College Overview

The CUNY School of Professional Studies’ Annual Security Report includes statistics for the previous three years of reported crimes that occurred on campus; in certain off-campus buildings owned or controlled by the CUNY School of Professional Studies; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies about alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. Hard copies of the Annual Security Report can be obtained by calling the Office of Public Safety or by calling 1-646-664-8600.

In 2003, the Board of Trustees of the City University of New York created the CUNY School of Professional Studies (CUNY SPS) with the purpose of meeting the educational needs of working adults, organizations, and employers. Since then, CUNY SPS has developed into a well-established school serving New York City by providing innovative and academically rigorous programs of study designed to address new or unmet needs.

Drawing on the University’s faculty as well as on leading industry practitioners citywide, the School’s undergraduate and graduate degree programs, certificate programs, and professional development courses provide opportunities for job mobility, civic participation, and personal growth.

The School’s own growth has been remarkable. Since 2006, it has launched fifteen degrees – nine bachelor’s degrees (open to students with 24 or more college credits who wish to complete their undergraduate studies) and six master’s degrees, and more programs are currently in development. CUNY SPS leads the University in developing and operating online degree programs, and trains faculty throughout CUNY in online instruction.

Enrollment at CUNY SPS has grown to over 2,200 students in the credit-bearing programs, and the School’s offers over $9.5 million in grant-funded non-credit programs in partnership with such agencies as the NYC Office of Emergency Management (OEM), the NYC Department of Homeless Services (DHS), the New York City Human Resources Administration Office of Child Support Enforcement (HRA OCSE), and the American Museum of Natural History, among others.

CUNY SPS is also the home of the Joseph S. Murphy Institute for Worker Education and Labor Studies, which offers higher education programs for working adults and union members, and serves as a nationally-recognized center for scholarship and resources for labor and community leaders seeking a deeper understanding of labor and urban issues.

Celebrating its tenth anniversary this year, the CUNY SPS has graduated over 1,700 students, and now maintains an active Alumni Association. The SPS Foundation has been established and oversees new fundraising and scholarship efforts. And, perhaps the most exciting news of all: in Fall 2013, CUNY SPS began to occupy its new home at 119 W. 31st St., a move that will continue to strengthen the School in the years to come.

Crime Reporting Procedure

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

1. Calling the Office of Public Safety’s emergency telephone line at 646-664-8600, or extension 48600 from within the college’s telephone system.
2. Reporting the information to any member of the Office of Public Safety at the 119 West 31st Street lobby security desk or the Public Safety Sergeant’s Office, located in room 217C (646-664-8601).
3. All counselors are strongly encouraged to inform the persons they are counseling of the School’s procedures for reporting crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
4. Victims or witnesses may report crimes to persons designated as Campus Security Authorities, who will then forward only the report of the crime to the Office of Public Safety for inclusion in the annual crime report.
   The School recognizes the importance of confidentiality to victims and witnesses of crimes. For the purposes of providing crime statistics pursuant to the Campus Security Act in the School’s annual crime report, victim and witness information will remain anonymous. However, complete confidentiality cannot be guaranteed in all other contexts. The School reserves the right to notify the police when it believes that such reporting is necessary for the protection of the School community. In many cases, however, that notification will be accomplished without divulging the victim’s identity and will be done only for the purpose of providing a campus-wide safety alert.
5. In the event of an extreme or life-threatening situation, call 911, the New York City Police Department’s emergency phone number. Please also notify the Department of Public Safety. They will respond and direct the police and other emergency personnel to the reported emergency.
6. **Hate Crime and Bias-Related Incidents** - Bias or hate crimes are crimes motivated by the perpetrator's bias or attitude against an individual victim
or group based on perceived or actual personal characteristics, such as their race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. Bias-related incidents are behaviors which constitute an expression of hostility against the person or property of another because of the targeted person's race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. According to New York Penal Law Section 485, a person commits a hate crime when he or she commits a specified criminal offense and either:

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

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

Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings. Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous conviction of the offender. Students, staff or faculty who commit bias crimes are also subject to University disciplinary procedures and a range of sanctions up to and including suspension, expulsion or termination of employment. In order to effectively handle incidents of bias related crimes and prevent future occurrences of such crimes, victims or witnesses of a hate crime are encouraged to immediately report incidents in the manner described above. Victims of bias crime can also avail themselves of counseling and support services through the Office of Student Services.

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

Investigation of Violent Felony Offenses

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

Daily Crime Log

A daily Crime Log is maintained that records, by the date reported, any crime that occurred on campus, on a non-campus building or property, or on public property or within the patrol jurisdiction of the Office of Public Safety going back to the School’s opening in 2013. The log is kept in Room 217C and is available for public inspection.

Campus Security Authorities

The following persons are designated as Campus Security Authorities:

