially subject to other disciplinary action.

#### *Relevant Evidence*

Evidence is Relevant when it is related to the allegations of Sex-Based Harassment under investigation as part of this grievance procedure.

Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.

### *Impermissible Evidence*

The following types of evidence, and questions seeking that evidence, are excluded as impermissible (i.e., must not be accessed or considered, except by AAMI to determine whether an exception applies, must not be disclosed, and must not otherwise be used) regardless of whether they are Relevant:

- Evidence that is protected under a privileged as recognized by Federal or State law or evidence provided to a Confidential Employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or witness, unless AAMI obtains that Party's or witness's voluntary, written consent for use in AAMI's Grievance Procedures; and
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove Consent to the alleged Sex-Based Harassment. Note: the fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's Consent to the alleged Sex-Based Harassment or preclude determination that Sex-Based Harassment occurred.

### *Timeframes*

An investigation shall take 30 calendar days to complete. If there are any delays or extensions, the Title IX Coordinator must appropriately notice the Parties in writing, as detailed below.

### *Extensions and Delays*

AAMI allows for the reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the Parties that includes the reason for the extension or delay.

## **H. Live Hearing**

### *General Rules for Live Hearings*

AAMI will not issue a finding or disciplinary sanction arising from an allegation of Sex-Based Harassment without holding a live hearing unless otherwise resolved through an informal resolution process as outlined in this Grievance Procedure.

The live hearing may be conducted with the Parties physically present in the same geographic location. In the case of students studying via remote instruction, the Parties can request that the live hearing be conducted via remote methods. AAMI has the discretion to conduct the live hearing with the Parties physically present in separate locations, with technology enabling the decisionmaker and Parties to simultaneously see and hear the Party or the witness while that person is speaking. A Party may also request this option prior to the hearing.

AAMI shall create an audio or audiovisual recording or transcript of any live hearing and make it available to the Parties for inspection and review.

### *Participants in the Live Hearing*

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

#### *Complainant and Respondent (The Parties)*

If a Party chooses not to participate in the process or the hearing, the live hearing may still proceed in the absence of a Party, and AAMI may reach a determination of responsibility in their absence, including through any evidence gathered and other witness statements. AAMI will not threaten, coerce, intimidate or discriminate against any Party in an attempt to secure the Party's participation. The decisionmaker cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the live hearing, or a refusal to answer questions.

The Parties, advisors, and witnesses shall be subject to AAMI's rules of decorum.

#### *The Decisionmaker*

The hearing body will consist of a single decisionmaker. The single decisionmaker will not have served as the Title IX Coordinator, Title IX investigator or advisor to any Party in the case, nor may the decisionmaker serve on the appeals body in the case. The decisionmaker will not have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor of or against the Parties to the particular case. The decisionmaker will be trained prior to serving during any hearing. The Parties will have an opportunity to raise any objections regarding a decisionmaker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

#### *Advisor of Choice*

The Parties have the right to select an advisor of their choice, who may be, but is not required to be, an attorney. The advisor of choice may accompany the Parties to any meeting or hearing they are permitted to attend, but may not speak for the Party. An advisor of choice is not prohibited from being a witness in the hearing. Parties or advisors may ask questions only through the decisionmaker. Advisors of choice are subject to AAMI's rules of decorum, and may be removed upon violation of those rules. During the grievance process, the advisor may speak quietly with the party he or she is advising or pass notes in a non-disruptive manner. The advisor may attend all meetings and hearings but may not intervene in an investigation meeting or speak directly to the investigator, including by making objections or providing evidence. While the advisor may provide guidance and assistance to the party, all written submissions must be authored and signed by the party personally. AAMI reserves the right for the Investigator or decisionmaker to reschedule a meeting or hearing, or to remove an advisor at any time based on violation of these rules or other unprofessional behavior by the advisor.

#### *Witnesses*

Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from Retaliation. Witnesses are subject to AAMI's rules of decorum, and may be removed upon violation of those rules.



### *Hearing Procedures*

For all live hearings conducted, the Hearing Officer will open and establish rules and expectations for the hearing. The Parties will each be given an opportunity to provide opening statements. Questioning of the Parties and witnesses will occur according to the procedures below.

### *Questioning Parties and Witnesses*

During a live hearing, each Party is allowed to ask Relevant and not otherwise impermissible questions and follow-up questions of the Parties and witnesses through the decisionmaker. No questioning to another Party or witness will be conducted by a Party personally.

### *Procedures for Decisionmaker's Evaluation of Questions and Limitation on Questions*

The decisionmaker will determine whether a proposed question is Relevant and not otherwise impermissible as described in this Grievance Procedure, prior to the question being posed, and will explain any decision to exclude a question as not Relevant or otherwise impermissible.

If a decisionmaker determines that a Party's question is Relevant and not otherwise impermissible, then the question must be asked unless such question is unclear or harassing of the Party or witness being questioned. The decisionmaker must give a Party an opportunity to clarify or revise a question that the decisionmaker has determined is unclear or harassing and, if the Party sufficiently clarifies or revises a question so that it is no longer unclear or harassing, the question must be asked.

### *Refusal to Respond to Questions and Inferences Based on Refusal to Respond to Questions*

A decisionmaker may choose to place less or no weight upon statements by a Party or witness who refuses to respond to questions deemed Relevant and not impermissible.

The single decisionmaker must not draw an inference about whether Sex-Based Harassment occurred based solely on a Party's or witness's refusal to respond to such questions.

### *Continuances or Granting Extensions*

AAMI may determine that multiple sessions or a continuance (a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, AAMI will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

### *Newly-discovered Evidence*

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a Party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the Party may request that such evidence or witnesses be considered at the live hearing.

The decisionmaker will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2)

whether such evidence or witness testimony could affect the outcome of the matter. The Party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the decisionmaker answers in the affirmative to both questions, then the Parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

## **I. Determination Regarding Responsibility and Sanctioning**

### *Standard of Proof*

AAMI uses the preponderance of the evidence standard of proof to determine whether or not Sex-Based Harassment occurred. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Grievance Procedures occurred.

### *General Considerations for Evaluating Evidence and Testimony*

The decisionmaker is required to evaluate Relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that Sex-Based Harassment occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that Sex-Based Harassment occurred.

Determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the decisionmaker. Decisionmakers shall not draw inferences regarding a Party or witness' credibility based on the Party or witness' status as a Complainant, Respondent, or witness, nor shall it base its judgments in stereotypes about how a Party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the Party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. However, credibility judgments should not rest on whether a Party or witness' testimony is non-linear or incomplete, or if the Party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by Parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

A witness' testimony regarding third-Party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

### *Expert Witnesses*

Parties may present expert witnesses as part of an investigation.

Parties are allowed to call "expert witnesses" for direct examination and credibility assessment by the decisionmaker, and cross examination. AAMI does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify, the decisionmaker will be instructed to

afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses regardless of whether all Parties present experts as witnesses.

#### *Communication of the Determination in Writing*

All determinations on whether Sex-Based Harassment occurred will be communicated to the Parties in writing, simultaneously.

The written determination will include:

- A description of the alleged Sex-Based Harassment;
- Information about the policies and procedures that AAMI used to evaluate the allegations;
- The decisionmaker's evaluation of the Relevant evidence and determination on whether Sex-Based Harassment occurred;
- Any Disciplinary Sanctions AAMI will impose on the Respondent, whether Remedies other than the imposition of Disciplinary Sanctions will be provided by AAMI to the Complainant, and, to the extent appropriate, other students identified by AAMI to be experiencing the effects of Sex-Based Harassment, if there is a finding that Sex-Based Harassment occurred; and
- AAMI's procedures for Complainant and Respondent to appeal.

#### *Timeline of Determination Regarding Responsibility*

If there are no extenuating circumstances, the determination regarding responsibility will be issued by AAMI within ten (10) business days of the completion of the hearing.

#### *Determination of Disciplinary Sanctions After a Finding of Responsibility*

Per New York state law, past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction. However, it is not admissible prior to determination of responsibility.

In addition, the Complainant will have an opportunity to make an impact statement during the point of the proceeding where the decisionmaker is deliberating on appropriate sanctions.

#### *Finality of Determination*

The determination regarding responsibility becomes final either on the date that AAMI provides the Parties with the written determination of the result of any appeal, or, if no Party appeals, the date on which an appeal would no longer be considered timely.

#### *Disclosures of Outcome by the Parties*

The Complainant and Respondent have the right to choose whether to disclose or discuss the outcome of a conduct or judicial process related to sexual assault, dating violence, domestic violence, or stalking.

The Complainant and Respondent have the right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

## **J. Appeals**

Each Party may appeal a determination regarding responsibility. To appeal, a Party must submit their written appeal within 10 days of being notified of the decision, indicating the grounds for appeal.

For appeals resulting from dismissal of a complaint, please see the section on *Dismissal of Complaints*.

### *Grounds for Appeal*

The limited grounds for appeal available are as follows:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination whether Sex-Based Harassment occurred or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

### *Additional Procedures for Appeal Process*

AAMI will notify the Parties of any appeal, provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome, and will notify the Parties of the result of the appeal and the rationale for the result.

The submission of an appeal stays (or pauses) any sanctions for the period during which an appeal determination is being assessed. Supportive measures and remote learning opportunities remain available while an appeal is being deliberated and before a final decision has been made.

Appeals may be no longer than three pages, including attachments, should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the Party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by a panel, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

## **K. INFORMAL RESOLUTION**

### *Procedures for Entering and Exiting Informal Resolution Process*

At any time prior to determining whether Sex-Based Harassment occurred under this Grievance Procedure, including prior to making a Complaint, Parties may instead seek AAMI's assistance to resolve allegations of Sex-Based Harassment, and may elect to enter the informal resolution process.

The Parties may voluntarily elect to enter the AAMI's informal resolution process at any time through an informed written consent. This informed written consent will include all terms of the elected informal process, including a statement that any agreement reached through the process is binding on the Parties.

No Party may be required to participate in informal resolution, and AAMI may never condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to informal resolution.

The Parties may elect to leave the informal resolution process at any point until the informal resolution process is concluded. If a Party elects to leave the informal resolution process, the Grievance Procedure that the Parties paused will continue. In participating in the informal resolution process, the Parties understand that the timeframes governing the Grievance Procedure will temporarily cease, and only reinstate upon reentry into the Grievance Procedure.

Supportive Measures will be available, or continue to be available if already provided, during an informal resolution process, if elected to proceed. The Title IX Coordinator will also, to the extent necessary, take other appropriate prompt and effective steps to ensure that Sex-Based Harassment does not continue or recur within AAMI's Education Program or Activity.

