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*The Baruch College Residence Guide is also available for download on the Residence Life website at www.Baruch.cuny.edu/studentaffairs/residencelife. Please check our website for the latest version of this document.*
Welcome

Welcome to the Baruch College 1760 Residence Hall. The Residence Life Staff Team is excited to be a part of your college journey and is looking forward to getting to know you in the coming months. The Baruch College Residence Life program works in partnership with 60 Guilders to make your residence life experience an unforgettable living and learning experience.

The information found in this Residence Guide is meant to serve as a source of information for any policy and regulation questions you may have. Please read through this information carefully, as you are responsible for abiding by these policies. The information contained in this book will also serve as a resource as you transition into living in your new home. Take the time to get to know your fellow floor mates and make sure you say hello to your Resident Assistant. The Residence Life team has planned a number of exciting and engaging programs over the course of the next few months and we are available and on site to provide you with the help and support you may need.

Good luck to a great year ahead. We are looking forward to meeting you.
GENERAL INFORMATION
The Residence Life Team

The Baruch College Residence Life team is made up of professional Student Affairs staff and trained Resident Assistants who are available as support and guides during your stay in the Residence Hall. Residence Life at Baruch College is administered through the Dean of Students Office located at the Baruch College Newman Vertical Campus. We work in partnership with 60 Guilders to make your residence life experience an unforgettable living and learning experience.

Residence Life Coordinator (RLC)
Amanda Pryor, M.S.

Community Assistants (CAs)
Pragya Mathur
Yashu Kumar

Resident Assistants (RAs)
Brendan Biliski

Senior Resident Assistants (SRAs)
Charles Casares

Location at 1760 Residence Hall
Baruch College Residence Life Office - Rear of Main Floor
Email: Residence.life@baruch.cuny.edu
Phone: 212-600-5003

Location at Baruch College
Dean of Students Office
Newman Vertical Campus (NVC), Room 3-175
Email: Residence.life@baruch.cuny.edu
Phone: 646.312.4570
Fax: 646.312.4571

Housing Office
Edward Pena
Assistant Director of Housing Services
Vice President of Enrollment Management & Strategic Academic Initiatives
Newman Vertical Campus (NVC), Room 2-255
Email: Housing@baruch.cuny.edu
Phone: 646.312.4576
Fax: 646.312.4589
Residence Life Hours of Operation
Baruch College Residence Life Office is open Monday-Sunday 7pm-9pm. Daytime hours are determined per semester. Please view signage on office door for daytime hours. There is staff available after hours for emergency purposes throughout the academic year. The security desk at 97th Street can be reached 24 hours a day.

About your Resident Assistant
Each resident on a floor has a Resident Assistant (RA) or Senior Resident Assistant (SRA) that is assigned to him or her. All RAs are live-in student staff members who are also attending Baruch College. RAs are trained peer mentors who live on your floor and are available to provide support and assistance during your stay. They have been trained on how to handle the most delicate situations and are able to help you when you are in need. The RAs also organize programs and events for you throughout the year and are open to your suggestions about what types of events you would like to participate in. The RA will be the one who greets you when you check-in and the last one you see when you checkout. The RAs hold evening office hours and serve on an on-call duty rotation throughout the academic year.

About the Residence Life Coordinator
In addition to the RAs, there is also a Residence Life Coordinator (RLC) who is a live in professional staff member. The RLC supervises the RAs within the residence hall and is available as a first responder for emergency situations or any other concerns that may arise. Furthermore, the RLC will initiate and hear any conduct proceedings.

Baruch College Residence Life Office
The Baruch College Residence Life office located at 97th Street is staffed during the day, evenings and on weekends. Hours of operation as well as details on how to contact the RA on duty are posted on the office door.
Students’ Rights & Responsibilities

It is expected that all resident students of Baruch College adhere to the Baruch College Code of Student Conduct. Residence Hall policies and procedures are outlined in this guide. A comprehensive outline of the Baruch College Code of Student Conduct can be found in the Baruch College Bulletin available for download on the Baruch College website (www.baruch.cuny.edu).

Stated below are the “Students’ Rights and Responsibilities” promoted by the Association of College and University Housing Officers-International (ACUHO-I). These statements define the minimal expectations regarding your rights and responsibilities. Each resident possesses specific, individual, and group rights and responsibilities, which serve to guide residence staff in making decisions concerning student welfare and behavior.

These rights carry with them reciprocal responsibilities on the part of the individual to ensure these same rights and responsibilities that are associated with community living.

Students Have the Right

1. To have free access to their living accommodations.
2. To live in a clean and secure environment.
3. To written copies of housing rules and regulations, or individual building policies, which govern individual and group behaviors.
4. To the respect and safety of personal property.
5. To study without interruption or interference.
6. To be free of intimidation or harassment.
7. To express enforcement of housing agreement/contract.
8. To direct access to staff, which provides assistance, guidance and support as needed.
9. To equitable treatment when behavior is in question.
10. To host guests, within established guidelines.
11. To individual and group educational and developmental opportunities in their living community.