- Office of the Assistant Dean, Office of the Registrar and Student Services (119 West 31st Street, 1st Floor, 646-664-8501)
- Office of the Assistant Dean of Admissions and Enrollment Management (119 West 31st Street, 2nd Floor, 646-664-8571)
- Office of the Director of Student Services (119 West 31st Street, 4th Floor, 646-664-8615)
- Office of the Student Life Specialist (119 West 31st Street, 4th Floor, 646-664-8616)
- Office of the Director of Academic Admissions and Academic Advisement (119 West 31st Street, 2nd Floor, 646-664-8560)
- Office of the Director, Joseph S. Murphy Institute for Worker Education (25 West 43rd Street, 19th Floor, 212-827-0200)
- Office of the Associate Director for Worker Education (25 West 43rd Street, 19th Floor, 212-642-2028)
- Academic Director, Applied Theatre (101 West 31st Street, 6th Floor, 212-652-2840)
- Academic Director, Business Programs (101 West 31st Street, 7th Floor, 212-652-2059)
- Academic Director, Communications and Media (101 West 31st Street, 5th Floor, 212-652-2031)
- Academic Director, Disability Studies (119 West 31st Street, 2nd Floor, 646-664-8580)
- Academic Director, General Education (101 West 31st Street, 7th Floor, 212-652-2040)
- Academic Director, Health Information Management (101 West 31st Street, 7th Floor, 646-344-7324)
- Academic Director, Information Systems (101 West 31st Street, 7th Floor, 646-344-7247)
- Academic Director, Nursing (101 West 31st Street, 7th Floor, 212-652-2066)
- Academic Director, Human Relations (119 West 31st Street, 1st Floor, 212-652-2106)
- Academic Director, Psychology (101 West 31st Street, 7th Floor, 212-652-2018)
- Academic Director, Sociology (101 West 31st Street, 7th Floor, 646-344-7327)

Members of the college community may report of crimes and security incidents to these officials. Each year, the Office of Security and Public Safety requests data from these authorities via an official letter, for inclusion in this report.

Reporting Incidents of Sexual Harassment, Including Sexual Assault and Sexual Misconduct, Stalking and Dating/Intimate Partner/Domestic Violence (Title IX Reporting)

Allegations of sexual harassment including sexual assault, stalking, or domestic and intimate partner violence should be reported to one of the individuals listed below.

- Title IX Coordinator – Christopher Leydon, Suite 413, 646-664-8616, christopher.leydon@mail.cuny.edu
- Director of Public Safety - John Flaherty, The Graduate Center/Room 9117, 212-817-7761, jflaherty@gc.cuny.edu
- Chief Student Affairs Officer - Zeita Lobley, Suite 413, 646-664-7248, zeita.lobley@cuny.edu
Public Safety and Security Services

The CUNY School of Professional Studies, during operating hours, employs one Sergeant, one Campus Peace Officer and four Campus Security Assistants, usually assigned to the lobby security desk or patrol duties. Campus Peace Officers are sworn law enforcement/NYS Peace Officers under Criminal Procedure Law 2.10 subsection 79 and have the power to make arrests. Campus Security Assistants are licensed as NYS Licensed Security Guards and do not have arrest powers (outside of the powers of a private citizen).

At the CUNY School of Professional Studies, incidents of a criminal nature that are reported to a Campus Peace Officer or Campus Security Assistant are referred via the complainant to the NYPD. The City University of New York and the CUNY School of Professional Studies have Memoranda of Understanding with the NYPD for emergency, non-emergency, and investigative response.

The Office of Public Safety also oversees an electronic access control, intrusion alarm, and closed circuit television (CCTV) system designed to protect various parts of the building.

In addition, the 32nd Street entrance to the School of Professional Studies, 101 West 31st Street and 25 West 43rd Street, have contract security officers supplied by building management in the lobbies of those buildings to serve as an additional layer of screening and protection. Building management in each building also employs Fire Safety/Emergency Action Plan Directors as required by New York City Law to monitor fire alarm systems and coordinate emergency evacuations and response.

The CUNY School of Professional Studies maintains a cooperative relationship with local, state and federal law enforcement agencies. A written Memorandum of Understanding exits between all City University colleges and the New York City Police Department regarding presence on campus and law enforcement duties.

Off-Campus Organizations Crimes and Safety Hazard Monitoring

The CUNY School of Professional Studies does not have any recognized off-campus student organizations or housing facilities.

Emergency Notification & Response

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

Timely Warnings to the College Community
The Office of Security and Public Safety issues safety alert bulletins when deemed necessary and provides Timely Warning Notices via email to the campus community when serious crimes that present a continuing threat occur in areas on or near the campus. The department maintains a relationship with the New York City police precincts that are responsible for the public safety of the campus and its surrounding areas. All persons reporting crimes to the Office of Security and Public Safety are encouraged to promptly report the incident to the local police precinct concerned. A record of each report made to the local precincts is kept as part of the Office of Security and Public Safety’s annual statistical report.

Immediate Notifications
An immediate notification will be sent via CUNY Alert upon confirmation of a significant emergency but may be delayed if such notification would compromise efforts to contain the emergency or if it presents an undue safety risk. The building’s public address system, community emails and website postings may also be used when appropriate.

Emergency Drills
Building Management conducts two fire drills and one emergency action plan drill each year as required by local law. The CUNY School of Professional Studies participates in these drills. During these drills, building occupants are familiarized with campus evacuation procedures. Each floor has assigned fire/evacuation wardens who provide direction to the college community during drills and actual emergency events. These drills will be evaluated in order to assess and improve our emergency response capabilities. The college community will be notified of the drills in advance via community-wide emails. Other portions of the CUNY School of Professional Studies’ Emergency Operations Plan, including emergency notifications, will be tested and evaluated at least once a year through announced and unannounced exercises.

Publication of Procedures
Emergency response and evacuation procedures are published annually via the Annual Security Report and are updated as needed. Additional information can be found at http://sps.cuny.edu/filestore/1/6/0/1/8877916a7a1ba0/1801_584ab78bdcdbda5d.pdf.