#### *Notice Prior to Entry Into Informal Resolution Process*

Before the initiation of an informal resolution process, the Title IX Coordinator must provide to the Parties a written notice that explains:

- The allegations;
- The requirements of the informal resolution process;
- That, prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and to initiate or resume AAMI's Grievance Procedures;
- That the Parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the Parties from initiating or resuming AAMI's Grievance Procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the Parties; and
- What information AAMI will maintain and whether and how AAMI could disclose such information for use in its Grievance Procedures if they are initiated or resumed.

#### *Determination to Approve Entry into Informal Resolution Process*

Even where the Parties agree to submit a matter to informal resolution, the Title IX Coordinator **must** approve the decision to move the matter to the informal resolution process and may determine that informal resolution is not appropriate under the circumstances.

Factors that the Title IX Coordinator or other designated official may weigh in considering the appropriateness of the informal resolution process include, but are not limited to, the gravity of the allegations, whether there is an ongoing threat of harm or safety to the campus, whether the Respondent is a repeat offender, whether the alleged conduct would present a future risk of harm to

others, and whether the Parties are participating in good faith. This determination is not subject to appeal.

*Informal resolution processes may never be applied where the allegations include Sexual Assault: Penetration or the equivalent.*

Informal resolution may be available to address allegations of student-on-student and employee-on-student Sex-Based Harassment.

At any time after the commencement of the informal resolution process, the Title IX Coordinator or other designated official may determine that the informal resolution process is not an appropriate method for resolving the matter, and may require that the matter be resolved through the Grievance Procedures. This determination is not subject to appeal.

If informal resolution is approved or denied, AAMI will provide the outcome in writing simultaneously to the Parties. If informal resolution is approved, the Title IX Coordinator shall also provide the information of the facilitator in writing to the Parties in a reasonable timeframe once the facilitator is assigned.

#### *Role of the Facilitator*

Informal resolution processes are managed by trained facilitators. All facilitators must not be the same person as the investigator or the/a decisionmaker(s) in AAMI's Grievance Procedures. Any person designated to facilitate informal resolution must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The Title IX Coordinator may serve as the facilitator, subject to these restrictions.

All facilitators must have specialized training, required by law and regulation. Such training includes:

- AAMI's obligation to address sex discrimination, including Sex-Based Harassment, in its Education Program or Activity;
- The scope of conduct that constitutes sex discrimination, including Sex-Based Harassment, under Title IX, including the definition of Sex-Based Harassment;
- All applicable notification and information requirements related to parental, family, or marital status, including pregnancy and related conditions, and AAMI's response to sex discrimination;
- The rules and practices associated with AAMI's informal resolution process; and
- How to serve impartially, including by avoiding conflicts of interest and bias.

#### *Contents of Informal Resolution Agreements*

Potential terms that may be included in an informal resolution agreement between the Parties include but are not limited to:

- Restrictions on contact; and
- Restrictions on the Respondent's participation in one or more of AAMI's education programs or activities or attendance at specific events, including restrictions AAMI could have imposed as Remedies or Disciplinary Sanctions had AAMI determined at the conclusion of the Grievance Procedures that Sex-Based Harassment occurred.

### *Breach of Informal Resolution Agreements*

If a Party breaches the resolution or if AAMI has other compelling reasons, such as if it learns of any fraud by a Party in entering into the agreement, AAMI may void the agreement and initiate or resume the Grievance Procedures.

### *Confidentiality*

In entering the informal resolution process, the Parties agree that any testimony and evidence (including admissions of responsibility) they share or receive during the informal resolution process concerning the allegations of the complaint is confidential. No evidence concerning the allegations obtained within the informal resolution process may be disseminated to any person, provided that any Party to the informal resolution process may generally discuss the allegations under investigation with a parent, friend, advisor, or other source of emotional support, or with an advocacy organization. As a condition of entering the informal resolution process, any evidence shared or received during the informal resolution process may not be used in any subsequent Grievance Procedure or institutional appeal.

### *Informal Resolution Options*

AAMI offers the following informal resolution procedures for addressing complaints of Sex-Based Harassment described under this Grievance Procedures

#### *Administrative Resolution*

Should the Parties mutually determine to enter the informal resolution process, and the Respondent elects to accept responsibility for the allegations of the complaint at any point during the informal resolution process, the institution may administratively resolve the complaint.

Where the Respondent admits responsibility, the Parties will receive simultaneous written notification of the acceptance of responsibility, and [a decision-maker(s)] will convene to determine the Respondent's sanction and other Remedies, as appropriate and consistent with institutional policy. The Parties will be given an opportunity to be heard at the sanctions hearing, including without limitation, the submission of impact statements, and the Parties may be accompanied by their Advisor, but questioning of Parties or witnesses will not be permitted. The Parties will receive simultaneous written notification of the decision regarding sanctions and Remedies, which may be appealed according to the same process as other appeals in this Grievance Procedure.

## **XII. Transcript Notations**

For crimes of violence, including, without limitation, sexual violence, defined as crimes that meet the reporting requirements pursuant to the Clery Act (20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII)), AAMI is required to make a notation on the transcript of a student found responsible for suspension or expulsion, per AAMI's Transcript Notation Policy <https://funeraleducation.org/title-ix-policy/>.

### **XIII. Retaliation**

When AAMI has information about conduct that reasonably may constitute Retaliation under Title IX or its Grievance Procedures, AAMI is obligated to initiate its Grievance Procedures or, as appropriate, AAMI's informal resolution process].

AAMI will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a complaint of Sex-Based Harassment or sex discrimination under AAMI's Title IX Grievance Procedures, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under AAMI's Title IX Grievance Procedures.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under AAMI's Grievance Procedures.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes Retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or Sex-Based Harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or complaint of Sex-Based Harassment.

Complaints alleging Retaliation may be filed according to the AAMI Nondiscrimination Policy.

#### ***CODE CHARGES***

***Sex-Based Harassment:*** sexual harassment and other harassment on the basis of sex, including harassment because of gender identity, sexual orientation, sex characteristics, sex stereotypes, and/or pregnancy and other conditions, that is:

- A. *Quid pro quo harassment.* An employee, agent or other person authorized by AAMI's Education Program or Activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- B. *Hostile environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from AAMI's Education Program or Activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:



- (i) the degree to which the conduct affected the Complainant's ability to access AAMI's Education Program or Activity;
- (ii) the type, frequency, and duration of the conduct;
- (iii) the Parties' ages, roles within AAMI's Education Program or Activity, previous interactions and other factors about each Party that may be Relevant to evaluating the effects of the conduct;
- (iv) the location of the conduct and the context in which the conduct occurred; and
- (v) other Sex-Based Harassment in AAMI's Education Program or Activity;

*Sexual Assault:* as defined in the Clery Act, meaning any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent;

*Dating Violence:* as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act, is any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) the type of relationship; and (iii) The frequency of interaction between the persons involved in the relationship.

*Domestic Violence:* any felony or misdemeanor crimes committed by a person who: (A) is a current or former partner of the victim under the family or domestic violence laws of New York, or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shared a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of New York.

*Stalking:* engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

The following are the sanctions that may be imposed upon students or organizations singly or in combination:

- **Warning:** A formal statement that the behavior was unacceptable and that further infractions of any college policy, procedure, or directive may result in more severe disciplinary action.
- **Probation:** A written reprimand for violation of the Policy, providing for more severe disciplinary sanctions in the event that the Respondent is found in violation of any college policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified privileges, exclusion from extracurricular activities, no-contact orders, and/or other measures deemed appropriate.
- **Suspension:** Cessation of student status for a definite period of time and/or until specific criteria are met.

- Expulsion: Permanent termination of student status.
- Withholding Degree and/or Diploma: The college may withhold a student’s degree and/or diploma for a specified period of time and/or deny a student participation in commencement activities.
- Other Actions: In addition to or in place of the above sanctions, the Hearing Officer may assign any other sanctions as deemed appropriate, including but not limited to the following:
  - Mandated counseling so the Respondent has the opportunity to gain more insight into his/her/their behavior.
  - A “no contact” directive (including but not limited to continuation of a no contact directive imposed as a supportive measure) prohibiting contact with one or more identified persons, in person or through telephonic, electronic, written or other means. A no contact directive may include additional restrictions and terms.
  - Requiring the Respondent to write a letter of apology.
  - Requiring unpaid service to the campus or local community stated in terms of type and hours of service.
  - Restitution for damage to or misappropriation of property, or for personal injury, and other related costs.
  - Loss, revocation or restriction of housing privileges (e.g., exclusion from specified locations or alteration of status in the housing lottery or other selection system).

#### **XIV. Effective Date and Changes to Procedure Based on Court Rulings and Legal Challenges or Changes in Law or Regulation**

This Grievance Procedure applies to incidents that occur on or after August 1, 2024. Any incidents reported under this Grievance Procedure that occurred on or before July 31, 2024 will be processed through the institution’s Title IX Policy.

Should any portion of the 2024 Title IX Final Rule (89 Fed. Reg. 33474 (Apr. 29, 2024)), be stayed or held invalid by a court of law, or if the 2024 Title IX Final Rule is withdrawn or modified to not require elements of this Procedure, the Procedure in its entirety, or the invalidated elements of this Procedure, they will be deemed revoked as of the publication date of the opinion or order from the Court and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by the date of the opinion or order publication by the Court. If this Procedure is revoked in this manner, any conduct covered under this Procedure shall be investigated and adjudicated under the previous 2020 Title IX Grievance Policy and/or the Student Conduct Policy and/or the Title IX Policy. AAMI will update this Procedure as soon as practicable to reflect any court rulings or changes that invalidate parts of the Procedure, if applicable.

# APPENDIX C

## STUDENTS' BILL OF RIGHTS

The College is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

**All students have the right to:**

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the AAMI;
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 AAMI representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of AAMI;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and

11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of AAMI.

## APPENDIX D

### SEXUAL ASSAULT PREVENTION

American Academy McAllister Institute of Funeral Service, Inc. (AAMI) is committed to the safety of members and guests of the AAMI community. AAMI engages students, faculty, and staff about sexual assault prevention measures through campus programs that include workshops, discussion groups, and on-going seminars. The purpose of these programs is to disseminate information about sexual assault response, promote discussion, encourage reporting of incidents of sexual assault, and facilitate prevention of such incidents.

#### PREVENTION & AWARENESS TRAINING

As part of AAMI's continued commitment to the safety and wellness of the community, multiple sexual assault prevention and awareness training opportunities are available to students and employees.

#### SEXUAL ASSAULTS ON COLLEGE CAMPUSES

The most prevalent form of sexual assault on college campuses is assault perpetrated by a date or friend, or someone the survivor knows only casually, from a residence hall, a class, or through mutual friends. Regardless of the relationship, if one person uses force to coerce another into submitting to sexual behaviors, or if the other party does not give consent, the act violates AAMI's policy. Criminal laws and penalties also may apply in cases of sexual assault.