Students Have the Responsibility

1. To adhere to rules and regulations.
2. To comply with reasonable requests made by Baruch College staff and 60 Guilders officials.
3. To meet expected room payments.
4. To monitor and accept responsibility for behavior of guests.
5. To respect the rights of others, as stated above.
6. To report violations of rules and regulations to appropriate staff.
7. To express themselves individually or by association with groups.
8. To participate in judicial proceedings to determine appropriate standards of behavior.
9. To contribute positively to the community by participating in educational and developmental activities.
10. To abide by all applicable city, state, and federal laws.
Identification Cards & Keys

Each Baruch College resident will be issued a photo ID card to enter the building and their room. All students are required to carry their ID at all times and must present it at the security gates before they can be admitted to the residence. Replacement cost for the photo ID is $20. Make sure that your ID card is not placed next to magnetic objects such as cards with a magnetic strip in your wallet. Additionally, do not place your card key on top of your TV, computer, DVD player, stereo, or any other appliances. Doing so will invalidate your card. Should you experience difficulty with your ID card, please visit the 60 Guilders office on the ground floor of the residence hall so that they may assist you.

All ID/keys must be returned when you finish your stay with us. Lost or stolen ID/keys should be reported immediately to your RA. You are not permitted to install any additional lock(s) on your room.

Your RA will issue you a mailbox key. Cost to replace a lost or missing mailbox key is $20 (rates subject to change). Failure to turn in either your ID card or mail key upon checkout will result in a $20 deduction from your security deposit for each.

A QR code with your name and EMPLID will be added to the back of your keycard for program tracking purposes.

Mail

To receive mail, use the following address and instructions:
Name
1760 3rd Avenue, Room #
New York, NY 10029

The mail center is located in the lobby level just past the elevators. We recommend that you do not have cash or valuables mailed to you.

There is a package room next to the mailboxes on the lobby level. If you have already checked into your room an automated system will send you an email confirmation every time we receive a package for you. Residents can pick up the packages during the first fifteen minutes of every hour 9am – 9pm, Monday through Friday and 10am – 6pm Saturday and Sunday. We are not responsible for items lost that cannot be tracked to the building.

When you checkout, you must fill out a change of address form at www.changeofaddress.com or pass by the closest U.S. Post Office located at 153 East 110th Street, New York, NY 10029 (phone: 800-ASK-USPS). Only first-class mail will be forwarded.
Parking

For Residents and/or guests with cars please note some of the closest parking garages:

These parking garages are merely suggestions for your convenience and Baruch College does not assume responsibility for any vehicle or contents left inside a vehicle that is parked in any parking establishment. Furthermore, Baruch College does not assume responsibility for any damages to vehicles that are parked, abandoned, immobilized by booting, or towed.

- Imperial Parking Systems Inc. | 1501 Lexington Avenue | New York, NY | (646)672-0608
- Manhattan Parking | 215 East 96th Street | New York, NY | (212)410-5270
- Icon Parking Systems | 215 East 95th Street | New York, NY | (212)735-6767
- Rapid Park Industries | 302 East 96th Street | New York, NY | (212)534-9640
- Garage Management Company | 231 East 94th Street | New York, NY | (212)838-1951
- 99 pm LLC | 1559 Lexington Avenue | New York, NY | (212)828-5282

Computer & Network Information

Wireless connectivity (Wi-Fi) is available throughout the building. In order to connect, you will need a wireless enabled laptop or device. Wi-Fi passcode will be available at check-in. In addition, all rooms are equipped with Ethernet jacks that will allow you to connect to the Internet via a provide modem. In order to connect, make sure your computer has a 10Base-T Ethernet card and an Ethernet cable.

For additional information an Internet guide can be accessed at:

Television

Cable television service is available in your room. Each room is equipped with a television and a remote control. The televisions are mounted on the wall to give you more space. Each television has access to RCN’s 100% digital cable TV lineup. Pay-Per-View (PPV) events can be ordered with a credit card by calling 877.RCN.7000 (877.726.7000). If you need assistance navigating the on-screen guide or setting up your voicemail, please call 877.726.700.

For additional information a cable television guide can be accessed via the web at: https://s3.amazonaws.com/ehs-website-production/guides/uploads/original/1760-RCNcable.pdf
Health and Safety Procedures
Emergency Procedures

In case of any medical or police-related emergency, call 911. After calling 911, if you can, contact security/front desk in the lobby at 212.600.5555 so they are aware of the situation. The security staff will locate the appropriate staff members to assist you in your emergency.

During RA duty hours please go directly to the Baruch College RA office. Office hours are 7pm to 9pm daily. However, hours may vary during holidays and final exams period, so please check the signs posted in front of the RA office door.

When the Residence Life office is closed please contact security at 212.600.5555. Please note that Security will not give out internal emergency contact phone numbers, however they will contact the appropriate Baruch College staff in the event of an emergency. The security staff is not in a position to respond to any housing requests or inquiries you may have. For answers to those questions, please contact the RA on duty.

