College Overview

Queens College’s Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings owned or controlled by Queens College; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, including crimes involving sexual misconduct, assault, and other matters. The Queens College’s Annual Security Report can be found on the Queens College Public Safety Department webpage at: http://www.qc.cuny.edu/about/security/Documents/Queens%20College%20ASR%202015%20for%20webpage.pdf

The college, a component of The City University of New York, is often referred to as “the jewel of the CUNY system”. Queens College is a place of contrasts: An urban school in a suburban setting, where a large and diverse student body receives personalized attention. This formula has made us one of New York’s premier educational institutions. Our liberal arts, science, and pre-professional programs earn us high rankings in prestigious college guides such as The Princeton Review America’s Best Value Colleges, and our graduates have won prominence in nearly every field. The Summit, the college’s first residence hall, opened in August 2009. The campus is located in Flushing, Queens, a borough of New York City with a population of approximately 2.3 million. The campus is situated on a 77 acre site and comprised of 34 buildings located on or contiguous to the campus.

The college enrolls approximately 22,000 degree program students who attend day and evening classes. In addition, the college, through the Office of Continuing Education serves in excess of twenty thousand multi-cultural individuals during the academic year.

The college employs approximately 2,000 full-time faculty/staff and 1,000 part-time/adjunct staff members.

Crime Reporting Procedure

Faculty, staff, students, and others who may be on campus or on the contiguous geographic perimeter of the campus are encouraged to promptly report any past crime, attempted crime, or actual criminal activity to the Department of Public Safety. The department will expeditiously respond to the condition reported and make necessary notifications to the local police precinct. Criminal activities, as well as other emergencies, can be reported by:

1. Calling the Department of Public Safety’s emergency telephone line (718) 997-5912 or Extension 75912 may be dialed within the college’s telephone system.

2. Using the Blue Emergency Assistance call boxes located at various sites throughout the campus.

3. Reporting the information to any member of the Department of Public Safety or in person at the Public Safety Office at Main Gate located at the Kissena Blvd. entrance.
4. All counselors are strongly encouraged when they deem it appropriate to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

5. Victims or witnesses may report crimes to persons designated as Campus Security Authorities, who will then forward only the report of the crime – without divulging the name of victim or witness – to the Department of Public Safety for inclusion in the annual crime report. The College recognizes the importance of confidentiality to victims and witnesses of crimes. For the purposes of providing crime statistics pursuant to the Campus Security Act in the College’s annual crime report, victim and witness information will remain anonymous. However, complete confidentiality cannot be guaranteed in all other contexts. The College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. In many cases, however, that notification will be done without divulging the victim’s identity and will be done only for the purpose of providing a campus-wide safety alert.

6. In the event that the situation you observe or are involved in is of an extreme or life-threatening nature, call 911, the New York City Police Department’s emergency phone number. If you make a 911 call, please also notify the Department of Public Safety. They will also respond to assist and direct the police and other emergency personnel to the reported emergency.

**Hate Crime and Bias-Related Incidents**

Bias or hate crimes are crimes motivated by the perpetrator's bias or attitude against an individual victim group based on perceived or actual personal characteristics, such as their race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. Bias-related incidents are behaviors which constitute an expression of hostility against the person or property of another because of the targeted person's race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. According to New York Penal Law Section 485, a person commits a hate crime when he or she commits a specified criminal offense and either:

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

2. intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous conviction of the offender. Students, staff or faculty who commit bias crimes are also subject to University disciplinary procedures and a range of sanctions up to and including suspension, expulsion or termination of employment. In order to effectively handle incidents of bias related crimes and prevent future occurrences of such crimes, victims or witnesses of a hate crime are encouraged to immediately report incidents in the manner described above. Victims of bias crime can also avail themselves of counseling and support services through the Office of Student Services.
Investigation of Violent Felony Offenses

In accordance with New York State Education Law, the College maintains a plan for the investigation of violent felonies, which includes coordination with appropriate law enforcement agents. In addition, in compliance with New York State Law and subject to applicable federal law, including, but not limited to, the federal Campus Sexual Assault Victims’ Bill of Rights under Title 20 U.S. Code 1092 (f) which gives the victim of a sexual offense the right to decide whether or not to report, the College will notify the appropriate law enforcement agency within 24 hours of receiving a report of a violent felony.

Daily Crime Log

The Queens College daily crime log is maintained by the Public Safety Department. All reportable criminal incidents, whether they are Clery classified or not, are logged- provided that they have occurred in the reportable geography (On campus and public property immediately adjacent to the campus). It includes the following information: 1) date crime was reported, 2) date and time of the incident, 3) the nature of the crime, 4) the general location of the crime, 5) the disposition, if known. The Crime Log is available online on the Queens College website. The Crime Log can be found on the Queens College Public Safety website. (http://www.qc.cuny.edu/about/security/Pages/default.aspx). The log is updated less than two business days after the latest report comes in.

Campus Security Authorities

The following persons are designated as Campus Security Authorities:

- Provost
  Kiely Hall, Room 111- 718-997-5900

- Vice President of Student Affairs
  Frese Hall, Room 102- 718-997-5500

- Assistant Vice President of Student Affairs
  Frese Hall, Room 102- 718-997-5500

- Executive Director of Student Development
  Student Union, Room 300- 718-997-3960

- Director of SU Administration and Finance Office
  Student Union, Room 315- 718-997-3957

- Director of International Student & Scholars
  Student Union, Room 327- 718-997-4438

- Director of Career Development & Internships
  Frese Hall, Room 213- 718-997-4465

- Director of Administration & Special Events
  Frese Hall, Room 203A- 718-997-4415

- Director of Special Services
  Frese Hall, Room 111- 718-997-5870
• Director of Minority Affairs  
Frese Hall, Room 119- 718-997-5423

• Director of Public Safety/Security  
Jefferson Hall Room 201, 718-997-4443

• Sexual Harassment Coordinator  
Kiely Hall, Room 137- 718-997-5888

• Sexual Harassment Deputy Coordinator  
Kiely Hall, Room 137- 718-997-5888

• Associate Director of Health Services  
Frese Hall, Room 310- 718-997-2762

• Health Service Center Nurse  
Frese Hall, Room 310- 718-997-5527

• Director of Child Development Center  
Kiely Hall, Room 245- 718-997-5885

• Director of Housing & Residence Life (Capstone)  
The Summit, Room 138- 718-997-4881

• Assistant Director of Resident Life  
The Summit, Room 138- 718-997-4881

• Executive Director and Dean of Students  
Student Union, Room 300- 718-997-4481

• Director of Dining Services (Chartwells)  
Student Union, Room 138- 718-997-4896

• Coordinator of Judicial Affairs and Service Learning  
Student Union, Room 320- 718-997-3971

• Bookstore Manager (Follett)  
Student Union, Lower Level- 718-997-3573

• Athletics Director  
Fitzgerald Gym, Room 204- 718-997-2795

• Baseball Coach  
Fitzgerald Gym, Room 204- 718-997-2752

• Men’s Basketball Coach  
Fitzgerald Gym, Room 204- 718-997-2776

• Women’s Basketball Coach  
Fitzgerald Gym, Room 204- 718-997-2774

• Men’s Cross Country Coach  
Fitzgerald Gym, Room 204- 718-997-2737

• Women’s Cross Country Coach
Fitzgerald Gym, Room 204- 718-997-2737

- Dance Coach
  Fitzgerald Gym, Room 204- 718-570-0341

- Fencing Coach
  Fitzgerald Gym, Room 204- 718-570-0365

- Women’s Lacrosse Coach
  Fitzgerald Gym, Room 204- 718-570-0361

- Men’s Soccer Coach
  Fitzgerald Gym, Room 204- 718-997-2755

- Women’s Soccer Coach
  Fitzgerald Gym, Room 204- 718-997-2755

- Softball Coach
  Fitzgerald Gym, Room 204- 718-997-2761

- Men’s Swimming and Diving Coach
  Fitzgerald Gym, Room 204- 718-997-2767

- Women’s Swimming and Diving Coach
  Fitzgerald Gym, Room 204- 718-997-2767

- Men’s Tennis Coach
  Fitzgerald Gym, Room 204- 718-997-2732

- Women’s Tennis Coach
  Fitzgerald Gym, Room 204- 718-997-2756

- Men’s Track and Field
  Fitzgerald Gym, Room 204- 718-997-2737

- Women’s Track and Field Coach
  Fitzgerald Gym, Room 204- 718-997-2737

- Women’s Volleyball Coach
  Fitzgerald Gym, Room 204- 718-570-0360

Members of the college community may also make reports of crimes and security incidents to these officials. Each year, the Public Safety Department requests data via official letter request from these authorities for inclusion in this report.

**Reporting Incidents of Sexual Misconduct, including Sexual Harassment, Sexual Assault and Certain Forms of Stalking and Dating/Intimate Partner/Domestic Violence**

To directly view a copy of the City University of New Policy on Sexual Misconduct, please see the link below:

Dating/Intimate Partner/Domestic Violence Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities operated by recipients’ federal financial assistance. It also prohibits sexual harassment (including sexual violence) against students which is a form of sex discrimination. If any student believes that he/she has been a victim of sexual misconduct, including sexual assault, stalking or domestic or intimate partner violence perpetrated by another CUNY student, faculty, staff member, or third party should be reported to one of the individuals listed below.

The Queens College Title IX Coordinator: Cynthia W. Rountree, Esq., Chief Diversity Officer/Director, Office of Compliance and Diversity Programs, Kiely Hall, Room 147, 718-997-5888, cynthia.rountree@qc.cuny.edu

Public Safety: Jose Sanchez, Lieutenant of Public Safety and Security, Public Safety Office at the Main Gate, 718-997-5912/5911, jose.sanchez@qc.cuny.edu

Student Affairs: John Andrejack, Executive Director of Student Development/Dean of Students, Student Union, Room 300, 718-997-3960, john.andrejack@qc.cuny.edu

Public Safety: Pedro Pineiro, Director of Public Safety and Security, Public Safety Office at Jefferson Hall, Room 201, 718-997-4443, pedro.pineiro@qc.cuny.edu

Human Resources: Sujata Malhotra, Acting Director of Human Resources, Kiely Hall, Room 163, 718-997-4455, sujata.malhotra@qc.cuny.edu

QUEENS COLLEGE TITLE IX: http://www1.cuny.edu/sites/title-ix/?post_type=campus_profile&p=154

PUBLIC SAFETY AND SECURITY SERVICES
Queens College’s main campus grounds, the contiguous geographic perimeter of the main campus, the off-campus sites, the entry gates, and the parking areas are patrolled on a 24-hour basis by Public Safety Officers. Public Safety Officers are sworn law enforcement/NYS Peace Officers under Criminal Procedure Law 2.10 subsection 79 and have the power to make arrests.

CAMPUS SECURITY ESCORT
A member of the Public Safety staff may escort off of the premises directly across the street.

WORKING RELATIONSHIP WITH LAW ENFORCEMENT AUTHORITIES
At Queens College, incidents of a criminal nature that are reported to a Campus Peace Officer are referred via the complainant to the NYPD. The City University of New York and Queens College have Memorandums of Understanding with the NYPD in compliance with New York State Law for emergency, non-emergency and investigative response. The department consists of 22 Peace Officers assigned to patrol the campus.

Additionally, the college employs 29 Campus Security Assistants who are assigned to parking lots and other fixed posts. Contract Security Officers are licensed as NYS Licensed Security Guards and do not have arrest powers (outside of the powers of a private citizen).
The Public Safety Department also oversees the electronic intrusion alarm system that protects various buildings as well as the fire alarm response system. Supplementing these campus security systems are Emergency Help Call Buttons that have been installed in administrative offices and Blue Emergency Assistance Call Boxes that are conspicuously located on campus grounds.

**OFF CAMPUS ORGANIZATIONS CRIMES AND SAFETY HAZARD MONITORING**

The college does not have any recognized off-campus student organizations or housing facilities.

**EMERGENCY NOTIFICATIONS AND RESPONSE**

**A. CUNY ALERT SYSTEM**

Contact information for all registered students and employees is included in the CUNY Alert system, except for the contact information for those students who affirmatively choose to opt out of receiving CUNY Alert messages.

The college participates in the University-wide CUNY Alert System. On activation by the college, the system sends messages during emergency events via email, text messages and telephone (land-line/cellular). This system is tested monthly. New students and employees are also provided with information about signing up for CUNY Alert at orientations. You can sign up for CUNY Alert at www.cuny.edu/alert.

CUNY Alert is the CUNY branded emergency alert system that is based on the NYAlert system operated by the New York State. CUNY makes every effort to inform affected CUNY Alert registered users of an emergency in a timely and appropriate manner. However, please be aware that CUNY is not responsible for, outdated or incorrect subscriber information, technical limitations such as overtaxed communications systems, transmission errors, and cellular telephone roaming and out of range areas that may delay, block, or prevent, the communications of messages to certain users. CUNY also is not responsible for any costs incurred by the user for any alert received or for any actions taken or not taken by the user or any third party in reliance of an alert.

CUNY is committed to respecting your privacy. In order to personalize your view of the CUNY.EDU site and gain access to certain information systems, such as CUNY Alert, you must register and provide some personal information. We do not collect any personal information about you unless you provide that information voluntarily. Any personal information you choose to provide us will only be used by CUNY to conduct official CUNY business. CUNY does not sell, rent, loan, trade or lease personal information collected on this site. For more information about the CUNY privacy policy, please visit http://www.cuny.edu/website/privacy.html.

CUNY Alert users are responsible for keeping their contact information current. In the event that phone alert, email or SMS messages are not found or rejected for incorrect or expired information during a live alert, CUNY reserves the right to delete the problem entry or to deactivate a user's account.

**B. TIMELY WARNINGS TO MEMBERS OF THE COMMUNITY**

The issuance of Timely Warnings is made by the Public Safety Director in consultation with the Dean, Administrative Dean and Dean of Students (Security Committee). When it is appropriate, Queens College will issue immediate notification of security issues via electronic mail. The issuing of a timely warning is ultimately the decision of the Public Safety Department. Depending on the time sensitivity of the incident, the issuance of the Timely warning may be made outside of the Committee framework. Queens College is a participant in the CUNY Alert system. Operated under the auspices of the New York State Emergency Management Office, CUNY Alert allows subscribers to receive messages of import regarding safety via email, cell and landline, text message or in any combination thereof. Signing-up is as easy. These notifications are issued when the campus operations are adversely affected by man-made or natural incidents. Access the University website at www.cuny.edu/alert
C. IMMEDIATE NOTIFICATIONS

Unless such notice and warning constitutes a compromise to contain an emergency, or result in an expansion or exacerbation of an emergency, immediate notification of an emergency will take place through one – or a combination of – the following methodologies: (1) CUNY-Alert, or via the building Class E fire control system if a fire or smoke issue is detected, (2) Campus-wide e-mail blast and (3) School web-site notice. The following personnel are authorized to make such announcements; Peace Officers, Dean, Administrative Dean, Academic Dean, Dean of Students and Clinic Director. Again, please note that a circumstance may arise in which it would not be prudent or appropriate to issue an immediate notification if such release would compromise efforts to contain the emergency.

D. EMERGENCY RESPONSE AND EVACUATION FIRE DRILL TESTS

The college conducts evacuation and fire drills three (3) times per year. During these drills, building occupants are familiarized with campus evacuation procedures. Each building has assigned fire/evacuation floor wardens who provided training and direction to the college community during drills and actual emergency events.

E. PUBLICATION OF PROCEDURES

Emergency response and evacuation procedures are published annually via Annual Security Report. This report is updated as needed throughout the year. The Public Safety Office, Main Gate, has hard copies of this report.

Note on all emergency notifications: When in the considered opinion of college, university or civil authorities, dissemination of information on a given emergency may hinder or cause additional harm, such notification may be delayed until such time that it is safe to do so.

PUBLIC SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS

All Members of the college community are encouraged to attend crime prevention seminars that are conducted by the New York City Police Department and the Department of Public Safety. Crime prevention seminars are scheduled each semester and members of the college community are encouraged to actively participate for their own safety and the safety of others. All incoming students receive information about campus crime prevention programs during initial orientation meetings scheduled every semester.

Along with the Office of the Vice President of Administration and Finance, Campus Facilities, and Physical Plant Services, the Director of Public Safety conducts on-going reviews of campus grounds and facilities. Special emphasis is placed on the need to ensure safe accessibility to buildings with special attention to landscape hazards as well as inadequate lighting.

All public safety personnel, while on patrol, report potential safety and security hazards as well as entry door problems and elevator malfunctions.

Fire Emergency Plan

Floor wardens and searchers are designated to serve specific areas of the building. When appropriate, they will be activated. Their job is to facilitate evacuations and common space assembly of all kinds and to pass information to the fire safety command station. Please heed their directions. When fire alarms ring, please make note of the announcement that immediately follows. It will provide you with instructions on where to assemble. Treat all fire alarms as real unless otherwise directed by the floor wardens or members of the public safety staff. Below are general guidelines for dealing with a fire. But remember, WHEN IN DOUBT CALL 911 OR ACTIVATE A PULL STATION.

1. Be familiarize the location of stairways, fire extinguishers, fire exits, and pull boxes in building.

2. If a minor fire appears controllable, immediately contact (personally or preferably have someone else call) the Department of Public Safety at 75912. Locate a portable fire extinguisher. Then promptly direct the discharge
of the fire extinguisher toward the base of the flame buy squeezing the trigger and moving the hose in a side-to-
side motion. Do not use water extinguishers on electrical fires.

3. If an emergency exists, activate the building’s fire alarm system by releasing a fire pull station.

4. In the case of large fires that do not appear controllable, immediately activate a fire pull station and, if time
permits, call 75912 to report the exact location of the fire. If time permits, close the door of the room where the
fire exists.

