

QUEENS COLLEGE
65-30 KISSENA BLVD
FLUSHING, NY 11367

MR. PEDRO PINEIRO
DIRECTOR OF PUBLIC SAFETY
718-997-4443

2014



Annual Security and Fire Report

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, sexual assault, and other matters.

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. Follow the links above to discover more about QC, and the people and programs that distinguish it.

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 or 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.

The College updates and advises the campus community about security procedures, including those related to hate crime, via the Annual Security Report.

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 Harassment, Including Sexual Assault and Sexual Misconduct, Stalking and Dating/Intimate Partner/Domestic Violence

Reporting Incidents of Sexual Harassment, Including Sexual Assault and Sexual Misconduct, Stalking and 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 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: Rufus Massiah, Deputy Director of Public Safety and Security, Public Safety Office at the Main Gate, 718-997-5912/5911, rufus.massiah@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, Public Safety Office at Jefferson Hall, Room 201, 718-997-4443, pedro.pineiro@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 for emergency, non-emergency and investigative response. The department consists of 20 Peace Officers assigned to patrol the campus.

Additionally, the college employs 23 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 Notification & Response

A. CUNY ALERT SYSTEM

The college participates in the University-wide CUNYALERT System. Upon activation by the college, this system sends messages during emergency events via email, text message and telephone (land-line/cellular). This system is tested monthly for administrative users and one (1) full scale test of the system to all users (students/faculty/staff) annually. New students and employees are also provided with information on signing up for CUNYALERT at orientations. A notification will be sent upon confirmation of a significant emergency (unless such notification presents an undue safety risk).

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.

Publications 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 located at the Main Gate, has hard copies of this report.

Public Safety Awareness & 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.

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.

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

RULES AND REGULATIONS FOR THE MAINTENANCE OF PUBLIC ORDER PURSUANT TO ARTICLE 129-A OF THE EDUCATION LAW (THE "HENDERSON RULES.")

The tradition of the University as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedom: the rights of professors to teach, of scholars to engage in the advancement of knowledge, of students to learn and to express their views, free from external pressures or interference. These freedoms can flourish only in an atmosphere of mutual respect, civility, and trust among teachers and students, only when members of the University community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

Academic freedom and the sanctuary of the University campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom. Against such offenders the University has the right, and indeed the obligation, to defend itself.

We accordingly announce the following rules and regulations to be in effect at each of our colleges which are to be administered in accordance with the requirements of due process as provided in the Bylaws of the Board of Higher Education.

With respect to enforcement of these rules and regulations we note that the Bylaws of the Board of Higher Education provide that:

"**THE PRESIDENT**: The president, with respect to his education unit, shall:

- a. Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his jurisdiction;
- b. Be the advisor and executive agent of the Board and of his respective College Committee and as such shall have the immediate supervision with full discretionary power in carrying into effect the Bylaws, resolutions, and policies of the Board, the lawful resolutions of the several faculties;
- c. Exercise general superintendence over the concerns, officers, employees, and students of his educational unit."

1. 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.

2. PENALTIES

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1-11 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 substantive Rules 1-11 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 substantive Rules 1-11 shall be subject to ejection, and/or arrest by the civil authorities.

4. Any organization which authorized the conduct prohibited under substantive rules 1-11 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.

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 the Board of Higher Education Bylaws.

In emergency or extraordinary circumstances, immediate suspension can be effectuated pending a hearing within seven (7) school 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

a. 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:

b. 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.

c. 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.

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

The City University of New York is a caring community committed to promoting the physical, intellectual, social and ethical development of all individuals. The inappropriate use of alcohol, tobacco, and illicit drugs threatens the health and safety of students, employees, their families and the general public, and adversely impairs performance. In addition to promoting health, safety, and a positive learning and working environment, the City University is committed to preventing alcohol- and other drug-related problems among all members of the University community. All members of the City University/Queens College community are expected to abide by the laws of the city, state, and federal government (Board of Trustees Bylaws, Article XV, Section 15.1). Queens College will not serve as a sanctuary, and cannot insulate its students, faculty and staff from the consequences of illegal acts, including prosecution under the law.