Fire Safety Procedures

The residence has a state-of-the-art computerized fire warning system and trained fire/security personnel on the premises. During the course of the year, the fire department will test all fire-warning systems in accordance with New York City regulations. In the event of a fire drill, all residents must follow all instructions given by the emergency staff through the announcement system.

Floor plans and diagrams for emergency staircases and exits are posted in public areas on all floors as well as the back of every room door. Residents should familiarize themselves with these maps to be able to exit promptly during fire drills or actual emergencies.

In the event of a fire or other emergency, notify security immediately. Act promptly for the safety of all residents. Do not try to fight a fire, but take action to get residents out of the building. If a fire alarm sounds, please follow this standard procedure:

If The Fire Is In Your Room:

All persons are to vacate the room immediately. Before leaving your room and only if you can, make sure you do the following:

• Call 911.
• Alert other people by knocking on their doors or yelling on your way out.
• Use the nearest stairway to exit, never use the elevator.
• Assemble across the street and maintain absolute silence so instructions can be heard.
• Wait until the appropriate officials indicate that you can re-enter the building.

If The Fire Is Not In Your Room:

If you cannot safely exit your room or building, call 911 and then provide them with appropriate information (name, address, etc.).
• Stay inside your room and listen for instructions from firefighters unless conditions become dangerous.
• If you must exit your room, first feel your room door and doorknob for heat. If they are not hot, open the door slightly and check the hallway for smoke, heat or fire.
• If you can exit your apartment safely, follow the instructions above for a fire in a room.
• If you are unable to safely leave your apartment, seal the floor in your room with wet towels or sheets and seal air ducts or other openings where smoke may enter.
• Open windows a few inches unless flames and smoke are coming from below.
• Do not break any windows.
• If condition in the room appears life threatening, open a window and wave a towel or sheet to attract the attention of firefighters.
• If smoke conditions worsen before help arrives, get down on the floor and take short breathes through your nose.

If you see fire or smoke, or smell smoke, do not hesitate to pull the fire alarm nearest to your room. It is extremely important that you are aware of all applicable fire safety procedures. Causing a false fire alarm is against the law. Residents will be evicted and are subject to punishment to the fullest extent of the law. As a resident you are strongly advised to maintain fire/theft insurance. You may be able to add your possessions to your parents’ homeowner’s or tenant homeowner’s insurance policy through a rider.

**Tips to Avoid False Alarms:**

• Use lower time intervals and continue to reheat your food until it is ready, as opposed to leaving something in for long periods of time, which may cause a fire or excessive smoke.
• If you are making popcorn, please make sure that you are watching it very carefully.
• Never leave the food warming area unattended while you are cooking food.
• The entire residence hall is a smoke-free environment; you must smoke outside the building.
• Remove all prohibited items (toasters, hot plates, grills, etc.) from your room.
Maintenance Procedures

If your room or the provided equipment and furnishings in your room require any repair or maintenance, do not repair it yourself. Report a maintenance repair request by visiting 60guilders.hippocmms.com.

General maintenance and routine repairs (such as a clogged toilet, leaky faucet, blown fuse, water leak, or furniture/appliance maintenance, etc.) are performed without charge to students. We encourage you to report damage immediately upon discovery. Neglecting to report a problem (leaky faucet, water damage, etc.), could lead to further, more complicated problems later.

Emergency repairs include major leaks and flooding, inoperative door locks and any problem that endangers property or safety. In case of an emergency contact your RA or Security immediately.

Students are not permitted to paint or make any alterations to their rooms. If you damage anything, you will have to repay the building for the cost of repairs (or replacements). Baruch College cannot service or repair any furnishings or equipment provided by students.

Do not put any nails, screws, hooks or any sticky substances in/on the wall. You will be responsible for any damage caused to the room. For safety reasons, do not try to clean the outside surface of your windows. Do not remove or tamper with your room’s cable hookup, window treatment or window air conditioner. Do not sit on ledges or lean out windows, this is for your own safety! Do not put anything on top of radiators or on windowsills. Never attempt to exit through windows.

Tips When Entering a Room Repair Request Online:

• Be sure to fill in all fields.
• For the “Room #” field enter “TA-” then your room number. Example: TA-1198
• After inputting your room number, must click or tab away from the “Room #” field, failure to do so may delay your service request.
• Create a separate Repair Request for each maintenance issue in your room. Do NOT put multiple problems in one Repair Request.
Health and Safety Inspections

Residents are responsible for maintaining a reasonable level of cleanliness in their room and in the building. Keeping food in appropriate storage containers, regularly cleaning the bedroom, bathroom, and all dishes, promptly disposing trash (trash must be disposed of in designated areas) and keeping laundry clean will help keep the room clean and free of pests.

In the event that adequate health and safety standards are not maintained or that the condition of the room discourages roommates, Residential Life will take disciplinary action. An inability to maintain a clean room will result in cleaning fees assessed to the student in addition to sanctions.

Residence Life reserves the right to enter student rooms to inspect and assess health and safety conditions. Health and safety inspections will be conducted in accordance with Residential Life regulations each semester and additionally when there is a reasonable cause to believe that a violation has occurred or is taking place. During the inspection, the staff will check for compliance with health codes, fire safety regulations, maintenance problems, prohibited items (outlined in the next section) and potential physical hazards.

