



Your Right to Know

As a member of the Queens College community, your personal safety, your health, and your ability to fully enjoy the educational and employment opportunities Queens College offers are of the utmost importance. We want you to have any information that will make your time with us more productive and fulfilling.



Queens College
CITY UNIVERSITY OF NEW YORK

QUEENS COLLEGE EMERGENCY NUMBERS

Security and Public Safety

718-997-5912 Main Gate (24 hours)

718-997-4443 Director

Discrimination

718-997-5888 Affirmative Action, Compliance & Diversity

718-997-5870 Disabled Students

718-997-5725 Title IX Coordinator

Sexual Harassment & Assault

718-997-5912 Main Gate Security & Public Safety

718-997-4443 Security & Public Safety Office

718-997-5500 Vice President for Student Affairs

718-997-5421 Sexual Harassment Coordinator

Drug, Alcohol & Tobacco Abuse

718-997-5420 College Counseling & Resource Center

718-997-2760 Health Service Center

718-997-4455 Human Resources

AIDS

718-997-2760 Health Service Center

Information current as of July 30, 2007

TABLE OF CONTENTS

Security and Crime Prevention	2
Nondiscrimination Policies	9
Sexual Harassment & Assault	13
Domestic Violence	18
Student Information	18
AIDS	20
Drug, Alcohol & Tobacco Abuse	21
Appendices	24

We are providing you with the following information that may be important to your health and safety while you attend Queens College. This brochure encompasses the various federal, state, and city laws designed to help all members of our community—students, faculty, and staff—make the most of their time spent at Queens. In addition, we offer you names and telephone numbers of various care providers who can assist you with a range of health-related concerns. Please keep this information in a convenient place so you can refer to it regarding any questions you might have.

SECURITY AND CRIME PREVENTION

Security & Public Safety Office
Mr. Pedro Pineiro, Director
Jefferson Hall, Room 201, 718-997-4443

Queens College opened as a liberal arts college in 1937. Its campus consists of 32 college-owned buildings on 77 acres in Flushing, Queens. Additional space is provided in two nearby rented buildings. Currently the college has approximately 17,500 students in its undergraduate and graduate divisions (64 percent female and 36 percent male) in day, evening, and weekend classes, while its Continuing Education Programs average about 6,000 enrollments each semester. In addition to classes, many events are offered in the college's theatres, concert hall, art museum, and lecture halls. An important source of information about the college is the QC Web site: www.qc.cuny.edu.

SECURITY & PUBLIC SAFETY OFFICE

The primary responsibility of the Security & Public Safety Office is to maintain an atmosphere in which the faculty, students, and administration of the college can feel free and secure in the pursuit of their activities. The office is composed of the campus's Security & Public Safety Director, supported by two assistant directors, sergeants, and patrol officers, as well as contractual security officers.

Campus peace officers are sworn peace officers and have arrest powers granted to them by the Police Commissioner of the City of New York. Campus Peace Officers are designated as New York City Special Patrolmen/Peace Officers in accordance with Section 2.10, subsection 27, of the New York State Criminal Procedure Law. Contractual security officers do not have powers of arrest. Security personnel are trained to handle security and safety matters on campus. Several members are trained in CPR and first aid. All security personnel carry two-way radios and are dressed in police-type uniforms.

Security Policies and Crime Reporting Procedures

It is the policy of the City University of New York and Queens College that: Students and employees shall report any safety hazards, crimes, loss of property, illness, or injury. Proper reporting facilitates the apprehension of criminals and assists in making Queens College and the entire campus community safe.

Incidents and emergencies can be reported to any uniformed public safety officer, by calling 718-997-5911 or 5912, visiting the Security & Public Safety Office, located at the Main Gate on Kissena Boulevard, or by utilizing any of the **20 blue emergency phones** located throughout the campus.

Policies for Preparing the Annual Disclosure of Crime Statistics

As required by federal law, Queens College's yearly crime statistics for this report are compiled on a calendar year basis and in accordance with the definitions of crime provided by the FBI for use in the Uniform Crime Reporting (UCR) systems. These statistics include the previous 3 years (2004, 2005, and 2006), concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Queens College; and on public property within, or immediately adjacent to and accessible from, the campus. In addition, these statistics are gathered from crimes reported to the Security & Public Safety Office or its personnel, to other campus officials with significant responsibility for student and campus activities, or to the local police precinct. These statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor law violations, drug law violations, and illegal weapons possession. This security report is updated annually and provided to all students, employees, and applicants for admission. Additional information on public safety is found in the college's *Undergraduate Bulletin*.

Also in accordance with the Federal Campus Sex Crimes Prevention Act, registered sex offenders now are required to register the name and address of any college at which he or she is a student or employee. The New York State Division of Criminal Justice maintains a registry of convicted sex offenders and informs the college's chief security or public safety officer of the presence on campus of a registered sex offender as a student or employee. Information about Level 2 or Level 3 registered sex offenders on campus is available from the college's Director of Security & Public Safety. To obtain information about Level 3 offenders, you may contact the Division's registry Web site at www.criminaljustice.state.ny.us/nsor/sor_about.htm and then click on "Search for Level 3 Sex Offenders" or access the directory at the college's Security & Public Safety Office or the 107th Police Precinct. To obtain information about Level 2 offenders, contact the local police precinct in which the offender resides, or the Division's sex offender registry at 800-262-3257.

Policies for Making Timely Warning Reports

Timely warning reports are made to the members of the campus community regarding when crimes listed in the Clery Act occur. These warnings are disseminated within 24–48 hours from time of the reported crime whenever an incident occurs that presents an ongoing threat to the campus community. These timely warnings are in the form of flyers, phone, mail, posters, safety messages displayed on electronic message boards, etc. In addition, a daily Crime Log records, by the date the crime was reported, any crime

that occurred on campus, at a non-campus building or property, or public property, or within the patrol jurisdiction of the campus police or the campus security department and reported to the police or the campus security department.

In the event that it becomes necessary to alert students and staff to an emergency situation on campus, the President, the Vice President for Student Affairs, and/or an administrator designated by the President will issue correspondence to the college community. These college representatives will provide specific information and attempt to answer all questions relating to such matters.

No college community can be totally risk-free. Therefore, Queens College takes many common-sense precautions for safety and security—and encourages its students, faculty, and staff to do the same. Crime takes place in our society, and the problem does not abate as one enters the confines of a college campus. However, all of us can reduce risk by thinking about personal safety and taking practical measures to limit our vulnerability to becoming crime victims.

Queens College is committed to assisting all members of the college community by providing a safe and secure environment. Information regarding campus security and personal safety—including such topics as crime prevention, public safety peace officer law enforcement authority, crime reporting policies, crime statistics for the most recent 3-year period, and disciplinary procedures—is available from the Director of Security & Public Safety. If you would like more information about safety and security at the campus, call 718-997-4443. A college official will be glad to discuss your questions and concerns.

Monthly and annual crime statistics for Queens College are available upon request by contacting:

Director of Security & Public Safety
Security & Public Safety Office
Queens College, CUNY
65-30 Kissena Blvd.

Flushing, New York 11367-1597

Or visit our Web site: <http://www.qc.cuny.edu/Security/>

Preventive Procedures

As a part of its overall responsibilities, the office conducts a continuous review of campus facilities and grounds to ensure that all lighting and landscaping hazards are reported for correction or elimination. Its telephone communication system (blue emergency phones) has been upgraded and improved.

Crime Prevention Tips

- ▲ Always be aware of what is going on around you. Stay alert to your surroundings.
- ▲ Walk with confidence. Hold your head up and your shoulders straight.
- ▲ At night, stick to well-lighted, populated areas and walk with another person whenever possible. Avoid walking alone or in isolated areas.
- ▲ Take special precautions in parking garages, stairwells, elevators, bathrooms, and dimly lit areas bordered with

shrubbery. Studies show that many assaults occur in these places.

▲ If you suspect that you are being followed, go quickly to a place where there are other people. If you choose to run, run as fast as you can and scream loudly to attract attention or summon help.

▲ Follow your basic instincts. If you sense that you may be at risk or in danger, get out of the situation quickly. For example, if you see a suspicious-looking person or someone who makes you feel uncomfortable in a parking lot, go with your feelings and leave the area. Report your suspicions to the local police or Security & Public Safety Office authorities immediately.

Publications

Students, faculty, and staff are informed through a variety of publications, including the college *Bulletins*, and general announcements as to what procedures to follow in case of an emergency or an incident. In addition, new students arriving on campus receive specific information through their freshman orientation classes.

Parking

Parking is by decal only. Information on applying for and purchasing a decal is available via the college's Web site (www.qc.cuny.edu) or by calling 718-997-4443. All vehicles must be registered with the Security & Public Safety Office in order to park in the various parking lots on college property. All vehicles without decals, as well as vehicles parking in violation of the Parking and Traffic Regulations, are subject to both ticketing and immobilization ("booting"). A fee of \$50 will be charged for removal of the immobilization boot in addition to the parking violation penalty for the ticket. Copies of the regulations are available in the Security Office as well as via the college's Web site .

Access to Facilities

The Security & Public Safety Office is informed of all officially approved activities scheduled to take place on campus. According to this schedule, it secures the academic and administrative buildings and the gymnasium in the evenings and on weekends. 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. For theatrical presentations or such special events as Open House or Commencement, where large numbers of visitors are expected on campus, the office must be informed well in advance so that appropriate provisions can be made for those events.

Campus Advisory Committee

The Security & Public Safety Office is under the supervision of the Vice President for Finance & Administration. The policies and procedures under which it operates in relation to threatening or emergency situations on campus are frequently reviewed by the Campus Advisory Committee on Campus Security. This committee is composed of equal

QC CRIME STATISTICS

CRIME CATEGORY	On campus			Non-campus Buildings			Public Property			Dorm/ Residential			Total Crimes 2004-2006
	2006	2005	2004	2006	2005	2004	2006	2005	2004	2006	2005	2004	
I. Criminal Homicide	0	0	0	0	0	0	0	0	0	0	0	0	0
A. Murder	0	0	0	0	0	0	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
II. Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0
A. Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0
B. Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0
III. Robbery	2	1	1	0	0	0	0	0	0	0	0	0	4
IV. Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0
V. Burglary	1	0	1	0	0	0	0	0	0	0	0	0	2
VI. Motor Vehicle Theft	1	1	0	0	0	0	0	0	0	0	0	0	2
VII. Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES													
Race	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS	1	0	0	0	0	0	0	0	0	0	0	0	1
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Disciplinary Action	1	0	0	0	0	0	0	0	0	0	0	0	1
DRUG LAW VIOLATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0

representation from the student body, faculty, and administration. The Security & Public Safety Office, in cooperation with this committee, seeks to foster a sense of mutual respect and civility among the many persons that comprise the college's multicultural population.

College Policy on Conduct

In accordance with federal and state law, Queens College prohibits racial and ethnic discrimination and harassment based on race, gender, religion, color, creed, disability, sexual orientation, national origin, ancestry, or age. Specifically, a student may be disciplined for racist or discriminatory conduct addressed directly to an individual(s) that is intentionally made to threaten violence or property, intimidate, harass, or incite imminent lawless action. Vandalism, racism, graffiti, intimidation, harassment, and other forms of organized hatred have no place on campus and will not be tolerated—violators will be punished.

All college personnel, students, and nonstudents, are required to carry their college identification (ID) cards.

All persons on campus who are not college personnel are required to show acceptable identification to Security & Public Safety Office personnel.

All persons on campus are required to show their college ID card or proof that they registered as a visitor upon the request of a public safety officer or college official, or any officer of the Queens College Student Association, or any student responsible for a student event.

Any person who refuses or is unable to show a valid ID card, or proof that he or she registered as a visitor, will be evicted from the campus and will be subject to arrest for trespass.

The playing of radios on campus is not allowed.

The college expects students to demonstrate proper classroom decorum, which includes appropriate behavior and dress.

Policy on Possession/Use of Alcoholic Beverages

The unlawful possession, use, or distribution of alcohol by students and employees on City University/Queens College property or as a part of any City University/Queens College activity is prohibited.

No student organization is permitted to serve alcoholic beverages on this campus, and no alcoholic beverages are to be brought on this campus for any reason unless approved in advance—and in writing—by the President or his/her designee.

It is also the policy of the City University of New York and Queens College that:

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 or affiliation with any organization, is prohibited.

The legal age for drinking alcohol in New York is 21, and state laws deal harshly with underage drinking. It is also against the law in New York State to sell or give away alcohol to anyone under the age of 21.

Policy on Illegal Possession and Use of Drugs

The unlawful manufacture, distribution, dispensing, possession, or use of illegal drugs or other controlled substances is a crime in New York State and therefore is prohibited by City University/Queens College students or employees on all City University/Queens College premises, or as part of any activity of the University or the college.

Anyone found in possession of or using such drugs on college property will be severely dealt with and may be suspended from the college, in addition to facing criminal charges. A student apprehended for the unlawful manufacture, distribution, dispensing, or possession of marijuana, or use of illegal drugs or other controlled substances will be reported to the Vice President for Student Affairs and is subject to civil and criminal law. The Vice President will decide either to refer the student to counseling or bring a discipline charge. In the latter case, due process will apply.

Any person apprehended on campus for any drug violation who is not a member of this college will be turned over to the police.

Since this campus is in no sense a sanctuary, civil and criminal officials may, on their own initiative (after notifying a supplied list of designated college officials), take such action as they deem necessary and appropriate.

For the purpose of this policy, the campus is understood to be all facilities in which this college conducts, administers, and is responsible for college business.

Weapons

As outlined in the City University of New York Rules and Regulations for the Maintenance of Public Order (known informally as the Henderson Rules—see Appendix A), no one within the University community, except peace officers, pursuant to authorization of the individual 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 a campus.

To prevent personal injury, Queens College prohibits the possession or use of any potentially dangerous weapon or explosive on college property. Firearms, ammunition, air guns, spring-type weapons, bows and arrows, slingshots, and firecrackers are among those items prohibited. This policy is in full accord with the New York State Penal Law and Education Law. Violators will be subject to disciplinary as well as civil action.

CRIME CODES AND DEFINITIONS

In compliance with federal law, in an effort to promote the personal safety of the college community, the following information has been prepared for campus review:

Queens College must produce and distribute an annual report containing crime statistics of security policy. This report focuses on the federal requirements under the Jeanne Clery Disclosure Security Policy and Campus Crime Statistics Act.