Illicit Drugs: The legislature of the State of New York and federal statutes has made the possession, sale, or purchase of certain drugs without authorization a crime. The unlawful manufacture, possession, distribution, dispensing, possession, or use of such drugs on City University/Queens College property or at City University/Queens College-sponsored activities is prohibited. Anyone determined to have violated this policy will be subject to the appropriate penalties. All members of the college community are expected to abide by the city, state, and federal statutes that have made the possession, sale, or purchase of illegal drugs a crime.

As a condition of employment, any employee of the City University/Queens College must notify his/her supervisor if he/she is convicted of a drug-related offense involving the workplace within five (5) days of conviction. Pursuant to the Drug-Free Workplace Act of 1988, 34 CFR §85.635, the University is then required to notify the appropriate granting or contracting federal agency within ten (10) days of receiving notice of any such conviction.

Alcohol: New York State law prohibits selling or giving alcohol to any “visibly intoxicated person.” Possession and consumption of alcohol are illegal under New York State law for those under 21 years of age. The unlawful manufacture, possession, distribution, dispensing, or use of alcohol on City University/Queens College property or at City University/ Queens College-sponsored activities is prohibited. Anyone determined to have violated this policy will be subject to the appropriate penalties.

Tobacco: Smoking is prohibited in all college buildings and in the Student Union. These standards of conduct and policies are consistent with the City University’s desire to promote health and safety and are in accordance with the requirements of the Drug- Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101–226). City University/Queens College will continue their efforts to maintain an environment free from the unlawful possession, use, and distribution of alcohol and other drugs.

Health Risks Associated with Illicit Drugs, Alcohol and Tobacco

Illicit Drugs: Numerous independent studies have documented the serious health consequences posed by the use of illicit drugs: addiction/dependence, physiological damage and intellectual, psychological, or emotional breakdown. Altered perception and behavior under the influence of certain drugs can also cause accidents.

Alcohol: Alcohol (ethanol) is toxic to the human body. It is a central nervous system depressant that slows bodily functions such as heart rate, pulse, and respiration. Taken in large quantities, it progressively causes intoxication, sedation, and unconsciousness—and can lead to death. Alcoholics can consume large quantities of alcohol without appearing to be uncontrolled or drunk. Nevertheless, alcoholism causes severe emotional, physical, and psychological damage. Prolonged heavy drinking can damage various organs, resulting in disorders such as cirrhosis of the liver, heart disease, pancreatitis, and cancer. It can also lead to gastrointestinal irritation (nausea, diarrhea, gastritis, and ulcers), malnutrition, sexual dysfunction, high blood pressure, lowered resistance to disease, and possible irreversible brain and nervous system damage. Alcoholism can also lead to a wide variety of problems involving one's emotional, family, work, and social life.

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 nervous 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.

DRUG, ALCOHOL & TOBACCO ABUSE

Tobacco: The U.S. Department of Health & Human Services, the American Psychiatric Association, and the World Health Organization have determined that nicotine, the chief component of tobacco, is a highly addictive drug. Forty years ago, the first report of the U.S. Surgeon General was issued on the impact of tobacco use on health. This 1964 report presented stark conclusions: that cigarette smoking causes lung cancer and is the most significant cause of chronic bronchitis. The report specifically linked tobacco smoking with emphysema and other forms of cancer. The health hazards of tobacco use are now well documented and directly linked to the death of an estimated 390,000 Americans a year.

Recent studies have shown that mere exposure to environmental tobacco smoke is associated with the occurrence of many diseases, such as lung cancer and heart disease in nonsmokers and low birthrate in the offspring of nonsmokers.

Because environmental tobacco smoke represents one of the strongest sources of indoor air contaminants in buildings where smoking is permitted, the City University has adopted a policy that prohibits smoking inside all University facilities (buildings). College presidents are free to impose a total ban on smoking on their grounds, or provide for limited smoking areas outside of buildings, a set distance from a building's entrance.