If it is found that a resident’s room is not up to health and safety standards (i.e. cleanliness, hazardous wiring, etc.) the resident will be given 24 hours to correct the situation. If, upon re-inspection, the room still does not pass, the resident may be fined, face sanctions and/or be evicted.
Extermination Procedures

Please keep your room free of debris and all food in sealed containers to help prevent a bug problem. There is an exterminator who will perform his weekly maintenance program. If you find that you need to utilize his services, please submit a repair request at www.studenthousing.org/repair.

General Area:
- Microwaves should be wiped clean after each use.
- Sink/shower must be cleaned and the drain must be kept clear.
- Floors must be properly swept and kept free of debris.
- Garbage must be removed nightly and taken to the receptacle room by the elevators.
- Refrigerator should be defrosted as needed and do not leave rotted food in the fridge.
- Food items must be properly stored. Please do not leave unsealed food out.

Bathroom:
- Floors must be mopped.
- Sink/shower must be cleaned and the drain must be kept clear.
- Toilet must be kept clean accordingly.

Kitchen/Lounge Areas:
- Floors must be swept and throw away all food items after cooking and eating.
- Stovetops must be kept clean, including the removal of all grease and food items.
- Sink should be free of dirty dishes.
- Counter should be wiped clean.
- Garbage must be removed after cooking and eating and disposed of properly.
- Cooking utensils/supplies must be removed or the cleaning staff will dispose of it.

Note:
The exterminator recommends that all unused boxes and plastic bags be properly disposed of. Do not leave them on the floor as this creates a breeding ground for unwanted insects and pests. The exterminator has been instructed to document and submit rooms where conditions violate these guidelines. You will be given 24 hours to correct all noted violations and an inspection will follow.
Prohibited Items

The following items are prohibited and will be confiscated if found in your room and disciplinary action will be taken:

• Halogen lighting equipment
• Electric or gas-powered heaters
• Hot plates, toasters, drip coffee makers, or any cooking appliances of any nature
• Candles, incense, smoking and/or drug paraphernalia of any kind
• Flammable decorations such as Christmas lights etc.
• Furniture, television or microwave
• Illegal substances or artifacts of any nature
• Explosives, fireworks, weapons of any kind, smoke laden materials and/or instruments
• Pipes, bongs, hookahs, and other such smoking devices
• Devices that facilitate rapid consumption (funnel bongs, etc.) are also prohibited

During the health and safety inspections, if these items are found in the room they will be confiscated and turned over to law enforcement if necessary.
Common Areas
Fitness Center

Located in the concourse level of the residence is a 24-hour, fully equipped gym facility free of charge. Please keep this area clean at all times and be considerate about the time spent on each machine. You are responsible for any damages made to this area throughout your time of use.

The fitness center is equipped with Precor® cardio and strength line equipment. All cardio equipment has individual screens for TV viewing. In order to access the fitness center all residents must sign a gym waiver with their RA upon check-in.

Equipment:

- Elliptical machines
- Rower
- Treadmills
- Recumbent bikes
- Cable pulley
- Multi-press
- Inner/outer thigh press
- Leg/calf press
- Lat/row machine
- Upright bikes
- Leg extension/curling machine
- Declining abs bench
- Stretching/yoga mats
There is a kitchen on the ground floor of the Residence Hall with five (5) stoves, two (2) microwaves, and several sinks. The kitchen area is open and available for your use from 6am – 12am. Please help to maintain this space by cleaning the area when you have finished cooking.

Do not leave the kitchen while your food is cooking. Under no circumstances are you allowed to have or store any cooking appliances in your room (George Foreman grills, toasters, hot plates, coffee makers, etc.). There is a central kitchen for your cooking needs. **If you are found with an appliance it will be confiscated and not returned.**

**Tips While Using the Food Warming Areas:**

- Keep track of the time when heating things in microwaves.
- Use lower time intervals and continue to reheat your food until it is ready, rather than leaving something in for long periods of time, which may cause a fire or excessive smoke.
- If you are making popcorn, please make sure that you are watching it very carefully.
- Never leave the food warming area unattended while you are cooking food.

If you use the kitchen space improperly, you will be charged for any damage that results.
Laundry Room

The laundry room is located in the concourse level of the residence. There are 40 washers and 40 dryers. In order to use the machines, you must first purchase a $5 card which will give you $3 towards your laundry, it is important to keep this card throughout your stay. Please note that you need a $5 bill to purchase a card and to add value to it, you can only use $5, $10 and $20 bills. Each load of laundry costs $2 to wash and $2 for a dry cycle.

The laundry room is equipped with a state-of-the-art alert system that will let you know via email or text message when your load is done. Please remember your machine number. Once your laundry is done please pick it up as soon as possible. To get an email confirmation for your load visit www.studenthousing.org/1760laundry.