5. When the building evacuation alarm is sounded, always assume that an emergency exists. Touch closed doors;
do not open them if they are hot. If the door is cool, brace yourself behind the door and open it slowly. Bracing
yourself behind the door prevents the door from being blown open due to the pressure created by the fire. Walk
quickly to the nearest exit and alert others to do the same. Do not use the elevators during a fire.

6. Smoke is the greatest danger in a fire, so stay near the floor where the air will be less toxic.

7. Once outside, move to a clear area at least 500 feet away from the affected building. Keep streets, fire lanes,
hydrants and walkways clear for emergency vehicles and crews. These essential personnel must be allowed to
do their jobs.

8. Do not return to an evacuated building unless told to do so by a College official.

9. If you become trapped in a building during a fire and a window is available, place an article of clothing (shirt,
coat, etc.) outside the window as a marker for rescue crews. Place a wet cloth at the base of doors to keep
smoke from entering. Shout at regular intervals to alert emergency crews of your location. Dampen a cloth with
water, place it over your nose, and breathe lightly through it. It is understood that these items may not be
available to you-hence the importance of moving quickly and knowing your escape routes.

10. Should your clothing catch fire, stop, drop and roll. Rolling on the ground will help smother the fire-this is in
fact very effective.

HOSTILE INTRUDER

Don’t panic. Keep breathing and keep focused. When an intruder in a campus building is actively causing deadly
harm or the threat of imminent deadly harm to people; you must immediately seek cover and contact 911 and the
Public safety Department, if at all possible. If you are able to make a call, give as many details as possible relative
to location, number of assailants, means of aggression and other pertinent information.

1. Do not sound the fire alarm to evacuate the building. People may be placed in harm’s way when they are
attempts to evacuate the building.
2. Be aware of alternate exits if it becomes necessary to flee.
3. Persons should lock themselves in classrooms and offices as a means of protection.
4. Persons should stay low, away from windows and barricade their door(s) if possible and use furniture or
desks as cover.
5. If possible, cover any windows or openings that have a direct line of sight into the hallway.
6. Students and staff should not attempt to leave the building until told to do so by Public Safety or NYPD.
The only exception to this is, given the specific circumstances, a person is certain beyond any doubt, that
they are in more danger in staying in the building, than in attempting to escape.

When a hostile intruder is actively causing deadly harm or the threat of imminent deadly harm to people on the
 campus grounds, we recommend the following course of action:

1. Run away from the threat if you can, as fast as you can.
2.  Do not run in a straight line. Use buildings, trees, shrubs, and cars as cover if outside. If inside, desks,
chairs bookcases may help.
3. If you can get away from the immediate area of danger, summon help and warn others.
4. If you decide to hide, take into consideration the area in which you are hiding. Will I be found? Is this really a good spot to remain hidden? If you do hide, stay as quiet as possible and calm as possible.

5. If the person(s) is causing death or serious physical injury to others and you are unable to run or hide you may choose to play dead if other victims are around you. Do not give your position away or stand-up until Public Safety or civil authorities give an all-clear signal. If you choose to confront the aggressor, use all manner of materials at hand as weapons-books, chairs, any object near hand.

BOMB INCIDENT PLAN
While it is important to note that the overwhelming majority of bomb threats are unfounded, it is the policy of the college that they are to be taken seriously. Each threat will be thoroughly investigated and will be considered suspect until all avenues of investigation have been explored.

1. A suspicious looking box, package, object or container in or near your work area may be a bomb or explosive material. Do not handle or touch the object. Move to a safe area (far from the object) and call the Department of Public Safety immediately at ext. 75912. Do not operate any electronic devices, radios or light (power) switches.

2. If you receive a bomb threat, remain calm and try to obtain as much information as possible from the caller. Specifically try to ascertain the following:
   a) The location of the device.
   b) The time, if any, the device is scheduled to go off.
   c) The appearance or type of container used for the device.
   d) The reason for placing the device.
   e) The size of the bomb.
   f) The type of explosive used in the device.
   g) The name of the caller or organization taking responsibility.
   h) Any additional information that might be available.

3. The person receiving the call should note the following:
   a) Male or female voice.
   b) Time of call.
   c) Mood of caller (excited, nervous, calm, and despondent).
   d) Background noises that may be present at the location of the caller.
   e) Approximate age of the caller.
   f) Any other peculiarities that may be helpful in identifying the source of the call or its purpose.

4. The police will be called and the building may be subject to full or partial evacuation. When evacuating the building, only use stairs. Do not use elevators. Move well away from the building and follow the instructions of floor coordinators and emergency personnel at the scene.

5. If there is an explosion:
   a) Immediately take cover under sturdy furniture.
   b) Stay away from the windows.
   c) Do not light matches.
   d) Move well away from the site of the explosion to a safe location.
   e) Use stairs only, do not use elevators.

MEDICAL EMERGENCIES
1. All medical emergencies should be reported immediately to Public Safety ext. 75912.
2. If the medical emergency is life threatening, then call 911 before dialing Public Safety. If you are in doubt, call 911.
3. If you call 911, be prepared to give your name; describe the nature and severity of the medical problem and the location of the victim. Try to answer all of the questions the dispatcher asks you and let him/her hang-up the phone first. Do not move the victim. If you are certified in CPR and First Aid and able to help, then try to assist the victim until help arrives.
4. Look for emergency medical ID’s such as bracelets on injured persons and try to keep the victim as comfortable as possible until emergency personnel arrive.
6. If a medical problem is non-life threatening, call the Public Safety Department at ext. 75912. If campus Public Safety personnel believe that a victim should not be moved or that emergency medical care is required immediately, then they will call 911. Please remember that the decision to call or not call 911 is not based on financial situation or insurance status. The focus is on assisting the ill or injured party.

7. The school employs a full-time nurse practitioner. The nurse’s office is In Frese Hall, Room 310 and the extension is 72760.

**MEDICAL EMERGENCIES-MENTAL HEALTH**

The Office of the Dean of Students can be most helpful in assisting anyone who feels in need of counseling or mental health service. You are not alone and don’t have to be alone. The School’s counselor are available at 718-997-5420. Whenever an individual demonstrates or reports a risk for self-destructive or suicidal behavior, immediate assistance is needed. If the situation poses an imminent physical danger, call 75912 to reach the Public Safety office or summon 911. If imminent physical danger is not posed then call the Dean of Students office at ext. 75550 or our counselor at ext. 75420. If a response from either of these two areas is unavailable contact Public Safety.

**UTILITY FAILURES**

**Power Failure**
The following actions are to be taken by members of the college community in the event of a power failure:

1. Report any power failure immediately to Public Safety at ext. 75912. In the event of a building wide power failure, phones may not function. The office can be reached at its Plain Old Telephone Service line 718-997-5912. If no other emergency situation exists, you can come to the Public Safety Office located at the Main Gate.

2. Having a flashing attached to a key chain, belt clip or in a bag may be helpful even when not in the School. Never use candles.

3. During daylight, add as much natural lighting as possible by raising blinds.

4. Faculty with classes should remain where they are until notified otherwise.

5. During a power failure or possible power failure, **never use an elevator**. If you become trapped in an elevator during a power outage, use the emergency “Call for Help” button in the elevator to contact the main security desk. Wait for assistance. Don’t panic. Help is on the way.

**Plumbing Problem/Flooding**

Cease using all electrical equipment. Notify Public Safety immediately. If necessary vacate the area and prevent anyone else from entering. If a toilet overflows or water is accumulating in a given area, contact Public Safety at 75912.

**Gas Leaks**

Gas leaks are very rare but can be very serious. **If you smell gas, contact security by coming to the Public Safety Office or utilize a phone away from the smell of gas. Do not use a mobile phone near a gas leak whether here or at home.** Gas vapors can be ignited by static electricity.

**BIOLOGICAL CHEMICAL OR NUCLEAR ATTACKS**

1. Upon receiving confirmed information of an imminent or ongoing biological, chemical or Nuclear Disaster/Attack that poses great risk to life at the School, the President or her designee shall declare a campus wide emergency.

2. This state of emergency may initiate a lockdown of the building and/or its total evacuation.

3. Notification will be made via college website, voicemail, emergency communication response system and CUNY-ALERT if at all possible.

4. Building occupants will be kept abreast of changes as they develop by college officials. During an event at the building the following actions will be taken if possible: (a) building wide air-handlers will be turned off and intakes sealed if possible, (b) building occupants will be directed to enclosed areas of the building unless otherwise directed by civil authorities to provide most insulation and (d) updates on emergency will be given, if practicable, by the same methodologies as indicated above.
Access to College Facilities

A. Campus Facilities
Access to campus buildings is limited to faculty, staff, students, guests and visitors who are conducting official college business. When entering upon campus grounds, all faculty, staff and students are required to display their college identification card upon the request of a college official.

Administrators, faculty and staff are issued keys to their respective offices and/or buildings. All buildings are locked after scheduled classes or special events. During non-business hours when the college is closed entry to buildings is not allowed except with written authorization. The college also maintains a Central Station alarm monitoring station on campus.

B. Identification Cards
Students, faculty, and staff coming to campus for classes or to attend activities must carry their ID cards at all times in case they are asked to show them to a security officer. In case of theatrical presentations or such special events as Open House or Commencement, where large numbers of visitors are expected on campus, the Security Office must be informed well in advance so that appropriate provisions can be made for those events.

C. Guests
All visitors to the School are expected to comport themselves in a manner consistent with an academic environment. Guests must sign in at the front Public Safety desk and show identification to the officer on duty. Guests are subject to the lawful instructions of all members of the Security, as well as the Administrative staff. Guests may not remain in the building after 11:00PM or on weekends and holidays.

D. Nights and weekend access
The Office of Security and Public Safety is informed of all officially approved activities scheduled to take place on campus. According to this schedule, it secures all buildings and all gates in the evenings and on weekends by 11:00 PM.

E. Security Consideration used in the maintenance of campus facilities
Queens College Building and Grounds Department maintains the interior and exterior of campus. They utilize subcontractors who maintain the school’s fire alarm/suppression system, access control and CCTV system, fire command and public address system as well as interior and exterior lighting. Any conditions, which appear unsafe, should be directly reported to any security staff person, as soon as possible. Public Safety monitors the interior and exterior cameras on campus on a continuous basis. Public Safety Officers patrol the building and grounds several times per tour, every tour, 365 days a year. Queens College utilizes a computerized card access system as a means of access to central parts of most building(s). When activated, authorized cards are touched to wall mounted card readers to open doors. All Public Safety staff carries mobile radios programmed through a repeater to enhance effectiveness. The aforementioned devices are checked several times during a tour, during building rounds and building perimeter tours. Additionally, a special mobile radio located at the front Public Safety Office can communicate with any of the other CUNY campuses, as well as the central office. Deficiencies should be reported to Public Safety for repair/service. The Public Safety Office monitors police transmissions via a special mobile radio unit.

WEAPONS POLICY
No one within the University community (including visitors), except Campus Peace Officers, pursuant to authorization of the College President, shall have in his/her possession a rifle, shotgun, firearm, or any other dangerous instrument or material that can be used to inflict bodily harm on an individual or damage to a building or the grounds of the campus.
COLLEGE REGULATIONS/ CODE OF CONDUCT

Pursuant to CUNY’s Bylaws, “[e]ach student enrolled or in attendance in any college, school, or unit under the control of the board and every student organization, association, publication, club or chapter shall obey (1) the laws of the city, state and nation; (2) the bylaws and resolutions of the board, including the rules and regulations for the maintenance of public order pursuant to article 129-a of the education law (“Henderson rules”); and (3) the governance plan, policies, regulations, and orders of the college.

HENDERSON RULES

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.

3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.

4. Theft from, or damage to University/college premises or property, or theft of or damage to property of any person on University/college premises is prohibited.

5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.

6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

7. Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.

8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.

9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.

10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University/college premises, or as part of any University/college
activities is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.

11. The unlawful possession, use, or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

**PENALTIES**

1. Any student engaging in any manner in conduct prohibited under the By Laws, including the Henderson Rules shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsions, ejection, and/or arrest by the civil authorities.

2. Any tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff engaging in any manner in conduct prohibited under the By Laws, the applicable employment contract and/or shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of The City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. A tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be entitled to be treated in accordance with applicable provisions of the Education Law, or the Civil Service Law, or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.

3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under the Bylaws, including the Henderson Rules shall be subject to ejection, and/or arrest by the civil authorities.

4. Any organization which authorized the conduct prohibited under the Bylaws, including the Henderson Rules shall have its permission to operate on campus rescinded.

Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

**ADDITIONAL COLLEGE RULES**

1. Any student violating any law or regulation established by the College, University, City, State, or Federal Government (including the use of drugs), shall be subject to the formal disciplinary procedures as outlined in Articles 15.3 to 15.5 of the Board of Higher Education Bylaws and Sanctions as listed in the Board of Higher Education Bylaws and Article 129A of the Education Law (CUNY Henderson Rules). The initiation of disciplinary procedures requires notice to the student pursuant to 15.3 of CUNY Bylaws. In emergency or extraordinary circumstances, immediate suspension can be effectuated pending a hearing within twelve (12) calendar days.

2. All other persons who violate New York State or Federal laws including those that govern gambling activities, the use of alcohol, and the possession, distribution, or consumption of any controlled substance will be subject to arrest.
UNIVERSITY POLICY RELATING TO DRUGS AND ALCOHOL

The City University of New York is an institution committed to promoting the physical, intellectual, and social development of all individuals. As such, CUNY seeks to prevent the abuse of drugs and alcohol, which can adversely impact performance and threaten the health and safety of students, employees, their families, and the general public. CUNY complies with all federal, state, and local laws concerning the unlawful possession, use, and distribution of drugs and alcohol. The following standards of conduct are in effect at CUNY:

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age. The policy can be found at http://www.cuny.edu/about/administration/offices/ohrm/cohr/drug-alcohol2011.pdf

CUNY STANDARDS OF CONDUCT

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, are prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age. For purposes of this policy, a CUNY residence hall means a residence hall owned and/or operated by CUNY, or operated by a private management company on CUNY’s behalf. In order to make informed choices about the use of drugs and alcohol, CUNY students and employees are expected to familiarize themselves with the information provided by CUNY about the physiological, psychological, and social consequences of substance abuse

STUDENTS

Students are expected to comply with the CUNY and college policies with respect to drugs and alcohol. Any student found in violation may be subject to disciplinary action under Article 15 of the CUNY Board of Trustees Bylaws, which may result in sanctions up to and including expulsion from the University. In addition, any student who resides in a CUNY residence hall and who is found to have violated any CUNY or college policy with respect to drugs and alcohol may be subject to sanctions under the CUNY Residence Hall Disciplinary Procedures, up to and including expulsion from the residence hall.

DRUG/ALCOHOL AMNESTY POLICY:

CUNY encourages students to seek medical assistance related to drug and/or alcohol use without fear of being disciplined for such use. CUNY also encourages students under the influence of drugs and/or alcohol who may be the victims of, witnesses to, or otherwise become aware of violence (including but not limited to domestic violence, dating violence, stalking, or sexual assault) or sexual harassment or gender-based harassment to report that violence or harassment. Students who in good faith call for medical assistance for themselves or others and/or who receive medical assistance as a result of a call will not be disciplined for the consumption of alcohol or drugs as long as there are no other violations that ordinarily would subject the student to disciplinary action. Similarly, students who may be the victims of, witnesses to, or otherwise become aware of violence or sexual harassment or gender-based harassment and who report such violence or harassment and who report such violence or harassment will not be disciplined for the consumption of alcohol or drugs in the absence of other violations that ordinarily would subject the student to disciplinary action. However, if you are involved in the distribution of illegal drugs, sexual misconduct, causing or threatening physical harm, hazing or damage to property, amnesty may not apply.

EMPLOYEES
Any employee found to have violated the CUNY policy may be subject to disciplinary action, in accordance with
the procedures set forth in applicable CUNY policies, rules, regulations, and collective bargaining agreements.
Sanctions may include reprimand, suspension without pay or termination.

Contacts: College Counseling & Resource Center
Frese Hall, 1st floor – Reception Area, 718-997-5420
Health Service Center
Frese Hall, 3rd floor, 718-997-2760
Human Resources Office
Kiely Hall, Room 163, 718-997-4455

In compliance with the Drug-Free Schools and Communities
Act Amendments of 1989 (Public Law 101–226), the following program has been adopted and implemented at
Queens College to prevent the illicit use of drugs and abuse of alcohol and tobacco by students and employees.
Students are expected to comply with the University’s
Rules and Regulations for the Maintenance of Public Order
(The Henderson Rules) which can be found in the college’s Undergraduate and Graduate Bulletins and on the
Queens College website (www.qc.cuny.edu).

INFORMATION FOR THE CUNY COMMUNITY ON THE RISKS AND CONSEQUENCES OF DRUG
AND ALCOHOL USE

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 her 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 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 non-medical 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 amount 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 amount 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 ON CAMPUS, SELF HELP, REFERRAL SERVICES AND TREATMENT PROGRAMS

Emergency: 911
112th Precinct, Borough Sex Crimes Detective Squad,
68-40 Austin Street, Forest Hills,
718-520-9363

The NYC Police Department Sex Crimes Report Line:
212-COP-RAPE, open around the clock, is answered by a female detective at all times. It takes telephone reports of sex crimes, refers victims to counseling and other community services, provides information on police procedures, etc.

The NYC Victims Service Agency: Open 24 hours, 7 days a week, 212-577-7777. Provides crisis intervention for crime victims.

The Gay & Lesbian Anti-Violence Project: Open 10 am–8 pm, Monday–Thursday; 10 am–6 pm, Friday; 24-hour hotline: 212-714-1141. Provides short-term crisis counseling, advocacy services, and referrals for long-term counseling.