Reporting an Emergency - An emergency can be reported in the following ways:

- Call 8600 to contact Public Safety during operating hours. Call lobby security at other buildings where the School of Professional Studies leases space.
- Call 911 to report emergencies directly to the New York City Police, Fire and/or Emergency Medical Services. If calling 911 while on campus, also call Public Safety at x48600 so the emergency response can be expedited. Call lobby security at other buildings where the School of Professional Studies leases space.
- For smoke or fire, pull the Fire Alarm Pull Boxes, which are bright red in color, located adjacent to all fire exits. Lifting the cover and pulling down the handle activates the alarm. A signal is sent to the fire command station in the building’s main lobby and to a central dispatch station that notifies the FDNY. When pulled, this device will also activate an audible fire alarm on the floor where pulled and the floor above.

Evacuations - Know your escape route using the building’s fire exits and fire stairs in advance (you should know your escape routes well enough to be able to make your way in the dark or in dense smoke). Also be prepared to use an alternate exit in case your primary route is obstructed. Remain calm and proceed to evacuate the area in an orderly manner. Rely on planning and knowledge, do not rush, push or panic. Listen for instructions from Fire Wardens, Security and Public Safety Officers and the
Fire – In case of fire or visible smoke, pull the nearest fire alarm; call NYFD at 911 and/or Public Safety at 48600 or call lobby security at the other buildings where the School of Professional Studies leases space. Prepare to evacuate immediately upon the sounding of any fire alarm and alert those in the immediate area of the danger. Follow the instructions given by the Fire Safety/Emergency Action Plan Director, Fire Wardens and Public Safety personnel. Before opening any door, touch the door with the back of your hand and do not open a door that is warm or hot. Close doors behind you to prevent fire spread, but make sure that you can reopen them if you need to retreat. Use stairs and not elevators. Help those less able and persons in wheelchairs to smoke free stairwells. Report their location and condition to NYFD and college public safety personnel. Do not remove any person from a wheelchair or attempt to carry or negotiate wheelchairs with people up or down the steps. When at other colleges, comply with posted or announced fire instructions.

Sheltering-in-Place – Sheltering-in-place simply means seeking immediate shelter inside a building. This course of action may be necessary during a release of toxic chemicals, biological agents or radiation to the outside air. When air quality may be threatened, sheltering in place keeps you inside an area offering more protection. Sheltering-in-place may also be used during civil unrest, severe weather or other emergencies. Stay inside the building and close all doors and windows. Seal off openings to your room if possible. Do not use elevators as they may pump air through the building. Remain in place until you are told that it is safe to leave.

Other Life Threatening Emergencies - Call NYFD or EMS at 911 and/or Campus Security at 8600. Call lobby security at the other buildings where the School of Professional Studies leases space. Public Safety personnel will assist and coordinate emergency response forces. CUNY School of Professional Studies peace officers and campus security assistants are not armed, and are not emergency medical technicians. The NYFD and Emergency Medical Service are called upon to perform these functions.

Injuries and Accidents - Students and employees injured in accidents should call Public Safety (x8600), seek medical attention, and notify their supervisor or the Graduate Center’s Director of Human Resources as appropriate. Hazards should be reported immediately.

Public Safety Awareness & Crime Prevention Programs

The Office of Public Safety takes the following preventative measures in an attempt to limit criminal activity: screening visitors, issuing ID cards, controlling access, monitoring closed circuit television cameras and other electronic security systems, patrolling the building and its perimeter, inspecting infrastructure such as doors, locks, lighting and alarm systems, responding to incidents and conducting investigations.

Community-wide emails containing crime prevention information are sent to students, staff and faculty whenever an incident takes place that poses an ongoing threat to the college community. The Graduate Center’s Office of Security and Public Safety website has a crime prevention guide that offers tips on how to avoid becoming a victim of crimes that are likely to occur on and off campus which can be viewed at http://www.gc.cuny.edu/About-the-GC/Resources-Services/Security/Public-Safety/Crime-Prevention-Guide. Presentations on personal security, sex offenses and other crimes, and drug and alcohol abuse is offered to the college community in conjunction with new staff orientation at the Graduate Center. The frequency of new staff orientation presentations varies from year to year, depending on the number of new hires. There were four such sessions in the 2013 calendar year. Targeted crime prevention presentations are also given to individual departments when there is a specific crime or safety related issues effecting that department. Arrangements can be made for specialized group presentations and individual consultation or counseling via the Office of Public Safety (Room 217C, 646-664-8601).

Building Management Facilities staff maintains the building to minimize hazardous conditions. The Office of Public Safety also conducts regular patrols and inspections in an effort to uncover and report hazards. Special emphasis is placed on the need to ensure safe accessibility to the building with special attention to doors, locks, stairs, elevators, lighting and fire safety. You are encouraged to call the Public Safety Sergeant (Room 217C, 646-664-8601) if you observe any hazardous conditions.

Crime Prevention Tips - Actual and attempted violent crime, including sex crime, is virtually unknown on the CUNY School of Professional Studies campus. However, the possibility cannot be excluded. Accordingly, use general prudence, avoid isolated areas, and report suspicious observations to Public Safety at x48600.

On Campus - While on-campus purse snatchings are unknown and pick pocketing is rare, the theft of unattended laptop computers, purses, pocketbooks, and wallets and their contents is not unheard of. Under no circumstances should cash, credit cards, garments, or other valuables be left unattended or in offices or furniture - nor should office or furniture locks be relied upon.