The following categories of crimes on the campus, certain non-campus properties, and certain public property areas which have been reported to the local police (107th Precinct) and the campus public safety department must be disclosed for the most recent 3 years.

(I) Homicide

Manslaughter by Negligence: The killing of another person through gross negligence.

Murder and Non-negligence Manslaughter: The willful (non-negligent) killing of one human being by another.

(IIa) Sex Offenses: Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible Rape: The carnal knowledge of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

(IIb) Sex Offenses: Non-forcible Unlawful, Non-forcible Sexual Intercourse

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

(III) Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

(IV) Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

(V) Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

(VI) Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classified as motor vehicle theft are all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)

Arrest and Referral

The law also requires that colleges and universities provide statistics for the following categories of arrest or referrals for campus disciplinary action (if an arrest was not made): liquor law violation, drug law violation, and illegal weapons possession.

(I) Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly.

(II) Drug Abuse Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include, but are not limited to: opium or cocaine; synthetic narcotics (e.g., Demerol, methadone); and dangerous non-narcotic drugs (e.g., barbiturates, Benzedrine).

(III) Liquor Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquors, maintaining an unlawful drinking place; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Reporting Locations

For the purpose of reporting the statistic with respect to the crime statistics that must be compiled in accordance with the categories of on-campus, non-campus building or property; public property; and dorm/residential, the following definitions are provided:

(I) On-Campus

Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Property within the same reasonable contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

(II) On-Campus Building or Property

Any building or property owned or controlled by a student organization recognized by the institution; and

Any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

(III) Public Property

All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, street, other thoroughfare, or parking facility and is adjacent to a facility owned or controlled by the institution or the facility, and is used by the institution in direct support of, or in a manner related to, the institution's educational purposes.

(IV) Dorm/Residential

There are no residential or dormitory premises currently on the Queens College campus.

CAMPUS SEX CRIMES PREVENTION ACT

In accordance with the Campus Sex Crimes Prevention Act, all institutions of higher education must advise the campus community where law enforcement agency information provided by New York State concerning registered sex offenders can be obtained. The New York State Department of Criminal Justice Services maintains a registry of convicted sex offenders which is available to local law enforcement agencies, including CUNY's Security & Public Safety Offices. To obtain information about a registered sex offender you may:

- (i) Contact the New York City Police Department in the jurisdiction in which the offender resides and/or in which the college is located. Queens College is in the 107th Precinct, located at 71-01 Parsons Blvd., Flushing, NY 11365 (718-969-5100);
- (ii) Contact Mr. Pedro Pineiro, the college's Director of Security & Public Safety (718-997-4443); or
- (iii) Call the New York State Department of Criminal Justice Services' sex offender registry at 800-262-3257 (online at www.criminaljustice.state.ny.us/nsor/), or access the Department's Level 3 subdirectory electronically or via CD-ROM at the college's Security & Public Safety Office or at the 107th Police Precinct. (Level 3 is the most serious sexual offense).

BIAS-RELATED CRIMES

Queens College is a unique place to study and work. The college community is an environment where individuals can immerse themselves in a culturally diverse, pluralistic society. The campus community should take advantage of the wonderful opportunity available to learn about the various cultural groups represented at Queens College by developing an appreciation for their respective historical contributions, folklore, music, food, language, art, and customs.

To ensure an environment where an individual can achieve his/her academic and/or career goals, the Legislature of the State of New York and the City University of New York have established, in compliance with state laws, policies and procedures to protect the entire college community from what has been termed "bias-related crime."

As required by law, we are providing information about bias-related crimes and crime prevention. For many years the City University of New York has set forth policies on combating bigotry and promoting diversity (see Appendix B). The Hate Crimes Act of 2000 (Appendix C) provides for longer prison sentences when bias is found to be the motivation for a particular criminal act. Appendix D is a summary of the Hate Crimes Act.

What Is a Bias-Related Crime?

Bias-related offenses occur when persons are harassed, annoyed, threatened, alarmed, struck, shoved, kicked, or subjected to physical contact because of their race, color, religion, national origin, ancestry, gender, religious practice, age, sexual orientation, or disability.

A racially or religiously targeted incident is an act or attempt by any person or group of persons against the person or property of another individual or group which may in any way constitute an expression of racial or religious hostility. This includes: threatening phone calls, graffiti, hate mail, physical assaults, vandalism, cross burning, fire bombing, and the like.

Bias-related crime can be broken down into two legal categories: *aggravated harassment in the first degree* (NYS Penal Code Sec. 240.31), which is a Class E Felony, and *aggravated harassment in the second degree* (NYS Penal Code Sec. 240.30), which is a Class A Misdemeanor. Both types of offenses, as well as any other acts or threats of racial or religious intolerance are viewed as serious; such investigations are given priority by college public safety officers.

What Is the Difference Between First- and Second-Degree Harassment?

According to the New York State Penal Code, aggravated harassment in the second degree occurs when a person: "Strikes, shoves, kicks, or otherwise, subjects another person to physical contact, or attempts or threatens to do the same because of the race, color, religion, or national origin of such person."

A person is guilty of aggravated harassment in the first degree when, with the intent to harass, annoy, threaten, or alarm another person, because of the race, color, religion, or national origin of such person, he/she: "Damages premises primarily used for religious purposes, or acquired pursuant to Section 6 of the religious corporation law and maintained for the purpose of religious instruction, and the damage to the premises exceeds \$50."

Aggravated harassment in the first or second degree applies to acts committed within the preceding ten years.

What Is the College's Policy for Dealing with Bias-Related Crimes?

It is our policy to ensure that the rights guaranteed by New York State law and the U.S. Constitution are protected for all citizens, regardless of race, color, ethnicity, or religion. When such rights are infringed upon by violence, threats, or other harassment, the Security & Public Safety Office will use every resource necessary to rapidly and decisively identify the perpetrator(s), arrest them, and bring them to trial.

What Can I Do if I Am the Victim of a Bias-Related Crime?

Students who have been victims of bias-related crimes should immediately report the incident to both of the following offices:

Vice President for Student Affairs
Dr. Joe Bertolino
Frese Hall, Room 102, 718-997-5500

Security & Public Safety Office
Mr. Pedro Pineiro, Director
Jefferson Hall, Room 201, 718-997-4443
24-hour phone: 718-997-5911 or 5912

Should you become a victim of a bias-related crime, note that all materials (such as graffiti) pertaining to the crime should be preserved, documented, and reported immediately to a public safety officer. The Security & Public Safety Office will conduct a thorough criminal investigation and work with the court system to prosecute offenders.

What Can I Do to Prevent Bias-Related Crimes?

Differences among people, as well as their similarities, need to be discussed so that all can learn to appreciate the uniqueness of every group. In this multicultural and multi-ethnic campus community, we hope that through educational programs we may be able to help you understand and combat negative racial attitudes, religious discrimination, and cultural intolerance.

Counseling and Support Services for Victims of Bias-Related Crimes

Anyone who is a victim of a bias-related crime is encouraged to seek counseling from a trained mental health professional. Experienced counselors, trained to assist with the consequences of bias-related crime trauma, are on hand at the College Counseling & Resource Center to provide crisis intervention, in-office counseling, referral to other support services, and self-help groups. The center also can refer victims to community-based support groups and professional organizations. The college will assist any student wishing to contact outside agencies, including local police, regarding charges and complaints of a bias-related crime. The college also can assist in changing academic schedules after an alleged incident.

On-Campus Resources

1. Security & Public Safety Office
Jefferson Hall, Room 201, 718-997-4443
2. College Counseling & Resource Center
Frese Hall, 1st floor, 718-997-5420

3. Health Service Center
Frese Hall, 3rd floor, 718-997-2760
4. Office of the Vice President for Student Affairs
Frese Hall, Room 102, 718-997-5500

Off-Campus Resources

1. NYC Police Department Detective Bureau; Hate Crimes Task Force; 1 Police Plaza, New York, 646-610-5267
2. Manhattan District Attorney, Community Affairs Unit; 212-335-9082
3. Queens District Attorney, Antibias Unit; 718-286-7041
4. Bronx District Attorney; 718-590-2427 or 718-590-2715
5. Brooklyn District Attorney, Community Affairs Unit; 718-250-2241
6. Staten Island District Attorney, Special Investigations/Bias Unit; 718-876-6300 or 718-556-7167
7. NYC Victims Services Agency; 212-577-7777. This service is open 24 hours a day, seven days a week, and provides crisis intervention for crime victims.
8. Gay & Lesbian Anti-Violence Project; 212-807-0197 (24-hour hotline). This service is open 10 am–8 pm, Monday–Thursday, and 10 am–6 pm, Friday. It provides short-term crisis counseling, advocacy services, and referrals for long-term counseling.
9. National Hate Crimes Hotline; 208-246-2292.
10. <http://HateCrimeNet.org>
11. http://www.lambda.org.safety_tips.htm (You have the option of completing and submitting a hate crime incident report on this Web site.)

WORKPLACE VIOLENCE

Violence of any nature on campus property is prohibited by Queens College and the City University of New York. The City University's policy on Workplace Violence is detailed in Appendix E.

NONDISCRIMINATION POLICIES

It is the policy of Queens College of the City University of New York to recruit, employ, retain, and promote employees and to admit and provide services for students without regard to age, sex, sexual orientation, alienage or citizenship, religion, race, color, national or ethnic origin, disability, or veteran or marital status.

Queens College is committed to improving the quality of relations among the racial, ethnic, and religious groups represented on campus in its student body, faculty, and staff. As members of a community of higher learning, our energies must be directed toward understanding people of all cultures, races, sexes, ages, and religions, to respecting ideas that are not necessarily our own, and maintaining an atmosphere of interpersonal and intergroup respect, tolerance, and civility.

As a multiracial, multilingual, and multiethnic community founded on intercultural cooperation, the college population reflects the population of the larger borough of Queens and of New York City. Because the college reflects the diversity of society at large, a positive approach to human relations, both intergroup and interpersonal, is appropriate to build on this richness and to make it a foundation for greater understanding. The college is strongly committed to fostering an environment of tolerance and respect in which rational discourse can flourish.

AFFIRMATIVE ACTION

Contact: Ms. Cynthia W. Rountree,
Director of Affirmative Action, Compliance & Diversity
Kiely Hall, Room 147, 718-997-5888

Queens College is an Equal Opportunity and Affirmative Action educator and employer. The college does not discriminate on the basis of race, color, national or ethnic origin, religion, age, sex, sexual orientation, transgender, disability, genetic predisposition or carrier status, alienage or citizenship, or veteran or marital status in its student admissions, employment, access to programs, and administration of educational policies.

Policy

Affirmative Action goes beyond equal opportunity principles and affirms the college's commitment to achieve substantial participation by women and minority groups in all phases of its endeavors. The Affirmative Action Committee monitors accomplishment of these goals, identifies problem areas that indicate patterns of discrimination against a group of people by a particular unit of the college, and presents proposals for remedial action to the President.

Grievance Procedures

Procedures for Complaints

The Procedures for Individual and Class Complaints were adopted by the Affirmative Action Committee on February 3, 1994 and accepted by the President of Queens College. The guidelines are as follows:

1. Complaints that will be accepted and adjudicated by the Committee must indicate patterns of discrimination against an individual or identifiable class by a particular unit of the college. No anonymous complaints will be received.

2. Documentation will indicate that the complaint is one that is not actively before any government agency, Board of Trustees committee, or City University officer.

3. The name and status within the college community—including title and department, if applicable—of the person bringing the complaint to the attention of the committee must be affixed to any written complaint. A statement as to whether any other action arising out of the same alleged act is pending in any other form shall also be required.

4. A complaint that does not originate within the committee must be made in writing to the chair of the Affirmative Action Committee (the Director of Affirmative Action, Compliance & Diversity, hereafter referred to as the Affirmative Action Officer) with documentation, which should be attached whenever possible. The basis of the alleged discriminatory act must be stated, i.e., race, creed, national origin, sex, sexual orientation, age, marital status, veteran's status, or disability.

5. The Affirmative Action Officer will acknowledge the complaint and will advise the complainant if the complaint does not fall within the jurisdiction of the Affirmative Action Committee, or if on its face it is faulty or incorrect. To make these determinations, the officer may review and request pertinent data and information from the college community.

6. The Affirmative Action Officer shall, after meeting with the person(s) making the complaint, consult with the person or department against whom the complaint is made and make an initial inquiry into the complaint. Members of the Affirmative Action Committee may be requested to assist in this consultation. Objective assessment of the facts presented at this time shall be made and, if appropriate, they shall make recommendations and/or advise the person(s) involved of the legal and affirmative action consequences of the inquiry.

7. The Affirmative Action Officer shall present a written report of this preliminary inquiry to the committee, who shall determine the future action, if any, to be taken.

If the committee decides there is no merit to the complaint, it shall send a written decision to that effect to the complainant.

Should the committee decide that there is reason for the belief that the department is deficient in its procedures, it shall authorize the Affirmative Action Officer, who may be

accompanied by member(s) of the Affirmative Action Committee, to meet with the supervisor and other appropriate persons. If the supervisor agrees that there is merit to the allegation, the committee shall make a recommendation to correct the deficiency. The committee may supervise the future implementation of the recommendation.

8. Should the supervisor disagree or should further investigation seem warranted to the committee, a subcommittee of the Affirmative Action Committee will investigate further.

9. If the complaint is one emanating from outside of the committee, at this point, the person(s) making the complaint may be asked to come before the subcommittee and any other person(s) invited by the subcommittee to sit with it. This committee may also meet with those charged in the complaint *ex parte* or simultaneously with the complainant.

10. It shall be the duty of the Affirmative Action Officer to keep a record of the materials submitted and to keep a record of the relevant statements made by the parties.

11. The committee shall within the confines of due process carry on the investigation in a confidential and judicious manner.

12. A report of the investigation and recommendations for action shall be made to the Affirmative Action Committee by its subcommittee. A separate statement may be submitted by the Affirmative Action Officer. Members of the subcommittee may present minority opinions.

13. The Affirmative Action Committee will review the recommendations and statements to determine if there is a violation of the Affirmative Action Plan and/or any federal regulations and then forward its own recommendations to the President of the college and the appropriate administrative officer. Any member of the committee or the Affirmative Action Officer may submit a minority opinion.