Cameras monitor all laundry rooms. Baruch College is not responsible for items damaged, stolen or removed. Do not leave machines and laundry unattended. Any items left unattended will be discarded. Therefore, as a courtesy to others, do not leave your laundry alone for any unspecific time.

Using Your Laundry Card

1. Insert your unique laundry card into the card slot with the chip facing upward and forward. Insert all the way. Leave the card in the reader.
2. Select your desired cycle. The reader will automatically deduct the price of the cycle and display your new balance.
3. Remove the card only when prompted.

If your balance is less than the cost of a wash or dry, locate the closest Add-Value machine. Email uniquelaundryservice@gmail.com with any questions or concerns.
Student Lounges & Computers

There are two flat screen televisions and two quiet rooms for those wanting to study or read. For your convenience there is a conference room that holds up to eight (8) people, please be sure to reserve the room at the 60 Guilders office.

There is a game room located in the concourse level with a pool table, air hockey, various video games, poker table and a flat screen television. Access to some game equipment requires you visit the 60 Guilders Office during office hours or security desk and check the equipment out. There is a multipurpose room located on the concourse level with a television and surround sound. You may reserve the multipurpose through the 60 Guilders office. Folding tables and chairs will be provided if needed.

Please respect all common spaces. Clean up after yourself and observe all signage and hours of operations.
Policies
Residence Policies

As a Baruch College student and a resident in the Residence Hall it is imperative that you are aware of the Baruch College Code of Student Conduct. Attending college is an exciting opportunity, but it is also a serious responsibility. The rights and responsibilities of students have been codified by the Board of Trustees of The City University of New York and are posted as Articles XV and XVI of the bylaws on our website at www.baruch.cuny.edu.Outlined below are excerpts of the Baruch College Code of Student Conduct as it relates to residence hall living.

BARUCH COLLEGE CODE OF STUDENT CONDUCT

Regulations Governing Student Conduct
Baruch College is dedicated not only to learning and the advancement of knowledge but also to the development of ethical and responsible persons. It seeks to achieve these goals through a sound educational program and policies that encourage independence and maturity. Regulations governing student conduct have been formulated with these objectives in view.

The regulations described below have been promulgated by the duly established college authorities pursuant to Article XV, Section 15.1, of the Bylaws of the Board of Higher Education of The City of New York (see page 240). Procedures for the enforcement of campus codes are detailed in other sections of Article XV (see pages 240–42). Nothing contained herein shall conflict with the rights of The City University of New York as stated in the Rules and Regulations for the Maintenance of Campus Order pursuant to Article 129A of the Educational Law of New York State (see pages 244–45).

Members of the Baruch College community are bounded by federal, state, and municipal laws as well as by the regulations enacted by the Board of Trustees of The City University of New York and by the duly established college authorities designated by the president and dean of students. Institutional discipline is aimed at conduct that directly and significantly impairs the opportunities of members of the college community to attain their educational objectives. The rules are intended to protect the health and safety of persons in the college community and to maintain and protect property. There are, also, guidelines for the keeping of records and the sponsoring of non-classroom activities, such as lectures, concerts, athletic events, and social functions.
**Offenses**
Sanctions can result from the commission of any of the following offenses:

1. Academic cheating or plagiarism.
2. Knowingly furnishing false information to the college, forgery, or alteration or use of college documents or instruments of identification with intent to deceive.
3. Lending a Baruch College identification card to anyone or failure to present it when requested by a duly authorized and identified college official.
4. Misrepresenting oneself as a Baruch College or City University of New York representative.
5. Violation of regulations relating to the entry and use of institutional facilities, including closing hour restrictions.
6. Physical or verbal abuse or harassment of any person on college premises or at college-sponsored or supervised functions.
7. Theft, willful destruction, damage, or misuse of college property, including library materials.
8. Theft, willful destruction, or damage of property belonging to a member of the college community on college premises.
9. Advertising, soliciting, or selling any merchandise or service or soliciting of information on campus without permission of the Office of the Dean of Students.
10. Use or sale of unlawful drugs on campus.
11. Use of alcohol on campus at other than duly authorized social functions. (The sponsoring organization must obtain prior permission from the Dean of Students or his/her authorized representative in compliance with all applicable civil laws pertaining to the consumption of alcoholic beverages and provide for adequate supervision.)
12. Gambling. The Penal Law of New York State prohibits loitering in a public place for the purpose of gambling with cards, dice, or other gambling paraphernalia.
13. Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other institutional activities.
14. Failure to comply with directions of duly authorized and identified college officials acting in performance of their official duties.
15. Failure to comply with the rules and regulations pertaining to students living in, or being a guest in, any Baruch College Residence Hall.

**Sanctions**
The commission of any of the above offenses shall be subject to the following sanctions: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, or complaint to civil authorities. The definition of these sanctions can be found in the Baruch College Undergraduate Bulletin. The procedures for the administration of these penalties are detailed in the section on disciplinary procedures in the Baruch College Undergraduate Bulletin.
Smoking Regulation
Smoking is prohibited in all Baruch facilities.