Off Campus - Local area crime is not within the CUNY School of Professional Studies’ jurisdiction, but the School maintains liaison with the police and a neighborhood association to monitor trends and exercise influence. General rules of urban area prudence must be followed day and night, including:

- Avoid underpopulated or dark areas.
- Keep distant from building facades particularly avoiding empty storefronts.
- Cross the street rather than walk under construction scaffolding or through confined routes particularly during hours of darkness.
- Use corner rather than mid-block subway entrances.
- Be alert to street ‘scams’ (e.g. clustered bystanders, unsolicited help with “accidental” spills, feigned distress, groups asking for directions, dropped money, or other opportunities for profit through “good faith” deposits, gambling, winning ticket cashing or other unusual or illicit enterprises).
- Be aware that jewelry, luggage, furs, cameras, camcorders, cash and other conspicuous valuables including expensive portfolios and briefcases may increase robbery risks.
- Wear or hold pocketbooks and equipment straps so that they quickly release in the event of an attempted snatch by running or mobile persons: Wearing them across the body, around the neck or wound around the hand can expose the wearer to the risk of serious injury.

Elevators - When waiting for an elevator, stand away from the door to avoid being pushed inside by someone nearby, but unseen. Do not get on an elevator occupied by a person or persons who make you feel uneasy. If you begin to feel uncomfortable, get off at the next floor. Always stand near the control panel and the emergency phone. If you are accosted in an elevator hit the alarm button and as many floor buttons as possible so the elevator will stop and the doors will open.

Laptops - Treat your laptop as though it were cash. If you would not place a hundred dollar bill on your desk while out to lunch, do not do it with a laptop either. Always secure your laptop in a locked desk or cabinet when not in use. When traveling in a car, do not leave your laptop on the seat next to you. Keep it out of sight in the trunk or place it under the passenger seat. If you park your vehicle and cannot take the laptop with you, make sure that it is locked in the trunk prior to reaching your destination. Be alert to unfamiliar persons in your work area and immediately report suspicious persons to the Office of Public Safety at x48600.

Data - Back up data files frequently and keep copies separate and secure. Carefully follow Office of Information Technology guidelines for passwords, anti-virus protection, and data backup. Data transmitted over the Internet or other networks filed on networked computers may be subject to interception/intrusion, inspection,
Promptly report any data or computer irregularities, including virus detections, to the Office of Information Technology at 646-664-8585.

**Pickpocket Theft Prevention** - Do not be distracted by strangers seeking directions. Be wary when someone tells you that there is something on your clothing such as a condiment when you have not come from an eating establishment. Do not carry valuables in a shoulder bag and do not let the bag hang behind you. Keep the flap to the purse close to your body. Try to carry a purse that has a zipper or locking device of some sort. Carry your wallet in your front or breast pocket. Be wary of people who drop things in front of you, such as change or keys. Keep handbags on your lap and keep your hand on it at all times while on public transportation. Be careful of the person who shoves or pushes you while trying to get to the rear or front of a bus or subway car.

**Personal Safety in Your Car** - Always lock your car after entering and exiting it and try to park in a well-lighted space. Before getting in your car, check the front and back seats to make sure no one is hiding inside. Do this even if your car is locked. Have your keys in hand so you don't have to linger before entering the car and be aware of your surroundings. Do not offer rides to strangers. If you suspect that someone is following you drive to the nearest open public place and sound your horn.

**Access to School Facilities**

**Campus Facilities**
Generally, the CUNY School of Professional Studies is open to students and visitors from 7:00 A.M. to 10:00 P.M. Monday through Thursday, 7:00 A.M. to 6:00 P.M. on Friday and 8:00 A.M. to 6:00 P.M. on Saturday. The CUNY School of Professional Studies is closed on Sunday. Access to The CUNY School of Professional Studies is by presentation of a valid CUNY ID card.

**Identification Cards**
All employees (staff and faculty) and students of the School of Professional Studies are required to carry a School of Professional Studies identification (ID) card with a current validation sticker in order to gain access to the building. CUNY policy requires members of the college community to show their identification cards when requested to do so by public safety officer or other officials of the college. All students enrolled at the School of Professional Studies will be issued an identification card that may be used for entry to the various CUNY libraries. Students may be asked to show the card when entering the School of Professional Studies or other CUNY buildings. Unless tuition is paid, students will not be issued validation stickers for their identification cards. These stickers are required for borrowing books from the library. Validation stickers may be obtained in the Bursar’s Office. Students must show proof of payment for the current semester’s tuition and fees before a card or validation sticker will be issued. Students who have lost their ID card will be issued a duplicate upon payment of a $5 fee.

**Guests**
Guests having qualifying reasons to enter may gain access by presenting picture identification and signing in. Those entering are subject to screening by School of Professional Studies officers for compliance with expectations for sobriety, sanitation, and peacefulness.

**Security Considerations in the Maintenance of Campus Facilities**
Building Management Facilities staff maintains the building to minimize hazardous conditions. The Office of Public Safety also conducts regular patrols and inspections in an effort to uncover and report hazards. Special emphasis is placed on the need to ensure safe accessibility to the building with special attention to doors, locks, stairs, elevators, lighting and fire safety. You are encouraged to call the Public Safety Sergeant (Room 217C, 646-664-8601) if you observe any hazardous conditions.

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

**College Regulations / Code of Conduct**

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

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

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

Against such offenders the University has the right, and indeed the obligation, to defend itself.

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

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

"THE PRESIDENT. The president, with respect to his/her education unit, shall:
a. Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his/her jurisdiction;

b. Be the advisor and executive agent of the Board and of his/her 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/her educational unit."

1. RULES

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

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

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

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

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

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

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

8. No individual shall have in his/her 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/her possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.

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

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

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

2. PENALTIES

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsions, ejection, and/or arrest by the civil authorities.