Many sexual assaults involving college students follow similar patterns. Sexual assault often occurs at parties or at other off campus settings. Frequently, the students involved in these assaults have been drinking heavily or using drugs. Detailed crime reports and prevention information can be obtained from the school's Registrar. As a community, we can work together to protect students from sexual violence and encourage peers to respect one another.

#### PREVENTION

There are things that all members of the AAMI Community can do to reduce the rate of sexual violence on campus. As an AAMI student, please be aware of the following suggestions:

- When you leave the school, building, or clinical sites, do so with people that you trust to look out for your safety and the safety of others. Be a good friend—keep an eye on your friends to make sure they are safe and hold your friends responsible for treating others with respect.
- In no instance may students engage in intimate relationships or activities with someone while on AAMI's campus, AAMI off campus sponsored events, or at clinical sites. If you want to be intimate with someone outside of these, remember to get that person's consent and communicate your boundaries actively. You and the other person(s) have the right to withdraw consent at any time, when consent is withdrawn all sexual activity must stop.

- Since alcohol and drugs interfere with effective communication, avoid excessive use of these substances. It may not be safe to be intimate with someone if you or they have been drinking or using other substances.
- When you are at a party, make sure that someone knows where you are. Check on your friends to make sure they are safe too.
- Get your own drinks. Only accept beverages from people you trust and never drink out of a vessel that has been left unattended.
- Make sure you understand and respect your partner(s)'s desires and limits. Know your sexual desires and limits and choose a partner or partners who respect them.
- Try to avoid walking home alone from bars or parties. Have a friend walk with you. If you see someone walking alone at night, make sure they are safe.
- If on AAMI's campus, AAMI off campus sponsored events, or at clinical sites, you do not feel well and need to lie down, make sure that a friend stays with you to check on you. If you see someone who is sick or unconscious, make sure they are safe and notify a school administrator, faculty member, or office staff; if at a clinical site, notify the preceptor.
- If you find yourself alone or in an unfamiliar place on campus, AAMI off campus sponsored events, or at clinical sites, be aware of your surroundings. Contact a school administrator, faculty member, or office staff; if at a clinical site, notify the preceptor.
- If you feel unsafe, trust your instincts. If you feel uncomfortable in your surroundings for any reason, you have the right to leave.
- Communicate clearly and honestly with your sexual partner(s) and respect their boundaries.

## APPENDIX E

# SEXUAL MISCONDUCT/INTERPERSONAL VIOLENCE REPORT FORM FOR STUDENTS

### What is sexual misconduct?

*Sexual misconduct includes: rape, sexual assault, sexual exploitation, sexual harassment, domestic and dating violence, stalking, and all other forms of interpersonal violence.*

### Who is required to report sexual misconduct?

*You have the right to report or not report the incident of sexual misconduct. You have the right to be protected from retaliation. You have the right to receive assistance and resources from the institution.*

*Except as described below, any AAMI employee, whether faculty or staff, who receives a complaint or otherwise learns about a possible incident of sexual misconduct involving a member of the American Academy McAllister Institute of Funeral Service community as complainant or alleged perpetrator must complete this report form.*

*Employees responsible for completing the report include student employees whose duties include supervision or teaching of other students (e.g., Resident Assistants, Teaching Assistants, Teaching Fellows, etc.).*

*You may also use this form to report an incident of sexual misconduct if you are the complainant or if you are not a AAMI employee.*

### Are there AAMI employees who may keep reports of sexual misconduct confidential?

*An employee who becomes aware of a complaint of sexual misconduct while acting in his or her capacity as a member of the clergy, counseling services, health services, or the School Ombudsperson may keep reports of sexual misconduct confidential pursuant to the employee's professional and legal obligations, unless the complainant requests that the employee report the complaint.*

### What if a complainant requests confidentiality?

*Even if a complainant requests confidentiality or is unwilling to proceed with a complaint, AAMI employees are required to report the complaint to the Title IX Coordinator. If confidentiality is requested, the Institution will take reasonable steps to investigate and respond to the complaint, consistent with the complainant's request. In all cases the school will weigh its responsibility to provide a safe and nondiscriminatory environment against the complainant's request for confidentiality. The determination of whether and how to proceed will be made by the appropriate School official in consultation with the complainant.*

*"Privacy" may be offered by any employee of AAMI, as such individuals are unable to offer confidentiality under the law (AAMI employees are required to report known incidents of sexual*

*assault, or other crimes, so they are not confidential resources), they shall not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate institution officials.*

### What resources are available to complainants?

*The School's Interpersonal Violence/Assault Resource person is Martin Goldstein who can be located in the school's administration office. The Interpersonal Violence person will describe resources available to a complainant. In cases involving sexual violence/assault, the complainant may also wish to contact local law enforcement, local Victims of Violence/Assault counseling centers, and seek medical assistance. The complainant also has a right to file both an internal complaint and a criminal complaint.*

*AAMI will provide assistance in obtaining an order of protection, or equivalent. AAMI will not bring or offer actions on behalf of reporting individuals, provide or pay for attorneys, or provide direct support. AAMI serves only as a resource to students in "initiating" these proceedings.*

### What happens with the information I provide?

*This report will be submitted to the School's Title IX Coordinator, Martin Goldstein, who will determine the next steps for prompt and equitable resolution. Please contact him at (212) 757-1190 or [mgoldstein@aami.edu](mailto:mgoldstein@aami.edu) if you have any questions.*

### What should I do with the completed report form?

*Please provide the information requested on the other side and deliver the completed form to:*

Martin Goldstein, Title IX Coordinator  
AAMI  
1501 Broadway, 11th floor, Suite 1102  
New York, New York 10036  
Phone: 212-757-1190  
Fax: 212-765-5923  
Toll-Free 866-932-2264

**\*This form can also be submitted by Secure Mail to**

[mgoldstein@aami.edu](mailto:mgoldstein@aami.edu) \*



## SEXUAL MISCONDUCT REPORT FORM

**You have the right to report or not report the incident of sexual misconduct.  
You have the right to be protected from retaliation. You have the right to  
receive assistance and resources from the institution.**

<b>COMPLAINANT'S INFORMATION (if different from reporter):</b>	
<b>Complainant's Name:</b>	<b>Complainant's Affiliation to AAMI (student reporting individual, student bystander, faculty, staff, unaffiliated):</b>
<b>Complainant's Contact Information (if available):</b>	
<u>Telephone:</u>	<u>Email:</u>
<b>OFFENDER(S) INFORMATION:</b>	
<b>Offender's (Accused) Name (if known):</b>	<b>Offender's (Accused) Affiliation to AAMI (student, faculty, staff, unaffiliated):</b>
<b>INCIDENT INFORMATION:</b>	
<b>Date and Time of Incident:</b>	<b>Location of Incident:</b>
<b>Brief Description of Incident (nature of misconduct, context or circumstances, such as school sponsored trip, on campus event, clinical, off campus event, etc.):</b>	
<b>REPORTER'S INFORMATION (required):</b>	
<b>Reporter's Name:</b>	<b>Date of Report:</b>

## APPENDIX F

# ALCOHOL AND ILLICIT DRUGS: RISKS AND RESOURCES

## BACKGROUND

American Academy McAllister Institute (AAMI)'s Policy on Drugs and Alcohol, prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by employees, students or visitors, on AAMI property, clinical sites, or at AAMI-sponsored activities. It prohibits all students (regardless of their age) from possessing or consuming alcoholic beverages on AAMI property, clinical sites, or at AAMI-sponsored activities. It also prohibits AAMI employees from illegally providing drugs or alcohol to AAMI students. As the Policy states, sanctions for violation of the Policy, following appropriate disciplinary proceedings, may include, in the case of students, expulsion from the university, and in the case of employees, termination of employment.

This document sets forth additional information required to be provided under federal law, including the legal sanctions for drug and alcohol use, health risks of such use, and information regarding available counseling, treatment, or rehabilitation programs.

## LEGAL SANCTIONS

Federal and New York State laws make it a criminal offense to manufacture, distribute, dispense, possess with intent to distribute, or simply possess a controlled substance. Such substances include heroin, cocaine, methamphetamine, ecstasy, LSD, PCP, marijuana, and a number of common pharmaceutical drugs if unlawfully obtained. The sanctions for violation of these laws, ranging from community service and monetary fines to life imprisonment, depend upon the particular offense, the drug type, and the drug quantity. Students convicted under these statutes may also forfeit federal financial aid eligibility.

Note that an individual need not be in actual physical possession of a controlled substance to be guilty of a crime. The unlawful presence of a controlled substance in an automobile is presumptive evidence of knowing possession of such substance by each passenger unless the substance is concealed on the person of one of the occupants. Similarly, the presence of certain substances in plain view in a room can sometimes be presumptive evidence of knowing possession of such substance by anyone in close proximity.

*Further, pursuant to New York State law:*

- Any person under age 21 who is found to be in possession of alcohol with the intent to consume it may be punished by a fine and/or required to complete an alcohol awareness program and/or to provide up to 30 hours of community service. Alcoholic Beverage Control Law, § 65-c.
- Giving or selling an alcoholic beverage to a person less than age 21 is a class A misdemeanor punishable by a sentence of imprisonment up to one year. Penal Law § 260.20

- Any person who operates a motor vehicle while intoxicated or while his ability to operate such vehicle is impaired by the consumption of alcohol or drugs, is subject to suspension or revocation of driving privileges in the State, monetary fines up to \$ 1,000, and imprisonment for up to one year. Vehicle and Traffic Law § 1192
- A person under 21 who presents false written evidence of age for the purpose of purchasing or attempting to purchase any alcoholic beverage may be punished by a fine, community service and/or completion of an alcohol awareness program. Alcoholic Beverage Control Law § 65-b(1). Possessing such false evidence may also be criminal possession of a forged instrument, which is a felony in New York, punishable by a fine of up to \$5000, imprisonment up to 7 years, or both. Penal Law § 170.25.
- Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that a person may endanger him or herself or other persons or property, or annoy persons in his vicinity, is a violation, punishable by a fine and imprisonment up to 15 days. Penal Law § 240.40

## HEALTH RISKS

The following is a brief summary of some of the health risks and symptoms associated with use of many of the most-publicized drugs, including alcohol and tobacco. This information was obtained from the National Institute on Drug Abuse (part of the National Institutes of Health of the U.S. Department of Health and Human Services), and the Mayo Clinic. Please note that individuals experience such substances in different ways based on a variety of physical and psychological factors and circumstances.

### LSD (ACID)

LSD is one of the strongest mood-changing drugs, and it has unpredictable psychological effects. With large enough doses, users experience delusions and visual hallucinations. Physical effects include increased body temperature, heart rate, and blood pressure; sleeplessness; and loss of appetite.