The Health Service Center can provide help, referrals, or information about smoking cessation. In addition, activities are scheduled each November in conjunction with the "Great American Smoke-out" as well as smoking cessation workshops open to the campus community.

Illicit Drugs and Alcohol: If you are experiencing difficulty with alcohol or chemical dependency, Queens College can help you find counseling services or rehabilitation programs that will help you with your problem.

Students may be referred to the Vice President for Student

Affairs (718-997-5500) or the College Counseling &

Resource Center (718-997-5420) by members of the instructional staff or may seek assistance directly. The Vice

President may take disciplinary action as required, or recommend that the student meet with a counselor for appropriate referral or assistance through self-help organizations or other outside intervention agencies. Serious health risks, documented by the medical community, accompany the use and abuse of alcohol and drugs.

Employees will, at the request of their supervisor, be asked to meet with a counselor. The counselor, after an interview, may recommend appropriate assistance through self-help organizations or other outside intervention such as drug rehabilitation or employee assistance programs. Employees may also seek such assistance on their own.

College Resources, Self-Help and Referral Services, 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 Task Force against Sexual Assault: Open Monday through Friday, 9 am–5 pm, 212-274-3210. Provides free literature, referrals to counseling services, and holds networking meetings for professionals in the field.

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: 212-807-0197. 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

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

Detoxification and Outpatient/Inpatient Rehabilitation Facilities

New York County

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

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

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

Kings County

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

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

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

Queens County

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

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

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

Bronx County

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

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

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

Richmond County**Nassau County**

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

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

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

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

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

Nassau Health Care Corporation
2201 Hempstead Tpke.
East Meadow, NY 11554
(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/>

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

16. REPORTING AND PREVENTION OF SEXUAL ASSAULT, HARASSMENT AND SEXUAL MISCONDUCT OFFENSES, 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 any sort, is a form of discrimination prohibited by Title IX. The U.S. Department of Education's Office for Civil Rights defines this type of harassment as unwelcome conduct of a sexual nature that can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct, implicated by dating or domestic violence, social or electronic stalking and other adverse activity, creates a "hostile environment" when sufficiently severe or pervasive to limit or interfere with a student's ability to participate in educational activities.

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: Rufus Massiah, Deputy Director of Public Safety and Security, Public Safety Office at the Main Gate, 718-997-5912/5911, rufus.massiah@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

Sexual Misconduct Policy: <http://www.cuny.edu/about/administration/offices/la/Policy-on-Sexual-Misconduct-12-1-14-with-links.pdf>

Student Sexual Misconduct Complainants' Bill of Rights:
<http://www.cuny.edu/about/administration/offices/la/CUNYStudentSexualMisconductComplainantsBillofRights120214.pdf>

16b. Definitions of Crimes that Must Be Reported Pursuant to VAWA

The Violence Against Women Reauthorization Act of 2013 (“VAWA”), added additional categories of crimes to the Clery Act that CUNY’s schools are now required to report.

Domestic Violence

“**Domestic violence**” includes felony or misdemeanor crimes of violence committed by an intimate partner or former intimate partner of the victim.

Intimate partner includes persons legally married to one another, persons formerly married to one another, persons who have a child in common, regardless of whether such persons are married or have lived together any time, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

New York State has multiple laws addressing domestic violence, and the definition is broad. Generally, domestic and intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic and intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

Dating Violence

“**Dating violence**” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Like domestic violence, dating violence includes a pattern of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

The length of the relationship, the type of relationship and the frequency of contact, whether in person or by other forms of communication, are factors that help determine whether a dating relationship exists.

Stalking

“**Stalking**” is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear or emotional distress.

Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person's home or place of business, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).

Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal. For instance, sending a birthday card or flowers or standing across the street from someone's house is not a crime. When these actions are part of a course of conduct that would cause a reasonable person to be afraid or to feel emotional distress, they are illegal.

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 or sexual violence that she/he may witness. Taking action 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 a(n) incident of sexual harassment or sexual violence 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.

Definition of Sexual Harassment

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other oral or written communications or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing; or
2. submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or abusive work or academic environment.