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

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

4. Any organization which authorized the conduct prohibited under substantive rules 1-11 shall have its permission to operate on campus rescinded. Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.
1. Any student violating any law or regulation established by the College, University, City, State, or Federal Government (including the use of drugs), shall be subject to the formal disciplinary procedures as outlined in Articles 15.3 to 15.5 of the Board of Higher Education Bylaws and Sanctions as listed in the Board of Higher Education Bylaws and Article 129A of the Education Law (CUNY Henderson Rules). The initiation of disciplinary procedures requires notice to the student pursuant to 15.3 of the Board of Higher Education Bylaws.

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

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

University Policy Relating to Drugs and Alcohol

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

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age.

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

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

Information for the CUNY Community on the Risks and Consequences of Drug and Alcohol Use

Background

The City University of New York’s Policy on Drugs and Alcohol, adopted by the Board of Trustees on June 22, 2009, prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by employees, students or visitors, on CUNY property, in CUNY buses or vans, or at CUNY-sponsored activities. It prohibits all students (regardless of their age) from possessing or consuming alcoholic beverages in CUNY residence halls. It also prohibits CUNY employees from illegally providing drugs or alcohol to CUNY students. As the Policy states, sanctions for violation of the Policy, following appropriate disciplinary proceedings, may include, in the case of students, expulsion from the university, and in the case of employees, termination of employment. This document sets forth additional information required to be provided under federal law, including the legal sanctions for drug and alcohol use, health risks of such use, and information regarding available counseling, treatment, or rehabilitation programs.

Legal Sanctions

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

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

Further, pursuant to New York State law:

- Any person under age 21 who is found to be in possession of alcohol with the intent to consume it may be punished by a fine and/or required to complete an alcohol awareness program and/or to provide up to 30 hours of community service. Alcoholic Beverage Control Law, § 65-c.

- Giving or selling an alcoholic beverage to a person less than age 21 is a class A misdemeanor punishable by a sentence of imprisonment up to one year. Penal Law § 260.20

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

- A person under 21 who presents false written evidence of age for the purpose of purchasing or attempting to purchase any alcoholic beverage may be punished by a fine, community service and/or completion of an alcohol awareness program. Alcoholic Beverage Control Law § 65-b(1). Possessing such false evidence may also be criminal possession of a forged instrument, which is a felony in New York, punishable by a fine of up to $5000, imprisonment up to 7 years, or both. Penal Law § 170.25.

- Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that a person may endanger him or herself or other persons or property, or annoy persons in his vicinity, is a violation, punishable by a fine and imprisonment up to 15 days. Penal Law § 240.40

Health Risks

The following is a brief summary of some of the health risks and symptoms associated with use of many of the most-publicized drugs, including alcohol and tobacco. This information was obtained from the National Institute on Drug Abuse (part of the National Institutes of Health of the U.S. Department of Health and Human Services), and the Mayo Clinic. Please note that individuals experience such substances in different ways based on a variety of physical and psychological factors and circumstances.
Alcohol - Excessive alcohol consumption can lead to serious health problems, including cancer of the pancreas, mouth, pharynx, larynx, esophagus and liver, as well as breast cancer, pancreatitis, sudden death in people with cardiovascular disease, heart muscle damage leading to heart failure, stroke, high blood pressure, cirrhosis of the liver, miscarriage, fetal alcohol syndrome in an unborn child, injuries due to impaired motor skills, and suicide.

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

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

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

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

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

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

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

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

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

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

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

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

Alcohol and Substance Abuse Program

Formal drug and alcohol abuse education programs are not held at the CUNY Graduate School of Professional Studies. However, The Graduate Center publishes a brochure detailing the alcohol and drug policy and provides information on common drugs, symptoms, uses, effects, hazards, hotlines, and penalties that can be obtained at The Graduate Center’s Office of the Vice President of Student Affairs (Room 7301, 212-817-7400) located at 365 Fifth Avenue, New York, N.Y. 10016.

Persons who are experiencing problems with drugs or alcohol use may receive confidential health counseling and referral services through Office of the Director of Student Services (119 West 31st Street, 4th Floor, 646-664-8615) or through the Graduate Center’s Wellness Center (Student Health Services, 1-212-817-7020, and the Psychological Counseling and Adult Development Center, 1-212-817-7020).

Off Campus Treatment Programs:

William Alanson White Institute
20 W 74th Street, NY, NY 10023
(212) 873-7070 phone intake
For referral questions/concerns Ira Moses, Ph.D. (212) 873 0725.
Clinic applications can be downloaded by patients at www.wawhite.org

A psychoanalytic institute with interpersonal orientation that also offers addictions services. Individual low-fee treatment starts at $40.
Treatment for addictions typically includes group and individual therapy and can be intensive although specific treatment recommendations are made by the intake clinician. Non-Intensive Outpatient Services are usually recommended for people who have successfully progressed through more intensive inpatient or outpatient services and are now in need of ongoing support, relapse prevention, and/or family counseling. They also provide motivation enhancement therapy for those individuals who are trying to decide whether or not they have a substance use disorder and whether or not they want to commit to a treatment experience. Many insurances are accepted. A sliding scale fee is also available.