The following New York state department of Criminal Justice website offers links to many additional resources at http://www.criminaljustice.ny.gov/pio/crimevictims.html
New York State Office of Victim’s Services,  https://ovs.ny.gov/
NYC Mayor’s Office to Combat Domestic Violence/Family Justice Centers,

AA (Alcoholics Anonymous):
Alcoholics Anonymous Queens Intergroup - (718) 520-5021
Al-Anon-212-254-7230
Focus on Recovery- 800-234-1253
NYS Drug Information Hotline- 800-522-5353
Children of Alcoholics- 800-262-2463
NYS Smokers’ Quitline-1-866-697-8487
Cocaine Hotline- 800-262-2463
Cocaine Anonymous- www.ca.org
Gamblers Anonymous- www.gamblersanonymous.org
Marijuana Hotline- 212-929-6262
Narcotics Anonymous- 212-929-6262
Narcotics Anonymous-www.NA.org
Heroin Hotline- 800-943-7646
Relapse Hotline- 800-735-2773
National AIDS Hotline- 800-342-2437
Gay Men’s Health Crisis- 212-807-6664
AIDS Center of Queens County- 718-894-2500

RESOURCES OFF- CAMPUS
12 Step Recovery Programs
Narcotics Anonymous (212) 929-6262 http://www.newyorkna.org/
Cocaine Anonymous (212) 262-2463  http://www.ca-ny.org/
Marijuana Anonymous (212) 459-4423  http://www.ma-newyork.org/
Alcoholics Anonymous (212) 647-1680  http://www.nyintergroup.org/
Al-Anon/Alateen (888) 425-2666  http://www.al-anonny.org

**Community-Based Services**

Alcoholics Anonymous
718-520-5021

Al-Anon
212-254-7230
212-260-0407

Focus on Recovery
800-234-1253

NYS Drug Information Hotline
800-522-5353

Children of Alcoholics
800-359-COAF (359-2623)

Stop Smoking Hotline
800-ACS-2345 (227-2345)

Cocaine Hotline
800-COCAINe (800-262-2463)

Marijuana Hotline
888-MARIJUA (888-627-4582)

Heroin Hotline
800-9 HEROIN (800-943-7646)

Relapse Hotline
800-735-2773

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**Detoxification and Outpatient/Inpatient Rehabilitation Facilities**

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<tr>
<th>New York County</th>
<th>Kings County</th>
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| Bellevue Hospital Center
462 First Ave.
New York, NY 10016
(212) 562-4141 | Kings County Hospital Center
606 Winthrop St.
Brooklyn, NY 11203
(718) 245-2630 |
| St. Luke’s-Roosevelt Hospital Center
1000 Tenth Ave. | Interfaith Medical Center
1545 Atlantic Ave. |
New York, NY 10019  Brooklyn, NY 11213
(212) 523-6491  (718) 613-4330

Greenwich House, Inc.  Bridge Back to Life Center, Inc.
50B Cooper Square  175 Remsen St., 10th Floor
New York, NY 10003  Brooklyn, NY 11201
(212) 677-3400  (718) 852-5552

Queens County  Bronx County

Flushing Hospital Medical Center  St. Barnabas Hospital
4500 Parsons Blvd.  4535 East 183rd St.
Flushing, NY 11355  Bronx, NY 10457
(718) 670-5078  (718) 960-6636

Samaritan Village, Inc.  Montefiore Medical Center
144-10 Jamaica Ave.  3550 Jerome Ave., 1st Floor
Jamaica, NY 11435  Bronx, NY 10467
(718) 206-1990  (718) 920-4067

Daytop Village, Inc.  Bronx-Lebanon Hospital Center
316 Beach 65th St.  1276 Fulton Ave., 7th Floor
Far Rockaway, NY 11692  Bronx, NY 10456
(718) 474-3800  (718) 466-6095

Richmond County  Nassau County

Staten Island University Hospital  Long Beach Medical Center
375 Seguine Ave.  455 East Bay Dr.
Staten Island, NY 10309  Long Beach, NY 11561
(718) 226-2790  (516) 897-1250

Richmond University Medical Center  North Shore University Hospital
427 Forest Ave.  400 Community Dr.
Staten Island, NY 10301  Manhasset, NY 11030
(718) 818-5375  (516) 562-3010

Camelot of Staten Island, Inc.  Nassau Health Care Corporation
263 Port Richmond Ave.  2201 Hempstead Tpke.
Staten Island, NY 10302  East Meadow, NY 11554
(718) 981-8117  (516) 572-9400

RESOURCES OFF-CAMPUS

New York State Office of Alcoholism and Substance Abuse Services
Tel: (877) 846-7369
http://www.oasas.state.ny.us/
REPORTING AND PREVENTION OF SEXUAL MISCONDUCT INCLUDING SEXUAL ASSAULT, HARASSMENT AND STALKING AND DATING, INTIMATE PARTNER AND DOMESTIC VIOLENCE

Under the provisions of Title IX of the Education Amendments of 1972 (Title IX), and its implementing regulations, 34 CFR Part 106, discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance is prohibited. Sexual Harassment of students, which includes act of sexual violence, cyber stalking and unwanted physical contact of a sexual nature is a form of discrimination prohibited by Title IX. Sexual Harassment is unwelcome conduct of a sexual nature that us sufficiently serious to adversely affect your ability to participate in or benefit from an educational program. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature on or off campus.

If any student believes that he/she has been a victim of sexual harassment, including sexual assault, stalking or domestic or intimate partner violence perpetrated by another CUNY student, faculty, staff member, or third party, the following individuals must be notified:

1. The Queens College Title IX Coordinator: Cynthia W. Rountree, Esq., Chief Diversity Officer/Director, Office of Compliance and Diversity Programs, Kiely Hall, Room 147, 718-997-5888, cynthia.rountree@qc.cuny.edu
2. Public Safety: Jose Sanchez, Lieutenant of Public Safety, Public Safety Office at the Main Gate, 718-997-5912/5911, jose.sanchez@qc.cuny.edu
3. Student Affairs: John Andrejack, Executive Director of Student Development/Dean of Students, Student Union, Room 300, 718-997-3960, john.andrejack@qc.cuny.edu
4. Public Safety: Pedro Pineiro, Director of Public Safety and Security, Jefferson Hall, Room 201, 718-997-4443, pedro.pineiro@qc.cuny.edu
5. Human Resources: Sujata Malhotra, Acting Director of Human Resources, Kiely Hall, Room 163, 718-997-4455, sujata.malhotra@qc.cuny.edu

You may also call the Public Safety's emergency telephone at 718-997-5912.

Use one of the blue emergency assistance phones located throughout the campus.

Report the information to any member of the Department of Public Safety.

Victims or witnesses may report crimes to person designated as Campus Security Authorities (listed on page 3, 4 and 5 in this document), who will report the incident to the Title IX Coordinator and forward the report of the crime to the Department of Public Safety for statistical inclusion in the Annual Crime Report. The College recognizes the importance of confidentiality to victims and witnesses of crimes. For the purposes of providing crime pursuant to the Campus Security Act in the College’s Annual Security Report, victim and witness information will remain anonymous. However, complete confidentiality cannot be guaranteed in all other contexts. Victims of sexual violence will be encouraged, but not required to report the incident to law enforcement authorities. The College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. In many cases, however, that notification will be done without divulging the victim’s identity and will be done only for the purpose of providing a campus-wide safety alert.

In the event that the situation you observe or are involved in is of an extreme or life-threatening nature, call 911, the New York City Police Department’s emergency phone number. If you make a 911 call, please also notify the Department of Public Safety. They will also respond to assist and direct the police and other emergency personnel to the reported emergency.
Definitions of Crimes that Must Be Reported Pursuant to VAWA

**Sexual Assault**

According to federal statute, sexual assault is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- Rape is defined as 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 is defined as the touching of the private 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 is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence**

According to federal statute, “domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of [New York], 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 [New York].”


**Dating Violence**

According to federal statute, “dating violence” means 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
(iii) The frequency of interaction between the persons involved in the relationship.


CUNY’s Sexual Misconduct Policy further defines Dating, Domestic and Intimate Partner Violence as:
A pattern of coercive behavior that can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an intimate partner. Such violence may occur in all kinds of intimate relationships, including married couples, people who are dating, couples who live together, people with children in common, same-sex partners, and people who were formerly in a relationship with the person abusing them.
Stalking

According to federal statute, stalking is “engaging in a course of conduct directed at a specific person that would cause a reasonable person to--
(A) fear for his or her safety or the safety of others; or
(B) suffer substantial emotional distress.” 42 U.S.C. § 13925(a).

CUNY’s Sexual Misconduct Policy further defines Stalking as:

Intentionally engaging in a course of conduct directed at a specific person with whom the perpetrator currently has, previously has had, or desires to have some form of sexual or romantic relationship, that:
- is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person’s immediate family or a third party with whom such person is acquainted; or
- causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person’s immediate family or a third party with whom such person is acquainted; or is likely to cause such person to reasonable fear that her/his employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person’s place of employment or business, and the actor was previously clearly informed to cease that conduct.

You may also:

- Call the Department of Public Safety’s emergency telephone line 718-997-5912. Extension 75912 may be dialed within the college’s telephone system.
- Use one of the 26 Emergency Assistance blue call boxes located throughout the campus.
- Report the information to any member of the Department of Public Safety or in person at the Public Safety Office located on Kissena Blvd, near 65th Avenue main entrance.
- Victims or witnesses may report crimes to persons designated as Campus Security Authorities, who will then forward only the report of the crime- without divulging the name of victim or witness- to the Department of Public Safety for inclusion in the annual crime report. Names and numbers of Campus Security Authorities are located on the first page of this report. The College recognizes the importance of confidentiality to victims and witnesses of crimes. For the purposes of providing crime statistics pursuant to the Campus Security Act in the College’s Annual Security Report, victim and witness information will remain anonymous. However, complete confidentiality cannot be guaranteed in all other contexts. The College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. In many cases, however, that notification will be done without divulging the victim’s identity and will be done only for the purpose of providing a campus-wide safety alert.
- In the event that the situation you observe or are involved in is of an extreme or life-threatening nature, call 911, the New York City Police Department’s emergency phone number. If you make a 911 call, please also notify the Department of Public Safety. They will also respond to assist and direct the police and other emergency personnel to the reported emergency.

BYSTANDER INTERVENTION:
The College encourages all community members, including faculty, students and visitors to take reasonable and prudent actions to prevent and stop an act of sexual harassment, gender-based harassment or sexual violence that she/he may witness. Although these actions will depend on circumstances they may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. In addition, the College encourages all community members to report an incident of sexual misconduct that they observe or become aware to the Title IX Coordinator, and/or the Office of Public Safety and Student Affairs. Community members who chose to exercise this positive option will be supported by the College and protected from retaliation.
PREVENTING DATE OR ACQUAINTANCE RAPE

- Convey strongly that you expect your rights to be respected.
- Meet new acquaintances in public places. Always have your own transportation or travel with good friends.
- Keep money in your pocket or purse for phone calls or to pay for transportation if you must leave a situation abruptly.
- Be aware of how much alcohol is being consumed. It’s best to avoid using alcohol. While not a direct cause of date rape, alcohol can increase your vulnerability by lowering your alertness and ability to react.

- Know who is preparing your drink, even if it is not alcohol. Don’t accept a drink from a stranger or someone you’ve just met. If you’re drinking bottled water, make sure you see the bottle opened, or open it yourself!
- Don’t leave your drink unattended. Something could be added to it while you are distracted. So-called “date-rape drugs” not only render you unable to react to unwanted sexual advances, but also impair your ability to remember the incident—making it difficult, if not impossible, to have the person(s) who assaulted you prosecuted.
- Clearly define your sexual limit. If someone starts to offend you, be direct. Say no clearly when you mean no.
- If you feel you are being pressured into unwanted sex, say something as soon as you can, before the behavior goes any further.

- Embarrassment should not keep you from doing what is right for you. Don’t hesitate to raise your voice, stand up abruptly, or scream if the situation warrants it.

WHAT TO DO IF YOU ARE ATTACKED

- After an attack, try to be as calm as possible in order to think clearly. Get to a safe place and call for help immediately. If you are on campus, call Security at 718-997-5912; anywhere else, call the police at 911, call a relative or friend, the QC Counseling & Resource Center (718-997-5420), or a rape crisis service. The NYC Police Department Sex Crimes Report Line is always open at 212-COP-RAPE (212-267-7273). A female detective will handle your call.
  - When calm, write down every detail about the incident, including: who, what, where, when, and how; what the attacker looked like (height, weight, clothing, type of build, color of skin, hair, eyes, facial oddities, scars, jewelry, tattoos etc.); description of any vehicle used or the direction you last saw the attacker running; what kind of force or coercion was used; any objects touched, taken, or left by the attacker; if the attacker said anything, try to remember the words, the grammar, any accents or speech defects; and if there were witnesses, list who and where they might be.

- Remain in the same condition as when the attacker left. Do not change, wash, or destroy any clothing or any article that may be evidence.
- Do not wash or douche or comb your hair.
- Have a medical and internal/gynecological exam at the nearest hospital emergency room as soon as possible. The doctor should note and treat any injuries and test for and take measures to combat the possibility of sexually transmitted disease or pregnancy. If you report being raped, the doctor must collect semen smears as evidence.
- Show police any bruises or injuries, however minor, resulting from the attack. Also show injuries to a friend or relative who might be available as a corroborative witness at the trial. If possible, photograph bruises.
  - Leave the crime scene exactly as it is. Do not touch, clean up, or throw anything away.
- Give any clothing that was stained or torn (including undergarments) during the crime to the police.
- When calm, write down every detail about the incident, including: who, what, when, where, and how; what the rapist looked like (height, weight, clothing, type of build, color of skin, hair, eyes, facial oddities, scars, jewelry, etc.); description of any vehicle used or the direction you last saw the rapist running; what kind of force or coercion was used; any objects touched, taken, or left by the rapist; if the rapist said anything, try to remember the words, the grammar, any accents or speech defects; and if there were witnesses, list who and where they might be.
- Seek psychological support as well as medical attention. Even though the actual incident is over, you may suffer from rape trauma syndrome, which includes a variety of difficulties commonly experienced after a sexual assault.
• A student can call the New York City Police Department or 911, or go directly to a hospital. If the student wishes, Public Safety will call 911 on their behalf. It is important to note that if you are a victim of a sex offense, do not destroy any evidence (including clothing) and do not take a shower or bath.

• It is important that such physical evidence be preserved in order to assist with any ensuing criminal investigation. If the student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person’s system for a short period of time. The Department of Public Safety will assist with notification of other law enforcement authorities and/or medical professionals if the student so chooses.

Who is a perpetrator?

Many people think that sexual assaults are only perpetrated by vicious strangers on dark, deserted streets. In fact, studies indicate that between 80 and 90 percent of all people who have been raped know their perpetrator(s). This is called “date rape” or “acquaintance rape.” “Date rape” is not a legally distinct or lesser category of rape. It refers to a relationship and situational context in which rape occurs on a date. Rape or any sexual offense, whether on a date or not, is the same criminal offense involving the same elements of force, exploited helplessness or underage participation. With sexual assaults where the victim knows the perpetrator, alcohol use is often involved on the part of either the victim or the perpetrator. However, a sexual assault is still a crime regardless of the intoxication of the perpetrator or the victim.

Who is a victim?

Anyone can be a victim, regardless of gender, age, race, sexual orientation, gender identity, religion, ethnicity, class or national origin. Regardless of whether the victim was abusing alcohol and/or underage, she or he is still the victim of the sex offense.

When is there lack of consent?

Under New York law, lack of consent to a sexual contact may be demonstrated in the following ways: (1) forcible compulsion including the use of physical force or threat (express or implied) which places the person in fear of physical injury to self or another; (2) incapacity to consent on the part of the victim; (3) circumstances in which the victim does not expressly or impliedly acquiesce in the actor’s conduct; or (4) circumstances in which the victim clearly expressed by words or actions that he or she did not consent to engage in such sexual act and a reasonable person would have understood such person’s words or actions as an expression of lack of consent to such conduct.

A person is deemed incapable of giving consent if she/he is (a) under the age of 17, (b) mentally incapacitated (which may include incapacity due to the victim’s ingestion of alcohol or drugs), (c) physically disabled or (d) physically helpless (asleep, unconscious or for any other reason physically unable to communicate unwillingness to act, which may also include incapacity due to the victim’s ingestion of alcohol or drugs).

CUNY’s Sexual Misconduct Policy requires affirmative consent to sexual activity. Affirmative consent as defined in CUNY’s Sexual Misconduct Policy 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 may be initially given but withdrawn at any time. 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 order to give consent, one must be of legal age (17 years or older). Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. 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 lack of consciousness or being asleep, being involuntarily restrained, or if the 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.
Who is responsible for a sexual attack?

In the absence of consent, the attacker is always responsible for having committed the sexual assault regardless of the victim’s appearance, behavior, or conduct on previous occasions. An attacker cannot assume that the way a person dresses or acts is an invitation for sexual advances. A person may welcome some forms of sexual contact and be opposed to others. The more impaired a person is from alcohol or drugs, the less likely she/he can give consent; having sex with someone who is “passed out” or sleeping is rape. And regardless of previous sexual activity, if someone refuses sexual contact, the failure to respect that limit constitutes non-consensual sex.

College and Community Counseling and Support Services for Sex Offense Victims

On-Campus Assistance

Victims of a sexual assault are encouraged to contact the Title IX Coordinator and/or the Office of the Dean of Students to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student’s academic program or residential housing situation. Public Safety can assist the victim getting to and from campus safely, filing a police report and obtaining an order of protection against the perpetrator. The victim can also file a complaint with the College against a perpetrator who is a student or employee of the University with the Dean of Student Affairs/Student Development and the Public Safety Office.