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individuals of unequal power (such as between a faculty member and student, supervisor and employee, or tenured and untenured faculty members), it may also occur between individuals of equal power (such as between fellow students or coworkers), or in some circumstances even where it appears that the harasser has less power than the individual harassed (for example, a student sexually harassing a faculty member).

A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

Examples of Sexual Harassment

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment (known as *quid pro quo* harassment) include, but are not limited to, the following:

- requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations);
- submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the target does find, and a reasonable person would find, that an intimidating, hostile, or abusive work or academic environment has been created. Examples of this kind of sexual harassment (known as hostile environment harassment) include, but are not limited to, the following:

- sexual comments, teasing, or jokes;

- sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;
- graphic or sexually suggestive comments about an individual's attire or body;
- inquiries or discussions about sexual activities;
- pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- sexually suggestive letters or other written materials;
- sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling;
- coerced sexual intercourse or sexual assault.

SEXUAL HARASSMENT & ASSAULT

Consensual Relationships

Amorous, dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor, or other member of the CUNY community and any person for whom he/she has a professional responsibility. These dangers can include: that a student or employee may feel coerced into an unwanted relationship because he/she fears that refusal to enter into the relationship will adversely affect his/her education or employment; that conflicts of interest may arise when a faculty member, supervisor, or other member of the CUNY community is required to evaluate the work or make personnel or academic decisions with respect to an individual with whom he/she is having a romantic relationship; that students or employees may perceive that a fellow student or coworker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty members, supervisors, and other members of the CUNY community who have professional responsibility or other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

For purposes of this section, an individual has "professional responsibility" for another individual at CUNY if he/she performs functions including, but not limited to, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits such as promotions, financial aid or awards or other remuneration, or that may impact upon other academic or employment opportunities.

Academic Freedom

This policy shall not be interpreted so as to constitute interference with academic freedom.

False and Malicious Accusations

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

Procedures

The City University of New York has developed procedures to implement this policy. The president of each constituent college of CUNY, the Senior Vice Chancellor at the Central Office, and the Dean of the Law School shall have ultimate responsibility for overseeing compliance with this policy at his/her respective unit of CUNY. In addition, each dean, director, department chair, executive officer, administrator, or other person with supervisory responsibility shall be required to report any complaint of sexual harassment to the individual or individuals designated in the procedures.

All members of the University community are required to cooperate in any investigation of a sexual harassment complaint.

Enforcement

There is a range of corrective actions and penalties available to the University for violations of this policy. Any student, faculty, or staff member who is found, following applicable disciplinary proceedings, to have violated this policy is subject to various penalties, including termination of employment and/or student expulsion from CUNY.

Confidentiality

The privacy of individuals who bring complaints of sexual harassment, who are accused of sexual harassment, or who are otherwise involved in the complaint process should be respected, and information obtained in connection with the filing, investigation, or resolution of complaints will be handled as confidentially as possible. It is not possible, however, to guarantee absolute confidentiality, and no such promises should be made by the Sexual Harassment Coordinator, a Deputy Coordinator, Awareness & Intake Committee member, or other CUNY employee who may be involved in the complaint process.

Making a Complaint of Sexual Harassment

Any member of the CUNY community may report allegations of sexual harassment to the Sexual Harassment Coordinator, a deputy coordinator, or any member of the Awareness & Intake Committee. Employees who are covered by collective bargaining agreements may either use their contractual grievance procedures, within the time limits provided in those agreements, to report allegations of sexual harassment; or, they may report such allegations directly to the Sexual Harassment Coordinator, a deputy coordinator, or a member of the Sexual Harassment Awareness & Intake Committee. Members of the CUNY community who believe themselves to be aggrieved under the policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint may make it more difficult for the college to investigate the allegations.

In the event that a student or employee on an assignment off campus files a complaint, the Sexual Harassment Coordinator should investigate the complaint promptly. Students who participate in field placement assignments should be informed, prior to reporting to the assignment, of CUNY's procedures regarding complaints of sexual harassment while on field placement assignments.