IN ADDITION TO THE POLICIES APPLICABLE TO ALL BARUCH STUDENTS, THE FOLLOWING ADDITIONAL POLICIES APPLY TO ALL STUDENTS RESIDING IN THE RESIDENCE HALL. YOUR LICENSE AGREEMENT OUTLINES THE FOLLOWING EXPECTATIONS:

RESIDENCE HALL VIOLATIONS

Residents will be held responsible for any policies violated by his/herself and/or his/her guests. Any resident or guest who was present when a violation occurred may be subject to disciplinary action even though he or she did not actively participate in the offense. Prohibited items described in this section will be confiscated and may be disposed of without notice. Residents are prohibited from the following:

Alcohol, Smoking, and Other Drugs

- Possession, use, distribution, or being in the presence of an alcoholic beverage or its consumption.
- Games involving drinking and rapid consumption techniques, including unauthorized games and techniques not involving alcohol, and the use of devices (e.g. funnels, shot glasses, beer pong tables, etc.) that, by their very nature, promote abusive alcohol consumption.
- Possession of bars, bar signs, and empty alcohol containers, even for decorative purposes.
- Possession, use or distribution of an illegal or controlled substance and/or related paraphernalia.
- Improper use or distribution of prescription medication.
- Smoking in the residence halls, or possession of smoking devices such as bongs and hookahs.

Cleanliness

- Failure to maintain acceptable standards of personal hygiene or room cleanliness to the extent that such failure interferes with the general comfort, safety, security, health or welfare of a member of the Residence Hall community.
- Keeping pets or animals in the Residence Hall.
**Disruptive Conduct**

- Disorderly, disruptive, or aggressive behavior that interferes with the general comfort, safety, security, health or welfare of a member of the Residence Hall community or the regular operations of the Residence Hall.
- Throwing or allowing any objects or substances to fall from Residence Hall windows, doors, terraces, ledges, roof or other areas.
- Any harassment or abusive behavior toward another individual.
- Physical violence, actual or threatened, against any individual or group of persons.
- Engaging in or threatening to engage in any behavior that endangers the health or safety of another person, property, or oneself.
- Unauthorized access to or use of restricted areas in or about the Residence Hall, including but not limited to roofs, ledges, terraces, basements, storage areas or emergency exits.
- Participation in or contributing to the unauthorized entry of another individual including fraudulent misrepresentation, using false identification, etc., into any part of the Residence Hall.
- Theft, vandalism or damage to another Resident's property or CSE or Baruch College property.
- Excessive noise as defined by any New York City ordinance or the Residence Hall policy on noise.
- Unauthorized solicitation or recruitment of any kind.

**Entry and Use**

- Failure to present a valid ID card or properly identify oneself when entering the Residence Hall or when requested to do so by any authorized CSE or Baruch College staff member.
- Unauthorized possession, use, or duplication of a Residence Hall room key.
- Unauthorized Residence Hall room change.
- Installing an unauthorized lock on a room, bedroom, bathroom or suitedoor.
- Failure to lock Room doors.
- Exhibiting or affixing any unauthorized sign, advertisement, notice or other lettering, flags or banners, that are inscribed, painted or affixed to any part of the inside or outside of the Residence Hall or building (other than items affixed entirely inside a Resident's room in a non-damaging manner).
- Failure to comply with an administrative request from a CSE or Baruch staff member.
- Failure to comply with a request of a Baruch College Resident Assistant or CSE Resident Assistant.
- Failure to comply with or successfully complete the terms of a judicial, administrative or Baruch College sanction.
Fire Safety

- Tampering with fire extinguishers, alarms, sprinkler systems, smoke detectors, emergency exits or other safety equipment.
- Possession and/or use of extension cords to power multiple appliances as opposed to power strips, which are permitted.
- Possession and/or use of flammable decorations, appliances or other property that may be deemed a fire hazard, including but not limited to candles, incense and evergreens.
- Possession and/or use of cooking and other household appliances in the Residence Hall other than existing units are prohibited.
- Possession of unauthorized furniture.
- Possession or storage of a gas engine or any form of combustible fuel in the Residence Hall.

Guests

- Failure to follow the guest policies outlined in this agreement.

Weapons

- Possession of weapons including but not limited to knives, mace, explosives, fireworks, firearms or ammunition.
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. See paragraph 6 below on students’ right to prevent the disclosure of directory information.

The FERPA rights of students are as follows:

1. Students have the right to inspect and review their 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, the student 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, the student may appeal to the college’s FERPA appeals officer. Additional information regarding the appeal procedures will be provided if a request is denied.

2. Students have the right to request an amendment of their education records that they believe are inaccurate or misleading. Students may ask the college to amend a record that they believe is inaccurate or misleading. Students should write to the college official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the college decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his/her 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 when the student is notified of his/her right to a hearing.