**Addiction Psychiatry**
The Addiction Psychiatry Division is a specialized service for patients who require simultaneous treatment of a psychiatric condition and a substance-related disorder. Each of these disorders can serve as a barrier to effective treatment of the other. Psychiatric medications and therapies may be rendered ineffective by coexisting drug/alcohol abuse. For more information on these addiction services, please call the following numbers:

- Inpatient addiction psychiatry/Admissions (212) 420-4650
- Outpatient addiction psychiatry (psychiatrists, psychologists, groups) (212) 420-4135
- Inpatient /Outpatient Stuyvesant Square Rehabilitation programs (212) 420-2966 (outpatient) and (212) 420-4220 (inpatient)
- Methadone maintenance (212) 726-6800 (via Mount Sinai Beth Israel)
- Financial Assistance (212) 844-6041 (via Mount Sinai Beth Israel)

**The Center for Motivation and Change**
CMC:NYC
276 Fifth Ave
Suite 1101
New York, NY 10001
212.683.3339
212.683.3340

CMC:Westchester
235 Main Street
5th Floor
White Plains, NY 10601
914.949.0540
914.949.2026

**The Center for Optimal Living (outpatient)**
303 Fifth Avenue
Suite 1407
NY, NY 10016
(212) 213-8905
[http://centerforoptimalliving.com/](http://centerforoptimalliving.com/)

**Detoxification & Outpatient/Inpatient Rehabilitation Facilities**

**Drug Rehab New York**
148 Mercer St New York, NY 10012
(800) 875-0909
[rehabprogram.com](http://rehabprogram.com)

**New York Drug Rehabilitation Treatment Centers**
140 Mercer St New York, NY 10012
(800) 838-1752

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

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

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

**12 Step Recovery Programs**

Narcotics Anonymous (212) 929-6262

Cocaine Anonymous (212) 262-2463
http://www.canework.org/
Marijuana Anonymous (212) 459-4423
http://www.marijuana-anonymous.org/

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

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

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

**Other Resources**

New York State Office of Alcoholism and Substance Abuse Services
Tel: (877) 846-7369
http://www.oasas.state.ny.us/

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

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

Under the provisions of Title IX of the Education Amendments of 1972 (Title IX), 20 USC §§ 1681 et seq., and its implementing regulations, 34 CFR Part 106, discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance is prohibited. Sexual harassment of students, which includes acts of sexual violence, cyber stalking and unwanted physical contact of any sort, is a form of discrimination prohibited by Title IX. The U.S Department of Education’s Office for Civil Rights defines this type of harassment as unwelcome conduct of a sexual nature that can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct, implicated by dating or domestic violence, social or electronic stalking and other adverse activity, creates a “hostile environment” when sufficiently severe or pervasive to limit or interfere with a student’s ability to participate in educational activities.

Allegations of sexual harassment including sexual assault, stalking, or domestic and intimate partner violence should be reported to one of the individuals listed below.

- Title IX Coordinator – Christopher Leydon, Suite 413, 646-664-8616, christopher.leydon@mail.cuny.edu
- Title IX Coordinator/Chief Student Affairs Officer - Zeita Lobley, Suite 413, 646-664-7248, zeita.lobley@cuny.edu
- Director of Public Safety - John Flaherty, The Graduate Center/Room 9117, 212-817-7761, jflaherty@gc.cuny.edu

For more detailed information on Title IX including community resources, please also see CUNY policies, Getting Help, Understanding and Preventing Sexual Assault and Sexual Harassment at [http://www1.cuny.edu/sites/title-ix/campus/cuny-school-of-professional-studies](http://www1.cuny.edu/sites/title-ix/campus/cuny-school-of-professional-studies)

**Definitions of Crimes that Must Be Reported Pursuant to VAWA**

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

**Domestic Violence**

“Domestic violence” includes felony or misdemeanor crimes of violence committed by an intimate partner or former intimate partner of the victim. Intimate partner includes persons legally married to one another, persons formerly married to one another, persons who have a child in common, regardless of whether such persons are married or have lived together any time, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

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

**Dating Violence**

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Like domestic violence, dating violence includes a pattern of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

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

**Stalking**

“Stalking” is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear or emotional distress.
Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person’s home or place of business, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).

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

**Reporting Methods Other than Listed Above**

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

1. Report the incident to the Office of Public Safety (646-664-8600) or the Public Safety Sergeant (646-664-8601). A formal report will be made of the allegation and an investigation will commence; or

2. Report the incident to the College’s Office of the Director of Student Services (119 West 31st Street, 4th Floor, 646-664-8615), who at the student’s request, will contact the Office of Public Safety to commence an appropriate investigation; or

3. A student can call the New York City Police Department or 911, or go directly to a hospital. It is important to note that if you are a victim of a sex offense, **do not destroy any evidence (including clothing) and do not take a shower or bath.**

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

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

**Bystander Intervention:**
The College encourages all community members, including faculty, students and visitors to take reasonable and prudent actions to prevent and stop an act of sexual harassment or sexual violence that they observe or become aware of to the Title IX Coordinator, and/or the Office of Public Safety and Student Affairs. Community members who choose to exercise this positive option will be supported by the College and protected from retaliation.

**Preventing Date or Acquaintance Rape**
- Convey strongly that you expect your rights to be respected.
- Meet new acquaintances in public places. Always have your own transportation or travel with good friends.
- Keep money in your pocket or purse for phone calls or 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.
- Clearly define your sexual limits. If someone starts to offend you, be direct. Passivity may be interpreted as permission. Say no clearly when you mean no.
- If you feel that 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 action 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. Do not 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 in the building, contact Public Safety immediately; anywhere else call 911, call a relative or a friend or a rape crisis center. The NYC Police Department Sex Crimes Report Line is always open at 212-COP-RAPE.
- 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, douche or comb your hair.
- Have a medical/gynecological exam at the nearest hospital emergency room as soon as possible. The doctor should note and treat any injury and take measures to combat the possibility of sexually transmitted diseases 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, where, when, and how; what the attacker looked like (height, weight, clothing, type of build, color of skin, hair, eyes, facial oddities, scars jewelry, tattoos etc.); description of any vehicle used or the direction you last saw the attacker running; what kind of force or coercion was used; any objects touched, taken, or left by the attacker; if the attacker said anything, try to remember the words, the grammar, any accents or speech defects; and if there were witnesses, list who and where they might be.
- Seek psychological support as well as medical attention. Even though the actual incident is over, you may suffer from rape trauma syndrome, which includes a variety of difficulties commonly experienced after a sexual assault.
- A student can call the New York City Police Department or 911, or go directly to a hospital. If the student wishes, Public Safety will call 911 on their behalf. It is important to note that if you are a victim of a sex offense, **do not destroy any evidence (including clothing) and do not take a shower or bath.**
- It is important that such physical evidence be preserved in order to assist with any ensuing criminal investigation. If the student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person’s system for a short period of time. The Office of Public Safety will assist with notification of other law enforcement authorities and/or medical professionals if the student so chooses.