### COCAINE

Cocaine is a powerfully addictive drug. Common health effects include heart attacks, respiratory failure, strokes, and seizures. Large amounts can cause bizarre and violent behavior. In rare cases, sudden death can occur on the first use of cocaine or unexpectedly thereafter.

### MDMA (ECSTASY)

Ecstasy is a drug that has both stimulant and psychedelic properties. Adverse health effects can include nausea, chills, sweating, teeth clenching, muscle cramping, and blurred vision.

### HEROIN

Heroin is an addictive drug. An overdose of heroin can be fatal, and use is associated – particularly for users who inject the drug – with infectious diseases such as HIV/AIDS and hepatitis.

## MARIJUANA

Effects of marijuana use include memory and learning problems, distorted perception, and difficulty thinking and solving problems.

## METHAMPHETAMINE

Methamphetamine is an addictive stimulant that is closely related to amphetamine but has long lasting and more toxic effects on the central nervous system. It has a high potential for abuse and addiction. Methamphetamine increases wakefulness and physical activity and decreases appetite. Chronic, long-term use can lead to psychotic behavior, hallucinations, and stroke.

## PCP/PHENCYCLIDINE

PCP causes intensely negative psychological effects in the user. People high on PCP often become violent or suicidal.

## PRESCRIPTION MEDICATIONS

Prescription drugs that are abused or used for nonmedical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed to treat pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity). Long-term use of opioids or central service system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures and irregular heartbeat.

## TOBACCO/NICOTINE

Tobacco contains nicotine, which is highly addictive. The tar in cigarettes increases a smoker's risk of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in smoke increases the chance of cardiovascular diseases. Secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children.

## STEROIDS

Adverse effects of steroid use in males may include shrinking of the testicles and breast development. In females, adverse effects may include growth of facial hair, menstrual changes, and deepened voice. Other adverse effects can include severe acne, high blood pressure and jaundice. In some rare cases liver and kidney tumors or even cancer may develop.

## ALCOHOL

Excessive alcohol consumption can lead to serious health problems, including cancer of the pancreas, mouth, pharynx, larynx, esophagus, and liver, as well as breast cancer, pancreatitis, sudden death in people with cardiovascular disease, heart muscle damage leading to heart failure, stroke, high blood

pressure, cirrhosis of the liver, miscarriage, fetal alcohol syndrome in an unborn child, injuries due to impaired motor skills, and suicide.

## SUBSTANCE ABUSE

You or someone you know may have a problem with drugs and alcohol if you/they are:

- Using drugs and/or alcohol on a regular basis.
- Losing control of the number of drugs and/or alcohol used after being high or drunk.
- Constantly talking about using drugs and/or alcohol.
- Believing that drugs and/or alcohol are necessary in order to have fun.
- Using more drugs and/or alcohol to get the same effects as in the past.
- Avoiding people in order to get high or drunk.
- Pressuring others to use drugs and/or alcohol.
- Foregoing activities that were once priorities (i.e., work, sports, spending time with family and sober friends).
- Getting into trouble at school, at work, or with the law.
- Taking risks, including sexual promiscuity, and driving while intoxicated.
- Lying about things, including the number of drugs and/or alcohol used.
- Feeling hopeless, depressed, or even suicidal.

If you suspect that you or someone you know has a problem with drugs and/or alcohol, please utilize the resources listed below.

## RESOURCES

### RESOURCES ON CAMPUS

For assistance and referrals, **students** and **employees** should contact;

**John Fraser, Student Services Director**  
**AAMI**  
**1501 Broadway, 11<sup>th</sup> floor, Suite 1102**  
**New York, New York 10036**  
**Phone: 212-757-1190**  
**Fax: 212-765-5923**  
**Toll-Free 866-932-2264**

[jfraser@aami.edu](mailto:jfraser@aami.edu)

## RESOURCES OFF CAMPUS

### 12 STEP RECOVERY PROGRAMS

Narcotics Anonymous (212) 929-6262 <http://www.newyorkna.org/>

Cocaine Anonymous (212) 262-2463 <https://canewyork.org/>

Marijuana Anonymous (212) 459-4423 <http://www.ma-newyork.org/>

Alcoholics Anonymous (212) 647-1680 <http://www.nyintergroup.org/>

Nicotine Anonymous (631) 665-0527 <http://www.nicotine-anonymous.org/>

Al-Anon/Alateen (888) 425-2666 <http://www.al-anonny.org/>

Mental Health Association of New York City (800) 543-3638 [https://www.mhanys.org/MH\\_update/wp-content/uploads/2012/12/lifenetbrochure.pdf](https://www.mhanys.org/MH_update/wp-content/uploads/2012/12/lifenetbrochure.pdf)

### Detoxification and Outpatient/Inpatient Rehabilitation Facilities

#### **New York County**

#### **Kings County**

Bellevue Hospital Center  
462 First Ave.  
New York, NY 10016  
(212) 562-4141

St. Luke's-Roosevelt Hospital Center  
1000 Tenth Ave.  
New York, NY 10019  
(212) 523-6491

Greenwich House, Inc.  
50B Cooper Square  
New York, NY 10003  
(212) 677-3400

Kings County Hospital Center  
606 Winthrop St.  
Brooklyn, NY 11203  
(718) 245-2630

Interfaith Medical Center  
1545 Atlantic Ave.  
Brooklyn, NY 11213  
(718) 613-4330

Bridge Back to Life Center, Inc.  
175 Remsen St., 10<sup>th</sup> Floor  
Brooklyn, NY 11201  
(718) 852-5552

**Queens County****Bronx County**

Flushing Hospital Medical Center  
4500 Parsons Blvd.  
Flushing, NY 11355  
(718) 670-5078

Samaritan Village, Inc.  
144-10 Jamaica Ave.  
Jamaica, NY 11435  
(718) 206-1990

Daytop Village, Inc.  
316 Beach 65<sup>th</sup> St.  
Far Rockaway, NY 11692  
(718) 474-3800

St. Barnabas Hospital  
4535 East 183<sup>rd</sup> St.  
Bronx, NY 10457  
(718) 960-6636

Montefiore Medical Center  
3550 Jerome Ave., 1<sup>st</sup> Floor  
Bronx, NY 10467  
(718) 920-4067

Bronx-Lebanon Hospital Center  
1276 Fulton Ave., 7<sup>th</sup> Floor  
Bronx, NY 10456  
(718) 466-6095

**Richmond County****Nassau County**

Staten Island University Hospital  
375 Seguine Ave.  
Staten Island, NY 10309  
(718) 226-2790

Richmond University Medical Center  
427 Forest Ave.  
Staten Island, NY 10301  
(718) 818-5375

Camelot of Staten Island, Inc.  
263 Port Richmond Ave.  
Staten Island, NY 10302  
(718) 981-8117

Long Beach Medical Center  
455 East Bay Dr.  
Long Beach, NY 11561  
(516) 897-1250

North Shore University Hospital  
400 Community Dr.  
Manhasset, NY 11030  
(516) 562-3010

Nassau Health Care Corporation  
2201 Hempstead Tpke.  
East Meadow, NY 11554  
(516) 572-9402

**Other Resources**

New York State Office of Addiction Services and Supports Tel: (877) 846-7369 <https://oasas.ny.gov/>

New York State Smokers' Quitline Tel:(866)-697-8487 <http://www.nysmokefree.com/>

Substance Abuse & Mental Health Services Administration (SAMHSA), Treatment Finder  
<https://www.samhsa.gov/>

Substance Abuse Treatment and Research Service of Columbia University (STARS)  
<http://stars.columbia.edu/>

Addiction Institute – Mount Sinai <https://www.mountsinai.org/locations/addiction-institute>



# APPENDIX G

## STUDY STRATEGIES

Studying is important because it is essential for a person to develop a complete education and provides students with the opportunity to develop study habits, time management skills and self- discipline.

Students may think that being a good student might mean just showing up for classes, taking a few notes, reading the textbooks, and studying right before the tests. However, learning, like many other activities, involves a complex set of skills that require practice. Studying involves learning a complex set of skills, such as note taking, test taking, etc., that must be practiced for you to become a good student.

### Time Management

Record all weekly commitments on a schedule, such as:

- Classes
- Meetings
- Extracurricular activities
- Appointments
- Work schedule
- Study time
- Leisure time

Make a “To Do” list and prioritize tasks, for example:

A = Highest priority B = Medium priority C = Lowest priority

### Note Taking Tips

- Use a separate page of notes for each class or topic covered, including the date taken
- Use an outline form (main points and supporting ideas)
- Utilize common abbreviations
- Use left margin of paper to expand on material, clarify or add missing information
- Watch for instructor emphasis: repetition, change in tone of voice, pauses, board writing
- Review notes and summarize in own words at bottom of each page, anticipate possible test questions.

### Test Preparation

- Attend every class period
- Practice good note taking skills
- Review notes daily
- Study actively by studying out loud
- Record your notes onto tapes or CD; listen and read along
- The more senses that you use, the more that will go into long term memory
- Seek out study groups

- Cover all sources for test questions: lecture notes, study guides, handouts, text book readings
- Make flashcards
- Predict test questions
- Attend ALL classes and be prepared (most test anxiety comes from lack of preparation)
- Review at frequent, spaced intervals over a period of time so information will more likely enter long-term memory and be more easily recalled under testing conditions
- Avoid long cramming sessions at the last minute
- Practice relaxation techniques
- Visualize success
- Go to bed early
- Eat breakfast

## Test Taking Strategies

- Arrive early
- Practice relaxation techniques
- Reduce internal mental distractions
- Scan entire exam
- Watch your time
- Read all directions carefully
- Listen carefully to verbal directions
- ***Underline or circle keywords***
- Skip difficult questions and go back to them later

## After the Exam

- Go back over your notes
- ***Consider what study techniques did or did not work***

## Avoid

- Read all directions carefully
- Cramming the Night Before
- Not getting enough sleep
- Allowing study groups to turn to social groups
- Giving into distractions
- Procrastinating

## Repetition is one of the best ways to learn

Good study skills can increase your confidence, competence, and self-esteem. They can also reduce anxiety about tests and deadlines. Good study skills can improve your ability to learn and retain knowledge. Students who use effective study skills may feel their work and effort is more worthwhile.

## APPENDIX H

### COMPUTER USAGE POLICY

**Please read the following agreement carefully. By signing onto a College system, you agree to abide by the College's Acceptable Use Policy, its terms and conditions as well as federal and state regulations. See also Section 600.5 of this Handbook.**

#### **American Academy McAllister Institute of Funeral Service, Inc. (AAMI) Computing Facilities Policies and User Agreement**

AAMI's computing facilities are defined as any computer, network, peripheral, operating system, software, or any combination thereof owned, licensed by or under the control of AAMI Employee and/or student ("the user") of AAMI's computing facilities acknowledges and agrees to the following terms:

AAMI's computing facilities are intended to support the academic mission and administrative functions of the College. The user assumes full responsibility for using these computing facilities in an effective, efficient, ethical, lawful, and courteous manner.