Responsibilities of Supervisors

- a. Each dean, director, department chair, executive officer, administrator, or other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of the policy and must report to the Sexual Harassment Coordinator, or in his/her absence a deputy coordinator, any complaint of sexual harassment or any incident of sexual harassment that he/she becomes aware of or reasonably believes to exist. Having reported such complaint or incident, the supervisor should keep it confidential and not disclose it further, except as necessary during the complaint process.
- b. Each supervisor shall arrange for the posting, in his/her area, of the University Policy against Sexual Harassment and the names, titles, telephone numbers, and office locations of the college Sexual Harassment Coordinator, deputy coordinators and Awareness & Intake Committee members. Other materials provided to a supervisor by the Sexual Harassment Awareness & Intake Committee should also be posted.

Responsibilities of the University Community-at-Large

Members of the CUNY community who become aware of allegations of sexual harassment should encourage the aggrieved individual to report the alleged sexual harassment to the Sexual Harassment Coordinator, a deputy coordinator, or any member of the Awareness & Intake Committee.

SEXUAL HARASSMENT COORDINATORS

The President has designated the following persons as the college's Sexual Harassment Coordinators, responsible for investigating complaints made to members of the college's Sexual Harassment Awareness & Intake Committee.

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

SEXUAL HARASSMENT AWARENESS & INTAKE COMMITTEE

The President has designated the following persons to serve on the college's Sexual Harassment Awareness & Intake Committee. Complaints of sexual harassment may be made to any member of the committee.

Ms. Tsui-Fang Shen
Health & Wellness Advisor
Frese Hall, Room 303, 718-997-2762

Mr. Brian DeMasters
Athletics Department
Fitzgerald Gym, Room 204, 718-997-2777

Ms. Denise Gordon
Buildings and Grounds
L-1, 718-997-3520

SEXUAL ASSAULT AND OTHER SEXUAL OFFENSES

Contact: Security & Public Safety Office,
718-997-4443; Main Gate, 718-997-5912

In compliance with Section 6450 of the New York Education

Law, the college provides the following information about sexual assault, encourages reporting of any incident of sexual assault and other sexual offenses, and sets forth measures to facilitate its prevention.

Possible sanctions for sex offenses (forcible or non-forcible), following an on-campus disciplinary procedure (if the perpetrator is found guilty by the Faculty Student Disciplinary

Committee), can range from a reprimand and a letter in the student's file in the Office of the Vice President for Student Affairs to suspension or expulsion of the student.

Support Services for Victims of Assault

Any member of the Queens College community who has been the victim of sexual assault (including past sexual trauma) can turn to several campus support services. Information about these services, including current hours of operation (which are subject to change), are listed below.

Contact: College Counseling & Resource Center

Frese Hall, 1st floor – Reception Area, 718-997-5420

Faculty and staff as well as students may use the Counseling & Resource Center, which is open 9 am–5 pm, Monday through Friday, and Wednesday, 5–7 pm when classes are in session. Experienced psychologists and counselors (male and female), trained to deal with the consequences of sexual- assault trauma, are on hand to provide crisis intervention, in-office counseling, referral to other support services and self-help groups, and ongoing psychotherapy when indicated. The center can also refer victims to community based support groups and professional organizations. Help can be provided, when requested, to assist in changing academic or living situations after an alleged incident.

All counseling is confidential, and no fee is involved.

Health Service Center

Frese Hall, 3rd floor, 718-997-2760

Web site: www.qc.cuny.edu/Health_Services

Hours: Monday–Friday, 9 am to 5 pm

The Health Service Center is the campus's health ambulatory/ infirmary site. A registered nurse provides walk-in services to students, faculty, and staff who are injured or require medical assistance. Assistance is also provided for disabled students. The center ensures that all students meet the New York State Health Immunization mandate Public Health Law 2165. Free MMR, TB, and flu clinics are scheduled during the year for students and faculty who meet certain criteria. Scales for height/weight, eye tests for drivers, as well as blood pressure monitoring, health care referrals, and counseling are available. In addition, nutritional counseling is available from a nutritionist/health and wellness advisor.