In addition, the victim of a sexual assault will be provided with on-campus support in the form of an advocate from the Women’s/Men’s Center (if there is one on campus) or an appropriately trained counselor to assist the victim in handling the various aspects of his/her ordeal, such as: 1) explaining to the victim her/his options of whether to report the incident to campus or law enforcement authorities or not; 2) providing guidance if she/he requires medical attention; 3) providing guidance in obtaining crisis intervention and/or ongoing counseling services (or a referral to obtain the necessary services if such services are not available on campus); and 4) assisting the student throughout the College’s disciplinary process if she/he chooses to file a complaint against the perpetrator.

Coordinator, College Counseling & Resource Center
Frese Hall, Room 111, 718-997-5421

Ms. Cynthia W. Roundtree, Deputy Coordinator,
Affirmative Action, Compliance & Diversity
Kiely Hall, Room 147, 718-997-5888

Ms. Terry Calhoun, RN, Coordinator
Health Service Center
Frese Hall, Room 305, 718-997-2763

Contacting Outside Agencies

Emergency: 911
112th Precinct, Borough Sex Crimes Detective Squad,
68-40 Austin Street, Forest Hills,
718-520-9363

The NYC Police Department Sex Crimes Report Line:
212-COP-RAPE, open around the clock, is answered by a female detective at all times. It takes telephone reports of sex crimes, refers victims to counseling and other community services, provides information on police procedures, etc.

The NYC Victims Service Agency: Open 24 hours, 7 days a week, 212-577-7777. Provides crisis intervention for crime victims.
The Gay & Lesbian Anti-Violence Project: Open 10 am–8 pm, Monday–Thursday; 10 am–6 pm, Friday; 24-hour hotline: 212-714-1141. Provides short-term crisis counseling, advocacy services, and referrals for long-term counseling.

AA (Alcoholics Anonymous):
Alcoholics Anonymous Queens Intergroup - (718) 520-5021
Al-Anon-212-254-7230
Focus on Recovery- 800-234-1253
NYS Drug Information Hotline- 800-522-5353
Children of Alcoholics- 800-262-2463
NYS Smokers’ Quitline-1-866-697-8487
Cocaine Hotline- 800-262-2463
Cocaine Anonymous- www.ca.org
Gamblers Anonymous- www.gamblersanonymous.org
Marijuana Hotline- 212-929-6262
Narcotics Anonymous- 212-929-6262
Narcotics Anonymous-www.NA.org
Heroin Hotline- 800-943-7646
Relapse Hotline- 800-735-2773
National AIDS Hotline- 800-342-2437
Gay Men’s Health Crisis- 212-807-6664
AIDS Center of Queens County- 718-894-2500

PREVENTION EDUCATION PROGRAMS

Each CUNY College is required to develop materials and programs to educate its students, faculty and staff on the nature, dynamics, common circumstances and effects of sexual assault, domestic/intimate partner violence and stalking, and the means to reduce their occurrence and prevent them. These programs should seek to provide the most recent and relevant information, such as education pertaining to bystander intervention, the importance of peer networks and the significance of fostering a community of responsibility.
Prevention education materials and programs must be incorporated into campus orientation activities for all incoming undergraduate and graduate students (including transfers), and is required to be made available to all student activity groups, clubs and athletic teams. In addition, all residence halls are required to have a mandatory orientation on sexual assault, stalking and domestic/intimate partner violence prevention. Colleges are encouraged to assist in the organization of peer education groups and to provide resources to such groups so that the groups can provide training and outreach to other students throughout the academic year. Since the abuse of alcohol is frequently involved in occurrences of sexual assault and other forms of violence, it is important that the education program include education about the deleterious effects of alcohol abuse.

In addition, each College is required to provide periodic training relating to the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence for all relevant personnel, including public safety officers, counselors, student affairs staff and residence hall assistants by experts trained in the field. Education and training must also be made available to any interested faculty and staff member. Each campus must have at least one qualified staff or faculty member serve as a designated liaison and trainer for additional trainings.

Additional information can be found at the following websites:

- Not Alone Federal Website- www.notalone.gov

Public Safety Department recommends doing the following:

- Be aware in library stacks and carrel areas.
- Use passenger elevators rather than stairs.
- Use restrooms in trafficked areas.
- Leave vacated class and meeting rooms promptly.

Domestic Violence and Stalking Education and Prevention- Domestic Violence often spills over to the workplace, usually in the form of stalking behavior. Stalking involves intentional and repeated actions that place an individual in reasonable fear for his or her safety. Stalking, a course of conduct used to maintain contact with, or exercise power and control over another individual, is a crime. According to the New York State Penal Law, stalking is committed when a person intentionally, for no legitimate purpose, engages in a course of conduct directed at a specific person and knows or reasonably should know that such conduct is likely to, or does, cause a particular type of fear or harm. You are being stalked if someone is:

- Repeatedly following or spying on you.
- Repeatedly calling your home and/or work.
- Repeatedly sending unwanted emails, letters, faxes, etc.
- Leaving unwanted gifts or items for you.
- Vandalizing or damaging your property.
- Threatening you or someone close to you.
- Repeatedly showing up, for no legitimate purpose, at places that you go to.

Safety Tips at School and Work- If you are a victim of domestic violence and/or a stalking victim you should contact your local police precinct. If you have obtained an order of protection against your abuser you should notify the Office of Public Safety. You can also take the following precautions while at school or work:

- Provide Public Safety Department with a copy of order of protection and picture of the abuser.
- Keep a copy of the order of protection with you at all times.
- Tell your professor, supervisor or a co-worker about the situation and ask the person to notify 911 and Public Safety in an emergency.
• Have a back-up person if your primary contact is not available.
• Request that your desk be placed in a safe location.
• If possible, have someone screen your calls.

For Further Assistance and Resources:
Public Safety Department (24 Hours) 718-997-5911/12
Police (Emergency) 911
New York City Services (Information) 311
NYC Domestic Violence Hotline (24 Hours) 1-800-621-HOPE
For the Hearing Impaired 1-866-604-5350
NYS Domestic Violence Hotline (English/Spanish) 1-800-942-6906
VINE (Victim Information Notification Everyday) 1-888-VINE-4-NY
  • VINE is a 24 hour automated hotline that provides victims with the release date of inmates that are in the custody of the New York City or State Department of Correction prison system.

DISPLINARY PROCEDURE

The Colleges shall act promptly in response to information that a student has been sexually assaulted by another member of the CUNY community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student, such charges shall be brought pursuant to Article 15 of the CUNY Board of Trustees Bylaws. If the matter is brought before a hearing, the victim and alleged perpetrator are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings at the same time. The victim is entitled to a report of the results of the proceeding at her/his request. If a student is found guilty of committing a sexual assault or other act of violence against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY. Furthermore, please note the following about the disciplinary procedure and victim/accuser rights:

☐ provide a prompt, fair, and impartial investigation and resolution
☐ be conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
☐ the accuser and the accused are entitled to the same opportunity to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice
☐ both the accuser and the accused shall be simultaneously informed, in writing, of:
  • the outcome of the institutional disciplinary proceeding
  • the institution’s procedures for the accused and the victim to appeal the results
  • any change in the results that occurs prior to the time the results become final
  • when the results become final

SANCTIONS DEFINED:
A. Admonition. An oral statement to the offender that he/she has violated university rules.
B. Warning. Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may be cause for more severe disciplinary action.
C. Censure. Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any university regulation within a period stated in the letter of reprimand.
D. Disciplinary Probation. Exclusion from participation in privileges or extracurricular university activities as set
forth in the notice of disciplinary probation for a specified period of time.

E. **Restitution.** Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

F. **Suspension.** Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

G. **Expulsion.** Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.

H. **Complaint to Civil Authorities.**

I. **Ejection.**

**STUDENT DISCIPLINARY PROCEDURES.**

**Complaint Procedures:**

a. Any charge, accusation, or allegation which is to be presented against a student, and, which if proved, may subject a student to disciplinary action, must be submitted in writing in complete detail to the office of the chief student affairs officer promptly by the individual, organization or department making the charge.

b. The chief student affairs officer of the college or his or her designee will conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The chief student affairs officer or his or her designee will advise the student of the allegation against him or her, consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. Following this preliminary investigation, which shall be concluded within thirty (30) calendar days of the filing of the complaint, the chief student affairs officer or designee shall take one of the following actions: (i) Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary actions. The individuals involved shall be notified that the complaint has been dismissed; (ii) Refer the matter to mediation; or (iii) Prefer formal disciplinary charges.

c. In the event that a student withdraws from the college after a charge, accusation or allegation against the student has been made, and the college prefers formal disciplinary charges, the withdrawn student is required to participate in the disciplinary hearing or otherwise to resolve the pending charges and will be barred from attending any other unit of the university until a decision on the charges is made or the charges are otherwise resolved. If the withdrawn student fails to so participate in the disciplinary process without good cause, the college may proceed with the disciplinary hearing in absentia and any decision and sanction will be binding.

**Mediation Conference:**

d. The mediation conference shall be conducted by a qualified staff or faculty member designated by the chief student affairs officer. The following procedures shall be in effect at this conference:

1. An effort will be made to resolve the matter by mutual agreement.

2. If an agreement is reached, the faculty or staff member conducting the conference shall report his/her recommendation to the chief student affairs officer for approval and, if approved, the complainant shall be notified, and a written memorandum shall be created memorializing the resolution and any consequences for noncompliance.

3. If no agreement is reached, or if the student fails to appear, the faculty or staff member conducting the conference shall refer the matter back to the chief student affairs officer who may prefer disciplinary charges.

4. The faculty or staff member conducting the mediation conference is precluded from testifying in a college hearing regarding information received during the mediation conference.

**Notice of Hearing and Charges:**

e. Notice of the charge(s) and of the time and place of the hearing shall be personally delivered or sent by the chief student affairs officer of the college to the student at the address appearing on the records of the college, by certified or overnight mail and by regular mail and e-mail to students who have a college email address. The chief student affairs officer is also encouraged to send the notice of charges to any other e-mail address that he or she may have for the student. The hearing shall be scheduled within a reasonable time following the filing of the charges or the mediation conference. Notice of at least five business days shall be given to the student in advance of the hearing unless the student consents to an earlier hearing.

f. The notice shall contain the following:
1. A complete and itemized statement of the charge(s) being brought against the student including the rule, bylaw or regulation he/she is charged with violating, and the possible penalties for such violation.
2. A statement that the student has the following rights:
   (i) to present his/her side of the story;
   (ii) to present witnesses and evidence on his/her behalf;
   (iii) to cross-examine witnesses presenting evidence against the student;
   (iv) to remain silent without assumption of guilt; and
   (v) to be represented by legal counsel or an advisor at the student's expense.
3. A warning that anything the student says may be used against him/her at a non-college hearing.

Faculty-Student Disciplinary Committee Procedures:

   g. The following procedures shall apply at the hearing before the faculty-student disciplinary committee:
   1. The chairperson shall preside at the hearing. The chairperson shall inform the student of the charges, the hearing procedures and his or her rights.
   2. After informing the student of the charges, the hearing procedures, and his or her rights, the chairperson shall ask the student charged to respond. If the student admits the conduct charged, the student shall be given an opportunity to explain his/her actions before the committee and the college shall be given an opportunity to respond. If the student denies the conduct charged, the college shall present its case. At the conclusion of the college's case, the student may move to dismiss the charges. If the motion is denied by the committee the student shall be given an opportunity to present his or her defense.
   3. Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent thereto, the chairperson may only rule on the sufficiency of the evidence and may exclude irrelevant, immaterial or unduly repetitive evidence. However, if either party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude all persons who are to appear as witnesses, except the accused student.
   4. The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, a tape recording or the equivalent. A student who has been disciplined is entitled upon request to a copy of such a record without cost.
   5. The student is entitled to a closed hearing but has the right to request an open public hearing. However, the chairperson has the right to hold a closed hearing when an open public hearing would adversely affect and be disruptive of the committee's normal operations.
   6. The college bears the burden of proving the charge(s) by a preponderance of the evidence.
   7. The role of the faculty-student disciplinary committee is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a determination as to guilt or innocence. In the event the student is found to have committed the conduct charged, the committee shall then determine the penalty to be imposed.
   8. At the end of the presentations by both sides, the student may introduce additional records, such as character references. The college may introduce a copy of the student's previous disciplinary record, where applicable, provided the student was shown a copy of the record prior to the commencement of the hearing. The disciplinary record shall be submitted to the committee in a sealed envelope and shall not be opened until after the committee has made its findings of fact. In the event the student has been determined to have committed the conduct alleged in the charge or charges the records and documents introduced by the student and the college shall be opened and used by the committee for dispositional purposes, i.e., to determine an appropriate penalty if the charges are sustained.
   9. The committee shall deliberate in closed session. The committee shall issue a written decision,
which shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.

10. The student shall be sent a copy of the faculty-student disciplinary committee's decision within five days of the conclusion of the hearing, by regular mail and e-mail for students who have a college e-mail address. The chief student affairs officer is also encouraged to send the decision to any other e-mail address that he or she may have for the student. The decision shall be final subject to the student's right of appeal.

11. Where a student is represented by legal counsel the president of the college or his or her designee may request that a lawyer from the general counsel's office appear at the hearing to present the college's case.

12. When a disciplinary hearing results in a penalty of dismissal or suspension for one term or more, the decision is a university-wide penalty and the student will be barred from admission to any other unit of the university while the penalty is being served.

13. Disciplinary penalties shall be placed on a student’s transcript and shall remain there unless the committee’s decision, the decision on any appeal under section 15.4 below, or a mediation agreement expressly indicates otherwise.

**Appeals:**

An appeal from the decision of the faculty-student disciplinary committee may be made to the president who may confirm or decrease the penalty but not increase it. His/her decision shall be final except in the case of dismissals or suspension for one term or more. An appeal from a decision of dismissal or suspension for one term or more may be made to the board committee on student affairs and special programs. Any appeal under this section shall be made in writing within fifteen days after the delivery of the decision appealed from. This requirement may be waived in a particular case for good cause by the president or board committees as the case may be. If the president is a party to the dispute, his/her functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor or his or her designee.

**Committee structure:**

a. Each faculty-student disciplinary committee shall consist of two faculty members and two student members and a chairperson, who shall be a faculty member. A quorum shall consist of the chair and any two members, one of whom must be a student. Hearings shall be scheduled promptly (including during the summers) at a convenient time and efforts shall be made to insure full student and faculty representation.

b. The president shall select in consultation with the head of the appropriate campus governance body or where the president is the head of the governance body, its executive committee, three (3) members of the instructional staff of that college to receive training and to serve in rotation as chair of the disciplinary committee. If none of the chairpersons appointed from the campus can serve, the president, at his/her discretion, may request that a chairperson be selected by lottery from the entire group of chairpersons appointed by other colleges. The chairperson shall preside at all meetings of the faculty-student disciplinary committee and decide and make all rulings for the committee. He/she shall not be a voting member of the committee but shall vote in the event of a tie.

c. The faculty members shall be selected by lot from a panel of six elected biennially by the appropriate faculty body from among the persons having faculty rank or faculty status. The student members shall be selected by lot from a panel of six elected annually in an election in which all students registered at the college shall be eligible to vote. In the event that the student or faculty panel or both are not elected, or if more panel members are needed, the president shall have the duty to select the panel or panels which have not been elected. No individuals on the panel shall serve on the panel for more than two consecutive years.

d. In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a student or faculty seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the respective faculty or student panel by lottery.
Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.

Suspension or Dismissal:
The board reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or unit of the university in the use of its facilities or in the achievement of its purposes as an educational institution. The chancellor or his/her designee or a president or his/her designee may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in bylaw section 15.3. to take place within not more than ten (10) business days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation of the theory of the matter. When a student's presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter.

DEFINITIONS OF SEX OFFENSES

Sexual assault is a crime. Under Article 130 of the New York State Penal Law, it is a sex offense to engage in sexual contact or to engage in sexual intercourse, sodomy or sexual abuse by contact without the consent of the victim or where the victim is incapable of giving consent. Criminal sex offenses are classified in degree according to the seriousness of sexual activity, the degree of force used, the age of the victim and the physical and mental capacity of the offender and victim.

See chart below for a list of some of the major sex offenses and their maximum penalties under New York State Law.

Sexual assault is a crime of power, aggression and violence. Terms such as “date rape” and “acquaintance rape” tend to minimize the fact that the act of rape, or any sexual assault, is a serious crime. There is never an excuse or a reason for a person to rape, assault or even touch another person’s private parts without consent. The impact on survivors of such an attack can cause severe and lasting physical, mental and emotional damage.

PERTINENT SEX OFFENSES AND CRIMINAL SANCTIONS UNDER NEW YORK STATE PENAL AND CRIMINAL PROCEDURE LAWS

<table>
<thead>
<tr>
<th>Crime</th>
<th>Illegal Conduct</th>
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| **Rape in the first degree**  
| (PL§ 130.35) | A person is guilty when he or she engages in sexual intercourse with another person by forcible compulsion, with a person who is incapable of consent by reason of being physically helpless (e.g. being asleep, unconscious or due to alcohol or drug consumption), who is less than 11 years old or less than 13 and the actor is 18 or older. | Is a class B felony, with penalties up to 25 years in prison. |
| **Rape in the second degree**  
| (PL§ 130.30) | A person is guilty when being 18 years old or more, he or she engages in sexual intercourse with another person less than 15, or with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. | Is a class D felony, with penalties up to 7 years in prison. |
| **Criminal sexual act in the first degree**  
| (PL§ 130.50) | A person is guilty when he or she engages in oral sexual contact or anal sexual contact with another person by forcible compulsion, or with someone who is incapable of consent by reason of being physically helpless, or with someone less than 11 or with someone less than 13 and the actor is 18 or older. | Is a class B felony, with penalties up to 25 years in prison. |
| **Forcible touching**  
| (PL§ 130.52) | A person is guilty when he or she intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire. | Is a class A misdemeanor, with penalties up to 1 year in jail. |
| **Sexual abuse in the first degree**  
| (PL§ 130.65) | A person is guilty when he or she subjects another person to sexual contact: by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the person is less than 11 years old. | Is a class D felony, with penalties up 7 years in prison. |
| **Aggravated sexual abuse in the first degree**  
| (PL§ 130.70) | A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11. | Is a class B felony, with penalties up to 25 years in prison. |
Aggravated sexual abuse in the third degree (PL § 130.66)

A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11. Is a class D felony, with penalties up to 7 years in prison.