AAMI's administration and authorized AAMI IT systems personnel may, while supervising or performing routine operations or investigating system problems or complaints, have access to data and software stored in AAMI computing facilities, including electronic mail.

AAMI is not responsible for loss of data, time delay, system performance, software performance or any other damages arising from the use of AMMI's computing facilities.

Some systems at AAMI are operated under license agreements. Pursuant to these license agreements, the user agrees that the system may be used for instructional and research related purposes only.

The user shall take all necessary steps to protect the integrity of AAMI's computing facilities. Specifically, a user shall not share with others the access codes, account numbers, passwords or other authorization assigned to him or her. The user will be responsible for all access and/or authorizations assigned to him or her and all activities occurring under these accesses/authorizations.

The user shall respect the copyrights of all software and data available through AAMI's computing facilities. The user shall take reasonable steps to protect the integrity and privacy of the software and data available.

The user will use AAMI's computing facilities in a manner consistent with all AAMI rules, policies and procedures, including those governing codes of conduct, academic integrity, and the College environment.

The user shall adhere to the policies established by the administrators of external networks such as those accessible through the Internet. The user shall also respect the policies established by the administrators of computing facilities at AAMI.

The user understands the operation and maintenance of the College's technology environment requires the use of management systems and tools. These systems and tools collect information about devices and software used in the College's computing network. Some examples of this information may include, but are not limited to, College User Ids, device models, unique device identifiers, and operating systems. College staff shall make every effort to ensure that the data collected is used in a responsible manner, and in accordance with state and federal laws, for the purpose of operating and maintaining the College's computer and telecommunication network.

The user shall respect the privacy of electronic mail and other user files transmitted and stored in AAMI's computing facilities or at any other location accessible through a network.

The user acknowledges that a User Id or program may be terminated, or its priority may be altered if it is consuming excessive system resources, degrading system response, or threatening system integrity.

The user shall use only those facilities which are in the public domain, or any other location accessible through College computing facilities, for which he/she has obtained explicit authorization, from AAMI.

The user shall not use the AAMI's computing facilities to conduct private business or for personal financial gain that is not related to designated College programs or functions.

The user shall not use AAMI's computing facilities for any unauthorized or illegal purpose, including, but not limited to, the following prohibited acts: creating or deliberately introducing a computer virus; destroying or altering data owned by others; destroying or altering computing facilities; interfering with legitimate access to computing facilities or harassing users of such facilities at AAMI or elsewhere; disrupting AAMI's computing facilities; or attempting to discover or alter passwords or to bypass security systems in AAMI's computing facilities or in any other computing facility.

Employees must complete the Information Security Awareness Training and follow-up related training. Employees must adhere to the best practices covered in this training series.

*I understand that the violation of this agreement may result in temporary or permanent loss of my access to AAMI's computing facilities and subject myself to disciplinary actions; concerning my employment or status as a student; if appropriate. I understand that my use of AAMI's computing facilities is not private and data and/or transactions may be reviewed by system administrators as part of its operations. Further, AAMI implies no privacy or secrecy for those using its computing facilities.*

*Further, I agree that my acceptance of the terms and conditions of this agreement with regard to the use of AAMI's computing facilities will be incorporated into my student admission application or employment application.*

**By signing onto a College system, you agree to abide by the College's Acceptable Use Policy, its terms and conditions as well as federal and state regulations.**

# APPENDIX I

## HEALTH AND SAFETY PROCEDURES FOR CLINICAL EMBALMING

These procedural guidelines pertain to Funeral Service Practitioners and are to be used during your Clinical Embalming Course (PHT 412).

NOTE: AAMI strongly recommends that a pregnant student NOT enroll in PHT 412, ENTER AN EMBALMING ROOM OR PARTICIPATE IN ANY EMBALMINGS during pregnancy or within six months after birth in order to protect the fetus, the new born and the mother from toxic fumes and chemicals.

ITEMS 1 through 6 MUST BE WORN by ALL students:

1. Long-sleeved disposable gown; impervious; resistant to the penetration of liquids, (arterial fluid, body fluids etc.).
2. Gloves during the handling of human remains. The gloves should be appropriately discarded after each use (follow the procedure the funeral home or clinical facility utilizes).
3. Protective head coverings that are to be appropriately discarded after each use (follow the procedure the funeral home or clinical facility utilizes).
4. Shoe coverings to be worn in the preparation room. These are to be appropriately discarded after each embalming (follow the procedure the funeral home or clinical facility utilizes).
5. Protective oral-nasal mask designed to prevent inhalation of chemical particulates. These are to be appropriately discarded after each use (follow the procedure the funeral home or clinical facility utilizes).
6. Protective face shields and eye goggles to prevent body and arterial fluids etc. from getting into eyes.
7. All remains must be washed with soap, Clorox, Di-san solution (or follow the procedure the funeral home or clinical facility utilizes) before being embalmed. Remains **MUST** be covered at **ALL TIMES**.
8. **NO** cameras are allowed at any time. Picture taking is **FORBIDDEN**. Anyone suspected or confirmed to have violated this policy will be subject to disciplinary action which may result in dismissal from the program.
9. All ID tags must be left on remains.
10. All scalpel blades and/or hypodermic needles must be disposed of in **RED CONTAINERS**.
11. All instruments that have been used must be washed in soap, water and Di-san solution, (or follow the procedure the funeral home or clinical facility utilizes).
12. All contaminated solids must be **RED** bagged.
13. Heavy duty rubber gloves may be sterilized for re-use.
14. Attendance is very important. The clinical learning process must move on.
15. Proper professional and ethical decorum is **EXPECTED at ALL times**.
16. All injuries **MUST** be reported to the clinical instructor **IMMEDIATELY** and an incident report will be completed.

17. You are **EXPECTED** to treat the staff at the funeral home or Clinical facility with the utmost respect. Any incidence of confirmed infractions **WILL** subject the student to disciplinary action which may result in suspension or dismissal from the program.

## APPENDIX J

# AAMI'S 129-B POLICY FOR REPORTING INCIDENTS OF SEXUAL MISCONDUCT

### A. Affirmative Consent

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity (see definition below). Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of affirmative consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Consent is free and informed permission. Consent given verbally is evidenced by affirmative agreement to engage in specific sexual activity. Consent through action is active participation in the specific sexual activity. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. In other words, past consent to sexual activity cannot be presumed to be consent to engage in the same sexual activity in the future. Consent may be initially given but can be withdrawn at any time, and, when consent is withdrawn or can no longer be given, the sexual activity must cease. Consent to some sexual activity (e.g., kissing, fondling) cannot be presumed consent for other sexual activity (e.g., intercourse). Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

Certain conditions prevent a person from being able to consent. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. A person cannot consent if they are unaware of the who, what, when and how of a sexual interaction. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol or drugs or other intoxicants may be incapacitated and therefore unable to consent. A person who has been drinking or using drugs is still responsible for ensuring that the person has the other person's affirmative consent and/or appreciating the other person's incapacity to consent. This means that, even if the accused was drunk or high and, as a result, did not realize that the other person was not consenting to or was unable to consent to sexual activity, the person who committed the non-consensual act is still responsible for having violated this policy. Consent cannot be given when it is the result of any coercion, intimidation, force or threat of harm.

## B. Other Definitions

### Sexual Activity

Affirmative consent is required prior to sexual activity, defined as:

1. contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
2. contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
3. the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
4. the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.
5. the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

### Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

### Domestic Violence

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; or by a person with whom the victim shares a child in common; or by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition -



**Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

**Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

**Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### Sexual Assault

Sexual Assault includes any sexual activity or sexual contact with another person without affirmative consent. It includes an offense that meets the definitions of rape, [fondling](#), [incest](#), or [statutory rape](#):

**Rape** — The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling** — The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest** — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** — Sexual intercourse with a person who is under the statutory age of consent.

### Sexual Misconduct

An umbrella term used in this policy to more conveniently refer to any form of conduct prohibited by this policy.

#### C. Reporting Individuals

Individuals who report incidents of sexual misconduct will be advised of certain rights, including, but not limited to, their right to notify local law enforcement, and/or state police, their rights regarding reporting to confidential institution representatives, and their right to consult, and have emergency access to, the institution's Title IX Coordinator or other appropriate official trained in interviewing victims of sexual assault who shall be available on the first instance of disclosure by a reporting individual (see below for more information), and their right to notify other institution representatives for assistance and information.

At the first instance a "Reporting Individual" discloses an incident of sexual misconduct to a representative AAMI, the Reporting Individual is to be presented a uniform statement of his or her rights to report or not report the incident, to be protected from retaliation, and to receive assistance and resources from the institution. Such Statement should state: "You have the right to make a report to university police or campus security, local law enforcement, and/or state police or choose not to report;

to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution.”

“Reporting individual” shall encompass the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of a violation.

AAMI will provide reporting Individuals with emergency access to a Title IX coordinator or other appropriate school official who, among other things, is trained in interviewing victims of sexual assault. (AAMI will maintain records of such training.) who shall be available at the first instance of disclosure by a reporting individual to provide information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. Such official shall also explain whether he, she or they are authorized to offer the reporting individual confidentiality or privacy, and shall inform the reporting individual of other reporting options.

The reporting individual also has a right to:

- a. Disclose confidentially the incident to institution representatives, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for reporting individuals, and/or disclose confidentially to the state or local government and obtain services from them;
- b. Disclose the incident to institution representatives who can offer privacy or confidentiality, as appropriate, and can assist in obtaining resources for reporting individuals;
- c. File a report of sexual assault, domestic violence, dating violence, and/or stalking and the right to consult the Title IX Coordinator and other appropriate institution representatives for information and assistance. Reports shall be investigated in accordance with institution policy and a reporting individual’s identity shall remain private at all times if said reporting individual wishes to maintain privacy; (Note - “Confidentiality” may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law. Licensed mental health counselors, medical providers and pastoral counselors are examples of institution employees who may offer confidentiality. “Privacy” may be offered by any employee of AAMI, as such individuals are unable to offer confidentiality under the law (employees are required to report known incidents of sexual assault, or other crimes, so they are not confidential resources), but they shall not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate institution officials).