The staff conducts ongoing health education workshops and lectures, as well as providing individual counseling on HIV/AIDS, STDs, substance and alcohol abuse, safer sex, birth control, nutrition, hypertension, cardiovascular disease, women's and men's health, stress reduction, and other health and wellness issues. First aid supplies and feminine hygiene products are provided for those in need of them.

Health insurance information is also available.

The staff is especially sensitive to the needs of students, and preventive health care is a high priority.

All health records and consultations are strictly confidential.

REPORTING PROCEDURES

If a student wishes to report the occurrence of a sex offense, he or she should be guided by the following procedures:

1. Report the incident to the Department of Public Safety at (718) 997-5912. A formal report will be made of the allegation and a copy of the report will be forwarded to the Office of Counseling and Advisement; or
2. Report the incident to the College's Dean for Student Affairs/Student Development, who at the student's request, will contact the Department of Public Safety to commence an appropriate investigation; or
3. A student can call the New York City Police Department or 911, or go directly to a hospital. 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.**
4. 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.

Files relating to sex offenses are kept confidential by the Department of Public Safety and by the Office of Student Affairs/Student Development, unless otherwise required by law or CUNY policy.

Educational Programs

There are ongoing programs, workshops, and seminars sponsored by the college, student organizations, and student governments that are designed to promote awareness of rape, acquaintance rape, and other sex offenses. Look for notices of such programs in college newspapers, the Student Union program listings, and other college calendars of events. An online calendar is available via the college's website (www.qc.cuny.edu).

Off-Campus Resources

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 Task Force against Sexual Assault: Open Monday through Friday, 9 am–5 pm, 212-274-3210. Provides free literature, referrals to counseling services, and holds networking meetings for professionals in the field.

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: 212-807-0197. Provides short-term crisis counseling, advocacy services, and referrals for long-term counseling.

Don't Victimize Others

- Any form of sex that is against a person's will is against the law. Do not risk your career or a possible prison term.
- It is never okay to force yourself on another person. No one owes sexual payment or deserves sexual assault. The fact that you paid for an expensive date or your date is wearing provocative clothing does not give you permission for sexual contact.
- If you have doubts about what your date wants, stop and ask. Discuss your sexual desires (and limits) openly. Believe in your right and your date's right to set limits.
- Do not assume that previous permission for sexual contact applies to the current situation.
- When someone says no to sex, she/he isn't rejecting you as a person. She/he is expressing her/his desire not to participate in a single act. Your desires may be beyond your control, but your actions *are* within your control. Always remember that *you* are responsible for your actions.
- Accept a person's decision not to have sexual contact. "No" *means* no! Do not read other meanings into the answer. If you proceed without consent, you are breaking the law.
- Do not let embarrassment or peer pressure keep you from doing what is correct for you.

CUNY has adopted Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence against Students, which addresses the prevention of sexual assaults and other forms of violence against CUNY students, on and off CUNY campuses. Specifically, the goal of the Policy is to: 1) provide the most informed and up-to-date sexual assault, domestic/intimate partner violence and stalking prevention education information to CUNY students; 2) create a comprehensive plan for CUNY colleges to follow in the event that a

student is the victim of a sexual assault or other act of violence; 3) provide clear and concise guidelines for students to follow in the event that they or someone they know has been the victim of a sexual assault or other act of violence; 4) ensure that all appropriate CUNY personnel receive education and training to assist victims of sexual assaults and other acts of violence; and 5) ensure that disciplinary procedures are followed in the event that the perpetrator is a CUNY student or employee.

Reporting methods other than listed above:

- Calling the Department of Public Safety's emergency telephone line 718-997-5911/12. Extension 75911 or 75912 may be dialed within the college's telephone system.
- Using one of the 27 Emergency Assistance blue call boxes located throughout the building.
- Reporting the information to any member of the Department of Public Safety or in person at the Public Safety Office located at the Main Gate.
- Victims or witnesses 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.