14. The President shall consider the recommendation in making his/her decision on the complaint. The President may mandate changes in department or college procedures and advise individuals or departments involved of his/her finding. The President may take any action deemed appropriate to redress the aggrieved individuals.

15. Prior to the imposition of any sanctions or penalties by the President, the department or office shall be afforded the opportunity to present justification to the President or his/her designee for the alleged noncompliance. In addition, appropriate efforts must be made within a reasonable time to secure compliance through conference, mediation, and persuasion.

After the above measures have been exhausted, any department or office found in violation shall be subject to appropriate penalties, which may include but not be limited to direct monitoring of recruitment procedures, withholding of the awarding of new faculty lines, making faculty and administrative appointments and reappointments, and removal of those persons responsible for the continued violation.

16. None of the above shall inhibit any individual from seeking future redress through established procedures of CUNY, state, or federal agencies.

Individuals seeking further information about Affirmative Action matters or procedures at Queens College should contact the Affirmative Action Officer in Razran Hall, Room 314, 718-997-5888, or any member of the Affirmative Action Committee. The members of the campus-wide Affirmative Action Committee are:

Ms. Cynthia W. Rountree
Director, Affirmative Action, Compliance & Diversity
Chair of the Committee
718-997-5888

Mr. Vincent J. Angrisani
Executive Director, Undergraduate & Graduate
Admissions & Scholarship Services
718-997-5608

Ms. Phyllis Cannon-Pitts
Associate Director, Registrar
718-997-4400

Mr. Frank S. Franklin
Director, Search for Education, Elevation &
Knowledge (SEEK)
718-997-3130

Dr. Irma Llorens
Associate Professor, Hispanic Languages & Literatures
718-997-5624

Mr. Pedro Pineiro
Director, Security & Public Safety Office
718-997-4443

Dr. Thomas C. Strekas
Dean, Division of Mathematics & Natural Sciences
718-997-4105

Dr. Joyce Tang
Associate Professor, Sociology
718-997-2839

RIGHTS OF PERSONS WITH DISABILITIES

Contact: Mirian D. Detres-Hickey, Director
Office of Special Services, Kiely Hall, Room 171,
718-997-5870; Hours: 8 am–4 pm

The college complies with Section 504 of the Rehabilitation Act of 1973, the New York State Human Rights Law, and the Americans with Disabilities Act (ADA), which protects persons from discrimination on the basis of physical or mental impairments for all educational and employment purposes, including admissions, evaluation and placement, programs, activities and courses, counseling, financial aid, scholarships, athletics, and employment.

The Office of Special Services coordinates the provision of reasonable accommodations and support services for students with disabilities. These services include orientation for new students, accommodative registration, counseling, academic advisement, peer counseling, and career development activities.

In addition to serving students on campus, the Office of Special Services offers a program for homebound students via a two-way telephone conference system for the severely disabled (bedridden).

Disability

Disability is a condition that may hinder one from learning. A student who becomes disabled should consider discussing with a staff counselor from the Office of the Vice President for Student Affairs the various alternatives regarding current and future academic plans, such as continuation of attendance, a leave of absence, or a program adjustment. A recommendation from a physician will help in determining which options are feasible. The recommendation, which is filed in the Health Service Center, is useful information to the college and beneficial to the student, should the student require any medical services while on campus.

Physical or Learning Disabilities

Students with physical or learning disabilities that require reasonable accommodation are served through the following procedure:

1. Students make a request for accommodative test conditions to the Office of Special Services (Kiely Hall, Room 171). Medical and/or psychoeducational documentation is required.
2. The Office of Special Services reviews the documentation and determines appropriate testing accommodations.
3. Students are then referred to outside agencies for assessment.

Individuals with disabilities applying for campus parking permits must present a New York State license with the ac-

cess for the disabled logo or a blue pass issued by the New York State Motor Vehicle Bureau along with proof of student status and disability to the Security & Public Safety Office, Jefferson Hall, Room 201.

Grievance Procedures

Queens College procedures relating to grievances of discrimination on the basis of disability state that any member of the staff or any student believing himself or herself aggrieved because of discrimination prohibited by Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act (ADA), or the Human Rights Law, may file a grievance. All grievances should be initiated through the Step I: Informal Complaints procedure set forth below.

Step I: Informal Complaints

Informal complaints should be filed within 30 days of the alleged incident(s) with the Section 504/ADA coordinator. The coordinator will advise the member of the staff or the student of his/her rights.

The coordinator will determine how the complaint can best be resolved and will, if appropriate, arrange a discussion between the complainant and an appropriate member of the college community. Data and facts relating to the complaint will be collected in an attempt to resolve the complaint.

The complainant will be notified by the coordinator of the disposition of the complaint when the informal investigation has terminated. If the complaint is resolved, no further action will be taken and all records will remain confidential.

If the complaint is not resolved within 60 days of the filing of the informal complaint, and if the complainant wishes to pursue the alleged discriminatory act to formal grievance, he/she should file a formal grievance with the 504/ADA Grievance Officer within 10 working days following notification of the disposition of the informal complaint or within 60 days of the filing of the informal complaint.

All time limits may be extended by mutual consent.

Step II: Formal Grievances

Formal grievances should be filed with the Grievance Officer in Kiely Hall, Room 805. Upon receipt of a written and signed formal complaint, the Grievance Officer will take appropriate action, which may include forming a committee to hear and investigate the complaint. A determination in writing will be issued with appropriate recommendations to correct any deficiencies, if necessary. Copies of the determination will be filed with the college President and the chair of the Queens College Affirmative Action Committee.

The Grievance Officer for Section 504 and the Americans with Disabilities Act is Assistant Vice President Jane Denkensohn (Kiely Hall, Room 805, 718-997-5725).

DISCRIMINATION ON BASIS OF SEX

Contact: Assistant Vice President Jane Denkensohn
Kiely Hall, Room 805, 718-997-5725

Queens College complies with Title IX of the Educational Amendments Act of 1972, which protects persons from discrimination on the basis of sex in the operation of its educational programs.

Procedures

College procedures provide that any member of the staff or any student believing himself or herself aggrieved because of discrimination prohibited by Title IX may file a grievance. All grievances should be initiated through the Step I: Informal Complaints procedure set forth below.

Step I: Informal Complaints

A student or employee claiming that the college has failed to act in accordance with the provisions of Title IX may file an informal complaint, either orally or in writing, with Assistant Vice President Jane Denkensohn, the college's Coordinator for Title IX in Kiely Hall, Room 805. The complaint should be made within 30 working days of the date of the alleged occurrence(s), except for extenuating circumstances. Upon receipt of such complaint, the Title IX Coordinator shall conduct an inquiry in an attempt to resolve the complaint. The Title IX Coordinator shall take necessary action to resolve the situation, including recommendations to appropriate college officials. The complainant shall be notified by the Title IX Coordinator of the disposition of the complaint when the informal stage has concluded. Any settlement, withdrawal, or disposition of a complaint at this informal stage shall not constitute a binding precedent in the settlement of similar complaints or grievances.

If the complaint is resolved, no further action will be taken and all records will remain confidential. If the com-

plaint is not resolved within 60 working days of the filing of the informal complaint, or is not resolved to the satisfaction of the complainant, any complainant wishing to pursue the matter to formal grievance who is eligible to do so must file a formal grievance within 10 working days following notification of the disposition of the informal complaint, or within 60 working days of the filing of the informal complaint. Employees covered by collective bargaining agreements that include gender discrimination as a ground for grievance must utilize the grievance procedure provided in their respective agreements.

The Title IX Coordinator shall be responsible for keeping a record of all complaints filed and dispositions thereof.

Step II: Formal Grievances

Formal grievances shall be filed with the Title IX Coordinator in Kiely Hall, Room 805, on forms available in that office. The grievance must be presented in writing, setting forth the nature of the grievance, the evidence on which it is based, and the redress being sought.

The college President shall appoint the members of the Title IX Review Committee and shall designate a chair. The committee shall be convened by the chair promptly upon receipt of a grievance from the Title IX Coordinator. The committee shall schedule a meeting with the grievant within 20 working days after the grievance is filed with the Title IX Coordinator, or as soon thereafter as is practicable, and shall investigate the complaint as appropriate. The committee shall thereafter send its recommendation(s) to the college President. The President shall consider the recommendation(s) of the committee, and shall render a written decision on the matter, which shall be sent to the grievant. The President shall take any action deemed appropriate to redress the grievance. There shall be no further recourse within the college for appeal of the grievance.

Persons seeking further information about Title IX matters should contact the Assistant Vice President Jane Denkensohn, Kiely Hall, Room 805, 718-997-5725.

SEXUAL HARASSMENT & ASSAULT

The following is the text of the City University of New York's Policy Against Sexual Harassment, which was made effective throughout the City University as of October 1, 1995, and revised January 1, 2005.

Policy Statement

It is the policy of the City University of New York to promote a cooperative work and academic environment in which there exists mutual respect for all CUNY students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the CUNY's nondiscrimination policy. Sexual harassment is illegal under federal, state, and city laws, and will not be tolerated within CUNY.

The City University of New York, through its colleges, will disseminate this policy and take other steps to educate the CUNY community about sexual harassment. CUNY will establish procedures to ensure that investigations of allegations of sexual harassment are conducted in a manner that is prompt, fair, thorough, and as confidential as possible under the circumstances, and that appropriate corrective and/or disciplinary action is taken as warranted by the circumstances when sexual harassment is determined to have occurred. Members of the CUNY community who believe themselves to be aggrieved under this policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the college to investigate the allegations.

Prohibited Conduct

It is a violation of CUNY policy for any member of the CUNY community to engage in sexual harassment or to retaliate against any member of the CUNY community for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

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 per-

formance 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.

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 for 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. Students, faculty, or staff who are found, following applicable disciplinary proceedings, to have violated this policy are 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

ity (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.

Dr. Elizabeth McCaffrey, Coordinator,
College Counseling & Resource Center
Frese Hall, Room 111, 718-997-5421

Dr. A. David Baker, Deputy Coordinator,
Chemistry & Biochemistry
Remsen Hall, Room 117, 718-997-4219

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

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. Connie Capobianco, RN, Coordinator
Health Service Center
Frese Hall, Room 305, 718-997-2763

Ms. Deena Feldman
Security & Public Safety Office
Jefferson Hall, Room 201, 718-997-4443

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

Dr. Michael Steffy
Anthropology
Powdermaker Hall, Room 314, 718-997-5512

Dr. Joyce Warren
Women’s Studies
Klapper Hall, Room 609, 718-997-4620

Appendix F lists the official Procedures for Implementation of the City University’s Policy Against Sexual Harassment.

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. New York law on sex offenses is provided in Appendix G.

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.

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.
- ▲ 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.

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/infirmar-y 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.

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 Web site (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.

DOMESTIC VIOLENCE

It is against the law for another person to abuse you. Help can be sought from the courts if you have been physically attacked or threatened by a person with whom you have a relationship.

Orders of Protection

An order of protection may be issued by a judge in a court case. This document requires that an abuser may not go to your home, school, or place of employment. It can also stipulate that the abuser not abuse, assault, or harass you or members of your family, including your children. It is a crime to violate an order of protection issued by either the Criminal Court or the Family Court.

Support Services

Any member of the Queens College community who has been a victim of domestic violence may receive assistance from several campus support services:

Security & Public Safety Office, Jefferson Hall,
Room 201, 718-997-4443, Monday–Friday, 9 am–5 pm
Main Gate on Kissena Blvd., 718-997-5911 or 5912,
Sunday–Saturday, 24 hours

College Counseling & Resource Center, Frese Hall,
1st floor – Reception Area, 718-997-5420

Health Service Center, Frese Hall, 3rd floor, 718-997-2760

Educational Programs

Speakers are invited to campus during the Fall and Spring semesters so that information regarding domestic violence can be presented to the college community. Resources for assistance are included in brochures available at these sessions. These events are publicized by way of the college's Web site (www.qc.cuny.edu), email, flyers, newsletters, and the college newspaper.

Off-Campus Resources

Emergency: 911

NYC Domestic Violence Hot Line: 1-800-621-HOPE

Queens District Attorney Domestic Violence Unit:
718-286-6550

Family Court: 718-298-0197

STUDENT INFORMATION

STUDENT RECORDS

Student records and information are maintained by the college and are available in the Registrar's Office, Jefferson Hall, 1st floor. Pursuant to a federal law known as the Family Educational Rights and Privacy Act (FERPA), the college provides "directory information," to persons with a legitimate interest in such information upon request, including requests from military recruiters. In conjunction with the FERPA provisions for "directory information," the college will provide the following information concerning students: name, home address, phone number, date of birth, dates of attendance (not daily records), major field of study, level of education (e.g., sophomore), degree(s) received, if any, participation on athletic teams, and honors and awards received. CUNY's complete policy about the Family Educational Rights and Privacy Act (FERPA) is detailed in Appendix H.

In addition, the college is allowed to reveal the results of a disciplinary proceeding against a student accused of a violent crime or non-forcible sex offense, and to notify the parent(s) or guardian if a student violated a drug or alcohol rule.

Students may request that such information *not* be released without their prior consent by completing and filing a Non-Disclosure of Directory Information form in the Registrar's Office. (This form can be downloaded from www.qc.cuny.edu/registrar/forms and returned to the Registrar's Office.) Students should be aware that if they file a non-disclosure form to block the release of directory information, they will need to sign a release form, *in person*, at the Registrar's Office *to authorize* the release of records and information to others, such as financial institutions, employers, and other designated persons or entities, including military recruiters.

The six-year graduation rate for full-time freshmen who enrolled in Queens College in the fall of 2000 is 54.5 percent.

STUDENT DISCIPLINE

The college handles matters of student discipline through the Office of the Vice President for Student Affairs and the Faculty-Student Disciplinary Committee. Students are required to observe the following rules of conduct:

1. Students shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights, nor interfere with the institution's educational process.

2. Students are liable for failure to comply with lawful directions issued by representatives of the City University/Queens 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 City University/Queens 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 City University/Queens College equipment and/or supplies.

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

5. Members of the academic community or their invited guests have the right to advocate a 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 City University/Queens College, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of their rights or interferes with the institution's educational process 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 any City University/Queens College owned or controlled property is strictly prohibited.