- i. AAMI's Title IX Coordinator may be contacted at:

Martin Goldstein, Title IX Coordinator Administration Office, 212-757-1190;  
[mgoldstein@aami.edu](mailto:mgoldstein@aami.edu)

A report may be filed using this document: <https://funeraleducation.org/wp-content/uploads/2023/06/Title-IX-Sexual-Misconduct-Report-Form-11202019Final.pdf> and submitted by Secure Mail to [mgoldstein@aami.edu](mailto:mgoldstein@aami.edu) or [mggfc@aol.com](mailto:mggfc@aol.com)

- d. Disclose, if the accused is an employee of the institution, the incident to the institution's human resources authority or the right to request that a confidential or private employee assist in reporting to the appropriate human resources authority;
- e. Receive assistance from appropriate institution representatives in initiating legal proceedings in family court or civil court; and
- f. Withdraw a complaint or involvement from the institution process at any time.

AAMI will provide Reporting Individuals with access to mental and physical health resources and information, including information on intervention, mental health counseling and medical services, which shall include information on whether such resources are available at no cost or for a fee. AAMI will also provide information on sexually transmitted infections, sexual assault forensic examinations, and resources available through the New York State Office of Victim Services.

1. Such informational services are available at the New York State Department of Health Website under Rape Crisis and Sexual Violence Prevention Program Resources:  
[https://www.health.ny.gov/prevention/sexual\\_violence/resources.htm](https://www.health.ny.gov/prevention/sexual_violence/resources.htm)

2. AAMI has a Memorandum of Understanding with local community organizations to provide mental and physical health resources such as, but not limited to, rape crisis centers and domestic violence shelters, such as Mount Sinai Hospital. In addition, AAMI has a Memorandum of Understanding with Mount Sinai hospital to provide sexual assault examinations.

The following Confidential Resources are available to members of the college community free of charge:

- 1. **Mount Sinai Sexual Assault and Violence Intervention (SAVI) | 212-423-2140** Free counseling, emergency department advocacy, training and support to survivors and co-survivors
- 2. **Mount Sinai Adolescent Health Center | 212-423-3000** Wellness care, medical treatment, counseling, etc. (ages 10-22)

AAMI will also ensure that individuals are provided the following protections and accommodations:

1. Where the accused or respondent is a student, AAMI will issue a "No Contact Order" in accordance with the institution's policies and procedures, whereby continued intentional contact with the reporting individual would be a violation of institution policy subject to additional conduct charges; if the accused or respondent and a reporting individual observe each other in a public place, it shall be the responsibility of the accused or respondent to leave the area immediately and without directly

contacting the reporting individual. Both the Accused/Respondent and the Reporting Individual, will, upon request and consistent with AAMI policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of their request. AAMI may establish an appropriate schedule for the accused and respondents to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the reporting individual.

2. The Reporting Individual also has a right to:

(a) Receive assistance from AAMI's security, if applicable, or other officials in obtaining an order of protection, or if outside NYS, an equivalent protective or restraining order. AAMI will not bring or offer actions on behalf of reporting individuals, provide or pay for attorneys, or provide direct support. AAMI serves only as a resource to students in "initiating" these proceedings.

(b) Receive a copy of the order of protection or equivalent when received by AAMI and have an opportunity to meet or speak with an AAMI representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the accused's responsibility to stay away from the protected person or persons

(c) An explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension;

(d) To receive assistance from AAMI campus security or the equivalent AAMI professional in calling on and assisting local law enforcement in effecting an arrest for violating such an order;

3. If the accused or respondent is a student determined to present a continuing threat to the health and safety of the institute community, AAMI will impose an interim suspension on such student pending the outcome of a judicial or conduct proceeding consistent with New York Article 129-B and its institution's policy and procedures.

(a) Like a No Contact Order, both parties will be afforded the right to request a prompt review, reasonable under the circumstances of the institution's decision regarding the need for and terms of an interim suspension, including potential modification, and AAMI will allow either party to submit evidence in support of this request.

4. When the accused is not a student but is a member of AAMI's community and presents a continuing threat to the health and safety of the community, AAMI will subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and rules and policies of the institution;

5. The Reporting Individual has the right to obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation or other applicable arrangements in order to help ensure safety, prevent retaliation and avoid an ongoing hostile environment, consistent with the institution's policies and procedures. Both the Accused/Respondent and the Reporting Individual shall, upon request and consistent with AAMI's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects them, and shall be allowed to submit evidence in support of their request.

AAMI will ensure that every student is afforded the following rights:

1. The right to request that student conduct charges be filed against the accused in proceedings governed by this article and the procedures established by the institution's rules.
2. The right to a process in all student judicial or conduct cases once a report of sexual assault, sexual misconduct, domestic violence, dating violence, stalking, has been made by a reporting student, including (i) notice to the Accused/Respondent describing the date, time, location, factual allegations, provisions of code of conduct in question, and potential sanctions associated with the alleged violation.
3. Both parties will also be provided with reasonable notice of any and all meetings that require their attendance, an opportunity to present evidence and testimony during an investigation and hearing, where appropriate, a full and fair record of any such hearing (e.g., a transcript or recording, and which shall be preserved for at least five years from the hearing), and written notice of the findings of fact, decision, and sanction(s), if any. Such written notice will also include the rationale for the decision and sanction(s).
4. To at least one level of appeal, before a panel, of a determination in a sexual misconduct proceeding, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest. A respondent and reporting individual in such cases will receive written notice of the findings of fact, the decision and the sanction, if any, as well as the rationale for the decision and sanction. In such cases, any rights provided to a reporting individual must be similarly provided to a respondent and any rights provided to a respondent must be similarly provided to a reporting individual.

Throughout proceedings involving an accusation of sexual assault, domestic violence, dating violence, stalking or sexual activity that may otherwise violate AAMI's Code of Conduct, the right:

1. The respondent, accused, and reporting individual have the right to 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. Rules for participation of such advisor are on p. 41 of the Student code of conduct.
2. To a prompt response to any complaint and to have the complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made pursuant to NYS Education Law 129-B and AAMI's policies and procedures, and other issues, including but not limited to, domestic violence, dating violence, stalking or sexual assault.
3. To an investigation and process that is fair, impartial and provides a meaningful opportunity to be heard, and that is not conducted by individuals with a conflict of interest.
4. To have the institution's judicial or conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than ten days except when law enforcement specifically requests and justifies a longer delay.

5. To review and present available evidence in the case file, or otherwise in the possession or control of the institution, and relevant to the conduct case, consistent with institution policies and procedures.

6. To exclude their own prior sexual history with persons other than the other party in the judicial or conduct process or their own mental health diagnosis and/or treatment from admittance in the institution disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.

7. To receive written or electronic notice, provided in advance pursuant to the college or university policy and reasonable under the circumstances, of any meeting they are required to or are eligible to attend, of the specific rule, rules or laws alleged to have been violated and in what manner, and the sanction or sanctions that may be imposed on the respondent based upon the outcome of the judicial or conduct process, at which time the designated hearing or investigatory officer or panel shall provide a written statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.

8. To make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.

9. To simultaneous (among the parties) written or electronic notification of the outcome of a judicial or conduct process, including the sanction or sanctions.

10. To be informed of the sanction or sanctions that may be imposed on the respondent based upon the outcome of the judicial or conduct process and the rationale for the actual sanction imposed.

11. To choose whether to disclose or discuss the outcome of a conduct or judicial process. To have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law. For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), AAMI will make a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, AAMI will make a notation on the transcript of such students that they “withdrew with conduct charges pending.” AAMI publishes a policy in the Student Handbook on transcript notations and appeals seeking removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension, while notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

AAMI will, to the extent practicable, enter into memoranda of understanding, agreements or collaborative partnerships with existing community-based organizations, including rape-crisis centers and domestic violence shelters and assistance organizations, to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, which may also include resources and services for the respondent.

AAMI will, to the extent practicable, ensure that students have access to a sexual assault forensic examination by employing the use of a sexual assault nurse examiner in their campus health center or entering into memoranda of understanding or agreements with at least one local health care facility to provide such a service.

D. Campus Climate Assessments

AAMI will conduct biennial anonymous campus climate assessments to ascertain general awareness and knowledge of the provisions of Article 129-B/reporting and adjudicatory processes and publish the results of such assessments on its website, including, but not limited to:

1. the role of the institution's Title IX coordinator,
2. campus policies and procedures addressing sexual assault,
3. how and where to report domestic violence, dating violence, stalking or sexual assault as a victim, survivor, or witness,
4. The availability of resources on and off campus, such as counseling, health, and academic assistance;
5. the prevalence of victimization and perpetration of domestic violence, dating violence, stalking, or sexual assault on and off campus during a set time period;
6. bystander attitudes and behavior;
7. whether reporting individuals disclosed to the institution and/or law enforcement, experiences with reporting and institution processes, and reasons why they did or did not report;
8. the general awareness of the difference, if any, between the institution's policies and the penal law; and
9. general awareness of the definition of affirmative consent.

Such assessment, in form and content, will be developed by the Title IX coordinator and assessments will be anonymous.

E. Options for Confidential Disclosure

AAMI will ensure that reporting individuals have:

1. Information regarding privileged and confidential resources they may contact regarding domestic violence, dating violence, stalking or sexual assault;
  - (See above and p. 50 in Student Handbook for more information.)
2. Information about counselors and advocates they may contact regarding domestic violence, dating violence, stalking, or sexual assault;

3. A plain language explanation of confidentiality which shall, at a minimum, include the following provision: “Even AAMI offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.”;

4. Information about how the institution shall weigh a request for confidentiality and respond to such a request. Such information shall, at a minimum, include that if a reporting individual discloses an incident to an institution employee who is responsible for responding to or reporting domestic violence, dating violence, stalking, or sexual assault but wishes to maintain confidentiality or does not consent to AAMI’s request to initiate an investigation, the Title IX Coordinator must weigh the request against AAMI’s obligation to provide a safe, non-discriminatory environment for all members of its community. AAMI shall assist with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of reporting choices;

5. Information about public awareness and advocacy events, including guarantees that if an individual discloses information through a public awareness event such as candlelight vigils, protests, or other public event, AAMI is not obligated to begin an investigation based on such information. AAMI may use the information provided at such an event to inform its efforts for additional education and prevention efforts;

6. Information about existing and available methods to anonymously disclose including, but not limited to information on relevant confidential hotlines provided by New York state agencies and not-for-profit entities;

7. Information regarding institutional crime reporting including, but not limited to: reports of certain crimes occurring in specific geographic locations that shall be included in the institution’s annual security report pursuant to the Clery Act, 20 U.S.C. 1092(f), in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual; that the institution is obligated to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual; that a reporting individual shall not be identified in a timely warning; that the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, allows institutions to share information with parents when i. there is a health or safety emergency, or ii. when the student is a dependent on either parent’s prior year federal income tax return; and that generally, the institution shall not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual.

AAMI may take proactive steps, such as training or awareness efforts, to combat domestic violence, dating violence, stalking or sexual assault in a general way that does not identify those who disclose or the information disclosed.

If AAMI determines that an investigation is required, it will notify the reporting individuals and take immediate action as necessary to protect and assist them.