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. Passivity may be interpreted as permission. 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.
- It's okay to criticize your date's actions and still like your date. However, if you don't say anything, your date won't know what behavior to stop. If your date doesn't listen, leave.
- 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.

• **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, religion, ethnicity, class or national origin. Though women and girls are primary targets of these crimes, men and boys are sexually victimized too, and have been found to suffer the same aftermath as women. 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).

• **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.

17. College and Community Counseling and Support Services for Sex Offense Victims

On-Campus Assistance

Victims of a sexual assault are encouraged to contact the Dean of Student Affairs/Student Development 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 Task Force against Sexual Assault: Open Monday through Friday, 9 am–5 pm, 212-274-3210. Provides free literature, referrals to counseling services, and holds networking meetings for professionals in the field.

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: 212-807-0197. 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

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. The prevention education 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.

Disciplinary 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.

e. 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 or 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

Crime	Illegal Conduct	Criminal Sanctions
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<p><u>Rape in the first degree</u> <u>(PL§ 130.35)</u></p>	<p>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.</p>	<p>Is a class B felony, with penalties up to 25 years in prison.</p>
<p><u>Rape in the second degree</u> <u>(PL§ 130.30)</u></p>	<p>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</p>	<p>Is a class D felony, with penalties up to 7 years in prison.</p>
<p><u>Criminal sexual act in the first degree</u> <u>(PL§ 130.50)</u></p>	<p>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.</p>	<p>Is a class B felony, with penalties up to 25 years in prison.</p>
<p><u>Forcible touching</u> <u>(PL§ 130.52)</u></p>	<p>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</p>	<p>Is a class A misdemeanor, with penalties up to 1 year in jail.</p>
<p><u>Sexual abuse in the first degree</u> <u>(PL§ 130.65)</u></p>	<p>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.</p>	<p>Is a class D felony, with penalties up 7 years in prison.</p>
<p><u>Aggravated sexual abuse in the first degree</u> <u>(PL§ 130.70)</u></p>	<p>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.</p>	<p>Is a class B felony, with penalties up to 25 years in prison.</p>

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.
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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.
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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.

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.

23. 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 – www.criminaljustice.state.ny.us/nsor/sor-about.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>, 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/pdIm/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>, 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>, and click on CUNY Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Domestic and Intimate Partner Violence Against Student

DOMESTIC VIOLENCE IN THE WORKPLACE:

http://policy.cuny.edu/manual_of_general_policy/article_v/policy_5.061/pdf/#Navigation_Location

EQUAL OPPORTUNITY AND NON DISCRIMINATION POLICY:

<http://www.cuny.edu/about/administration/offices/la/PEONon-Discrimination12.4.2014.pdf>

QUEENS COLLEGE'S CALENDAR YEARS 2011-2013 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**

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 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.

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.

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. If 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 elevators 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:
 - Location of fire
 - Building and room number (if known)
 - Your name and telephone number
 - Stay on the line until the dispatcher releases you
 - Do not attempt to put out a fire if you are endangering your own safety or the safety of others.
 - Do not use elevators. Power may fail causing the elevator to stop between floors or elevator doors may open onto the fire floor.
 - Disabled persons who are unable to move down the stairwells should move to a stairwell. Caution should be used as to not block traffic.
 - 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

Resident Hall 24 hour: 718-997-0310

Public Safety Department: 718-997-5911/5912

FDNY: 911

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:

Building Fire Alarm	YES
Fire Extinguishers	YES
Room Smoke Detectors	YES
Manual Pull Stations	YES
Fire Sprinklers	YES
Fire Alarm Systems	YES
Central Monitor system	YES
Connected to IFA	YES
Standpipe	YES
Fire Drills Conducted	YES (3 times a year)

RESIDENTIAL FIRE SAFETY REPORT STATISTICS 2014
Housing Area(s) Summit 64-80 Kissena Blvd.

FIRE SAFETY REPORT 2014	
Number of Fire Fires	00
Number of Injuries	00
Related to Fires	00
Number of Deaths	00
Related to Fires	00
Value of Property	\$0.00
Damage Caused by Fires	\$0.00

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.