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

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

• Who is a victim?

Anyone can be a victim, regardless of gender, age, race, sexual orientation, religion, ethnicity, class or national origin. Though women and girls are primary targets of these crimes, men and boys are sexually victimized too, and have been found to suffer the same aftermath as women. Regardless of whether the victim was abusing alcohol and/or underage, she or he is still the victim of the sex offense.

• When is there lack of consent?

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

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

• Who is responsible for a sexual attack?

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

College and Community Counseling and Support Services for Sex Offense Victims

Victims of a sexual assault are encouraged to contact the Office of the Director of Student Services (119 West 31st Street, 4th Floor, 646-664-8615) to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student’s academic program or residential housing situation. The Office of Public Safety can assist the victim in getting to and from campus safely, filing a police report and obtaining an order of protection against the perpetrator. The victim can also file a complaint with the College against a perpetrator who is a student or employee of the University with the Office of the Director of Student Services and the Office of Public Safety.

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

• Graduate Center Wellness Center – Rm. 6422, (212) 817-7020

• Sex Crimes Report Line/NYPD (24 Hrs.), (212) 267-RAPE
  A female detective will provide immediate assistance and information about medical, legal, and emotional support services; strictly confidential, name not required.

• Safe Horizon Crisis Hotline (24 Hrs.), (212) 577-7777

• Crime Victims Treatment Center, (212) 523-4728
  St. Luke's - Roosevelt Hospital Center, counseling, medical treatment, support services, legal advocacy; Monday to Friday 9:00 A.M. - 5:00 P.M.; crisis intervention and medical care, 24 hrs. at the emergency rooms at Ninth Ave. at 58th St. and 113th Street, east of Amsterdam Ave.

Prevention Education Programs – University Policy

Each CUNY College is required to develop materials and programs to educate its students, faculty and staff on the nature, dynamics, common circumstances and effects of sexual assault, domestic/intimate partner violence and stalking, and the means to reduce their occurrence and prevent them. The prevention education should seek to provide the most recent and relevant information, such as education pertaining to bystander intervention, the importance of peer networks and the significance of fostering a community of responsibility.

Prevention education materials and programs must be incorporated into campus orientation activities for all incoming undergraduate and graduate students (including transfers), and is required to be made available to all student activity groups, clubs and athletic teams. In addition, all residence halls are required to have a mandatory orientation on sexual assault, stalking and domestic/intimate partner violence prevention. Colleges are encouraged to assist in the organization of peer education groups and to provide resources to such groups so that the groups can provide training and outreach to other students throughout the academic year. Since the abuse of alcohol is frequently involved in occurrences of sexual assault and other forms of violence, it is important that the education program include information about the deleterious effects of alcohol abuse.

In addition, each College is required to provide periodic training relating to the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence for all relevant personnel, including public safety officers, counselors, student affairs staff and residence hall assistants by experts trained in the field. Education and
Domestic Violence and Stalking

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

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

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

- Provide Security with a copy of an order of protection and picture of the abuser.
- Keep a copy of the order of protection with you at all times.
- Tell your professor, supervisor or a co-worker about the situation and ask that person to call 911 and Security in an emergency.
- Have a back-up person if your primary contact is not available.
- Request that your desk be placed in a safe location.
- If possible, have someone screen your calls.
- Meet with Security so you can plan an escape route.
- Working with your professor or supervisor and Security; find a safe room with a phone to use in an emergency.

For Further Assistance and Resources:

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<th>Security (24 Hours)</th>
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<tr>
<td>Director of Security &amp; Public Safety</td>
<td>7761</td>
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<tr>
<td>Police (Emergency)</td>
<td>911</td>
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<td>New York City Services (Information)</td>
<td>311</td>
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<tr>
<td>NYC Domestic Violence Hotline (24 Hours)</td>
<td>1-800-621-HOPE</td>
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<tr>
<td>For the Hearing Impaired</td>
<td>1-866-604-5350</td>
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<tr>
<td>NYS Domestic Violence Hotline (English/Spanish)</td>
<td>1-800-942-6906</td>
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<tr>
<td>Brooklyn Criminal Supreme Court</td>
<td>347-296-1076</td>
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<tr>
<td>Brooklyn Lower Criminal Court</td>
<td>347-404-9400</td>
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<tr>
<td>Brooklyn Family Court</td>
<td>347-401-9609</td>
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</table>
The Colleges shall act promptly in response to information that a student has been sexually assaulted by another member of the CUNY community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student, such charges shall be brought pursuant to Article 15 of the CUNY Board of Trustees Bylaws. If the matter is brought before a hearing, the complainant and alleged perpetrator are entitled to the same opportunities to have others present, including an advisor of their choice, at their own expense and to be informed, in writing of: (1) the outcome of the proceedings at the same time; (2) the procedures for appealing the results; (3) any change in results that occurs prior to the time the results become final; and (4) when the results become final. If a student is found guilty of committing a sexual assault or other act of violence against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY. The complainant and the accused are entitled to a prompt, fair, and impartial investigation and resolution and an investigation and disciplinary hearing that are conducted by officials who receive annual training on how to conduct fair investigations and hearings that protect the safety of victims and promote accountability and on issues related to domestic violence, dating violence, sexual assault, and stalking.