8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instrument or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the City University/Queens 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 an individual or damage upon a building or the grounds of the City University/Queens 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 or affiliation with any organization is prohibited.

10. Students found guilty of any form of academic dishonesty, such as plagiarism or cheating on an examination or the purchase of term papers, are subject to disciplinary

action. The complete text of CUNY's policy on academic dishonesty is available in the college's *Undergraduate* and *Graduate Bulletins*.

The full text of the college's requirements for student conduct and the Rules and Regulations for the Maintenance of Public Order (the "Henderson Rules") can be found in the college's *Bulletins* (see also Appendix A in this booklet).

Violation of any of the provisions of the requirements for student conduct and the Rules and Regulations for the Maintenance of Public Order may result in disciplinary action, including formal charges brought to the Vice President for Student Affairs, which can result in a disciplinary hearing before the Faculty-Student Disciplinary Committee.

Since the college is not in a position to supervise the use by student groups of leased or purchased off-campus facilities, student organizations are responsible for their conduct and for the management of their housing.

COMPLAINT PROCEDURES

Contact: Dr. Joe Bertolino
Vice President for Student Affairs
Frese Hall, Room 102, 718-997-5500

Student-Against-Student Complaints

Student complaints are heard initially by the Vice President for Student Affairs (or his/her designee). A student with a complaint is generally able to get an appointment within 72 hours, often sooner. When the student does not want to file a formal complaint or grievance, the Vice President for Student Affairs (or his/her designee) will act as an ombudsman or mediator in an effort to work out the problem and obtain a satisfactory outcome or get an answer for the student. To file a formal complaint, the student must submit a written account of the complaint/problem to the Office of the Vice President for Student Affairs. Then the office or appropriate college official(s) will look into the complaint and provide the student with a response within 2 weeks, often sooner. The college official(s) providing a final determination will not be a person (or persons) involved in the alleged problem. Filing a complaint can *never* result in adverse action taken against the student for filing the complaint.

Documentation concerning each formal college complaint and its disposition will be kept for a period of at least 6 years.

There is also a New York State consumer complaint process, and any student may file a complaint with the Education Department of the State of New York, Albany, NY 12234 (see below).

Consumer Complaints to the State Education Department

(a) Any person who believes he/she has been aggrieved by an institution on or after May 4, 1994 may file a written complaint with the department within 3 years of the alleged incident, pursuant to this section.

- (b) Complaints shall be received in a form prescribed by the department.
- (c) In response to a written complaint, the department shall:
- (1) send to the complainant a notice acknowledging such written complaint and requesting further information if necessary;
 - (2) when appropriate, advise the institution involved that a written complaint has been received and, when appropriate, the nature of the complaint; and
 - (3) either:
 - (i) conduct a complaint review to respond to the complaint pursuant to the authority in Education Law or the Regulations of the Commissioner of Education; *or*
 - (ii) dispose of the complaint by referring it to an appropriate entity for resolution.
- (d) Upon conclusion of the department's complaint review or upon disposition of the complaint by referral to another entity for resolution, the department shall issue a written notice to the complainant and, when appropriate, to the institution involved, describing the disposition of the complaint.

- (e) All institutions shall adequately publicize this consumer complaint process.
- (f) The department shall maintain written records of all complaints for a period of 6 years after final disposition of the complaint.
- (g) The department shall determine when complaints justify a request of the U.S. Secretary of Education to commence a Title IV review, pursuant to the criteria established in 20 USC 1099a-3 (a) and (b) (United States Code, 1988 edition, Volume 8; Supplement IV, Volume 3 to the 1988 edition; Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; 1989, 1993—available at the Office of Higher and Professional Education, Cultural Education Center, Room 5B28, Albany, NY 12230).
- (h) Complaints subject to the requirements of section 5003(1)(c) of the Education Law shall be handled in accordance with the requirements of that section.

AIDS

Contact: Health Service Center
Frese Hall, 3rd floor, 718-997-2760

Acquired Immune Deficiency Syndrome (AIDS) impairs the body's ability to fight disease. It is caused by the HIV virus and is spread primarily through sexual contact and intravenous drug use with a contaminated needle or syringe. AIDS is not spread by casual contact (for example, touching, hugging, shaking hands, or breathing near someone who is infected). For protection from infection by the HIV virus, medical experts urge sexually active people to use a latex condom during intercourse; those using intravenous drugs should not share needles or syringes with other users.

Symptoms of HIV infection include night sweats, prolonged fevers, severe weight loss, persistent diarrhea, chronic cough, shortness of breath, and swollen glands. However, the HIV virus can lie dormant in an infected individual for several years without any symptoms ever manifesting. The only way to know if you have been infected with the HIV virus is through a blood test; there are many sources for testing, including physicians, New York State and New York City health clinics, and AIDS advocacy

groups. Test results are kept confidential under New York State law. Since the first incidence of AIDS was reported in 1981, drug therapies have been developed to slow the progress of the HIV virus and delay the onset of AIDS. There is, however, no cure for the disease. These organizations can offer you more information about AIDS, HIV testing, treatment, counseling, and advocacy services:

National AIDS Hotline
800-342-AIDS
800-344-SIDA (Spanish)

Gay Men's Health Crisis
129 West 20th Street
New York, NY 10011
212-807-6664

AIDS Center of Queens County
97-45 Queens Blvd.
Rego Park, NY 11374
718-896-2500

DRUG, ALCOHOL & TOBACCO ABUSE

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 are printed in the college's *Undergraduate* and *Graduate Bulletins* and in Appendix A of this booklet.

Standards of Conduct

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 have 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. The health hazards of specific drugs are listed in Appendix I of this booklet.

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, 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.

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.

Counseling Services

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.

Tobacco: 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.

University/College Sanctions

Students: As noted above, students are expected to comply with the University's Rules and Regulations for the Maintenance of Public Order (the Henderson Rules), which are printed in the college's *Undergraduate* and *Graduate Bulletins* and in Appendix A of this booklet. Any student found in violation of these policies may be subject to disciplinary action. Sanctions may include admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, and arrest by civil authorities. The Vice President for Student Affairs may take disciplinary action or recommend that a student meet with a counselor for appropriate referral or assistance through self-help organizations or other outside intervention agencies. A member of the instructional staff may refer any student who appears to be experiencing difficulty with alcohol or illicit drugs to the Vice President or to the College Counseling & Resource Center. Students should be encouraged to seek assistance directly from the available resources when necessary.

Faculty/Staff: Employees found in violation of the University's standards of conduct noted above may be subject to penalties under the Henderson Rules (see Appendix A) and discipline under the provisions of their union contract. Sanctions that may be imposed in addition to those found in the various contracts include verified attendance and successful participation in a drug/alcohol assistance program.

Federal and State Sanctions for the Unlawful Use of Alcohol and Drugs

Illicit Drugs: Both federal and New York State laws make it a criminal offense to manufacture, distribute, dispense, or possess with intent to manufacture, distribute, dispense, or simply possess a controlled substance, including marijuana (21 U.S.C. §801, *et seq.*; New York State Penal Law,

QUEENS IS SMOKE-FREE



**Smoking is banned in all buildings throughout the
City University of New York system.**

§§220, 221; New York State Public Health Law, §3306). The penalties imposed upon conviction for violation of these laws depend upon the particular offense and on aggravating factors such as the type and quantity of drugs in each offense. Sanctions range from monetary fines and community service to imprisonment (see Appendix I). Federal penalties are similar to those assessed by New York State. Note also the following important aspects of New York State statutes:

▲ In New York State, a gift of drugs, including marijuana, is treated as a sale.

▲ Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that one may endanger oneself or other persons or property, or annoy persons in one's vicinity, is a violation, punishable by a fine and imprisonment up to 15 days. *New York State Penal Law §240.40*.

Alcohol: A variety of criminal penalties may result from the misuse of alcoholic beverages:

▲ In New York, if you give or sell an alcoholic beverage to a person less than 21 years old, you are committing a Class A misdemeanor, punishable by up to 1 year in jail and a possible \$1,000 fine. *New York State Penal Law §260.20 (2)*.

▲ Any sale of any kind of alcoholic beverage without a license or permit is a misdemeanor punishable by a fine, a jail term, or both.

▲ If you are under the age of 21, you are prohibited from possessing alcoholic beverages with intent to consume them. Each violation is punishable by a \$50 fine. The beverages may also be seized and destroyed by appropriate internal or external authorities.

▲ You can be fined up to \$100 and required to perform community service if you are under 21 and present falsified proof when attempting to purchase alcoholic beverages, and you can have your driver's license suspended for up to 90 days if you use it to try to purchase alcohol illegally.

▲ Any person who operates a motor vehicle while intoxicated, or while his/her ability to operate such vehicle is impaired by the consumption of alcohol or drugs, is subject to suspension or revocation of driving privileges in the state, monetary fines up to \$1,000, and imprisonment up to one year. *New York State Vehicle Traffic Law §1192*.

Tobacco: Selling tobacco products to any person under the age of 18 is a Class B misdemeanor and punishable by imprisonment up to 3 months. *New York State Penal Law §260.21 (3)*.

▲ Note also that because exposure to environmental tobacco smoke has been identified as a health hazard to non-smokers, in 1994 the City University strengthened its own policy (see Appendix J) that prohibits smoking inside all University facilities (buildings).

These are only examples of the possible penalties for the illegal possession, use, and distribution of illicit drugs, alco-

holic beverages, and tobacco. You should also know that it is part of the City University's official policy to discourage violations of federal, state, and city laws. Where appropriate, the University will refer persons who violate such laws for prosecution to the relevant governmental authorities and will cooperate fully with such authorities.

Ineligibility for Federal Grants, Loans, or Assistance

In general, pursuant to the 1998 Amendments to the Higher Education Act, a student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be entitled to receive a federal grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified below:

Student Ineligibility* for Federal Grants, Loans, or Work Assistance

Offense	Ineligibility period for possession of a controlled substance	Ineligibility period for sale of a controlled substance
First conviction	1 year	2 years
Second conviction	2 years	Indefinite
Third conviction	Indefinite	

*Eligibility may be resumed if drug rehabilitation specified under the terms of sentencing is completed.

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

APPENDIX A

BOARD OF TRUSTEES THE CITY UNIVERSITY OF NEW YORK

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 Trustees.

With respect to enforcement of these rules and regulations we note that the Bylaws of the Board 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."

I. 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 their 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's Human Resources 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.

II. 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, expulsion, ejection, and/or arrest by the civil authorities.

2. Any tenured or nontenured 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 nontenured 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.

Appendix

Sanctions Defined:

A. Admonition. An oral statement to the offender that he 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 cause far 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 are permitted, shall be stated in the order of expulsion.

H. Complaint to Civil Authorities.

I. Ejection.

A true copy of resolution adopted by the Board of Trustees of the City University of New York on June 23, 1969, as amended on October 27, 1980, May 22, 1989, and June 25, 1990.

Martin J. Warmbrand, Secretary of the Board

APPENDIX B

CUNY POLICIES ON HATE CRIMES

BOARD OF TRUSTEES MINUTES, JANUARY 24, 1994

No. 8. Committee on Public Affairs: RESOLVED, That the following item be approved, and report noted:

A. Implementation of University Policy to Combat Bigotry and Promote Pluralism and Diversity:

WHEREAS, The Board of Trustees of the City University of New York is committed to engendering values and implementing policies that enhance respect for individuals and their cultures; and

WHEREAS, This commitment is manifested in the statement of principles and recommendations for action on pluralism and diversity in the City University of New York adopted by the Board on January 20, 1988; and

WHEREAS, Our cultural, racial, and ethnic diversity—our pluralism—is one of our most valued, significant, and important characteristics; and

WHEREAS, The student body of the City University of New York now includes students who trace their ancestries to over 130 countries, as well as growing numbers of students who are of color, women, immigrants, older adults, and disabled persons; and

WHEREAS, We must be proactive in developing programs that both combat bigotry and other biases in all their forms, as well as build on the strengths that our multicultural, multiracial, multigenerational student body offers; and

WHEREAS, Such programs should build upon successful models of curricular and cocurricular pursuits developed by both members of the CUNY community, as well as with the advice and assistance of the extended CUNY family of supporters and resource persons; therefore

BE IT HEREBY RESOLVED, That the Chancellor in consultation with the Council of Presidents and the leadership of the University Faculty and Student Senates develop guidelines for a University-wide program to combat bigotry and to promote

pluralism and diversity by the March 21, 1994 meeting of the Board of Trustees; and

BE IT HEREBY RESOLVED, That each college shall report to the Chancellor its development and implementation of programs to promote University policy to combat bigotry and to promote pluralism and diversity; and

BE IT FURTHER RESOLVED, That the Chancellor shall report to the Board on both the steps taken by the colleges and by the University in furtherance of the Board's policy to combat bigotry and to promote pluralism and diversity by October 31, 1994.

BOARD OF TRUSTEES MINUTES, MARCH 21, 1994

No. 6X. Committee on Public Affairs: Mrs. Bloom reported that the following guidelines have been developed:

A. Guidelines for a University-wide Program to Combat Bigotry and to Promote Pluralism and Diversity:

At the January 24, 1994, meeting of the Board of Trustees of the City University of New York, a resolution was recommended by the Committee on Public Affairs to promote University policy to combat bigotry and reaffirm our commitment to pluralism and diversity. Adopted unanimously by the Trustees, the resolution calls upon the Chancellor to report to the Board on steps taken by the University and the colleges in furtherance of the policy by October 31, 1994. The Chancellor was asked to develop guidelines, by the March Board meeting, in consultation with the Council of Presidents and the leadership of the University Faculty Senate and Student Senate. These guidelines are the result of the consultative process.

The adopted Board resolution includes six whereas sections which should be reflected in the development of appropriate plans:

The Board of Trustees of the City University of New York is committed to engendering values and implementing policies that enhance respect for individuals and their cultures.

■ This commitment is manifested in the statement of principles and recommendations for action on pluralism and diversity in the City University of New York adopted by the Board on January 20, 1988.

■ Our cultural and ethnic diversity—our pluralism—is one of our most valued, significant, and important characteristics.

■ The student body of the City University of New York now includes students who trace their ancestries to over 130 countries, as well as growing numbers of students who are of color, women, immigrants, older adults, and disabled persons.

■ We must be proactive in developing programs that both combat bigotry and other biases in all their forms, as well as build on the strengths that our multicultural, multiracial, multi-generational student body offers.