Facilitating a sex offense with a controlled substance (PL § 130.90)

A person is guilty when he or she knowingly and unlawfully possesses a controlled substance or any substance that requires a prescription to obtain to another person, without such person’s consent and with intent to commit against such person conduct constituting a felony, and commits or attempts to commit such conduct constituting a felony defined in Article 30. Is a class D felony, with penalties up to 7 years in prison.

MISSING PERSON PROCEDURES

As part of the recent Higher Ed Opportunity Act, colleges are required to have systems for missing students. Simply put:

- Students over 18 year of age:
  - have the option to identify an individual (of legal age) to be contacted by Queens College/The Summit not later than 24 hours after the time that you, the student, are determined missing
  - may register confidential contact information with The Summit in the event that you are determined to be missing for a period of more than 24 hours.

- Students under 18 years of age (unless formally emancipated):
  - students under 18 years of age should be aware that the institution is required to notify a custodial parent or guardian not later 24 hours after the time that the (-18) student is determined to be missing.

- All Students:
  - should be aware that staff will notify the appropriate law enforcement agency within 24 hours of when the student is determined missing.

The City University of New York Missing Person Policy is available at: [www.cuny.edu/about/administration/offices/sa/policies/MissingPersonswithoutmemo.pdf](http://www.cuny.edu/about/administration/offices/sa/policies/MissingPersonswithoutmemo.pdf)

Admission of Sex Offenders (as provided by the Vice Chancellor’s Office of Legal Affairs)

The college reserves the right to deny admission to any student if in its judgment, the presence of that student on campus poses an undue risk to the safety or security of the college or the college community. That judgment would
be based on an individualized determination taking into account any information the college has about a student’s criminal record and the particular circumstances of the college, including the presence of a child care center, a public school or public school students on the campus.

**Campus Sex Crimes Prevention Act**

The New York State Division of Criminal Justice Services maintains a registry of convicted sex offenders which is available to local law enforcement agencies, including CUNY’s Public Safety Departments. To obtain information about a Level 2 or Level 3 registered sex offender you may:

- Contact the police department in the jurisdiction in which the offender resides and/or in which the college is located.
- Contact **Mr. Pedro Pineiro**, Director of Public Safety, at 718-997-5912.
- Call the Division’s sex offender registry at (800) 262-3257.

To obtain information about Level 3 offenders only, you may:

- Contact the Division’s sex offender registry web site – [http://www.criminaljustice.ny.gov/nsor/contact_sor.htm](http://www.criminaljustice.ny.gov/nsor/contact_sor.htm)
  And then click on “Search for Level 3 Sex Offenses;” or
- Access the Division’s Level 3 subdirectory electronically or via CD – ROM at the college’s public safety department or the local law enforcement agency for the jurisdiction in which the offender resides.

**POLICY LINKS TO:**

THE CITY UNIVERSITY OF NEW YORK CAMPUS AND WORKPLACE VIOLENCE PREVENTION POLICY Is available at: [http://www.qc.cuny.edu/about/security/Pages/default.aspx](http://www.qc.cuny.edu/about/security/Pages/default.aspx), and click on The City University of New York Campus and Workplace Violence Prevention Policy

WORKPLACE VIOLENCE: [http://www.cuny.edu/about/administration/offices/ohrm/pdlm/programs/workplace-violence-prevent.html](http://www.cuny.edu/about/administration/offices/ohrm/pdlm/programs/workplace-violence-prevent.html)

PROCEDURES IMPLEMENTING THE CITY UNIVERSITY OF NEW YORK’S POLICIES ON EQUAL OPPORTUNITY, NON-DISCRIMINATION AND AGAINST SEXUAL HARASSMENT is available at: [http://www.qc.cuny.edu/about/administration/AffirmativeAction/Pages/forms.aspx](http://www.qc.cuny.edu/about/administration/AffirmativeAction/Pages/forms.aspx), and click on CUNY Policies & Procedures on Equal Opportunity, Non-Discrimination, and Against Sexual Harassment

THE CITY UNIVERSITY OF NEW YORK- POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS Is available at: [http://www.qc.cuny.edu/about/administration/AffirmativeAction/Pages/forms.aspx](http://www.qc.cuny.edu/about/administration/AffirmativeAction/Pages/forms.aspx), and click on CUNY Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence Against Student


EQUAL OPPORTUNITY AND NON DISCRIMINATION POLICY: [http://www.cuny.edu/about/administration/offices/la/PEONon-Discrimination12.4.2014.pdf](http://www.cuny.edu/about/administration/offices/la/PEONon-Discrimination12.4.2014.pdf)
QUEENS COLLEGE’S CALENDAR YEARS 2014-2016 CRIME STATISTICS CHART ON THE NEXT PAGE. THE STATISTICS INCLUDED ON THESE CHARTS ARE DERIVED FROM REPORTED CRIMINAL INCIDENTS FROM THE FOLLOWING SOURCES:

1. ALL PUBLIC SAFETY REPORTS
2. ANY REPORTS FROM CAMPUS SECURITY AUTHORITIES
3. LOCAL POLICE PRECINCT
THE CITY UNIVERSITY OF NEW YORK
POLICY ON SEXUAL MISCONDUCT

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I. **Policy Statement**

Every member of The City University of New York community, including students, employees and visitors, deserves the opportunity to live, learn and work free from sexual harassment, gender-based harassment and sexual violence. Accordingly, CUNY is committed to:

1) Defining conduct that constitutes prohibited sexual harassment, gender-based harassment and sexual violence;

2) Providing clear guidelines for students, employees and visitors on how to report incidents of sexual harassment, gender-based harassment and sexual violence and a commitment that any complaints will be handled respectfully;

3) Promptly responding to and investigating allegations of sexual harassment, gender-based harassment and sexual violence, pursuing disciplinary action when appropriate, referring the incident to local law enforcement when appropriate, and taking action to investigate and address any allegations of retaliation;
4) Providing ongoing assistance and support to students and employees who make allegations of sexual harassment, gender-based harassment and sexual violence;

5) Providing awareness and prevention information on sexual harassment, gender-based harassment and sexual violence, including widely disseminating this policy, as well as a “students’ bill of rights” and implementing training and educational programs on sexual harassment, gender-based harassment and sexual violence to college constituencies; and

6) Gathering and analyzing information and data that will be reviewed in order to improve safety, reporting, responsiveness and the resolution of incidents.

This is the sole policy at CUNY addressing sexual harassment, gender-based harassment and sexual violence and is applicable at all college and units at the University. The CUNY community should also be aware of the following policies that apply to other forms of sex discrimination, as well as to other types of workplace violence and domestic violence that affect the workplace:

- The CUNY Policy on Equal Opportunity and Nondiscrimination prohibits discrimination on the basis of numerous protected characteristics in accordance with federal, state and local law. That policy addresses sex discrimination other than sexual harassment, gender-based harassment or sexual violence covered by this policy. Link

- The CUNY Campus and Workplace Violence Prevention Policy addresses workplace violence and the CUNY Domestic Violence in the Workplace Policy addresses domestic violence in or affecting employees in the workplace. Link

In addition, campus crime statistics, including statistics relating to sexual violence, which CUNY is required to report under the Jeanne Clery Act, are available from the Office of Public Safety at each college and/or on its Public Safety website.

II. Prohibited Conduct

A. Sexual Harassment, Gender-Based Harassment and Sexual Violence

This policy prohibits sexual harassment, gender-based harassment and sexual violence (together “sexual misconduct”) against any CUNY student, employee or visitor.

Sexual harassment includes unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic and electronic communications or physical conduct that is sufficiently serious to adversely affect an individual’s participation in employment, education or other CUNY activities.

Gender-based harassment is unwelcome conduct of a nonsexual nature based on an individual’s actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes that is sufficiently serious to adversely affect an individual’s participation in employment, education or other CUNY activities.

Sexual violence is an umbrella term that includes: (1) sexual activity without affirmative consent, such as sexual assault, rape/attempted rape, and forcible touching/fondling; (2) dating, domestic and intimate partner violence; (3) stalking/cyberstalking (“stalking”) as defined in this policy.

The complete definitions of these terms, as well as other key terms used in this policy, are set forth in Section XI below.

B. Retaliation. This policy prohibits retaliation against any person who reports sexual harassment, gender-based harassment or sexual violence, assists someone making such a report, or participates in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence complaint.
C. **Certain Intimate Relationships.** This policy also prohibits certain intimate relationships when they occur between a faculty member or employee and any student for whom he or she has a professional responsibility as set forth in Section X below.

III. **Title IX Coordinator**

Each college or unit of CUNY has an employee who has been designated as the Title IX Coordinator. This employee is responsible for compliance with Title IX of the Education Amendments of 1972, which prohibits sex discrimination, including sexual harassment, gender-based harassment and sexual violence, in education programs. The Title IX Coordinator has overall responsibility for implementing this policy, including overseeing the investigation of complaints at her/his college or unit and carrying out the other functions of that position set forth in this policy. All Title IX Coordinators shall receive annual training on sexual harassment, gender-based harassment and sexual violence as required by law. The name and contact information for all Title IX Coordinators at CUNY can be found on the university’s dedicated Title IX website.

IV. **Immediate Assistance in Cases of Sexual Violence**

A. **Reporting to Law Enforcement**

Students or employees who experience any form of sexual violence on or off-campus (including CUNY-sponsored trips and events) and visitors who experience sexual violence on a CUNY campus are strongly encouraged to immediately report the incident by calling 911, contacting NYPD Special Victims Division or their local police precinct, or contacting their college public safety office, which is available 24 hours a day, 7 days a week. Each college public safety office shall have an appropriately trained employee available at all times to provide the complainant with information regarding options to proceed, including information regarding the criminal justice process and the preservation of evidence. Campus public safety officers can also assist the complainant with filing a complaint both on and off-campus, and in obtaining immediate medical attention and other services.

B. **Obtaining Immediate Medical Attention and Emotional Support**

CUNY is committed to assisting anyone who experiences sexual violence to seek comprehensive medical attention as soon as possible to treat injuries, obtain preventative treatment for sexually transmitted diseases, and preserve evidence, among other things. For rapes in particular, immediate treatment and the preservation of evidence of the incident are important for many reasons, including facilitating a criminal investigation. In addition, individuals who have experienced or witnessed sexual violence are encouraged to seek emotional support as soon as possible, either on or off-campus.

On-campus resources include nurses and/or nurse practitioners at campus health offices and counselors at campus counseling centers. Counselors are trained to provide crisis intervention and provide referrals for longer-term care as necessary.

For off-campus resources, CUNY maintains a list of emergency contacts and resources, including rape crisis centers, available throughout New York City on its dedicated web page. This list includes a designation of which local hospitals are designated as SAFE (Sexual Assault Forensic Examiner) hospitals, which are specially equipped to handle sexual assaults and trained to gather evidence from such assaults.

V. **Reporting Sexual Harassment, Gender-Based Harassment or Sexual Violence to the College**

CUNY encourages individuals who have experienced sexual harassment, gender-based harassment or sexual violence (referred to in this policy as “complainants”) to report the incident(s) to campus authorities, even if they have reported the incident to outside law enforcement authorities, and regardless of whether the incident took place on or off-campus (including “study abroad” programs.) Such reporting will enable complainants to get the support they need, and provide the college with the information it needs to take appropriate action. However, students should be aware that there are employees at their college/unit whom they can speak with on
a strictly confidential basis before determining whether to make a report to college authorities. See Section VI below.

A. **Filing a Complaint with Campus Authorities**

i. **Students**
   Students who experience sexual harassment, gender-based harassment or sexual violence should bring their complaint to one of the following campus officials/offices:
   - Title IX Coordinator;
   - Office of Public Safety;
   - Office of the Vice President for Student Affairs and/or Dean of Students;
   - Residence Life staff

ii. **Employees**
   Employees who experience sexual harassment, gender-based harassment or sexual violence should bring their complaint to one of the following campus officials/offices:
   - Title IX Coordinator;
   - Director of Human Resources;
   - Office of Public Safety.

iii. **Visitors**
   Visitors who experience sexual harassment, gender-based harassment or sexual violence should bring their complaint to one of the following campus officials/offices:
   - Title IX Coordinator;
   - Office of Public Safety;
   - Residence Life staff in CUNY owned or operated housing, including Resident Assistants.

Once any of the individuals or offices above is notified of an incident of sexual harassment, gender-based harassment or sexual violence, she/he will coordinate with the appropriate college offices to address the matter in accordance with this policy, including taking appropriate interim and supportive measures. These individuals will maintain a complainant’s privacy to the greatest extent possible, and all information in connection with the complaint, including the identities of the complainant and the respondent, will be shared only with those who have a legitimate need for the information.

B. **Support Assistance for Complainants**

i. **Students**
   When a Title IX Coordinator receives a complaint of sexual misconduct from a student, she/he will work with the Chief Student Affairs Officer to identify a trained staff member to assist the complainant with support services.

ii. **Employees**
   When a Title IX Coordinator receives a complaint of sexual misconduct from an employee, she/he will work with the Human Resources Director to assist the complainant with support services.

C. **Request that the College Maintain a Complainant’s Confidentiality, Not Conduct an Investigation, or Not Report an Incident to Outside Law Enforcement**

After a report of an alleged incident of sexual harassment, gender-based harassment or sexual violence has been made to the Title IX Coordinator, a complainant may request that the matter be investigated without her/his identity or any details regarding the incident being divulged further. Alternatively, a
complainant may request that no investigation into a particular incident be conducted or that an incident not be reported to outside law enforcement.

In all such cases, the Title IX Coordinator will weigh the complainant’s request against the college’s obligation to provide a safe, non-discriminatory environment for all students, employees and visitors, including the complainant. A decision to maintain confidentiality does not mean that confidentiality can be absolutely guaranteed in all circumstances, but only that all efforts will be undertaken to keep information confidential consistent with law. Notwithstanding the decision of the Title IX Coordinator regarding the scope of any investigation, the college will provide the complainant with ongoing assistance and support, including, where appropriate, the interim and supportive measures set forth in Section VII of this policy.

If the Title IX Coordinator determines that she/he will maintain confidentiality as requested by the complainant, the college will take all reasonable steps to investigate the incident consistent with the request for confidentiality. However, a college’s ability to meaningfully investigate the incident and pursue disciplinary action may be limited by such a request.

In any event, the college is required to abide by any laws mandating disclosure, such as the Jeanne Clery Act and New York’s Campus Safety Act. However, notification under the Jeanne Clery Act is done without divulging the complaint’s identity, and notification of sexual violence under the New York Campus Safety Act is not required and will not be done if the complainant requests confidentiality.

If the Title IX Coordinator determines that the college must report the incident to outside law enforcement, the college will cooperate with any criminal investigation, which may include providing the outside law enforcement agency with any evidence in its possession relating to the incident.

D. **Action by Bystanders and Other Community Members**

While those employees designated as “responsible” employees are required reporters as set forth in Section VI below, CUNY encourages all other community members, including faculty, students and visitors, to take reasonable and prudent actions to prevent or stop an act of sexual harassment, gender-based harassment or sexual violence that they may witness. Although these actions will depend on the circumstances, they include direct intervention, calling law enforcement, or seeking assistance from a person in authority.

In addition, CUNY encourages all community members to report an incident of sexual harassment, gender-based harassment or sexual violence that they observe or become aware of to the Title IX Coordinator, and/or the offices of Public Safety and the Vice President of Students Affairs and/or Dean of Students at their college and, in the case of employees, the Human Resources office. Community members who take action in accordance with this paragraph will be supported by the college, and anyone who retaliates against them will be subject to disciplinary charges.

E. **Amnesty for Drug and Alcohol Use**

CUNY strongly encourages students to report instances of sexual harassment, gender-based harassment or sexual violence as soon as possible, even if those reporting or the alleged victim may have engaged in the inappropriate or unlawful use of alcohol or drugs. Therefore, in accordance with CUNY’s Drug/Alcohol Use Amnesty Policy, a student acting in good faith who reports or experiences sexual harassment, gender-based harassment or sexual violence will not be disciplined by the college for any violation of CUNY’s Policy Against Drugs and Alcohol in connection with the reported incident.

F. **Reporting Suspected Child Abuse**

Certain members of the CUNY community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at CUNY or sponsored by CUNY are required to report immediately to the New York State Maltreatment Hotline if they have reasonable cause to suspect abuse or maltreatment of individuals under the age of 18. Information regarding mandated child abuse reporting is available on the Office of the General Counsel web page. If anyone other than New York State mandated reporters has reasonable cause to believe that a minor is being or has been abused or
maltreated on campus, she/he should notify either the Title IX Coordinator or Director of Public Safety. If any CUNY community member witnesses child abuse while it is happening, she/he should immediately call 911.

G. Reporting Retaliation

An individual may file a complaint with the Title IX Coordinator if she/he has been retaliated against for reporting sexual harassment, gender-based harassment or sexual violence, assisting someone making such a report, or participating in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence complaint. All retaliation complaints will be investigated in accordance with the investigation procedures set forth in Section VIII of this policy, and individuals who are found to have engaged in retaliation will be subject to disciplinary action.