AAMI will seek consent from reporting individuals prior to conducting an investigation. Declining to consent to an investigation shall be honored unless the institution determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. Honoring such a request may limit the institution's ability to meaningfully investigate and pursue conduct action against an accused individual. Factors used to determine whether to honor such a request include, but are not limited to:

1. Whether the accused has a history of violent behavior or is a repeat offender;
2. Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
3. The increased risk that the accused will commit additional acts of violence;
4. Whether the accused used a weapon or force;
5. Whether the reporting individual is a minor; and
6. Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

F. Student Onboarding and Ongoing Education

AAMI implements a student onboarding and ongoing education plan through its Student Orientation Program to educate the campus community about sexual misconduct, sexual assault, domestic violence, dating violence and stalking. This plan among other things, educates students about general awareness of sexual misconduct, sexual assault, domestic violence, dating violence and stalking, consequences of violations of the institution's policies, the role of the institution in preventing and investigating such incidents, and the importance of bystander intervention. It is the responsibility of the Director of Admissions to include this education a part of Student Orientation.

In addition to the Student Orientation training, AAMI provides training to all students, including, but not limited to, first-year, transfer, international, online, and distance education students, leaders and officers of student organizations recognized or seeking recognition from the institution, and student-athletes. It is the responsibility of the Director of Admissions to provide and make this training available.

Specifically, the training will address:

1. That AAMI prohibits sexual and interpersonal violence and will offer resources to any victims and survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of AAMI;
2. Relevant definitions including, but not limited to, the definitions of sexual assault, domestic violence, dating violence, stalking, confidentiality, privacy, and consent;
3. That policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression;

4. The role of the Title IX Coordinator, campus security or the equivalent AAMI professional, and other relevant offices that address domestic violence, dating violence, stalking, and sexual assault prevention and response;

5. Awareness of violence, its impact on victims and survivors and their friends and family, and its long-term impact;

6. Bystander intervention and the importance of taking action to prevent violence when one can safely do so;

7. Risk assessment and reduction including, but not limited to, steps that potential victims, perpetrators, and bystanders can take to lower the incidence of violations, which may contain information about the dangers of drug and alcohol use, including underage drinking and binge drinking, involuntary consumption of incapacitating drugs and the danger of mislabeled drugs and alcohol, the importance of communication with trusted friends and family whether on campus or off campus, and the availability of institution officials who can answer general or specific questions about risk reduction; and

8. Consequences and sanctions for individuals who commit these crimes and code of conduct violations.

AAMI will also provide specific training to members of groups it identifies as high-risk populations.

With respect to leaders and officers of student organizations and student-athletes, such training is a prerequisite to their participation in a student organization and/or intercollegiate athletic competition.

G. Submission of Certificates of Compliance, Rules and Policies, and Aggregate Data to NYS Department of Education

By July 1, 2016, and annually thereafter, AAMI is required to file a certificate of compliance with the New York State Education Department (NYSED). In addition, beginning July 1, 2016, and once every ten years thereafter, and in 2024 coinciding with the filing required by Article 129-A of the New York State Education Law, AAMI is required to file a copy of all written rules and policies it has adopted in accordance with Article 129-B.

AAMI is also required to annually report aggregate data to the New York State Education Department regarding reports of domestic violence, dating violence, sexual assault, and stalking, consistent with the requirements of Article 129-B, applicable regulations, and NYSED guidance. It is the responsibility of the Registrar to report such information.

H. Bystanders

“Bystander” shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution. A bystander is an individual who witnesses or learns of violence or impending violence, but is not directly impacted as a victim or survivor of this violence. Bystanders do not have equivalent rights under federal or state law as a “reporting individual” (victim) who is directly impacted by the violence. A bystander does not become a “reporting individual” when they bring forth a report. They remain a bystander. See also Amnesty Policy below.

I. Amnesty Policy

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

AAMI will regularly assess its programs and policies pursuant to NY Education Law 129-B to determine effectiveness and relevance for students.

J. Students' Bill of Rights

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by AAMI;
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 AAMI representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of AAMI;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and

11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of AAMI.

AAMI's Title IX Coordinator may be contacted at:

Martin Goldstein, Title IX Coordinator Administration Office, 212-757-1190; [mgoldstein@aami.edu](mailto:mgoldstein@aami.edu)

A report may be filed using this document:

<https://funeraleducation.org/wp-content/uploads/2023/06/Title-IX-Sexual-Misconduct-Report-Form-11202019Final.pdf> and submitted by Secure Mail to [mgoldstein@aami.edu](mailto:mgoldstein@aami.edu) or [mggfc@aol.com](mailto:mggfc@aol.com)

AAMI will provide students with the options to:

(aa) notify proper law enforcement authorities, including local police; (bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and (cc) decline to notify such authorities.

## APPENDIX K

### PROHIBITION ON THE MARKETING OF CREDIT CARDS

Pursuant to Article 129-A Section 6437 of the New York State Education Law, the advertising, marketing, or merchandising of credit cards to students by vendors is prohibited by American Academy McAllister Institute of Funeral Service.

Policy: AAMI prohibits the advertising, marketing, or merchandising of credit cards on the AAMI campus to students except in strict compliance with this Policy.

1. Except as otherwise permitted in this policy; credit card advertising or solicitation to students is not permitted on College campus. This includes advertising or solicitation at campus vendor tables, as well posting or distribution of applications, fliers, posters, handbills and signage (electronic and otherwise) on the AAMI premise. The College's e-mail system or web pages may not be used for advertising or solicitation of credit cards to students.
2. No campus employee, student group, or campus department may accept financial support or other goods and services from credit card issuers or vendors in exchange for allowing them to market credit cards to students.

# APPENDIX L

## 129A POLICIES

### **129-A 6430 RULES FOR MAINTENANCE OF PUBLIC ORDER**

The Trustees of American Academy McAllister Institute (AAMI) hereby adopt the following rules for the maintenance of public order on campus and other locations used for educational purposes and a program for the enforcement of these rules, and do hereby authorize the President of AAMI to file a copy with the Regents and the Commissioner of Education as provided in section 6430 of the New York Education Law.

AAMI will not permit any intentional or reckless misconduct that endangers the mental or physical health of a member of the AAMI Community. Intentional or reckless misconduct includes, but is not limited to:

- Deliberately causing injury to another person or threatening to do so;
- Physically restraining or detaining another person or forcibly removing a person from a place where he or she has a right to remain;
- Deliberate damage to or theft of AAMI property;
- Entering private administrative, faculty, or staff offices without permission;
- Entering into or remaining in an AAMI building or facility for any purpose other than its authorized use;
- Remaining in an AAMI building or office after it has been closed;
- Refusing to leave any building or facility after being requested to do so by an authorized administrator;
- Obstructing the movement of persons in or around AAMI facilities;
- Deliberately disrupting classes, lectures or meetings;
- Forcing another individual or participating in an effort to force another individual to ingest alcohol, drugs, or other substances for any reason;
- Violating AAMI's policy on the use and possession of weapons on campus;
- Willfully inciting another individual to engage in intentional or reckless misconduct;
- Unlawful use, sale, or distribution of controlled substances;
- Stalking, harassment, or intimidation;
- Any conduct not enumerated above which violates federal law, New York law, or local law.

This policy governs the conduct of students, faculty, and staff, as well as any individuals on premises of AAMI or facilities not owned by AAMI but used for AAMI purposes.

Visitors, including invitees and licensees, shall at all times conduct themselves in a manner that is consistent with the maintenance of order on AAMI premises, and their privilege to remain on AAMI property shall automatically terminate upon breach of this regulation. AAMI, in addition, reserves the right in its discretion to withdraw at any time the privilege of an invitee or licensee to be on AAMI premises. A trespasser has no privilege of any kind to be on AAMI property but is nevertheless subject to these regulations governing the maintenance of order.

Any authorized member of the AAMI community, after properly identifying himself or herself, may in the course of performing his or her duties, request identification from members of the AAMI community. Refusal to identify oneself shall be considered prima facie evidence of non-AAMI status.

“Authorized” members of the AAMI community shall include:

1. Members of the AAMI administration.
2. Faculty in the performance of teaching or supervisory duties.
3. Faculty designated by the Education Council or AAMI administration.
4. Building security.

### **Consequences**

The consequences for the misconduct enumerated above are:

1. Guests of members of the AAMI community or trespassers will be required to leave AAMI premises. Guests or trespassers who refuse to leave will be subject to ejection and/or prosecution for criminal trespass.
2. Students will be subject to expulsion or other disciplinary action, as provided in AAMI’s applicable Student Conduct Process.
3. Employees will be subject to disciplinary action in accordance with applicable AAMI policies, procedures, rules and regulations.
4. Organizations which authorize, permit or allow such conduct to occur may be denied permission to operate on AAMI property.
5. All consequences enumerated in this policy are in addition to any penalties imposed by federal, New York State or local law.

Nothing in this policy will be construed to limit or penalize a group or individual solely for exercising his, her or its constitutionally protected rights or assembling with others for that purpose.

### **129-A 6431 ADVISORY COMMITTEE ON CAMPUS SAFETY**

#### **Composition of the Committee**

The President of AAMI will appoint an Advisory Committee on Campus Safety, the composition of which will be as follows:

1. The Committee will be composed of a minimum of six people; one-third appointed by the President from the roster of current students; one-third appointed from a list of faculty (such list will contain at least twice the number of faculty to be appointed), provided by the largest faculty organization on campus; and one-third selected by the President. At least half of the Committee members must be female.
2. The President may select additional members of the committee at his/her discretion.

3. Committee members serve at the pleasure of the President. The President may replace members at his/her/their discretion.

### **Responsibilities of the Committee**

The Committee will meet as needed, but no less often than once per academic year. The Committee will review current campus security policies and procedures, and make recommendations for their improvement. It shall specifically review current policies and procedures for:

1. Educating the AAMI community about sexual assault, domestic violence, stalking prevention, applicable laws, ordinances and regulations, and the penalties for commission of those offenses pursuant to New York State Education Law §6432;
2. Educating the AAMI community about personal safety and crime prevention;
3. Reporting of sexual assaults and dealing with sexual assault victims during an investigation;
4. Referring complaints to appropriate authorities where necessary;
5. Counseling crime victims;
6. Responding to inquiries from concerned persons.

### **Reporting**

The Committee will submit a written report to the President at least once each academic year. The report will provide a summary of the Committee's findings and recommendations.