3. Students have the right to consent to disclosure of personally identifiable information contained in their education records, except to the extent that FERPA authorizes disclosure without consent. One exception that 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 or 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. Students may appeal the alleged denial of FERPA rights to:
   General Counsel and Vice Chancellor for Legal Affairs
   The City University of New York
   535 East 80th Street
   New York, NY 10021

5. Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:
   Family Policy Compliance Office
   U.S. Department of Education
   600 Independence Avenue, SW
   Washington, D.C. 20202-4605

6. The college will make the following “directory information” concerning current and former students available to those parties having a legitimate interest in the information: name, attendance dates (periods of enrollment), address, telephone number, date and place of birth, photograph, e-mail address, full- or part-time status, enrollment status (undergraduate, graduate, etc.), level of education (credits) completed, major field of study, degree enrolled for, participation in officially recognized activities and sports, height and weight of athletic team members, previous schools attended, and degrees, honors, and awards received. By filing a form with the Registrar’s Office, students may request that any or all of this directory information not be released without their prior written consent. This form is available in the Registrar’s Office and may be filed, withdrawn, or modified at any time.
CAMPUS SAFETY AND SECURITY POLICIES

A safe and secure campus depends on the cooperation and assistance of everyone—Baruch students and staff—to be aware of possible safety hazards and of the potential for crime on campus. Crime prevention and prompt reporting of unsafe conditions should be the objectives of every member of the Baruch community.

Campus peace officers make Newman Vertical patrols in all Baruch buildings, and an officer is stationed in the lobby of each building. The officers carry portable radios to communicate with other officers and to summon aid if necessary.

Baruch’s policy is that students and employees must report safety hazards, crimes, loss of property, illness, or injury. Proper reporting facilitates apprehension of criminals and assists in making Baruch safe. Incidents can be reported to any uniformed peace or security officer by calling or visiting the Office of Campus Security and Public Safety. A member of this office is in constant touch with the local precinct to monitor and record off-campus crime.

A daily crime log is maintained in the public safety office that records by date any crime that occurred on or off campus within the patrol jurisdiction of the campus Public Safety Department and was reported to the department or the 13th Precinct of the New York City Police Department. Entries into the crime log must include the nature, date, time, and general location of each crime and the disposition of the complaint, if known. The College is further required to issue a timely warning to the College community when a crime that the institution considers to be a threat to students and employees is reported to a campus security authority or a local police agency. This warning and entry into the log must be made within two (2) business days unless disclosing this information is prohibited by law or would jeopardize the confidentiality of the victim. The 1998 amendments to the Clery Act also permit an institution to withhold this information if release of the information would jeopardize an ongoing criminal investigation or jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. However, once the adverse effect of disclosing the crime information is no longer likely to occur, the institution must disclose the information.
Public Safety and Security Services

The Office of Campus Security and Public Safety consists of the director of security, an associate director for operations, and three assistant directors who oversee training and procedures, fire safety/fire drills, special events, scheduling, records, officer discipline and supervision, alarm systems, technical equipment, investigations and crime prevention, key control and supervision of locksmiths, lost and found, assignment and maintenance of College vehicles, and the supervision of the CUNY Card ID and Access Control Center. The security unit also includes 62 campus peace officers (6 sergeants and 56 patrol officers), augmented by contract security. Deployment to Baruch College of campus peace officers is part of The City University of New York’s security initiative. Campus peace officers are sworn and have arrest powers.

Campus security operates 24 hours a day, seven days a week. An assistant director is always present on campus while classes are in session, including Saturdays.

The office is located at 17 Lexington Avenue, Suite 102, phone: 646.660.6000. To report an emergency, call Baruch ext. 3333. However, in the event of immediate danger, dial 911, New York City’s emergency assistance phone number.

Personal Safety and Security On Campus

Baruch College’s security and public safety office believes that the best methods for reducing crime are vigilance and education. Vigilance includes limiting access to campus facilities to only those people who have proper Baruch identification.

Students, faculty, and staff must display identification cards while on campus. Invalid ID cards are subject to confiscation. If a visitor does not have a valid Baruch identification card, he/she must show the officer on duty other valid photo identification and sign a roster. When the College is not in session, advance notice must be given to the Office of Campus Security and Public Safety before access can be granted to any Baruch building. The Office of Campus Security and Public Safety is in continuous contact with the Office of Campus Facilities on security considerations related to campus projects.

Members of the security office provide guidance and assistance to crime victims in reporting incidents to the police. If a serious incident occurs on campus, the Baruch security office and the local police should be called. The security office’s primary concern is the safety and well-being of the victim. Apprehension of the assailant and preservation of evidence of the crime are secondary albeit important considerations.
When an officer arrives, the initial information needed is a brief account of what happened, a physical description of the assailant, and the assailant’s direction of flight. The sooner a crime is reported, the better the chance that the criminal will be caught. Even if a victim does not want to file an official police report, he/she can still provide the police with information that could help in an arrest and the possible prevention of another crime. If necessary, a member of the Baruch security office will guide a victim through the criminal justice system.

Prevention

General Security On Campus

• Lock office doors while offices are unoccupied.
• Do not bring unnecessary valuable items on campus.
• Do not leave purses, briefcases, or books unattended.
• Call College security (ext. 3333) to report crimes or suspicious activities.
• Call the police (911) or security (emergency ext. 3333) if immediate danger is suspected or if you are threatened.