VI. Reporting/Confidentiality Obligations of College and University Employees

An individual who speaks to a college or CUNY employee about sexual harassment, gender-based harassment or sexual violence should be aware that employees fall into three categories: (1) “confidential” employees, who have an obligation to maintain a complainant’s confidentiality regarding the incident(s); (2) “responsible” employees, who are required to report the incident(s) to the Title IX Coordinator; and (3) all other employees, who are strongly encouraged but not required to report the incident(s).

A. Confidential Employees

i. For Students. Students at CUNY who wish to speak to someone who will keep all of the communications strictly confidential should speak to one of the following:

- Counselor or other staff member at their college counseling center;
- Nurse, nurse practitioner or other staff member in the college health office;
- Pastoral counselor (i.e., counselor who is also a religious leader) if one is available at their college; or
- Staff member in a women’s or men’s center, if one exists at their college.

The above individuals will not report any information about an incident to the college’s Title IX Coordinator or other college employees without the student’s permission. The only exception is in the case where there is an imminent threat to the complainant or any other person.

A student who speaks solely to a “confidential” employee is advised that, if the student wants to maintain confidentiality, the college may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. However, these professionals will assist the student in receiving other necessary support. A student who first requests confidentiality may later decide to file a complaint with the college or report the incident to local law enforcement and thus have the incident investigated.

ii. For Employees. Although there is no one directly employed by CUNY to whom CUNY employees can speak on a confidential basis regarding sexual harassment, gender-based harassment or sexual violence, free confidential support services are available through CUNY’s Work/Life Program, which is administered by an outside company. Confidential community counseling resources are also available throughout New York City.

B. “Responsible” Employees

“Responsible” employees have a duty to report incidents of sexual harassment, gender-based harassment or sexual violence, including all relevant details, to the Title IX Coordinator. Such employees are not permitted under any circumstances to maintain a complainant’s confidentiality, except that the Title IX Coordinator may honor a request for confidentiality under the circumstances described in Section V (C) above. However, these employees will maintain a complainant’s privacy to the greatest extent possible, and information reported to them will be shared only with the Title IX
Coordinator, the “responsible” employee’s supervisor, and other people responsible for handling the college’s response to the report.

Before a complainant reveals any information to a responsible employee, the employee shall advise the complainant of the employee’s reporting obligations—and if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

CUNY has designated the following individuals as “responsible” employees:

i. Title IX Coordinator and her/his staff
ii. Office of Public Safety employees (all)
iii. Vice President for Student Affairs and Dean of Students and all staff housed in those offices
iv. Residence Life staff in CUNY owned or operated housing, including Resident Assistants (all)
v. College President, Vice Presidents and Deans
vi. Athletics Staff (all)
vii. Department Chairpersons/Executive Officers
viii. Human Resources staff (all)
x. University Office of the General Counsel employees (all)
xii. Faculty members at times when they are leading or supervising student on off-campus trips
xiii. Faculty or staff advisors to student groups
xiv. Employees who are Managers (all)
xv. SEEK/College Discovery staff (all)
xvi. College Childcare Center staff (all)
xvii. Directors of “Educational Opportunity Centers” affiliated with CUNY colleges

C. All Other Employees

Employees other than those identified in subsections “A” and “B” above are permitted but not required to report any possible sexual harassment, gender-based harassment or sexual violence; however, they are strongly encouraged by CUNY to make such a report.

It is important to emphasize that faculty members other than those specifically identified in subsection “B” above have not been designated as “responsible” employees and do not have an obligation to report the matter to the Title IX Coordinator, although they are strongly encouraged to do so.

VII. Interim and Supportive Measures

The college will take immediate steps to protect the complainant and other affected parties, as well as the college community at large, following an allegation of sexual harassment, gender-based harassment or sexual violence. In general, when taking such interim and supportive measures, the college will seek to minimize the burden on the complainant. The complainant and the respondent shall each be afforded, upon request, a prompt review of the need for and terms of any interim or supportive measure that directly affects him or her and shall be permitted to submit evidence in support of his/her request. The request for such a review shall be made to the college’s Chief Student Affairs Officer, if either the complainant or the respondent is a student or to college’s Director of Human Resources if both the complainant and the respondent are employees. If a request is made in a case involving both a student and an employee, the Chief Student Affairs Officer shall consult with the Director of Human Resources.

A. Types of Interim and Supportive Measures

Interim and supportive measures may include, among other things:

i. Making necessary changes to academic programs, including a change in class schedule, making appropriate accommodations to permit the complainant to take an incomplete or drop a course or courses without penalty, permitting the complainant to attend a class via skype or other
alternative means where appropriate, providing an academic tutor, or extending deadlines for assignments;
ii. Making necessary changes to residential housing situations or providing assistance in finding alternate housing;
iii. Changing an employee’s work assignment or schedule;
iv. Providing the complainant with an escort to and from class or campus work location;
v. Arranging appropriate transportation services to ensure safety;
vi. Prohibiting contact between the complainant and the respondent (“no contact” orders);
vii. Offering counseling services to the complainant, to the respondent, and, where appropriate, to witnesses, through the college Counseling Center or other appropriate college office, or a referral to an off-campus agency;
viii. Providing the complainant assistance in obtaining medical and other services, including access to rape crisis centers;
ix. Providing the complainant assistance with filing a criminal complaint and seeking an order of protection;
x. Enforcing an order of protection;
xii. In exceptional circumstances, seeking an emergency suspension of a student or an employee under applicable CUNY Bylaws, rules, policies and collective bargaining agreements.

B. Process for Review of “No Contact” Orders

The complainant and the respondent shall each be afforded, upon request, a prompt review of the need for and terms of a “no contact” order (including possible modification or discontinuance of the order), and shall be allowed to submit evidence to support their request. The request for such a review shall be made to the college’s Chief Student Affairs Officer, if either the complainant or the respondent is a student, or to the college’s Director of Human Resources, if both the complainant and the respondent are employees. If possible, the college shall establish an appropriate schedule for the complainant and the respondent to access college facilities when they are not being used by the other party to enable both parties to use college facilities to the maximum extent feasible, without violation of the “no contact” order.

VIII. Investigating Complaints of Sexual Harassment, Gender-Based Harassment or Sexual Violence

The college will conduct an investigation when it becomes aware, from any source (including third-parties not connected to the college or university), that sexual harassment, gender-based harassment or sexual violence may have been committed against a student, employee or visitor, unless the complainant has requested that the college refrain from such an investigation and the college has determined that it may do so.

A. The Investigation

The college Title IX Coordinator is responsible for conducting the investigation in a prompt, thorough, and impartial manner. The college Title IX Coordinator shall inform the respondent that an investigation is being commenced and shall provide the respondent with a written summary of the allegations of the complaint. The Title IX Coordinator shall coordinate investigative efforts with other college offices, and may designate another trained individual to conduct all or part of the investigation. A respondent employee who is covered by a collective bargaining agreement may consult with and have a union representative present at any interview of that employee conducted as part of such investigation.

The college Title IX Coordinator shall take prompt and effective steps reasonably calculated to end any sexual harassment, gender-based harassment or sexual violence, including: (i) taking interim measures; (ii) preventing retaliation; (iii) providing the complainant and the respondent with periodic status updates of the investigation and notice of outcome of the investigation; (iv) informing the complainant of her/his right to file a criminal complaint; (v) coordinating with law enforcement
agencies, as appropriate, after consultation with Public Safety; (vi) maintaining all documents of the investigation; and (vii) drafting a report of findings, which is to be submitted to the College President.

B. **Conflicts**

If any administrator designated by this policy to participate in the investigation or resolution of a complaint (including but not limited to the Title IX Coordinator) is the respondent, the College President will appoint another college administrator to perform such person’s duties under this policy. If the President is the respondent, the investigation will be handled by the University Title IX Coordinator or her/his designee.

C. **Mediation**

While mediation is not permitted in cases where sexual violence is alleged, it may be appropriate where sexual harassment or gender-based harassment allegations have been made by a student or employee but there is no allegation of sexual violence. Mediation is a process whereby the parties can participate in a search for fair and workable solutions. Mediation requires the consent of both the complainant and the respondent, but does not require the complainant and respondent to meet face-to-face. Either party, however, has the right to end the mediation at any time and proceed with the investigation process. A respondent who is covered by a collective bargaining agreement may consult with and have a union representative present at any mediation session. Unless the mediation results in a timely resolution agreed to in writing by the complainant, the respondent and the college, the college shall end the mediation and resume the investigation.

D. **Timing**

The college shall make every reasonable effort to ensure that the investigation and resolution of a complaint are carried out as timely and efficiently as possible. However, the college may need to temporarily delay the fact-finding portion of its investigation during the evidence-gathering phase of a law enforcement investigation. Temporary delays may not last more than ten days except when law enforcement specifically requests and justifies a longer delay. While some complaints may require extensive investigation, whenever possible, the investigation of complaints should be completed within sixty (60) calendar days of the receipt of the complaint. If there is a delay in completing the investigation, the Title IX Coordinator shall notify the complainant and the respondent in writing.

E. **Report of Findings**

Following the completion of the investigation, the Title IX Coordinator shall report her/his findings to the College President in writing. Following such report, the College President shall review the complaint investigation report and authorize such action as she/he deems necessary to address the issues raised by the findings. In the event the complainant or the respondent is a student, the report shall also be sent to the Chief Student Affairs Officer. A copy of the report shall be maintained in the files of the Title IX Coordinator.

F. **Disciplinary Action**

Following an investigation, the College President may recommend that disciplinary action be commenced against the respondent student or employee.

i. ** Discipline Against Students**

In cases where a student is charged with a violation of this policy, including retaliation, the matter shall be referred to the college’s Office of Student Affairs and action shall be taken in accordance with Article XV of the CUNY Bylaws, which contains the student disciplinary process at CUNY. Under the student disciplinary process, complainants have the same right as respondents to receive notice of the charges, to attend and participate fully in a disciplinary
hearing, to be represented by an attorney or advisor of their choice, to receive notice of the
decision of the faculty-student disciplinary committee, and to appeal. Penalties for students
instituted after a hearing before the faculty-student disciplinary committee range from a
warning to suspension or expulsion from the University.

ii. **Discipline Against Employees**

In cases where an employee is charged with a violation of this policy, including retaliation,
the matter shall be referred for disciplinary action in accordance with the applicable CUNY
policies, rules and collective bargaining agreements. Penalties for employees include
reprimand, suspension or termination of employment following applicable disciplinary
procedures. For many respondent employees, these procedures may include a hearing before
a non-CUNY fact-finder, as required by collective bargaining agreements.

iii. **Action Against Visitors**

In cases where the person accused of sexual harassment, gender-based harassment or sexual
violence is neither a CUNY student nor a CUNY employee, the college’s ability to take action
against the accused is extremely limited. However, the college shall take all appropriate
actions within its control, such as restricting the visitor’s access to campus. In addition, the
matter shall be referred to local law enforcement for legal action where appropriate.

iv. **No Disciplinary Action**

In cases where a determination is made not to bring disciplinary action, the Title IX
Coordinator shall inform the complainant and the respondent of that decision
contemporaneously, in writing, and shall offer counseling or other support services to both the
complainant and the respondent.

G. **Malicious Allegations**

Members of the CUNY community who make false and malicious complaints of sexual harassment,
gender-based harassment or sexual violence, as opposed to complaints which, even if erroneous, are
made in good faith, may be subject to disciplinary action.

H. **Relationship of CUNY’s Investigation to the Action of Outside Law Enforcement**

In cases where the complainant files a complaint with outside law enforcement authorities as well as
with the college, the college shall determine what actions to take based on its own investigation. The
college may coordinate with outside law enforcement authorities in order to avoid interfering with their
activities and, where possible, to obtain information regarding their investigation. Neither a law
enforcement determination whether to prosecute a respondent, nor the outcome of any criminal
prosecution, is dispositive of whether the respondent has committed a violation of this policy.

I. **Filing External Complaints**

Complainants have the right at any time to file complaints with the Office for Civil Rights (“OCR”) of
the U.S. Department of Education, alleging violations of Title IX, and to file complaints with other
appropriate agencies alleging violations of other federal, state or local laws. Contact information for
OCR and other relevant agencies is set forth on the [CUNY Title IX web page](#).

IX. **College Obligations Under This Policy**

In addition to addressing possible violations of this policy, colleges/units of CUNY have the following
obligations:
A. Dissemination of Policies, Procedures and Notices

The college Title IX Coordinator, in coordination with the Office of Student Affairs, Office of Public Safety, Human Resources Department and other appropriate offices, is responsible for the wide dissemination of the following on her/his campus: (i) this Policy; (ii) CUNY’s Notice of Non-Discrimination; (iii) the Title IX Coordinator’s name, phone number, office location, and email address; and (iv) contact information for the campus Public Safety Office. Such dissemination shall include posting the documents and information on the college website and including it in any student or faculty handbooks and in residence life materials. In addition, the Students’ Bill of Rights, which is appended to and made a part of this policy, must be distributed to any individual reporting an incident of sexual misconduct at the time the report is made. It must also be distributed annually to all students, made available on the college’s website and posted in college campus centers and in CUNY owned and operated housing.

B. Training and Educational Programming

The college Title IX Coordinator, in coordination with other applicable offices, including Public Safety, Human Resources and Student Affairs, is responsible for ensuring that the college provides training to college employees on their obligations under this policy; provides education on this policy and on sexual misconduct (including domestic violence, dating violence, stalking and sexual assault) to new and continuing students; and promotes awareness and prevention of sexual harassment, gender-based harassment and sexual violence among all students and employees. Specific required trainings include the following:

i. Training For Responsible and Confidential Employees

The college shall provide training to all employees who are required to report incidents of sexual harassment, gender-based harassment or sexual violence under this policy, as well as those employees who have been designated as confidential employees.

ii. Student Onboarding and Ongoing Education

Each college shall adopt a comprehensive student onboarding and ongoing education campaign to educate students about sexual misconduct, including domestic violence, dating violence, stalking, and sexual assault. During the student onboarding process, all new first-year and transfer students shall receive training on this policy and on a variety of topics relating to sexual misconduct. In addition, each college shall offer and administer appropriate educational programming to residence hall students, athletes, and student leaders. Each college shall also provide such educational programming to any other student groups which the college determines could benefit from education in the area of sexual harassment, gender-based harassment and sexual violence. The college shall also share information on domestic violence, dating violence, stalking and sexual assault prevention with parents of enrolling students.

C. Campus Climate Assessments

Each college of the University shall conduct, no less than every other year, a climate assessment using an assessment instrument provided by the University central office, to ascertain its students’ general awareness and knowledge of the University’s policy and procedures regarding sexual misconduct, including but not limited to student experiences with and knowledge of reporting, investigation and disciplinary processes. The assessment instrument shall include all topics required to be included under applicable law, including Section 129-B of the New York State Education Law. The University shall publish the results of the surveys on its Title IX web page. The published results shall not contain any information which would enable a reader to identify any individual who responded to the climate assessment.

X. Rules Regarding Intimate Relationships
A. **Relationships between Faculty or Employees and Students**

Amorous, dating or sexual activity or relationships ("intimate relationships"), even when apparently consensual, are inappropriate when they occur between a faculty member or employee and any student for whom he or she has a professional responsibility. Those relationships are inappropriate because of the unequal power dynamic between students and faculty members and between students and employees who advise or evaluate them, such as athletic coaches or workplace supervisors. Such relationships necessarily involve issues of student vulnerability and have the potential for coercion. In addition, conflicts of interest or perceived conflicts of interest may arise when a faculty member or employee is required to evaluate the work or make personnel or academic decisions with respect to a student with whom he or she is having an intimate relationship. Finally, if the relationship ends in a way that is not amicable, the relationship may lead to charges of and possible liability for sexual harassment.

Therefore, faculty members and other employees are prohibited from engaging in intimate relationships with students, for whom they have a professional responsibility, including undergraduates, graduate and professional students and postdoctoral fellows.

For purposes of this section, professional responsibility for a student means responsibility over academic matters, including teaching, counseling, grading, advising for a formal project such as a thesis or research, evaluating, hiring, supervising, coaching, making decisions or recommendations that confer benefits such as admissions, registration, financial aid, other awards, remuneration, or fellowships, or performing any other function that might affect teaching, research, or other academic opportunities.

B. **Relationships between Supervisors and Employees**

Many of the concerns about intimate relationships between faculty members or employees and students also apply to relationships between supervisors and employees they supervise. Those relationships therefore are strongly discouraged. Supervisors shall disclose any such relationships to their supervisors in order to avoid or mitigate conflicts of interest in connection with the supervision and evaluation of the employees with whom they have an intimate relationship. Mitigation may involve the transfer of either the supervisor or employee, reassigning the responsibility to evaluate the employee to a different supervisor, or other appropriate action.

For purposes of this section, supervising an employee means supervising in an employment setting, including hiring, evaluating, assigning work, or making decisions or recommendations that confer benefits such as promotions, raises or other remuneration, or performing any other function that might affect employment opportunities.

XI. **Definitions of Terms in this Policy**

A. **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 may be initially given but withdrawn at any time. 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 order to give consent, one must be of legal age (17 years or older). Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. 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 lack of consciousness or being asleep, being involuntarily restrained, or if the 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. When consent is withdrawn or can longer be given, sexual activity must stop.
B. **Complainant** refers to the individual who alleges that she/he has been the subject of sexual harassment, gender-based harassment or sexual violence, and can be a CUNY student, employee (including all full-time and part-time faculty and staff), or visitor. Under this policy, the alleged incident(s) may have been brought to the college’s attention by someone other than the complainant.

C. **Complaint** is an allegation of sexual harassment, gender-based harassment or sexual violence made under this policy.