■ Such programs should build upon successful models of curricular and cocurricular pursuits developed by both mem-

bers of the CUNY community, as well as with the advice and assistance of the extended CUNY family of supporters and resource persons.

The development of appropriate plans should be consistent with the By-laws of The Board of Trustees, including but not limited to Article 15.0 Preamble which states:

"Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Student participation, responsibility, academic freedom, and due process are essential to the operation of the academic enterprise. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth."

"Freedom to learn and to explore major social, political, and economic issues are necessary adjuncts to student academic freedom, as is freedom from discrimination based on racial, ethnic, religious, sex, political, and economic differentiations."

"Freedom to learn and freedom to teach are inseparable facets of academic freedom. The concomitant of this freedom is responsibility. If members of the academic community are to develop positively in their freedom; if these rights are to be secure, then students should exercise their freedom with responsibility."

MINUTES OF PROCEEDINGS, MARCH 21, 1994

By August 1, 1994, the Central Administration and the constituent colleges shall prepare such plans for submission to the Chancellor. Such plans should include a progress report on activities envisioned in the Board's statement on Pluralism and Diversity, University and college programs, scheduled and projected, to combat bigotry, and measures taken to advance the January 24, 1994, Board policy resolution. The plans should address the following elements:

1. A description of curricular and extracurricular programs and projects directed at the elimination of bigotry, the encouragement of intergroup harmony, tolerance, and respect and increasing understanding among members of the higher education community. This may include orientation and training programs, professional development, role-playing sessions, leadership conferences and retreats, lectures and seminars, discussions of pertinent research and scholarship, and improvements in methods for crosscultural communication.

2. A clear statement of the availability of procedures and channels developed by the college community to expeditiously address allegations of bigotry, as well as intervention and conflict resolution alternatives that may be utilized. This should include how the institution is organized and which offices or individuals are appropriately designated to be accessible.

3. Early communication, by college officials, as the facts warrant, of institutional aversion to acts of bigotry, including the issuance of appropriate and timely statements condemning prejudice or discrimination, consistent with the first amendment. This should be done while simultaneously reaffirming

the positive message of the extraordinary importance of a collegiate environment where all participants are protected, regardless of their background or social characteristics.

4. The availability of additional options for dispute resolution, such as mediation and conciliation resources both on or off campus, as needed and where appropriate. This may include the identification of faculty and staff experts, experienced student leaders, alumni, or resource persons from the greater college and University community. Established offices, however, should remain on the front line and serve as conduits to campus and external expertise, as deemed appropriate.

5. The dissemination of materials throughout the campus community in order to ensure maximum awareness and to provide visible evidence of an institutional commitment to an intellectually tolerant collegiate environment.

Efforts to combat bigotry and promote diversity should continue to be an inextricable part of the educational mission of the University, not an ancillary activity that is reinvigorated from time to time on an ad hoc basis. Our future efforts should build upon the excellent college and University-wide programs and activities that already exist, which were reviewed by the Board of Trustees, through its Committee on Public Affairs. This will permit CUNY to continue to rejoice in the cultural richness of its varied constituencies, unrivaled in American higher education, and reflective of the University's historic commitment to educate all those who seek upward social and economic mobility. At the same time, the University can continue to build bridges between those constituencies so that the most positive atmosphere for learning may be provided for generations to come.

BOARD OF TRUSTEES MINUTES, MARCH 21, 1988

C. Pluralism and Diversity in the City University of New York:

RESOLVED, That the Board of Trustees of the City University of New York accepts and approves a statement of principles and recommendations for actions on pluralism and diversity in the City University of New York:

Pluralism and Diversity in the City University of New York: A Statement of Principles and Recommendations for Actions

A Report Prepared by the Council of Presidents' ad hoc Committee on Pluralism and the City University

January 20, 1988

I. Statement of Principles:

The City University of New York, as an institution in a historically diverse society, is committed to engendering values and implementing policies that will enhance respect for individuals and their cultures. Our cultural, racial, and ethnic diversity—our pluralism—is one of our most valued, significant, and important characteristics. The City University commits itself to finding ways for all of us to work together in a productive, harmonious, and mutually supportive manner; this must be ac-

complished without requiring complete agreement on what is good, just, and worthy and without any requirement that we all be the same.

The student body of the City University of New York reflects perhaps the broadest ethnic, racial, and generational diversity in the United States. Our campuses have growing numbers of students who are minorities, women, new immigrants, older people, and disabled persons.

We rejoice in the richness of the student mix. We realize that in order truly to benefit from this diversity we must first ensure sensitivity to and respect for our students and the cultures that nurtured them. But we firmly believe that our commitment to pluralism must extend far beyond these responses. We must be proactive in evolving both principles and programs that not only avoid racism, ageism, and other biases but also build on the strengths that our multiethnic, multiracial, multi-generational student body offers.

In both curricular and cocurricular pursuits, we must realize that our strength lies in our diversity. Our college administrators must assume the responsibility to create an environment that respects the individual dignity of every member of the University community. Our faculty, counselors, and staff must be broadly knowledgeable about, and fully responsive to, the aspirations and needs of a heterogeneous student body.

Our curricula should embrace an understanding of cultures worldwide; we must broaden our students' understanding of arts, humanities, and social sciences beyond the traditional Western culture courses. Our cocurricular activities should involve students not only in groups with common ethnic or racial backgrounds but also in activities that transcend differences, build bridges between cultures, and help our students understand one another.

We must continue to work to broaden the diversity of our faculty and staff through affirmative action. We need to develop strong programs for faculty and staff development and advancement. And we must invest in our own future by expanding the pool of women and minority candidates for professorial appointments through our graduate programs.

Our community relations must link various constituencies, showing the greatest respect for all who participate. The same commitment to interracial harmony which must characterize our student, faculty, and staff activities should infuse our outreach to the community.

The City University of New York is fortunate in being able to mold new ways of building on the strength and energy of a diverse population. We cannot merely react to this situation—we must seize it as an opportunity to strengthen our entire program as we continue our tradition of access and excellence.

II. Recommendations for Action by the Trustees, the Central Administration, and the Campuses:

1. The public reaffirmation by the Trustees of the City University's commitment to pluralism as:

- a) an essential value that higher education must embrace;
- b) an indispensable component of the mission of CUNY.

2. Establishment and affirmation at the level of the Trustees and the Central Administration of operational benchmarks for achieving and nurturing pluralism within CUNY. These benchmarks should include references to CUNY-wide progress in achieving affirmative action goals; policies involving the recruitment of students, faculty, and staff; the content of official publications of CUNY; diversity and pluralism in curricular offerings; and the quality of cocurricular activities that effectively enhance diversity and pluralism on the campuses and ensure that every student experiences pluralism.

3. The development at the level of the Central Administration of plans and procedures to provide the support necessary to establish cooperative programs between the Administration and each campus that will provide creative approaches to the management of ethnic and racial diversity. As part of this initiative, each campus would (1) develop a specific, local plan to confront racism and promote pluralism, and (2) develop mechanisms for antiracist, pluralistic interaction and cooperative projects with its immediate community.

4. The appointment of a University-level task force to review the availability of and level of support for ethnic studies and women's studies programs on the campuses of CUNY, and to assess the degree to which these programs, where they do exist, are available to all students.

5. The appointment of a University-level task force to review and make recommendations concerning the breadth of distribution of minority students across all CUNY undergraduate and graduate degree programs.

6. The establishment of a University-level task force to work with the Professional Staff Congress on a long range, funded program of faculty development for pluralism and diversity.

7. The establishment of a University-wide program to increase the number of PhDs awarded by CUNY to women and members of minority groups, and to encourage and motivate more students from these groups to pursue college teaching as a career. Key to this plan should be an aggressive effort by the University to identify promising undergraduates on the campuses of the CUNY colleges and structure their undergraduate experiences (including fellowship support) in order to maximize the probability that an increasing number of these students will become committed to college-level teaching. Judicious and aggressive articulation within CUNY will also be a critical factor in this effort to ensure that students who begin their careers in one of the community colleges will have access to the relevant supports and will receive encouragement to education towards the doctoral degree.

APPENDIX C

TITLE Y HATE CRIMES ACT OF 2000

ARTICLE 485—HATE CRIMES

§ 485.00 Legislative findings.

The legislature finds and determines as follows: criminal acts involving violence, intimidation, and destruction of property based upon bias and prejudice have become more prevalent in New York state in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes," victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. Current law does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.

Accordingly, the legislature finds and declares that hate crimes should be prosecuted and punished with appropriate severity.

§ 485.05 Hate crimes.

1. A person commits a hate crime when he or she commits a specified offense and either:

(a) 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

(b) 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.

2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of the defendant, the victim, or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.

3. A “specified offense” is an offense defined by any of the following provisions of this chapter*:

§120.00 (assault in the third degree); §120.05 (assault in the second degree); §120.10 (assault in the first degree); §120.12 (aggravated assault upon a person less than eleven years old); §120.13 (menacing in the first degree); §120.14 (menacing in the second degree); §120.15 (menacing in the third degree); §120.20 (reckless endangerment in the second degree); §120.25 (reckless endangerment in the first degree); subdivision one of §125.15 (manslaughter in the second degree); subdivision one, two, or four of §125.20 (manslaughter in the first degree); §125.25 (murder in the second degree); §120.45 (stalking in the fourth degree); §120.50 (stalking in the third degree); §120.55 (stalking in the second degree); §120.60 (stalking in the first degree); subdivision one of §130.35 (rape in the first degree); subdivision one of §130.50 (criminal sexual act in the first degree); subdivision one of §130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of §130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of §130.70 (aggravated sexual abuse in the first degree); §135.05 (unlawful imprisonment in the second degree); §135.10 (unlawful imprisonment in the first degree); §135.20 (kidnapping in the second degree); §135.25 (kidnapping in the first degree); §135.60 (coercion in the second degree); §135.65 (coercion in the first degree); §140.10 (criminal trespass in the third degree); §140.15 (criminal trespass in the second degree); §140.17 (criminal trespass in the first degree); §140.20 (burglary in the third degree); §140.25 (burglary in the second degree); §140.30 (burglary in the first degree); §145.00 (criminal mischief in the fourth degree); §145.05 (criminal mischief in the third degree); §145.10 (criminal mischief in the second degree); §145.12 (criminal mischief in the first degree); §150.05 (arson in the fourth degree); §150.10 (arson in the third degree); §150.15 (arson in the second degree); §150.20 (arson in the first degree); §155.25 (petit larceny); §155.30 (grand larceny in the fourth degree); §155.35 (grand larceny in the third degree); §155.40 (grand larceny in the second degree); §155.42 (grand larceny in the first degree); §160.05 (robbery in the third degree); §160.10 (robbery in the second degree); §160.15 (robbery in the first degree); §240.25 (harassment in the first degree); subdivision one, two, or four of §240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

4. For purposes of this section:

(a) the term “age” means sixty years old or more;

(b) the term “disability” means a physical or mental impairment that substantially limits a major life activity.

§485.10 Sentencing.

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in §70.02 of this chapter, the hate crime shall be deemed a violent felony offense.

2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D, or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:

(a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to §70.00 of this chapter;

(b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to §70.02 of this chapter;

(c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to §70.04 of this chapter;

(d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to §70.05 of this chapter; and

(e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to §70.06 of this chapter.

4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-I felony, the minimum period of the indeterminate sentence shall be not less than twenty years.

* The word “chapter” in Appendix C refers to the New York Penal Law, not to any section of *Your Right to Know*.

APPENDIX D

OFFENSES UNDER THE HATE CRIMES STATUTE

Specific Offense	Penal Law Section	Degree	Class of Felony or Misdemeanor*	Imprisonment in years
Assault	§120.10	1	B	6–25
	§120.05	2	C	1–15
	§120.00	3	E	1–4
Aggravated Assault upon a person less than 11 years old	§120.12		D	1–7
Menacing	§120.13	1	D	1–7
	§120.14	2	E	1–4
	§120.15	3	A*	To 1 year
Reckless endangerment	§120.25	1	C	1–15
	§120.20	2	E	1–4
Manslaughter	§125.20	1	B	6–25
	§125.15	2	C	1–15
Murder	§125.25	2	A–II	3 to life
Stalking	§120.60	1	C	1–15
	§120.55	2	D	1–7
	§120.50	3	E	1–4
	§120.45	4	A*	To 1 year
Rape	§130.35	1	A–II	3 to life
Criminal Sexual Act	§130.50	1	A–II	3 to life
Sexual Abuse	§130.65	1	C	1–15
Aggravated Sexual Abuse	§130.70	1	A–II	3 to life
	§130.67	2	B	6–25
Unlawful Imprisonment	§135.10	1	D	1–7
	§135.05	2	E	1–4
Kidnapping	§135.25	1	A–I	20 to life
	§135.20	2	A–II	3 to life
Coercion	§135.65	1	C	1–15
	§135.60	2	E	1–4
Criminal Trespass	§140.17	1	C	1–15
	§140.15	2	E	1–4
	§140.10	3	A*	To 1 year
Burglary	§140.30	1	A–II	3 to life
	§140.25	2	B	6–25
	§140.20	3	C	1–15
Criminal Mischief	§145.12	1	A–II	3 to life
	§145.10	2	C	1–15
	§145.05	3	D	1–7
	§145.00	4	E	1–4
Arson	§150.20	1	A–I	20 to life
	§150.15	2	A–II	3 to life
	§150.10	3	B	6–25
	§150.05	4	D	1–7
Petit Larceny	§155.25		E	1–4
Grand Larceny	§155.42	1	A–II	3 to life
	§155.40	2	B	6–25
	§155.35	3	C	1–15
	§155.30	4	D	1–7
Robbery	§160.15	1	A–II	3 to life
	§160.10	2	B	6–25
	§160.05	3	C	1–15
Aggravated Harassment	§240.25	1	A*	To 1 year
Aggravated Harassment	§240.30	2	E	1–4

APPENDIX E

THE CITY UNIVERSITY OF NEW YORK

WORKPLACE VIOLENCE POLICY AND PROCEDURES

(Approved by the Board of Trustees, June 28, 2004)

The City University of New York has a long-standing commitment to promoting a safe and secure academic and work environment that promotes the achievement of its mission of teaching, research, scholarship, and service. All members of the University community—students, faculty, and staff—are expected to maintain a working and learning environment free from violence, threats of harassment, violence, intimidation or coercion. While these behaviors are not prevalent at the University, no organization is immune.