### **129-A 6432 SEXUAL ASSAULT, DOMESTIC VIOLENCE AND STALKING**

AAMI shall provide educational programs to promote the awareness of sexual assault, domestic violence, and stalking offenses. These educational and informational programs should include, but not be limited to, the following subjects:

- Applicable laws, ordinances, and regulations regarding sexual assault, domestic violence and stalking offenses.
- Penalties under applicable law for commission of sexual assault, domestic violence, and stalking offenses as well as on-campus disciplinary sanctions for the same;
- Procedures in effect at AAMI for dealing with sexual assault, domestic violence and stalking offenses;
- Availability of counseling and other support services for the victims of sexual assault, domestic violence and stalking offenses on campus and off-campus;
- The nature of and common circumstances relating to sexual assault, domestic violence and stalking offenses on college campuses; and
- The methods AAMI employs to advise and to update students about safety and security procedures.



## **129-A 6434 INVESTIGATION OF VIOLENT FELONY OFFENSES AND REPORTS OF MISSING STUDENTS**

Consistent with AAMI's commitment to maintaining a safe and secure learning environment, AAMI shall promptly, efficiently, and thoroughly investigate any Violent Felony Offense occurring on AAMI owned, operated, or controlled property. Such investigations shall be coordinated with local law enforcement agencies including, but not limited to, the NYPD. AAMI shall maintain written agreements with appropriate local law enforcement agencies providing for the prompt investigation of such crimes and reports. AAMI will notify the NYPD as soon as practicable but in no case more than twenty-four hours after a report of a violent felony. (Section 6434 defines "missing student" as "any student of an institution subject to the provisions of this section, who resides in a facility owned or operated by such institution and who is reported to such institution as missing from his or her residence". AAMI neither owns nor operates a residential facility, and accordingly receives no reports of missing students).

AAMI will also: (1) inform each victim of a sexual offense of their options to notify proper law enforcement authorities, including local police; (2) inform the victim of a sexual offense of the right to report or not to report such offense to local law enforcement agencies; and (3) offer the option to be assisted by campus authorities in notifying such authorities, if the victim of sexual assault so chooses, all in compliance with applicable federal law, including, but not limited to, the federal Campus Sexual Assault Victims' Bill of Rights under Title 20 U.S. Code Section 1092(f).

### **Definitions:**

Violent Felony Offense:

A Class B violent felony offense, Class C violent felony offense, Class D violent felony offense or Class E violent felony offense, as defined in New York State Penal Law § 70.02.

### **Procedures:**

#### *Violent Felony Offenses*

AAMI is committed to maintaining a safe and secure environment that supports learning and community access to facilities and services. Therefore, the Administration will aggressively pursue the prompt, efficient, and thorough investigation resolution of any violent crime on AAMI owned, operated or controlled property. AAMI Administration will take the following steps after a report of a violent felony offense:

- Responding officers or AAMI officials will determine if the circumstances require immediate intervention in order to prevent further injury to victims or to insure the apprehension of offenders.
- If the offender(s) are no longer on campus and the immediate threat has ended, officers or AAMI officials will take the appropriate measures to provide support to victims and implement established protocols for criminal investigations.
- If it is determined that the elements of the offence are consistent with any Violent Felony Crime as defined under New York State Law, the Administration will contact the NYPD pursuant to the joint Memorandum of Understanding in order to transfer responsibility for the investigation.
- The Administration will assist the NYPD in any manner requested until the completion of the investigation.

## **129-A 6436 BIAS RELATED CRIME**

AAMI shall inform incoming students about bias related crime prevention measures, in order to disseminate information about bias related crime, promote discussion, encourage reporting of incidents of bias related crime, and facilitate prevention of such incidents. Educational and informational programs should include, but not be limited to, the following subjects:

- Applicable laws, ordinances, and regulations on bias related crime, including the provisions and coverage of the hate crimes act of 2000 (Article 485 of the Penal Law).
- Penalties under applicable law for commission of bias related crimes.
- Procedures in effect at AAMI for dealing with bias related crime.
- Availability of counseling and other support services for the victims of bias related crime.
- The nature of and common circumstances relating to bias related crime on college campuses; and
- The methods AAMI employs to advise and to update students about safety and security procedures.

## **129-A 6437 PROHIBITION ON THE MARKETING OF CREDIT CARDS**

Pursuant to Article 129-A Section 6437 of the New York State Education Law, the advertising, marketing, or merchandising of credit cards to students by vendors is prohibited by American Academy McAllister Institute of Funeral Service.

Policy: AAMI prohibits the advertising, marketing, or merchandising of credit cards on the AAMI campus to students except in strict compliance with this Policy.

1. Except as otherwise permitted in this policy; credit card advertising or solicitation to students is not permitted on College campus. This includes advertising or solicitation at campus vendor tables, as well posting or distribution of applications, fliers, posters, handbills and signage (electronic and otherwise) on the AAMI premise. The College's e-mail system or web pages may not be used for advertising or solicitation of credit cards to students.
2. No campus employee, student group, or campus department may accept financial support or other goods and services from credit card issuers or vendors in exchange for allowing them to market credit cards to students.

## APPENDIX M

### THE FUNERAL SERVICE OATH

*I do solemnly swear by that which I hold most sacred; That I shall be loyal to the Funeral Service Profession, and just and generous to its members;*

*That I shall not let the constant relationship and familiarity with death*

*give me cause to yield to carelessness or to violate my obligation to society or to the dignity of my profession.*

*That I shall obey the Civil Laws;*

*That I shall not divulge professional confidences;*

*And that I shall be faithful to those who have placed their trust in me.*

*While I continue to keep this oath inviolate, may it be granted to me to enjoy honor in my life and in my profession;*

*And may I be respected by all people for all time.*

## APPENDIX N

### POLICY ON PREGNANCY AND RELATED CONDITIONS

#### Non-Discrimination Statement

AAMI is committed to maintaining an accessible and supportive environment for all students and employees who experience pregnancy or related conditions and ensuring that individuals experiencing pregnancy or related conditions receive the necessary modifications to participate fully and equally in all programs and activities. This policy applies to all pregnant persons regardless of gender identity or expression. AAMI does not discriminate against any student, applicant for admission, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972, the New York State Human Rights Law and the New York City Human Rights Law.

#### Definitions

- **Familial Status:** The configuration of one's family or one's role in a family.
- **Marital Status:** The state of being married or unmarried.
- **Parental Status:** The status of a person who is a parent, legal custodian, guardian, or in loco parentis of a person under 18 or over 18 if incapable of self-care due to disability.
- **Pregnancy and Related Conditions:** Includes pregnancy, childbirth, termination of pregnancy, lactation, related medical conditions, and recovery.
- **Reasonable Modifications:** Modifications to policies, practices, or procedures that do not fundamentally alter AAMI's education programs or activities.

#### Information Sharing Requirements

Any AAMI employee aware of a student's pregnancy or related condition must provide the student with the Title IX Coordinator's contact information and inform them that the Coordinator can help prevent discrimination and ensure equal access. If the employee believes the Coordinator is already aware, they are not required to provide this information.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student to inform them of their rights and related policies.

#### Reasonable Modifications for Students

Students experiencing pregnancy and related conditions are entitled to Reasonable Modifications to ensure equal access to education programs and activities. These may include changes to schedules, assignments, and course requirements.

Students seeking Reasonable Modifications must contact the Title IX Coordinator to discuss their needs. Retroactive modifications may be available in some circumstances.

Modifications will be determined based on individual needs. Supporting documentation may be required when necessary to determine appropriate modifications. Information about modifications will be shared with faculty and staff only as necessary.

### Certification to Participate

Health and safety risks related to participation in activities will be communicated to all students. A student cannot be required to provide a health certification unless the same certification is required of all students and is necessary for participation.

### Leaves of Absence

- Students: Students may take a voluntary leave of absence for a reasonable time deemed medically necessary due to pregnancy, childbirth, adoption, or foster care placement. The leave term may be extended for extenuating circumstances or medical necessity.
- AAMI will ensure students return to the same academic progress position, including access to the same or equivalent course catalog. Scholarship and funding continuation will depend on the student's registration status and funding program policies. AAMI will advocate for students with financial aid agencies and external scholarship providers if a leave affects eligibility.
- To initiate a leave of absence, students must contact the Vice President/Academic Dean at least 30 days prior or as soon as practicable. The Vice President/Academic Dean will assist with necessary paperwork.
- Employees: Information on employment leave is available at Section 600.3 of the Employee Handbook. Employees, including student-employees, not eligible for leave under other policies may qualify for leave under Title IX. Pregnancy and related conditions will justify leave without pay for a reasonable period. Employees taking Title IX leave must be reinstated to their original or comparable position without negative effects on employment privileges or rights.

### Student Parents

Students with child caretaking responsibilities may contact the Vice President/Academic Dean to request academic modifications for up to three (3) months from the time the child enters the home. Extensions may be granted for medical necessity or extraordinary caretaking responsibilities.

During the modification period, academic requirements may be adjusted, and deadlines postponed as appropriate. If authorized, students may reschedule assignments, lab hours or examinations, or reduce their course load.

AAMI's program is a timed degree program, and students can request extensions of up to six (6) months for preliminary and qualifying examinations and normative time to degree while in candidacy. Longer extensions may be granted in extenuating circumstances.

Students will remain registered during academic modifications.

### Rights of Employees and Student-Employees to Express Breast Milk

Employees, including student-employees, have the right to express breast milk in the workplace. AAMI will provide 30 minutes of paid break time as needed for up to three years following childbirth. Employees must provide written notice of their need for breast milk expression to Sabrina Joynes, Academic Coordinator. Additional unpaid time beyond the 30 minutes may be taken using existing paid break or meal time.

AAMI will not deduct an employee's paid break time for breast milk expression from their regular paid break or meal time. Employees can choose to take breast milk expression breaks before or after their regularly scheduled paid break or meal periods.

### Lactation Space Access

AAMI provides students and employees with access to functional, appropriate, and safe lactation spaces. These spaces are regularly cleaned, shielded from view, and free from intrusion.

Employees wishing to request a lactation room must provide reasonable advance notice and submit a written request to Sabrina Joynes, Academic Coordinator. AAMI will respond within five business days and notify all employees in writing when a room is designated for breast milk expression. If an employee's request for a lactation room poses an undue hardship, AAMI will engage in a cooperative dialogue with the employee.

Lactation spaces are arranged and room numbers and procedures for access will be provided to the student and/or employee.

### Policy Dissemination and Training

This policy will be provided to all faculty and employees and posted on AAMI's website. New students will be educated about this policy.



*If you have any questions on the content of this Student Handbook, or if you require any further information, please contact AAMI at*

*1-(212)-757-1190 or 1-(866)-932-2264.*

*Or, you may write to us at the address below:*

**American Academy McAllister Institute of Funeral Service, Inc.  
1501 Broadway, 11<sup>th</sup> floor, Suite 1102 New York, New York 10036**

**Phone: 212-757-1190**

**Fax: 212-765-5923**

**Toll-Free 866-932-2264**

**[info@aami.edu](mailto:info@aami.edu)**