**Definitions of Sex Offenses**

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

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

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

**Pertinent Sex Offenses and Criminal Sanctions Under New York State Penal and Criminal Procedure Laws**

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

### Aggravated sexual abuse in the first degree
(PL § 130.70)
A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11. Is a class B felony, with penalties up to 25 years in prison.

### Aggravated sexual abuse in the third degree
(PL § 130.66)
A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11. Is a class D felony, with penalties up to 7 years in prison.

### Facilitating a sex offense with a controlled substance
(PL § 130.90)
A person is guilty when he or she knowingly and unlawfully possesses a controlled substance or any substance that requires a prescription to obtain to another person, without such person’s consent and with intent to commit against such person conduct constituting a felony, and commits or attempts to commit such conduct constituting a felony defined in Article 30. Is a class D felony, with penalties up to 7 years in prison.

### Missing Persons
In accordance with state and federal law, the College maintains procedures for the investigation of reports of missing persons. In addition, in compliance with state and federal law, the College will notify the appropriate law enforcement agency within 24 hours of receiving a report of a missing student who resides in campus housing. The City University of New York Missing Person Policy is available at: www.cuny.edu/about/administration/offices/sa/policies/MissingPersonswithoutmeno.pdf

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

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

- Contact the police department in the jurisdiction in which the offender resides and/or in which the college is located.
- Contact John Flaherty, Director of Security & Public Safety, at 212-817-7761.
- Call the Division’s sex offender registry at (800) 262-3257.

To obtain information about Level 2 and Level 3 offenders only, you may:

- Contact the Division’s sex offender registry web site – http://www.criminaljustice.ny.gov/nsor/ and then click “Search the Sex Offender Registry,” or
- Access the Division’s Level 3 subdirectory electronically or via CD – ROM at the college’s public safety department or the local law enforcement agency for the jurisdiction in which the offender resides.

### Workplace Violence
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, intimidation or coercion. While these behaviors are not prevalent at the University, no organization is immune.

The City University of New York prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards 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.

In this context, 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. 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).

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 Student Affairs at their campus.

Any person who is the subject of a potential violation of this policy or is a witness to such suspected violation, should report the incident to his or her supervisor, or in lieu thereof, to their respective Campus Public Safety Office. Students should report such incidents to the Office of Student Affairs at their campus or in lieu thereof, their
The Campus Public Safety Office will work with the Office of Human Resources or the Office of Student Affairs on an appropriate response. Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the Office of Security and Public Safety immediately, or call 911.


**Sexual Harassment**

It is the policy of The City University of New York and the CUNY School of Professional Studies to prohibit sexual harassment of employees and students. It is a violation of policy and illegal under city, state and federal law for any member of the college community to engage in sexual harassment. It is a violation of policy for any member of the college community to take action against an individual for reporting sexual harassment. Students claiming harassment on the basis of sex shall report such harassment to a member of the Sexual Harassment Committee. Employees covered by collective bargaining agreements can report incidents of sexual harassment to a Sexual Harassment Committee member or utilize the grievance procedure; all other employees shall contact a member of the Committee. Supervisors and administrators should report all incidents of sexual harassment they become aware of to the Sexual Harassment Coordinator. Contact Security if immediate intervention is required. Additional information can be found in the Student Handbook and can be obtained from the offices of the Vice President for Student Affairs (Room 7301), the Executive Director for Human Resources (Room 8403), or any member of the Sexual Harassment Committee.

This policy is related to and is in conformity with the equal employment opportunity policy of the University to recruit, admit, employ, retain, and promote students and employees without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender identity, marital or partnership status, disability, genetic information, alienage, citizenship, military or veteran status, pregnancy, or any other legally prohibited basis in accordance with federal, state and city law. Prompt investigation of allegations will be made on a confidential basis to ascertain the veracity of complaints, and appropriate corrective action will be taken.

Procedures Implementing CUNY’s Policies on Equal Opportunity, Non-Discrimination and Against Sexual Harassment can be found at: http://www.cuny.edu/about/administration/offices/la/PEONon-Discrimination12.4.2014.pdf

**The City University of New York – Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence Against Students**

The policy and additional information can be found at http://www1.cuny.edu/sites/title-ix/campus/cuny-school-of-professional-studies.

**Complaints**

A proper relationship between the Office of Public Safety and the college community, fostered by trust and confidence, is essential to a successful security and safety program. In order for us to better understand the community’s perception of our service; it is important that we investigate any allegation of inappropriate officer conduct. Your criticisms and constructive suggestions for improvement are welcome. Each complaint will be thoroughly investigated and appropriate corrective action will be taken when warranted. You can file a complaint with Public Safety Sergeant (Rm. 217C, 646-664-8601) or by calling the Graduate Center’s Director of Security & Public Safety at 212-817-7761.

If you feel that you would rather not contact the college, you can make your complaint directly to the Office of University Director of Public Safety at 212-541-0407. A member of the University Director’s staff will be assigned to investigate the complaint and recommend appropriate action.

In a case where an officer is alleged to have committed an illegal or criminal act, the complaint can be made to the New York City Police Department and/or the Director of Security & Public Safety.