The purpose of this policy is to address the issue of potential workplace violence in our community, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

Policy

The City University of New York prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior toward people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from University property and are subject to disciplinary and/or personnel action up to and including termination, consistent with University policies, rules, and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the University's Policy Against Sexual Harassment.

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies in cases where the employee or student suspects that an act of violence will result from an encounter with said individual(s).

Scope

All faculty, staff, students, vendors, contractors, consultants, and others who do business with the University, whether in a University facility or off-campus location where University business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the University, such as former employees, former students, and visitors. When students have complaints about other students, they should contact the Office of the Vice President for Student Affairs at their campus.

Definitions

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the academic environment, or the University's ability to provide services to the public. Examples of workplace violence include, but are not limited to:

1. Disruptive behavior intended to disturb, interfere with, or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
2. Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
3. Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
4. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments, or materials. No one within the University community, shall have in their possession a firearm or other dangerous weapon, instrument, or material that can be used to inflict bodily harm on an individual or damage to University property without specific written authorization from the Chancellor or the college President regardless of whether the individual possesses a valid permit to carry the firearm or weapon.

Reporting of Incidents

1. General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the University community. Workplace violence should promptly be reported to the appropriate University official (see below). Additionally, faculty, staff, and students are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all members of the University community take this responsibility seriously to effectively maintain a safe working and learning environment.

2. Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the campus Security & Public Safety Office immediately, or call 911.

3. Acts of Violence Not Involving Weapons or Injuries to Persons

Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his/her supervisor, or in lieu thereof, to his/her respective campus Security & Public Safety Office. Students should report such incidents to the Office of the Vice President for Student Affairs at their campus or, in lieu thereof, their

campus Security & Public Safety Office. The campus Security & Public Safety Office will work with the Office of Human Resources and the supervisor or the Office of the Vice President for Student Affairs on an appropriate response.

4. Commission of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

5. False Reports

Members of the University community who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

6. Incident Reports

The University will report incidents of workplace violence consistent with the College Policies for Incident Reporting Under the Campus Security Policy and Statistical Act (Clery Act).

Responsibilities

1. Presidents

The President of each constituent college of the City University of New York, the Chief Operating Officer at the Central Office, and the Deans of the Law School and the Sophie Davis School of Biomedical Education shall be responsible for the implementation of this policy on his or her respective campus. The responsibility includes dissemination of this policy to all members of the college community, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, constituting a Workplace Violence Advisory Team (see section 7, below), and ensuring that all administrators, managers, and supervisors are aware of their responsibilities under this policy through internal communications and training.

2. Campus Security & Public Safety Office

The campus Security & Public Safety Office is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Security & Public Safety Office will immediately log all incidents of workplace violence and will notify the respective supervisor of an incident with his/her employee, or notify the appropriate campus official of an incident with a student. All officers should be knowledgeable of when law enforcement action may be appropriate. Public Safety will maintain an internal tracking system of all threats and incidents of violence. Annual reports will be submitted to the President (at the same time as the report noted below) detailing the number and description of workplace violence incidents, the disposition of the incidents, and will include policy, training issues, or security procedures that were or should be implemented to maintain a safe working and learning environment. These incidents will be reported in the Annual Report of the College Advisory Committee on Campus Security consistent with the reporting requirements of Article 129A Subsection 6450 of the NYS Education Law (Regulation by Colleges of Conduct on Campuses and Other College Property for Educational Purposes).

Officers will be trained in workplace violence awareness

and prevention, nonviolent crises intervention, conflict management, and dispute resolution.

Officers will work closely with Human Resources when the possibility of workplace violence is heightened, as well as on the appropriate response to workplace violence incidents consistent with CUNY policies, rules, procedures, and applicable labor agreements, including appropriate disciplinary action up to and including termination.

When informed, Public Safety will maintain a record of any Orders of Protection for faculty, staff, and students. Public Safety will provide escort service to members of the college community within its geographical confines, when sufficient personnel are available. Such services are to be extended at the discretion of the Campus Public Safety Director or designee. Only the President, or designee, in his/her absence, can authorize escort service outside of the geographical confines of the college.

3. Supervisors

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 this policy. Supervisors must report to their campus Security & Public Safety Office any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the campus Security & Public Safety Director and immediate supervisor, the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

Supervisors are required to contact the Security & Public Safety Office immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

4. Faculty and Staff

Faculty and staff must report workplace violence, as defined above, to their supervisor. Faculty and staff who are advised by a student that a workplace violence incident has occurred or has been observed must report this to the Campus Public Safety Director immediately. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee's supervisor should be brought to the attention of the Campus Public Safety Director.

Employees who have obtained Orders of Protection are expected to notify their supervisors and the campus Security & Public Safety Office of any orders that list CUNY locations as protected areas.

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the campus Security & Public Safety Office. Confidentiality will be maintained to the extent possible.

Upon hiring, and annually thereafter, faculty and staff will receive copies of this policy. Additionally, the policy will be posted throughout the campus and be placed on the CUNY Web site and on the college's Web site, as appropriate.

5. Office of Human Resources

The Office of Human Resources at each campus is responsible for assisting the Security & Public Safety Director and supervisors in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; notifying the campus Security & Public Safety Office of workplace violence incidents reported to that office; and consulting with, as necessary, counseling services to secure professional intervention.

The Office of Human Resources is responsible for providing new employees or employees transferred to the campus with a copy of the Workplace Violence Policy and Procedures and insuring that faculty and staff receive appropriate training. The Office of Human Resources will also be responsible for annually disseminating this policy to all faculty and staff at their campus, as well as posting the policy throughout the campus and on the college's Web site, as appropriate.

6. Students

Students who witness violence, learn of threats, or are victims of violence by employees, students, or others should report the incident immediately to the campus Security & Public Safety Office. If there is no imminent danger, students should report threatening incidents by employees, students, or others as soon as possible to the Security & Public Safety Office or Office of the Vice President for Student Affairs. Students will be provided with workplace violence awareness information (including information regarding available counseling services) upon registration each year.

7. Workplace Violence Advisory Team

Each college President shall establish a Workplace Violence Advisory Team at his/her college. This team, working with the College Advisory Committee on Campus Security, will assist the President in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the college's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This team will also develop workplace violence prevention tools (such as pamphlets, guidelines and handbooks) to further assist in recognizing and preventing workplace violence on campus. It is recommended that this team include representatives from campus Security & Public Safety, Human Resources, Labor Relations, Counseling Services, Occupational Health & Safety, Legal, and others, including faculty, staff, and students, as deemed appropriate by the President.

In lieu of establishing the Workplace Violence Advisory Team, a President may opt to expand the College Advisory Committee on Campus Security with representatives from the areas recommended above to address workplace violence issues at the campus and perform the functions outlined above.

8. University Communications

All communications to the University community and outside entities regarding incidents of workplace violence will be made through the University Office of University Relations after consultation with the respective President or his/her designee.

Education

Colleges are responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence. The Office of Faculty & Staff Relations will provide assistance to the campuses in identifying available training opportunities, as well as other resources and tools (such as reference materials detailing workplace violence warning signs) that can be incorporated into campus prevention materials for dissemination to the college community. In addition, the Office of Faculty & Staff Relations will offer periodic training opportunities to supplement the college's training programs.

Confidentiality

The University shall maintain the confidentiality of investigations of workplace violence to the extent possible. The University will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and well being of members of the University community would be served by such action.

Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

APPENDIX F

THE CITY UNIVERSITY OF NEW YORK

PROCEDURES FOR IMPLEMENTATION OF THE CITY UNIVERSITY'S POLICY AGAINST SEXUAL HARASSMENT

(Revised January 1, 2005)

The following are procedures for implementation of the Policy Against Sexual Harassment:

1. Responsibilities of the Presidents

The President of each constituent college of the City University of New York, the Senior Vice Chancellor at the Central Office, and the Dean of the Law School (hereinafter "Presidents") are responsible for overseeing compliance with the implementation of the Policy. Each President shall:

a. Appoint a Sexual Harassment Coordinator and Deputy Coordinator(s) to be available to students and employees who

wish to make complaints of sexual harassment. More than one Deputy Coordinator may be appointed at the discretion of the President. Presidents should take into account gender and ethnic balance as they appoint individuals. Further, one of the Coordinators should be a faculty member. The responsibilities of the Sexual Harassment Coordinator and Deputy Coordinator(s) are set forth in paragraph 2 below.

b. Appoint a Sexual Harassment Awareness & Intake Committee to be responsible for educating the college community about sexual harassment through printed materials, workshops, and the like. The responsibilities of the Sexual Harassment Awareness & Intake Committee are set forth in paragraph 3 below.

c. Ensure that the Coordinator, Deputy Coordinator(s), and Awareness & Intake Committee members are fully trained and equipped to carry out their responsibilities.

d. Disseminate the Policy Against Sexual Harassment, including the names, titles, telephone numbers, and office locations of the Sexual Harassment Coordinator and Deputy Coordinator(s), and Sexual Harassment Awareness & Intake Committee members annually to all students and employees. It is recommended that such information be included in employee and student orientations; in student, faculty, and staff handbooks and newsletters; and on the college Web site.

e. Submit annually, as part of the report on nondiscrimination a summary of the sexual harassment educational activities undertaken at the college, as well as a summary of the number of complaints filed and the general outcomes thereof.

2. Responsibilities of the Sexual Harassment Coordinator and Deputy Coordinator(s)

a. It is the responsibility of the President to appoint the college Affirmative Action Officer as either the Sexual Harassment Coordinator or a Sexual Harassment Deputy Coordinator. Further, a faculty member should be appointed as one of the Coordinators.

b. The Sexual Harassment Coordinator is responsible, as the President's designee, for reviewing all complaints of sexual harassment from any member of the college community, and for making efforts to resolve those complaints informally, if possible. When informal resolution is not possible, the Sexual Harassment Coordinator shall investigate the complaint. The Sexual Harassment Coordinator shall report to the President (and the chief Student Affairs Officer, if the accused is a student) the results of the investigation. A Deputy Coordinator may also assume responsibility for the informal resolution or investigation of complaints, as assigned by the Sexual Harassment Coordinator. The Coordinators have an obligation to maintain confidentiality to the fullest extent possible.

c. If the President concludes for some reason that the Sexual Harassment Coordinator or a Deputy Coordinator should not participate in the informal resolution or investigation of a particular complaint, he/she may appoint another trained investigator who shall function as Sexual Harassment Coordinator for that case only.

d. In the event that the complainant, the accused, or a third party believes that the Sexual Harassment Coordinator or a

Deputy Coordinator has a conflict of interest, or for some other reason should not participate in the informal resolution or investigation of a particular complaint, he/she may ask the President to appoint another trained investigator who shall function as Sexual Harassment Coordinator for that case only.

3. Responsibilities of the Sexual Harassment Awareness & Intake Committee

a. The Sexual Harassment Awareness & Intake Committee is responsible for educating all employees and students about sexual harassment and its potential consequences to the University community, and for overseeing sexual harassment training for all employees and students.

b. It is recommended that the Sexual Harassment Awareness & Intake Committee consist of six to eight persons, all of whom shall be appointed by and serve at the pleasure of the President. Further, it is strongly recommended that the Committee reflect the diversity of the college, be composed of at least two faculty members, as well as administrators, staff, and students.

c. All members of the Sexual Harassment Awareness & Intake Committee shall be available to receive complaints of sexual harassment from any member of the college community, to explain the University complaint procedures, and to refer individuals and/or the complaint to the Sexual Harassment Coordinator.

d. All members of the Sexual Harassment Awareness & Intake Committee have an obligation to maintain confidentiality to the fullest extent possible.

4. 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, Deputy Coordinator, Awareness & Intake Committee member, or other University employee who may be involved in the complaint process.

5. Making a Complaint of Sexual Harassment

Any member of the University 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 University 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.

6. 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.

7. Responsibilities of the University Community-at-Large

Members of the University 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.

8. Informal Resolution of Sexual Harassment Complaints

a. After receiving a complaint of sexual harassment, the Sexual Harassment Coordinator shall, in appropriate cases, make efforts to resolve the complaint informally, i.e., by an arrangement that is acceptable to the complainant, the accused, and the college. Examples of informal resolutions include, but are not limited to:

- arranging a workshop on sexual harassment to be conducted for the unit, division, or department in which the sexual harassment is alleged to have occurred;
- having a supervisor, Sexual Harassment Coordinator, or Deputy Coordinator speak to the accused regarding the allegations of sexual harassment and counsel the accused as to appropriate behavior;
- arranging for a meeting between the complainant and the accused, with a third party present, to discuss and resolve the allegations;
- having the accused write a letter of apology.

Whenever possible, an informal resolution should be acknowledged in writing and signed by the complainant. The accused should also be asked to sign such an acknowledgment.

b. If no informal resolution of a complaint is achieved, the Sexual Harassment Coordinator shall conduct a formal investiga-

tion of the complaint. It is recognized, however, that complaints may be resolved by mutual agreement of the complainant, the accused, and the college at any time in the process.

9. Investigations of Sexual Harassment Complaints

While the investigation of sexual harassment complaints may vary depending upon the nature of each case, it is recommended that an investigation include the following, to the extent feasible:

a. The Sexual Harassment Coordinator shall interview the complainant, preferably with a Deputy Coordinator present. The complainant may bring the person to whom he or she originally brought the complaint to the interview. The complainant should be informed that an investigation is being commenced, that interviews of the accused and possible other people will be conducted, and that the President will determine what action, if any, to take after the investigation is completed.

b. The Sexual Harassment Coordinator should interview the accused, preferably with a Deputy Coordinator present. The accused should be advised that a complaint of sexual harassment has been received, that an investigation has begun, which may include interviews with third parties, and that the President will determine what action, if any, to take after the investigation is completed. The accused should be advised of the nature of the allegations against him/her and be given an opportunity to respond. In addition, the accused should be advised that any sexual harassment of, or other retaliation against, the complainant or others is prohibited. If such behavior is engaged in, it will subject the accused to severe discipline, up to and including termination of employment, or, if the accused is a student, permanent dismissal from the University. An accused employee who is covered by a collective bargaining agreement may consult with a union representative and have a union representative present during the interview.

c. In addition to interviews with the complainant, the accused, and those persons named by them, it should be determined whether there are others who may have relevant information regarding the events in question and whether there is documentary evidence that may be relevant to the complaint. Persons interviewed should be advised that information related to the complaint should be kept confidential and not disclosed further, except as necessary during the complaint process.

d. In the event that a complaint is anonymous, the complaint should be investigated as thoroughly as possible under the circumstances.

e. While some complaints of sexual harassment may require extensive investigation, whenever possible the investigation of most complaints should be completed within 60 days of the receipt of the complaint.