D. **Dating, Domestic and Intimate Partner Violence** is a pattern of coercive behavior that can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an intimate partner. Such violence may occur in all kinds of intimate relationships, including married couples, people who are dating, couples who live together, people with children in common, same-sex partners, and people who were formerly in a relationship with the person abusing them.

E. **Forcible Touching/Fondling** is intentionally touching the sexual or other intimate parts of another person without the latter’s consent for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire.

F. **Gender-Based Harassment** is unwelcome conduct of a nonsexual nature based on an individual’s actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes that is sufficiently serious to adversely affect an individual’s participation in employment, education or other CUNY activities. The effect will be evaluated based on the perspective of a reasonable person in the position of the complainant. An example of gender-based harassment would be persistent mocking or disparagement of a person based on a perceived lack of stereotypical masculinity or femininity.

G. **Managers** are employees who have the authority to either (a) make tangible employment decisions with regard to other employees, including the authority to hire, fire, promote, compensate or assign significantly different responsibilities; or (b) make recommendations on tangible employment decisions that are given particular weight. Managers include vice presidents, deans, directors, or other persons with managerial responsibility, including, for purposes of this policy, department chairpersons and executive officers.

H. **Rape and Attempted Rape** is the penetration or attempted penetration, no matter how slight, of any body part by a sex organ of another person, without the consent of that person.

I. **Respondent** refers to the individual who is alleged to have committed sexual harassment, gender-based harassment or sexual violence against a CUNY student, employee, or visitor.

J. **Retaliation** is adverse treatment of an individual as a result of that individual’s reporting sexual harassment, gender-based harassment or sexual violence, assisting someone with a report of sexual harassment, gender-based harassment or sexual violence, or participating in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence report. Adverse treatment includes threats, intimidation and reprisals by either a complainant or respondent or by others such as friends or relatives of either a complainant or respondent.

K. **Sexual Activity** is

- penetration, however slight, of the vulva or the anus by the penis, hand/fingers or other object;
- contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
- intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person; or
- intentional touching, either directly or through the clothing of any other body part, with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

L. **Sexual Assault** is any form of sexual activity that occurs without consent.
M. **Sexual Harassment** is unwelcome conduct of a sexual nature, including but not limited to unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic and electronic communications or physical conduct of a sexual nature when:

i. submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual’s employment or academic standing or is used as the basis for employment decisions or for academic evaluation, grades, or advancement (quid pro quo);

or

ii. such conduct is sufficiently serious that it alters the conditions of, or has the effect of substantially interfering with, an individual’s educational or work experience by creating an intimidating, hostile, or offensive environment (hostile environment). The effect will be evaluated based on the perspective of a reasonable person in the position of a complainant.

Conduct is considered “unwelcome” if the individual did not request or invite it and considered the conduct to be undesirable or offensive.

While it is not possible to list all circumstances that might constitute sexual harassment, the following are some examples of conduct that might constitute sexual harassment depending on the totality of the circumstances:

i. Inappropriate or unwelcome physical contact or suggestive body language, such as touching, groping, patting, pinching, hugging, kissing, or brushing against an individual’s body;

ii. Verbal abuse or offensive comments of a sexual nature, including sexual slurs, persistent or pervasive sexually explicit statements, questions, jokes or anecdotes, degrading words regarding sexuality or gender, suggestive or obscene letters, notes, or invitations;

iii. Visual displays or distribution of sexually explicit drawings, pictures, or written materials; or

iv. Undue and unwanted attention, such as repeated inappropriate flirting, staring, or making sexually suggestive gestures.

For purposes of this policy, sexual harassment also includes acts that violate an individual’s right to privacy in connection with her/his body and/or sexual activity such as:

i. Recording images (e.g. video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;

ii. Disseminating images (e.g. video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure;

iii. Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person’s consent.

N. **Sexual Misconduct** is sexual harassment, gender-based harassment or sexual violence, as defined in this policy.

O. **Sexual Violence** is an umbrella term that includes: (1) sexual activity without affirmative consent, such as sexual assault rape/attempted rape, and forcible touching/fondling; (2) dating, domestic and intimate partner violence; (3) stalking as defined below.

P. **Stalking** is intentionally engaging in a course of conduct directed at a specific person with whom the perpetrator currently has, previously has had, or desires to have, some form of sexual or romantic relationship, that:

1. is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or

2. causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a
member of such person’s immediate family or a third party with whom such person is acquainted; or

3. is likely to cause such person to reasonably fear that her/his employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

Q. **Visitor** is an individual who is present at a CUNY campus or unit but is not a student or an employee.
CUNY students who experience campus-related sexual or gender-based harassment or sexual violence, including sexual assault, stalking, domestic violence, intimate partner violence or dating violence, are entitled to the following rights:

- To report the incident to your campus.
- To report the incident to the University or campus public safety department and/or to file a criminal complaint with the NYPD, or to choose not to report.
- To receive assistance from your campus or others in filing a criminal complaint, which may include seeking an Order of Protection.
- To describe the incident only to those campus officials who need the information in order to properly respond and to repeat the description as few times as practicable.
- To request that the campus file conduct charges against the respondent(s). The decision on whether to bring charges rests with the campus.
- To be protected by your campus from retaliation for reporting the incident, and to have any allegations of retaliation addressed by the campus.
- To receive assistance and resources from your campus, including confidential and free on-campus counseling, and to be notified of other available services on- and off-campus, including, among other resources, the New York State Office of Victim Services.
- To receive assistance in seeking necessary medical services or treatment, including a Sexual Assault Forensic Examination (SAFE exam), on or off campus.
- To obtain, where appropriate, changes with respect to campus academic and living arrangements, no-contact orders, and other interim remedial measures to enable you to continue your education without undue stress or trauma.
- To have your complaints handled respectfully by the campus, and to be informed about how the campus will protect your privacy and confidentiality.
- To have your complaint investigated in a prompt, impartial and thorough manner by individuals who have received appropriate training in conducting investigations and the issues related to sexual harassment and sexual violence, and to be accompanied by a person of your choice at all meetings or hearings related to the process.
- To have your complaint against a student adjudicated by individuals who have received appropriate training on issues related to sexual harassment and sexual violence.
- To report incidents of sexual harassment or sexual violence that you experience while under the influence of alcohol or drugs without receiving discipline for your alcohol or drug use.
- To have the same opportunity as the respondent(s) to participate in a student disciplinary hearing before a faculty-student disciplinary committee, including the right to be present, to be assisted by a person of your choice, including an attorney, to present evidence, call witnesses, cross-examine witnesses, have your prior sexual history with persons other than the respondent(s) excluded from the hearing, have your prior mental health diagnosis and/or treatment excluded from the hearing, receive written notice of the outcome of the hearing, and to appeal from the decision.
- To participate in the investigative and disciplinary processes of the campus without interference with your civil rights or practice of religion.

Questions about CUNY’s sexual misconduct policy and procedures may be directed to your campus Title IX Coordinator. Information on resources and the process for filing a complaint is available on CUNY’s Title IX web page.
Policy adopted by the Board of Trustees on 12/1/2014 Cal. 4.C., with effective date of 1/1/2015. Amended by the Board of Trustees on 10/1/2015. Cal. 6.B.
QUEENS COLLEGE CUNY RESIDENCE HOUSING “THE SUMMIT”

The Summit at Queens College is the first residence housing facility that opened its doors in the fall of 2009. The Summit is located in the heart of the 77 acre campus, just south of Reeves Ave and 153rd Street. The low-rise, U-shaped building accommodates 506 beds; it is fully furnished and has three wings of varying stories to complement the heights of the surrounding buildings. This residence facility houses both faculty and students. Located beneath the structure of the residence hall is a parking garage designed to facilitate residents parking only. All residents are required to have a Queens College resident I.D. card and an access key to gain entry at the 24-hour security desk. The connecting residence buildings are equipped with closed-circuit security cameras throughout the building, along with a state of the art fire monitoring system.

Appendix 1

CUNY RESIDENCE HALL DISCIPLINARY PROCEDURES

I. Introduction

These procedures are intended to apply to all CUNY owned and/or operated residence halls, including those operated by CUNY and those operated by a private company on behalf of CUNY. The purpose of these procedures is to protect the health and safety of the entire residence hall community by providing for discipline of students who live in residence halls who violate the rules governing student conduct applicable to CUNY students. At the same time, these procedures are designed to ensure that the due process rights of student residents accused of engaging in inappropriate conduct is respected.

II. Applicable Rules of Conduct

All students who live in CUNY residence halls are expected to behave lawfully and responsibly. They are expected not to engage in conduct that threatens or causes harm to others or interferes with the working or learning environment of others. All resident students must comply with local, state and federal laws, including the Henderson Rules (N.Y. State Education Law, Article 129-A) and with CUNY and College policies, including College rules governing appropriate conduct in the residence hall. Students who violate their College’s rules concerning behavior in the residence hall will be subject to discipline under these residence hall disciplinary procedures. To the extent that the conduct at issue also violates local, state or federal law (including the Henderson Rules) or other CUNY or College policies, a student will be subject to discipline under Article XV of CUNY’s Bylaws (“Article XV”) as an alternative to disciplinary proceedings invoked under these residence hall procedures. In cases in which the conduct is serious and the sanction might involve suspension or expulsion from the University, rather than a sanction solely relating to future conduct and tenure at the residence hall, Article XV procedures should be invoked instead of residence hall disciplinary procedures.

Further, if a student’s conduct threatens harm to him or herself or others or substantially disrupts the learning or working environment of others, and is connected to a mental health or other medical issue, that conduct should be addressed under CUNY’s Medical Withdrawal and Re-entry Policy and Procedures (“Medical Withdrawal Policy”).

III. Emergency Situations

A. Emergency interim removal

If a resident’s behavior presents an immediate, severe and direct threat to him or herself or others (by evidencing a likelihood of harm to him or herself or others), or is substantially disrupting the learning or working environment of others, the resident may be removed from the residence hall for a period not to exceed seven
business days, pending the results of administrative proceedings or, where mental health issues are present, psychological evaluation.

The fact that a resident has threatened to commit or attempted to commit suicide, however, may not, in and of itself, be used as the basis for an emergency interim removal. In such a circumstance, the resident shall be referred to a mental health professional under the Medical Withdrawal Policy for an assessment of whether the resident presents a direct threat to him or herself or others.

Following an emergency interim removal of a student, the next step in the applicable and appropriate process (either under these procedures, the Medical Withdrawal Policy, or Article XV) should be taken as soon as soon as practicable, and in no event later than the time deadlines outlined in the applicable policy.

B. Emergency interim relocation

A student may be relocated from one area of a residence hall to a different location in that building or, if applicable, to a different building in the complex. This relocation may be made permanent or temporary until a permanent space is located by the residence hall staff. The interim relocation shall become immediately effective without prior notice whenever there is evidence that the student’s continued presence in the current residence poses a significant disruption to other persons or property or to the stability and continuance of normal housing functions.

Following an emergency interim relocation of a student, the next step in the applicable and appropriate process (either under these procedures, the Medical Withdrawal Policy, or Article XV) should be taken as soon as practicable, and in no event later than the time deadlines outlined in the applicable policy.

IV. Disciplinary Process in the Residence Hall

A. Role of the Residence Hall Peer Review Board

Whether its residence hall is managed by a CUNY college directly or by a private company, each college is encouraged to establish a Residence Life Peer Review Board (“Peer Review Board”) in its residence hall, comprised of students who live in the residence hall, which will play a significant role in the internal disciplinary process. The Peer Review Board process provides the opportunity for students to function as leaders in their residential communities and offers accused students the opportunity to have their behavior evaluated by their peers. If the college establishes a Peer Review Board, it must establish a selection and training process for Peer Review Board members, with requirements for a minimum GPA consistent with the College’s requirements for Student Government representatives.

The Peer Review Board’s role will be to preside at internal residence hall disciplinary hearings, if practicable. The Peer Review Board members will be advised and supported by a professional staff member of the residence hall. That advisor will review the recommendations of the Peer Review Board after each hearing, particularly the sanctions recommended, as discussed below.

The Peer Review Board will adjudicate at a hearing if its members have been selected and trained, and if the hearing can occur in a timely fashion during the semester (and not during exam, break or holiday periods). If the Board is unavailable to adjudicate, the Residence Hall Director or designee will preside.

B. Role of the Residence Hall Director

Each residence hall, whether managed directly by a CUNY college or by a private management company, will have a director whose responsibilities will include oversight of the residence hall internal disciplinary process. The Residence Hall Director (“RHD”) or designee will conduct investigations of complaints and conciliation conferences and will also either advise the Peer Review Board during disciplinary hearings or will conduct those hearings if it is impracticable for the Peer Review Board to do so.
V. Disciplinary Procedures

A. Complaint and Investigative Process

A complaint may be submitted by anyone, including resident advisors (“RAs”), residence hall staff, or other students in the residence hall. The complaint must be in writing. Intentionally providing false information is a serious offense that will subject a person providing such intentionally false information to disciplinary action. Further, retaliation of any kind against witnesses or other participants in the investigative process is strictly prohibited and may result in separate disciplinary action.

The complaint should be submitted to the RHD or designee for investigation, with a copy provided to the College’s Chief Student Affairs Officer. The RHD or designee will assess the incident and identify any alleged policy violations. If he or she determines that policies may have been violated, he or she will investigate by interviewing witnesses and gathering relevant documents. Investigations should be completed within thirty days, except that they must be completed within seven days if the student has been removed from the residence hall under the emergency interim removal procedure or if the student has been relocated within the residence hall or complex under the emergency interim relocation procedure.

After the investigation has been completed, the RHD or designee will determine if residence hall, CUNY and/or College policy was violated. If so, the RHD or designee will refer the incident for informal conciliation through the residence hall’s procedures. Alternatively, in the event of a determination (in consultation with the College’s Chief Student Affairs Officer) that the matter presents a serious violation of CUNY and/or College policies (including but not limited to the Henderson Rules) for which the appropriate sanction might involve suspension or expulsion from the University, the RHD or designee will refer the case to the College’s Chief Student Affairs Officer for further action under Article XV of CUNY’s Bylaws or, if applicable and appropriate, the Medical Withdrawal Policy.

B. The Conciliation Process

The first step in the conciliation process ordinarily should be a meeting between the accused student and the RHD or designee. In cases involving minor infractions, a policy clarification notice letter may be sent in lieu of initiating the conciliation process. Should the student wish to contest the policy clarification letter and have a Conciliation Conference instead, the student must send a written request for a Conference to the RHD within five business days from receipt of the policy clarification letter.

The RHD or designee will conduct the Conciliation Conference. At the Conference, the findings of the investigation will be discussed with the student with an effort toward resolving the case. There are three potential outcomes to a Conciliation Conference. First, the case may be resolved by mutual agreement, which may include the imposition of sanctions for violations of policy (if a student admits responsibility for such violations). Second, if no agreement is reached, the matter may proceed to a formal disciplinary hearing. Third, if the student effectively demonstrates that the investigation’s findings are incorrect, the allegations may be dismissed as unfounded.

Failure to attend an assigned Conciliation Conference may result in the student being charged with an additional violation of residence hall rules and the scheduling of a disciplinary hearing.

C. Disciplinary Hearing

1. Notice to Students

Notice of the charge(s) and the time and place of the hearing must be sent to the student’s college e-mail address and, by regular mail or hand delivery, to the student’s residence hall address or by regular mail to the student’s other current resident address, if the student is no longer living in the residence hall (or, if unknown, the student’s permanent home address). The notice must contain a summary of the student’s procedural rights at the hearing, as listed below. The student should be given a minimum of five business days’ notice of the date of the hearing.
2. **Summary of Student Procedural Rights at the Hearing**

- The right to a confidential closed hearing.
- The right to present the student’s version of the incident.
- The right to present witnesses and documentary evidence on the student’s behalf.
- The right to cross-examine witnesses presenting evidence at the hearing.
- The right to receive copies of documents introduced into evidence at the hearing.
- The right to be represented by legal counsel or an advisor at the student’s expense; the advisor does not act as an advocate for the resident and is not authorized to address the Peer Review Board or Hearing Officer, as applicable. The advisor must indicate relevant professional affiliation (if any), as well as name and relationship to the accused student. RAs are not permitted to serve as advisors to accused students. The process will not be delayed due to the unavailability of an advisor.
- The right to take written notes during the hearing, but not to use recording devices. The RHD’s office, however, will be responsible for recording the hearing, and must make a copy of that recording available to the student upon request.
- The right to a written decision based on a preponderance of the evidence.
- The right to appeal a determination after a hearing.

3. **General Rules**

In general, the model for the disciplinary hearing is an administrative proceeding, not a criminal or civil trial. Accordingly, criminal or civil trial procedures and rules of evidence do not apply. As long as the student rights outlined in this policy are observed, adjudicator(s) have considerable discretion with respect to procedural requirements so as to facilitate a fair and expeditious decision.

Hearings will be closed to the public, except that an open hearing may be held, at the discretion of the presiding adjudicator(s), if requested by the accused student. The Peer Review Board must select three members to hear each case and one of the three as chairperson to preside at the hearing. The case against the accused student will be presented by the RHD or designee.

The chairperson of the Peer Review Board (or Hearing Officer) will inform the accused student of the charges, the hearing procedures, and his or her rights. The student shall then be asked for a plea of “responsible” or “not responsible.” If the student pleads “responsible,” he or she will be given an opportunity to explain his or her actions and to discuss the appropriate sanction, if any. If the student pleads “not responsible,” the hearing will proceed to determination on the student’s culpability.

