

# COLLEGE RULES AND REGULATIONS

## STUDENT CODE OF CONDUCT

TCI is a community within the larger communities of New York City, New York State and the United States. Local, state and federal laws apply to the TCI community, as well as additional rules that are specific to academic environments. When students, faculty, or staff choose to associate themselves with TCI, they do so freely, and implicitly confirm their commitment to a philosophy of mutual tolerance and respect. As such, we have a Code of Conduct policy to ensure that everyone understands expectations. If the action of a student interferes with, or violates the code of conduct, TCI may find it necessary to suspend or terminate that student.

### **Affirmative Consent to Sexual Activity**

Affirmative consent is 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Consent may be initially given but withdrawn at any time.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, which 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 coercion, intimidation, force, or threat of harm.

When consent is withdrawn or can no longer be given, sexual activity must stop.

### **Alcohol and/or Drug Abuse Policy**

The health and safety of every student at TCI College is of utmost importance. TCI 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. TCI strongly encourages students to report

domestic violence, dating violence, stalking, or sexual assault to TCI 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 TCI officials or law enforcement will not be subject to TCI'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.

### **Student Identification Procedure**

All members of the TCI Community are required to present their official college identification cards upon entering the main building or the TCI Center. This ensures that only individuals with legitimate business enter the college premises. Lost identification cards may be replaced in the Registrar's Office, Room 145.

### **TCI's Policy Regarding Children in the Building**

Children are not allowed to attend classes, nor allowed to roam the halls unattended. They are allowed in the first floor offices as long as they are accompanied by a legal guardian. If someone entering the building (with a child) is requesting to visit an instructor or staff member not on the first floor (in his/her office) then security will call the instructor or staff member by phone and ask them to come to the lobby, sign the security log, then escort the visitor (and child) to their office.

### **No Smoking Policy**

In conformity with New York City municipal codes, TCI is a "no smoking" institution and smoking is strictly prohibited. Anyone found to be in violation of these codes is subject to fines and/or other disciplinary actions.

### **Student Attire**

Students are expected to dress in a manner that is consistent with a college environment. Students who are dressed inappropriately may be referred by a college representative to the Office of Student Affairs.