10. Action Following Investigations of Sexual Harassment Complaints

a. Promptly following the completion of the investigation, the Sexual Harassment Coordinator shall report his/her findings to the President, and, in the event that the accused is a student, to the chief Student Affairs Officer.

b. Following such report, the President or his/her designee shall promptly take such action as he/she deems necessary and

proper to correct the effects of or to prevent further harm to an affected party or others similarly situated, including commencing action to discipline the accused under applicable University Bylaws or collective bargaining agreements. In addition to initiating disciplinary proceedings, corrective action may include, but is not limited to, transferring a student to another class section, transferring an employee, or granting a benefit wrongfully withheld.

c. the complainant and the accused should be apprised in writing of action taken as a result of the complaint.

11. Immediate Preventive Action

The President can, in extreme cases, take whatever action is appropriate to protect the college community.

12. False Complaints

In the event that the Sexual Harassment Coordinator concludes that a complainant made a complaint of sexual harassment with knowledge that the allegations were false, the Sexual Harassment Coordinator shall state this conclusion in his/her report. The failure to substantiate a sexual harassment complaint, however, is not in and of itself sufficient to demonstrate that a complaint was false.

13. Records and Reports

a. The Sexual Harassment Coordinator shall keep the President informed regarding complaints of sexual harassment and shall provide the information necessary to prepare the annual report referenced above in paragraph 1(e) [see page 34].

b. Records regarding complaints of sexual harassment shall be maintained in a secure location.

14. Applicability of Procedures

a. These Procedures are applicable to all of the units and colleges of the University. (The Hunter College Campus Schools may make modifications to these procedures, subject to the approval by the University, as appropriate to address the special needs of their elementary and high school students.)

b. These Procedures are intended to provide guidance to the Presidents for implementing the University policy against sexual harassment; these Procedures do not create any rights or privileges on the part of any others.

*Effective October 1, 1995
(Revised January 1, 2005)*

APPENDIX G

CRIMINAL CLASSIFICATIONS AND PENALTIES FOR SEXUAL ASSAULT CRIMES IN NEW YORK STATE

In general, it is a sex crime to engage in any sexual contact with a person who does not consent, or to engage in sexual intercourse, deviate sexual intercourse, or sexual abuse if it is accomplished by forcible compulsion. New York law also defines these acts as crimes if any of them are engaged in with a person who is incapable of consent either because of the person's age or because the person is mentally defective, mentally incapacitated, or physically helpless [see chart on page 38].

Rape

Rape in the first degree occurs when a person engages in non-consensual sexual intercourse with another by physical force, coercion, or threat, or with a person who is incapable of consent by reason of being physically helpless or underage. Sexual intercourse is defined as vaginal penetration. Rape in the first degree is a class B felony, punishable by up to 25 years in prison. Related offenses are: rape in the second degree, class D felony, punishable by up to 7 years in prison; rape in the third degree, a class E felony, punishable by up to 4 years in prison.

Sodomy

Sodomy in the first degree occurs when a person engages in nonconsensual deviate sexual intercourse with another person by physical force, coercion, or threat, or with a person who is physically helpless or underage. Deviate sexual intercourse is defined as oral or anal sexual contact. Sodomy in the first degree is a class B felony, punishable by up to 25 years in prison. Related offenses are: sodomy in the second degree, class D felony, punishable by up to 7 years in prison; and sodomy in the third degree, class E felony, punishable by up to 4 years in prison.

Sexual Abuse

Aggravated sexual abuse in the first degree occurs when a person inserts a foreign object into the vagina, urethra, penis, or rectum of another person, causing physical injury to that person, by physical force, coercion, or threat, or does so to a person who is physically helpless or underage. It is a class B felony, punishable by up to 25 years in prison. Aggravated sexual abuse in the second degree occurs when a person inserts a finger into the vagina, urethra, or penis of another person, causing physical injury to that person, by physical force, coercion, or threat, or does so to a person who is physically helpless or underage. It is a class C felony, punishable by up to 15 years in prison. Related offenses are: aggravated sexual abuse in the third degree, class D felony, punishable by up to 7 years in prison; and aggravated sexual abuse in the fourth degree, class E felony, punishable by up to 4 years in prison. Sexual abuse in the first degree occurs when a person subjects another person to nonconsensual sexual contact by physical force, coercion, or threat, or when the other person is physically helpless or underage. Sexual contact is defined as any touching of the sexual or other intimate parts of another person,

whether directly or through clothing. Sexual abuse in the first degree is a class D felony, punishable by up to 7 years in prison. Related crimes: persistent sexual abuse, class E felony, punishable by up to 4 years in prison; sexual abuse in the second degree, class A misdemeanor, punishable by up to 1 year in jail; sexual abuse in the third degree, class B misdemeanor, punishable by up to 3 months in jail; sexual misconduct, class A misdemeanor, punishable by up to 1 year in jail; and forcible touching, a class A misdemeanor, punishable by up to 1 year in jail.

(Source: New York Penal Law Article 130)

Facilitating a Sex Offense with a Controlled Substance

Facilitating a sex offense with a controlled substance occurs when a person administers a controlled substance to another person without that person's consent with the intent of committing a felony sex crime against that person and commits or attempts to commit that sex crime. Facilitating a sex offense with a controlled substance is a class D felony, punishable by up to 7 years in prison [see chart on page 38].

APPENDIX H

NOTIFICATION UNDER FERPA OF STUDENT RIGHTS CONCERNING EDUCATION RECORDS AND DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. The FERPA rights of students are:

1. The Right to Inspect and Review Your Education Records

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

All requests shall be granted or denied in writing within 45 days of receipt. If the request is granted, you will be notified of the time and place where the records may be inspected. If the request is denied or not responded to within 45 days, you may appeal to the college's FERPA appeals officer (Asst. Vice President Jane Denkensohn, Special Counsel to the President, Kiely 805, 718-997-5725). Additional information regarding the appeals procedures will be provided to you if a request is denied.

2. The Right to Request the Amendment of the Student's Education Records That the Student Believes Are Inaccurate or Misleading

You may ask the college to amend a record that you believe is inaccurate or misleading. You should write to the college official responsible for the record, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading.

If the college decides not to amend the record as requested by you, the college will notify you of the decision and advise you of your right to a hearing before the college's FERPA appeals officer regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of your right to a hearing.

3. The Right to Consent to Disclosure of Personally Identifiable Information Contained in Your Education Records, Except to the Extent That FERPA Authorizes Disclosure Without Consent

One exception which permits disclosure without consent is disclosure to college officials with legitimate educational interests. A college official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted; a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another college official in performing his/her tasks.

A college official has a legitimate educational interest if access is reasonably necessary in order to perform his/her instructional, research, administrative, or other duties and responsibilities.

Upon request, the college discloses education records without consent to officials of another college or school in which a student seeks or intends to enroll.

4. The Right to Appeal the Alleged Denial of FERPA Rights

You may appeal the alleged denial of FERPA rights to:

General Counsel and Vice Chancellor for Legal Affairs
City University of New York
535 East 80th Street
New York, NY 10021

5. The Right to File a Complaint with the U.S. Department of Education

A complaint concerning alleged failures by the college to comply with the requirements of FERPA may be filed with the U.S. Department of Education at:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, D.C. 20202-4605

(CUNY Office of General Counsel, October 17, 2000)

CRIMINAL CLASSIFICATIONS FOR SEXUAL ASSAULT CRIMES IN NEW YORK STATE

NATURE OF ASSAULT	AGE OF COMPLAINANT	AGE OF DEFENDANT	CLASSIFICATION
Sexual Intercourse			
By Force	No limitation	No limitation	Rape-1 Class B Violent Felony
Physically Helpless Person	No limitation	No limitation	Rape-1 Class B Violent Felony
With Consent	Under 11 years	No limitation	Rape-1 Class B Violent Felony
With Consent	Under 13 years	18 or over	Rape-1 Class B Violent Felony
With Consent	Under 15 years	18 or over	Rape-2 Class D Felony
Mentally Disabled or Incapacitated Person	No limitation	No limitation	Rape-2 Class D Felony
With Consent	Under 17 years	21 or over	Rape-3 Class E Felony
Without Consent	No limitation	No limitation	Rape-3 Class E Felony OR Sexual Misconduct Class A Misdemeanor
Sodomy			
By Force	No limitation	No limitation	Sod.-1 Class B Violent Felony
Physically Helpless Person	No limitation	No limitation	Sod.-1 Class B Violent Felony
With Consent	Under 11 years	No limitation	Sod.-1 Class B Violent Felony
With Consent	Under 13 years	18 or over	Sod.-1 Class B Violent Felony
With Consent	Under 15 years	18 or over	Sod.-2 Class D Felony
Mentally Disabled or Incapacitated Person	No limitation	No limitation	Sod.-2 Class D Felony
With Consent	Under 12 years	21 or over	Sod.-3 Class E Felony
Without Consent	No limitation	No limitation	Sexual Misconduct Class A Misdemeanor
Sexual Contact			
By Force	No limitation	No limitation	Sexual Abuse-1 Class D Violent Felony
Physically Helpless Person	No limitation	No limitation	Sexual Abuse-1 Class D Violent Felony
With Consent	Under 11 years	No limitation	Sexual Abuse-1 Class D Violent Felony
Mentally Disabled or Incapacitated Person	No limitation	No limitation	Sexual Abuse-2 Class A Misdemeanor
With Consent	Under 14 years	No limitation	Sexual Abuse-2 Class A Misdemeanor
With Consent	14 or over, and under 17	More than 5 years older than complainant	Sexual Abuse-3 Class B Misdemeanor
Without consent	No limitation	No limitation	Sexual Abuse-3 Class B Misdemeanor
With an Animal or Dead Body	No limitation	No limitation	Sexual Misconduct Class A Misdemeanor
With a Foreign Object, Causing Physical Injury	Under 11, or any age if force is used or complainant is physically helpless	No limitation	Aggravated Sexual Abuse-1 Class B Violent Felony
With a Finger, Causing Physical Injury	Under 11, or any age if force is used or complainant is physically helpless	No limitation	Aggravated Sexual Abuse-2 Class C Violent Felony
With a Foreign Object	Under 11, or any age if force is used or complainant is physically helpless or mentally disabled or incapacitated	No limitation	Aggravated Sexual Abuse-3 Class D Felony
With a Finger	Under 11, or any age if force is used or complainant is physically helpless or mentally disabled or incapacitated	No limitation	Aggravated Sexual Abuse-4 Class E Felony
Forcible Touching	No limitation	No limitation	Class A Misdemeanor
Persistent Sexual Abuse	No limitation	No limitation	Class E Felony
Facilitating a Sex Offense with a Controlled Substance	No limitation	No limitation	Class D Violent Felony

APPENDIX I

DRUG CHARTS: SYMPTOMS OF ABUSE AND CRIMINAL PENALTIES

Common Drugs and Symptoms of Abuse

Type of Drug	Drug Names	Street Names	Methods of Use	Symptoms of Use	Hazards of Use
Marijuana Hashish	Cannabis	Pot, Grass, Reefer, Weed, Colombian, Hash, Hash Oil, Sinsemilla, Joint	Most often smoked; can also be swallowed in solid form	Sweet, burnt odor; neglect of appearance; loss of interest, motivation; possible weight loss	Impaired memory and perception; interference with psychological maturation; possible damage to lungs, heart, reproduction & immune systems; psychological dependence
Tobacco	Nicotine		Smoked in cigarettes, cigars, pipes; snuff; chewing tobacco	Nicotine discoloration, shortness of breath, greater incidence of illness, high carbon monoxide levels	Heart disease; cancer of lungs, larynx, oral cavity, and esophagus; chronic bronchitis; emphysema; retarded fetal growth, risk of spontaneous abortion
Alcohol		Booze, Hooch, Juice, Brew	Swallowed in liquid form	Impaired muscle coordination, judgment	Heart & liver damage; death from overdose; death from car accident; addiction
Stimulants (drugs that stimulate the central nervous system)	Amphetamines* Dextroamphetamine Methamphetamine	Speed, Uppers, Pep Pills, Bennies, Dexies, Ice, Meth, Crystal, Black Beauties	Swallowed in pill or capsule form, or injected into veins	Excess activity; irritability, nervousness; mood swings; needle marks	Loss of appetite; hallucinations; paranoia; convulsions; coma; brain damage; death from overdose
	Cocaine	Coke, Snow, Toot, White Lady, Crack, Rock	Most often inhaled (snorted); also injected or swallowed in powder form; smoked	Restlessness, anxiety; intense, short-term high followed by depression	Intense psychological dependence; sleeplessness; anxiety; nasal passage & lung damage; death from overdose
Depressants (drugs that depress the central nervous system)	Barbiturates Pentobarbital Secobarbital Amobarbital	Barbs, Downers Yellow Jackets Red Devils Blue Devils	Swallowed in pill form or injected into veins	Drowsiness; confusion; impaired judgment; slurred speech; needle marks; constricted pupils	Addiction with severe withdrawal symptoms; loss of appetite; death from overdose; nausea; infection
	Quaalude Sopor	Ludes Soapers	Swallowed in pill form	Impaired judgment & performance; drowsiness; slurred speech	Death from overdose; injury or death from car accident; severe interaction with alcohol

*Includes look-alike drugs resembling amphetamines that contain caffeine, phenylpropanolamine (PPA), ephedrine.