If the accused student does not attend the hearing, and does not present a reasonable excuse for non-attendance to the RHD or designee, the hearing may be held in the student’s absence. The Peer Review Board, or Hearing Officer, as applicable, will consider the evidence and make a determination based on the evidence available. The absence of a student may give rise to an inference of responsibility, but may not be treated, by itself, as sufficient to demonstrate responsibility by a preponderance of the evidence.
4. **Witnesses**

The accused student and Peer Review Board or Hearing Officer, as applicable, may request the presence of relevant witnesses. In sensitive cases, including but not limited to harassment or assault, the Peer Review Board or Hearing Officer, as applicable, may choose not to request the presence of the alleged victim at the hearing, particularly when there are independent witnesses to the alleged harassment or assault.

Witnesses may participate in the judicial process by answering questions posed during the hearing or by providing a signed statement to the RHD or the Peer Review Board or Hearing Officer, as applicable. Witnesses will be asked to affirm that their statements are truthful. Questions may be posed to witnesses by Peer Review Board members or the Hearing Officer (as applicable), the accused student, and the staff member presenting the case against the student.

5. **Documentary Evidence**

Accused students may introduce documentary evidence on their behalf at the hearing. CUNY adheres to federal law, the Federal Education Rights and Privacy Act (“FERPA”), which governs the permissible release of “education records.” Education records include records relating to students’ residency in residence hall. Except in emergency situations or for other good cause, requested copies will be provided to an accused student prior to a disciplinary hearing on that student’s case. However, redactions will be made to the copies if required by law.

6. **Determination**

a. **Responsibility**

Once all of the evidence is presented, the hearing will be adjourned for the Peer Review Board, or the Hearing Officer, as applicable, to make a determination. A student will be found responsible for a violation of residence hall rules if the case against the student was demonstrated by a preponderance of the evidence. In other words, the evidence must demonstrate that it was “more likely than not” that the accused student was responsible for a violation. A simple majority of the three Peer Review Board members hearing a case may recommend a determination and sanctions. That recommendation on responsibility and sanctions will be reviewed by the Peer Review Board’s advisor, who may make adjustments as necessary to ensure that the sanctions are appropriate.

A written decision will be issued and appropriate sanctions, if any, imposed, within seven business days from the date of the hearing. The decision will be sent by the RHD by regular mail to the accused student’s residence hall mailbox or delivered by hand to the accused student’s room and to the student’s college e-mail address. In the event that the accused student is no longer residing in the residence hall, the RHD will send the decision to the student’s new address, or, if unknown, to the student’s permanent home address.

b. **Sanctions**

Students who are found responsible for a violation(s) may be subject to one or more sanctions. Accused students may also agree to sanctions in order to resolve a case during the conciliation process. The following is a list of possible sanctions.

**Warning**: Written notice that the student has violated a rule and that continuation or repetition of the wrongful conduct may result in more severe disciplinary action.

**Censure**: Written reprimand for violation of a specified rule.

**Loss of Privileges**: Exclusion from participation in privileges for a specified period of time, including possible exclusion from certain areas of the residence hall.

**Relocation**: Interim or permanent relocation to another room/location within the hall.

**Restitution**: Reimbursement for damage to or misappropriation of property. It may also include restoring the property to its original condition, engaging in activities related to personal and/or academic growth and reflection, and/or providing service to the residence hall community.

**Denial of renewal**: Denial of renewal option for future residence at the hall.
**Residence Hall Suspension:** Exclusion from the residence hall for a specified period of time, after which the student is eligible to return. It may also include specified conditions for re-admission.

**Expulsion:** Permanent separation of the student from the residence hall and termination of a student’s housing or license agreement, as applicable.

**D. Appeal**

Students found responsible for violations after a disciplinary proceeding may submit a written appeal (via their email account or by regular mail) to the RHD. Unless the student has been subject to emergency interim removal or the written determination after the proceeding states that the student presents a direct threat to him or herself or others (by evidencing a likelihood of harm to him or herself or others), or is substantially disrupting the learning or working environment of others, the student may not be removed from the residence hall while his or her appeal is pending.

The appeal should include a written statement outlining the specific issues for which review is sought, and the grounds upon which exception is taken to the determination. Grounds for appeal are limited to the following:

- There is evidence that was not available at the hearing which had it been available, would in all reasonable likelihood have produced a different finding on the student’s responsibility for the alleged violation(s).

- The factual findings are “clearly erroneous” based on the evidence presented.

- There was a substantial procedural irregularity the sanctions imposed are grossly disproportionate to the violation.

The Appeal Officer will be the RHD, as long as he or she was not involved in an earlier stage of the proceedings at the Hearing or Conciliation Conference, and did not conduct the investigation. If the RHD had involvement with the case at an earlier stage, he or she should designate a staff member to decide the appeal. If there are no residence hall staff members who have not been involved in an earlier stage of the proceeding or investigation, the appeal will be decided by the College’s Chief Student Affairs Officer or designee. The Appeal Officer may, in his or her discretion, schedule a meeting with the student or decide the appeal solely on the content of the letter. The Appeal Officer may alter the findings if they are clearly erroneous, may reduce the sanctions imposed, and/or, in some cases, may remand for additional fact-finding to be made at a hearing. A determination on the Appeal should be issued within seven business days from the date of receipt of the appeal, and it should be mailed by regular mail or hand-delivered to the residents residence hall address (or the resident’s current address, if no longer living in the residence hall, or, if unknown, to the resident’s permanent home address) and the resident’s college e-mail address.

If and only if the sanction imposed is suspension or expulsion from the residence hall, a further appeal to the College’s President will be permitted on any of the grounds listed above. That appeal must be received by the College’s President no later than fourteen business days from the date of receipt of the Appeal Officer’s decision on appeal. The College’s President should issue a decision within fourteen business days from the date of receipt of the Appeal.

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RESIDENTIAL FIRE SAFETY POLICIES

Introduction

University Housing and Campus Code Compliance and Fire Safety at the City University of New York at Queens College in compliance with the Higher Education Opportunity Act (HEOA) have developed an annual fire safety report. This document summarizes the reporting components required by the Act. Campus Code Compliance and Fire Safety and University Housing are committed to providing students with fire safety training and a fire safe, living, learning community.

FIRE SAFETY

All rooms and apartments are equipped with smoke detectors. Each apartment is equipped with a sprinkler system. Several fire alarm pull stations are located on each corridor. This equipment is monitored to ensure that it is in good working condition. If an emergency situation arises and you use the fire extinguisher, the extinguisher must be recharged. You must notify your RA and/or the RA on duty the time the emergency occurred and contact The Summit Office and/or the security desk. Failure to notify The Summit may result in disciplinary action, as well as a fee to recharge the extinguisher and any resulting damages to the property. Also, if the smoke detector in your room beeps because of a weak battery, please submit a work order through the Resident Portal.

Any person, who sets off a false alarm, interferes with the operation of the alarm system, or damages or removes any part of the alarm system for purposes other than those related to fire safety (including, but not limited to fire extinguishers, smoke detectors, sprinkler systems, or removes an exit sign) is subject to severe disciplinary sanction.

Fire Safety Equipment

Fire equipment saves lives! Tampering with smoke detectors, intentionally causing false fire alarms, hanging items from sprinkler heads, propping fire and smoke doors open, discharging a fire extinguisher, or tampering with other safety equipment could result in personal tragedy and, additionally, criminal charges, fines, University disciplinary action, and/or termination of a resident's housing contract.

All rooms are equipped with smoke detectors and a sprinkler system. Fire alarm pull stations are located on each floor. Tampering with fire safety equipment or setting off a false alarm makes the system ineffective and endangers the lives of other residents and will be considered a violation of the NYFD rules and regulations.

Fire Alarms and Fire Drills

For resident safety, a fire drill will be conducted each semester. When a fire alarm sounds, residents should follow the instructions on the back of their room door. Fire drills, false alarms, and genuine fire alarms are unidentifiable. Whenever the fire alarm sounds everyone MUST evacuate the building. Even in a building designed to be resistant to fire, a small wastebasket fire can quickly fill an area with smoke and deadly gases. Smoke is the major cause of death from fires within residence halls. For this reason, residents should be certain to close their room doors and windows when evacuating in order to retard the spread of smoke. Hallway and stairwell fire doors should be closed at all times. Residents cannot re-enter the building until the Public Safety Personnel, Fire Department or Residential Life/Housing staff, gives an “all clear” signal.

Residents who fail to evacuate a residence hall building during a fire alarm or who do not follow the directives of Fire, Public Safety, or Residence hall staff will be referred to the University disciplinary system for judicial action. Obstructing a doorway, exit, stairwell, or room door is a serious safety hazard.

CAUTION: Building fire alarms may stop ringing. It they stop, do not return to the building unless notified by the Fire Department or Public Safety.

Know the location of fire alarm pull stations, fire extinguishers, and exits.
**Fire Extinguishers**

Fire extinguishers will be charged, available, and operable at all times. Tampering with fire extinguishers is a serious offense and could lead to disciplinary action and/or dismissal from the City University of New York.

**Fire Alarms/Evacuation Procedures**

Residents should assume that the sounding of any alarm is valid and promptly evacuate. At the sound of the alarm, all residents are required to quickly and calmly exit the building. After evacuating, do not re-enter the building for any purpose until emergency personnel directs you to do so. Failure to comply with re-entry instructions, and/or evacuate during an alarm will subject you to disciplinary action from the College staff.

**Summit Evacuation Procedures**

**Emergency Information**

Usually evacuation procedures concern a working fire; however there may be other reasons that a building may have to be evacuated. Examples of this may be a bomb threat; a chemical spill in a lab; a police action; a power failure; or other situation where it would be in the best interest of the occupants to evacuate.

Do not use elevators. Remain calm.

All residents should evacuate by the stairwell closest to their apartment and should exit the building by using the closest exit (Emergency exit or not) to that stairwell. Upon activation of the fire alarm, all occupants will immediately exit the building using the nearest exit stairwell and proceed across the street from the building (minimum of 50 feet). In cases of inclement weather, Public Safety will open Fitzgerald gym so that all may gather on the 1st floor. In cases where smoke has spread to the gym, all residents should gather in the Dining Hall. A headcount will be taken by Summit Staff at this time. Excessive smoke or the smell of gas is reason to immediately evacuate even if no announcement was heard. Evacuation floor plans are posted on each floor by the elevator throughout the building. Close windows and doors. Leave lights on and doors unlocked. When you evacuate, do not stop for personal belongings or records. If there is excessive smoke, crawl to an exit. If you are unable to exit, stay low and plug all openings around doors, windows and vents. If you find yourself trapped, dial 718-997-5912 and give them your location, room number and floor. Before entering another room or stairwell, check for heat by placing your hand near the door. Summit Staff that are familiar with the evacuation procedures will alert on their assigned floor to follow their emergency procedures. Disabled persons will enter the closest stairwell and await NYFD to assist them in exiting the building. A “runner” should be dispatched to tell the responding officer (fire or police) the location of the handicapped individual(s), so that a rescue can be initiated. Building occupants must immediately advise the responding Public Safety Officers of the possibility and location of any persons who have not yet evacuated the buildings due to injury or incapacitation.

No one is permitted to re-enter an evacuated building until the building is determined to be safe by the emergency service personnel and NYFD advises that re-entry into the building is permitted.

**Fire Safety: Prohibited Actions and Items**

All students are expected to observe the following fire safety regulations:
• Smoking inside any part of The Summit
• Use of halogen lamps or neon signs
• Failure to comply with procedures established for health, maintenance and safety concerns
• Use and/or possession of fireworks, firecrackers, or dangerous/flammable chemicals
• Use of an open flame (e.g. candle, incense, cigarette, cigar, etc.) inside any part of The Summit
• Interference or tampering with fire safety equipment including smoke detectors and/or sprinkler equipment fire extinguishers, alarm pull stations, etc.
• Movement and/or alteration of furniture, fixtures, and/or property without prior written permission from the Director or Assistant Director or his/her designee
• Use and/or possession of appliances in rooms which have open or exposed heating elements (e.g. hot plates, toaster ovens, space heaters, sunlamps, halogen lamps)
• All appliances without U.L. approval Use of refrigerators in personal bedrooms in excess of 2.5 amps
• Microwaves over 600 watts.
• “Piggy-backing” surge protectors is prohibited and plugging more than one surge protector in an outlet
• Any substance that potentially could cause fire, damage, or explosion is not permitted inside the residence halls. This provision includes kerosene heaters and fuel, fuel containers for motorcycles or motor vehicles, as well as candles, open flames, fragrance pots, blow torches, bottled propane, and similar burning devices.
• Should you see or smell smoke, immediately pull the nearest fire alarm, leave the building, and call the Mankato Fire Department by calling 911 from a safe area. Be prepared to give the following information:
  o Location of fire
  o Building and room number (if known)
  o Your name and telephone number
  o Stay on the line until the dispatcher releases you
  o Do not attempt to put out a fire if you are endangering your own safety or the safety of others.
  o Do not use elevators. Power may fail causing the elevator to stop between floors or elevator doors may open onto the fire floor.
  o Disabled persons who are unable to move down the stairwells should move to a stairwell. Caution should be used as to not block traffic.
  o Immediately notify rescue personnel of any person left in the building along with their locations.

**Candles/Holiday Decorations**

Holiday and other celebrations that typically involve the lighting of candles and/or string lighting may be observed, with permission of the Management, only in a common area downstairs visible to Security, and only if conducted in a manner that does not trigger fire safety systems. Examples of such events include, but are not limited to the lighting of the Menorah during Hanukah, lighting of the Kinara during KWANZAA, or the lighting of Christmas trees during Christmas. These rules apply to such occasions:
• Candle, incense, or other open flames are not permitted, even as decorations; this includes birthday, Shabbat, yarzeit and holiday candles.

• Garbage Bags or other flammable material may not be used for decorations.

• Room/apartment and individual lights may not be covered for any reason.

• Live trees are prohibited; artificial trees made of aluminum or any other metal may not be wired with tree lights.

• Doors: Summit entrance doors, doors and windows in other public areas, and doors in student rooms may be decorated in a manner that does not deface or damage property, create a fire hazard or result in resident complaints. No more than 50% of doors may be covered at any time. Material that is difficult to remove or might result in damage, such as artificial snow, is not permitted.

• Decorations that violate any established policies are prohibited.

• Empty alcohol bottles may not be used as decorations of any sort.

• All lights or other decorations must be approved by the RA for your area.

• Extension cords may not be used.

• No protrusion through/around windows or screens.

• Any structures or decorations that do not meet the standards set by The Summit Office and the Fire Marshal will be taken down immediately. If the required changes are not made, The Summit Staff reserves the right to remove all structures from the room and bill the resident for the cost of removal. Failure to remove or redesign items may result in a disciplinary action.

**Fire Exits**

The fire exits are for emergency use only. These exits are alarmed and monitored. Other than during emergencies, entrance to and exit from the building is only at the main entrance, which is serviced by security officers. Improper use of fire exits may result in disciplinary action, up to and including License Agreement termination.

Neither The Summit nor Queens College is responsible for loss or damage to personal property of residents. We encourage you to carry personal property insurance. If applicable, you should check your parents’ policy to see if your property is covered in your room or apartment unit.

**Reporting:**

Fires should be reported to Resident Hall Director and staff, Public Safety Department and/or FDNY.

Resident Hall Director: 718-997-4881
SAFETY DEFINITIONS

**Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or who dies within one year of injuries sustained as a result of the fire.

**Fire Safety System:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire, including:
- sprinkler or other fire extinguishing systems
- fire detection devices
- stand-alone smoke alarms
- devices that alert one to the presence of a fire, such as horns, bells, or strobe lights
- smoke-control and reduction mechanisms
- fire doors and walls that reduce the spread of a fire.

**Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including:
- contents damaged by fire
- related damages caused by smoke, water, and overhaul
- but *not* including indirect loss, such as business interruption

**RESIDENTIAL FIRE SAFETY OVERVIEW:**

<table>
<thead>
<tr>
<th>Safety Feature</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Fire Alarm</td>
<td>YES</td>
</tr>
<tr>
<td>Fire Extinguishers</td>
<td>YES</td>
</tr>
<tr>
<td>Room Smoke Detectors</td>
<td>YES</td>
</tr>
<tr>
<td>Manual Pull Stations</td>
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</tr>
<tr>
<td>Fire Sprinklers</td>
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</tr>
<tr>
<td>Fire Alarm Systems</td>
<td>YES</td>
</tr>
<tr>
<td>Central Monitor system</td>
<td>YES</td>
</tr>
<tr>
<td>Connected to IFA</td>
<td>YES</td>
</tr>
<tr>
<td>Standpipe</td>
<td>YES</td>
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</tbody>
</table>
Fire Drills Conducted   YES (3 times a year)  

RESIDENTIAL FIRE SAFETY REPORT STATISTICS 2015  
Housing Area(s) Summit 64-80 Kissena Blvd.  

<table>
<thead>
<tr>
<th>FIRE SAFETY REPORT 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Fire Fires</td>
</tr>
<tr>
<td>Number of Injuries</td>
</tr>
<tr>
<td>Related to Fires</td>
</tr>
<tr>
<td>Number of Deaths</td>
</tr>
<tr>
<td>Related to Fires</td>
</tr>
<tr>
<td>Value of Property</td>
</tr>
<tr>
<td>Damage Caused by Fires</td>
</tr>
</tbody>
</table>

ALCOHOL AND SUBSTANCE ABUSE PROGRAM  
The college’s Alcohol/Substance Abuse Program is a part of the Department of Student Development/Student Affairs. The purpose of this program is to:  
1. Educate students about alcohol and substance abuse.  
2. Identify students with problems related to alcohol and substance abuse.  
3. Intervene in the lives of students who are affected by such abuse.  
4. Provide counseling and/or referral for students with problems.  

Strategies for Education and Prevention of Alcohol and Substance Abuse  
1. College-wide workshops on substance abuse that focus on drugs, alcohol, cigarettes, and food.  
2. Ongoing availability of pamphlets, books, videos, and audios designed to heighten awareness and provide information on the subject.  
3. Individual and group counseling and referral.