Common Drugs and Symptoms of Abuse (continued)

Type of Drug	Drug Names	Street Names	Methods of Use	Symptoms of Use	Hazards of Use
Narcotics (natural or synthetic drugs that contain or resemble opium)	Demerol, Dilaudid Methadone, Percodan		Swallowed in pill or liquid form; injected	Drowsiness; lethargy	
	Codeine	School Boy	Swallowed in pill or liquid form		Addiction with severe withdrawal symptoms; loss of appetite; death from overdose
	Morphine Heroin	Dreamer, Junk, Smack, Horse	Injected into veins; smoked	Needle marks	
Hallucinogens (drugs that alter perceptions of reality)	PCP (Phencyclidine)	Angel Dust, Killer Weed, Supergrass, Hog, PeaCe Pill	Most often smoked; can also be inhaled (snorted), injected, or swallowed in tablets	Slurred speech; blurred vision; lack of coordination; confusion; agitation; aggression	Anxiety; depression; impaired memory & perception; death from accident; death from overdose
	LSD	Acid, Cubes, Purple Haze	Usually swallowed	Dilated pupils; illusions, hallucinations; mood swings	Breaks from reality; emotional breakdown; flashback
	Mescaline Psilocybin	Mesc, Cactus, Magic Mushrooms	Usually swallowed in their natural form		
	Ketamine	Special K, K, Vitamin K, Kit Kat, Keller, Super C, Super Acid	Inhaled as powder; swallowed as powder, pill, or liquid; injected as liquid	Slurred speech; poor motor coordination; vomiting; increased blood pressure & heart rate; hallucinations; paranoia; feelings of invulnerability; aggressive behavior	Increased heart rate; unconsciousness; depressed breathing; convulsions; paralysis; heart attack; stroke; coma; death
Inhalants (substances abused by sniffing)	Gasoline Airplane Glue Paint Thinner Dry Cleaner Solution		Inhaled or sniffed, often with use of paper or plastic bag or rag	Poor motor coordination; impaired vision, loss of memory, thought; abusive, violent behavior	High risk of sudden death; drastic weight loss; brain, liver, bone marrow damage
	Nitrous Oxide	Laughing Gas, Whippets	Inhaled or sniffed by mask or cone	Lightheadedness	Death by anoxia; neuropathy, muscle weakness
	Amyl Nitrite Butyl Nitrite	Poppers, Locker Room, Rush, Snappers	Inhaled or sniffed from gauze or ampules	Slowed thought; headache	Anemia; death by anoxia

Note: Taking drugs of any type during pregnancy can be hazardous.

CRIMINAL CLASSIFICATIONS AND PENALTIES FOR NARCOTICS, OTHER CONTROLLED SUBSTANCES, AND MARIJUANA IN NEW YORK STATE

(As of 2004)

(Source: New York State Penal Law, Sec. 220 and 221)

	A-1 Felony 15 to 25 yr min., life term max.	A-1 Felony 3 to 8-1/3 yr min., life term max.	8 Felony 1 to 8-1/3 yr min., 3 to 25 yr max.	C Felony up to 15 yrs in prison	D Felony up to 7 yrs in prison	E Felony up to 4 yrs in prison	A Misdemeanor up to 1 yr in jail or \$1000 fine	B Misdemeanor up to 3 months in jail or \$500 fine
Narcotic Drugs ^a	Possession Sale	4 oz or more 2 oz or more	2 oz or more 1/2 oz or more	1/8 oz. or more	500 mg or more cocaine any amount	more than 8 oz more than 25 gm	any amount	
Narcotic Preparations ^b	Possession Sale		2 oz or more any amount	2 oz or more any amount	1/2 oz or more any amount		any amount	
Melhadone	Possession Sale	5,760 mg or more 2,880 mg or more	2,880 mg or more 360 mg or more	360 mg or more any amount	any amount	more than 2 oz 25 gm or less ^d	any amount	
Marijuana ^c	Possession Sale			more than 10 lb more than 16 oz	more than 16 oz more than 4 oz	more than 8 oz more than 25 gm	any amount	more than 25 gm 2 gm or less ^e
Concentrated Cannabis	Possession Sale		1 oz or more any amount	1 oz or more any amount	1/4 oz or more any amount	any amount	any amount	
Stimulants (Amphetamines and others)	Possession Sale	10 gm or more 5 gm or more	5 gm or more 1 gm or more ^f	1 gm or more	any amount	any amount	any amount	
Melhamphetamine	Possession Sale	2 oz or more 1/2 oz or more	1/2 oz or more	1/2 oz or more	any amount	any amount	any amount	
Lysergic Acid Diethylamide (LSD)	Possession Sale	25 mg or more 5 mg or more	5 mg or more 1 mg or more ^f	1 mg or more	any amount	any amount	any amount	
Undiluted Phencyclidine (PCP)	Possession Sale	1,250 mg or more 250 mg or more	250 mg or more 50 mg or more	250 mg or more 50 mg or more	50 mg or more any amount	100 mg or more	any amount	
Hallucinogens (STP or DOM; others of amphetamine type)	Possession Sale	625 mg or more 125 mg or more	125 mg or more 25 mg or more ^f	25 mg or more	any amount	any amount	any amount	
Hallucinogenic Substances ^g	Possession Sale	25 gm or more 5 gm or more	5 gm or more 1 gm or more ^f	1 gm or more	any amount	any amount	any amount	
Dangerous Depressants ^h	Possession Sale		10 oz or more 10 oz or more	10 oz or more	any amount	any amount	any amount	
Depressants (Meperbama ⁱ and others)	Possession Sale		2 lb or more 2 lb or more	2 lb or more	any amount	any amount	any amount	
Ketamine	Possession Sale		4,000 mg or more 4,000 mg or more	4,000 mg or more 4,000 mg or more	1,000 mg or more ^f any amount	any amount	any amount	

It is also a violation of New York State law to appear in public under the influence of narcotics or a drug other than alcohol to a degree that may endanger oneself or other persons or property, or annoy persons in one's vicinity. Penalty could include 15 days' imprisonment and a \$250 fine.

State Alcohol Abuse Penalties: 1. Unlawfully Dealing with a Child – It is unlawful to give or serve alcohol (or cause it to be given or sold) to a person under the age of 21. This is a Class A misdemeanor. Penalty could be up to one year's imprisonment and a \$1,000 fine. 2. DWI – Driving While Intoxicated (by drugs or alcohol) is a misdemeanor punishable by up to a year in prison and up to a \$1,000 fine. 3. DWAI – Driving While Ability Impaired by Alcohol is a violation punishable by up to 15 days' imprisonment and up to a \$500 fine. 4. Driving after having consumed alcohol while under the age of 21 is punishable by suspension or revocation of the underage driver's license or permit in addition to any other applicable offense. 5. Liability of One Serving a Person Under Age 21 – Anyone who furnishes or assists a person under 21 years of age in procuring alcoholic beverages is liable for any damages caused by that underage person while under the influence. 6. Dram Shop Liability – Any person who sells alcoholic beverages or unlawfully assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence. 7. Fraudulent Documents – It is in violation of state law for a person under the age of 21 years to present false evidence of age to procure alcoholic beverages. Possessing such false evidence may also be criminal possession of a forged instrument within the meaning of the penal law. The penalty for a first offense of using fraudulent means to obtain alcoholic beverages may include community service of up to 30 hours and a fine of up to \$100. Penalties increase upon subsequent offenses.

Notes:

^aHeroin, opium, cocaine, morphine, and other drugs. ^bCommercial preparations with lower concentrations of opium, cocaine, morphine, some others. ^cMarijuana Reform Act of 1977 has classified possession of lesser amounts of marijuana, up to 25 grams (about 7/8 of an ounce or 25-30 cigarettes), as a violation; penalties range from \$100 to \$250 fine and/or up to 15 days in jail, depending on whether it is first, second, or third offense. ^dWith consideration. ^eWithout consideration. ^fOr any amount with prior conviction. ^gPeyote, mescaline, others in Schedule IC, but not LSD, concentrated cannabis, or listed above. ^hBarbital, phenobarbital, methaqualone, and others.

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL TRAFFICKING AND POSSESSION OF A CONTROLLED SUBSTANCE

Federal Trafficking Penalties – Marijuana (includes hashish and hashish oil)

(As of April 2004)

Description	Quantity	First Offense	Second Offense
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life. • If death or serious injury, not less than 20 years, not more than life. • Fine not more than \$4 million individual, \$10 million other than individual. 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life. • If death or serious injury, life. • Fine not more than \$8 million individual, \$20 million other than individual.
Marijuana	100 kg to 999 kg mixture; or 100–999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years. • If death or serious injury, not less than 20 years, not more than life. • Fine not more than \$2 million individual, \$5 million other than individual. 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life. • If death or serious injury, life. • Fine not more than \$4 million individual, \$10 million other than individual.
Marijuana	50–99 kg mixture; or 50–99 plants; more than 10 kg of hashish; more than 1 kg of hashish oil	<ul style="list-style-type: none"> • Not more than 20 years. • If death or serious injury, not less than 20 years, not more than life. • Fine \$1 million individual, \$5 million other than individual. 	<ul style="list-style-type: none"> • Not more than 30 years. • If death or serious injury, life. • Fine \$2 million individual, \$10 million other than individual.
Marijuana	Less than 50 kg mixture; or 1–49 plants		
Hashish	10 kg or less	<ul style="list-style-type: none"> • Not more than 5 years. • Fine not more than \$250,000 individual, \$1 million other than individual. 	<ul style="list-style-type: none"> • Not more than 10 years. • Fine \$500,000 individual, \$2 million other than individual.
Hashish Oil	1 kg or less		

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 USC 844(a) First conviction: Up to one year imprisonment and fined at least \$1,000, or both.

After one prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least \$2,500, or both.

After two or more prior drug convictions: At least 90 days in prison, not to exceed 3 years, and fined at least \$5,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fined at least \$1,000, or both, if:

(a) First conviction and the amount of crack possessed exceeds 5 grams.

(b) Second crack conviction and the amount of crack possessed exceeds 3 grams.

(c) Third or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 USC 853(a)(2) and 881(a)(7) Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

21 USC 881(a)(4) Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 USC 844a Civil fine of up to \$10,000.

21 USC 862 Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 USC 922(g) Ineligible to receive or purchase a firearm.

Miscellaneous

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

Note: These are only federal penalties and sanctions. Additional state penalties and sanctions may apply.

Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance

FEDERAL TRAFFICKING PENALTIES

(As of April 2004)

CSA*	1st Offense	2nd Offense	Quantity	Drug	Quantity	1st Offense	2nd Offense
I and II	• Not less than 5 years. Not more than 40 years.	• Not less than 10 years. Not more than life.	5–49 gm pure or 50–499 gm mixture	METHAMPHETAMINE (Schedule II)	50 gm or more pure or 500 gm or more mixture	• Not less than 10 years. Not more than life.	• Not less than 20 years. Not more than life.
			100–999 gm mixture	HEROIN (Schedule I)	1 kg or more mixture		
			500–4,999 gm mixture	COCAINE (Schedule II)	5 kg or more mixture		
	• If death or serious injury, not less than 20 years or more than life.	• If death or serious injury, life.	5–49 gm mixture	COCAINE BASE (Schedule II)	50 gm or more mixture	• If death or serious injury, not less than 20 years or more than life.	• If death or serious injury, life.
	• Fine of not more than \$2 million individual, \$5 million other than individual.	• Fine of not more than \$4 million individual, \$10 million other than individual.	10–99 gm pure or 100–999 gm mixture	PCP (Schedule II)	100 gm or more pure or 1 kg or more mixture	• Fine of not more than \$4 million individual, \$10 million other than individual.	• Fine of not more than \$8 million individual, \$20 million other than individual.
			1–9 gm mixture	LSD (Schedule I)	10 gm or more mixture		
			40–399 gm mixture	FENTANYL (Schedule II)	400 gm or more mixture		
			10–99 gm mixture	FENTANYL ANALOGUE (Schedule I)	100 gm or more mixture		

* The Controlled Substances Act (1970) places all substances regulated under federal law into one of five schedules based on the substance's medical use, potential for abuse, and safety or dependence liability.

CSA	Quantity	Drug	First Offense	Second Offense
I & II	Any	Others (law does not include marijuana, hashish, or hash oil)	• Not more than 20 years. • If death or serious injury, not less than 20 years, not more than life. • Fine \$1 million individual, \$5 million other than individual.	• Not more than 30 years. • If death or serious injury, life. • Fine \$2 million individual, \$10 million other than individual.
III	Any	All (included in Schedule III are anabolic steroids, codeine, and hydrocodone with aspirin or Tylenol® and some barbiturates)	• Not more than 5 years. • Fine not more than \$250,000 individual, \$1 million other than individual.	• Not more than 10 years. • Fine not more than \$500,000 individual, \$2 million other than individual.
IV	Any	All (included in Schedule IV are Darvon®, Telwin®, Equanil®, Valium®, and Xanax®)	• Not more than 3 years. • Fine not more than \$250,000 individual, \$1 million other than individual.	• Not more than 6 years. • Fine not more than \$500,000 individual, \$2 million other than individual.
V	Any	All (over-the-counter cough medicines with codeine are classified in Schedule V)	• Not more than 1 year. • Fine not more than \$100,000 individual, \$250,000 other than individual.	• Not more than 2 years. • Fine not more than \$200,000 individual, \$500,000 other than individual.

APPENDIX J

CUNY POLICY ON SMOKING

BOARD OF TRUSTEES MINUTES, SEPTEMBER 29, 1994

*No. 5. Committee on Faculty, Staff, and Administration:
RESOLVED, That the following items are approved:*

CUNY-Wide – Prohibition of smoking:

WHEREAS, As the largest urban university in the country, the City University is committed to promoting the health and well-being of its faculty, students, and staff; and

WHEREAS, The health hazards of tobacco use are well-documented and directly linked to the death of an estimated 390,000 Americans a year; and

WHEREAS, Exposure to environmental tobacco smoke has been associated with the occurrence of many diseases, such as lung cancer and heart disease in nonsmokers and low birthrate in the offspring of nonsmokers; and

WHEREAS, Environmental tobacco smoke represents one of the strongest sources of indoor air contaminants in buildings where smoking is permitted; therefore

BE IT RESOLVED, That smoking is prohibited inside all facilities owned, leased, or operated by the City University of New York, effective January 1, 1995.

EXPLANATION: This policy will further strengthen the current Smoking Policy of the City University of New York, approved by the Council of Presidents at its meeting of May 7, 1990, which prohibited smoking in over ninety percent of the space in campus buildings, including classrooms, auditoriums, elevators, hallways, restrooms, and other common areas. The significant health hazards associated with tobacco smoke for both smokers and nonsmokers alike clearly indicates the necessity of creating a University smoke-free environment.