In Elevators

If you are alone and someone suspicious enters, stand near the controls. If necessary, press the alarm button. Security officers will respond.

Sexual Assault

This information serves to increase awareness and knowledge about sexual assault and to help you to cope with sexual assault if it does happen (further detailed information is found in the Sexual Encounters booklet).

Friendly Stranger and “Acquaintance Rape”

Many attacks start with casual conversation. If your gut-level response to a stranger or friend is uneasiness, try to get out of the situation as quickly as possible, even if it means being rude or making a scene. Acquaintance rape occurs more frequently than reports seem to indicate. The keys to prevention are awareness, trusting your intuition, and assertive behavior. People have deterred assailants in a variety of ways. Talking and thinking about what you might do if attacked increases your chance of defending yourself.
**Who Is The Victim?**

Everyone is a potential victim of sexual assault. The most vulnerable target is a woman alone. While a large number of reported victims are in the 13 to 25 age bracket, indications are that this is due to an increase in reporting in this age group. Studies do not indicate a preference for the young by sexual assailants, nor do they support the myth that assault is provoked by a woman’s dress or mannerisms. Opportunity and vulnerability are key factors.

**Who Is The Sexual Assailant?**

A sexual assailant is generally a person who is emotionally unstable, yet conducts his or her day-to-day life in a reasonably normal and competent manner. He or she often has difficulty in relating to others on a permanent or lasting basis. He or she is often a friend, date, relative, co-worker, or casual acquaintance of the victim.

**Where Can Sexual Assault Occur?**

Sexual assault can happen virtually anywhere, but most reported incidents occur in the home of the victim or the home of the offender. It is important to be aware that many areas of daily activity are potentially dangerous. Sexual assault often occurs in conjunction with other crimes, such as burglary, so the more commonsense precautions one takes, the less the chance of becoming a victim. Remember: a locked door can give a potential victim adequate time to call the police (911). Remember, too: the victim does not provoke the attack. Sexual assault is a crime of violence and not of sex.

**Survival Is The Goal**

Preventive measures can reduce the risk of attack, but they are not 100 percent effective. Recent studies show that, if you are attacked, an immediate aggressive response will be twice as likely to increase the possibility of escape but can also aggravate the situation. However, submitting does not guarantee that violence will not occur. Look for ways of escape. If one method does not work, try another.

**Checklist for Victims of Assault**

- Report the crime immediately to the police by dialing 911 and to the Baruch College Office of Campus Security and Public Safety at 646.660.3333.
- Do not disturb any evidence.
- Do not bathe or shower.
- Have a medical examination as soon as possible.
- Report every detail of the attack to the police officer.
- When calm, make notes of the attack, including any unusual details and description of the attacker.
Procedures For Survivors

If you are assaulted at Baruch, call security’s emergency number: 646.660.3333. Security personnel understand that sexual assault victims experience emotional trauma and will follow a procedure designed to help the victim. This will include finding out details about the assault, taking action toward detaining the assailant, and informing the victim of services available at Baruch and elsewhere.

Students should report all incidents of sexual assault to the Office of Campus Security and Public Safety at 646.660.3333 and to the Dean of Students at 646.312.4570. A professional staff member will meet with you confidentially and will pursue formal disciplinary action only with your consent. After a complaint is lodged, the vice president for student development will arrange an investigation and hearing to determine culpability and the appropriate sanctions, if any. Both the accused and the accuser are entitled to the same opportunities to have others present during such proceedings, and both the accused and the accuser are informed of the outcome of such proceedings. Anyone may initiate such an action against a Baruch student. A Baruch student who is found to have committed rape, sexual assault, or any other sexual offense, either forcible or non-forcible, is subject to arrest and disciplinary action that can include admonition, deprivation of certain privileges, probation, suspension, or expulsion. The sexual assault survivor will have the option and all available assistance to change classes.

New York State Sex Offender Registry

The Division of Criminal Justice Services maintains the Sex Offender Registry. Inquiries may be made at www.criminaljustice.state.ny.us/nsor/.
ALCOHOL AND DRUG USE POLICIES

Baruch College is dedicated not only to teaching and to the advancement of knowledge but also to the development of ethical and responsible individuals. The College seeks to achieve these goals through a sound educational program and policies that encourage maturity and independence. The regulations that govern student and employee conduct have been formulated with those objectives in view.

The U.S. Department of Education has issued regulations implementing the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. These regulations require that a college distribute information annually about the possession, use, and distribution of alcohol and illicit drugs at that college.

Members of the Baruch College community are bound by federal, state, and municipal laws as well as by the regulations of the Board of Trustees of The City University of New York.

The unlawful manufacture, distribution, possession, or use of illegal drugs or other controlled substances and the unauthorized use of alcohol by students on campus and by College employees at work is prohibited. Student clubs and organizations may petition the Office of Student Life or the Office of the Vice President for Student Development in advance of a planned event for the use of beer or wine at “duly authorized functions.” Organizations must adhere to stringent guidelines that comply with the New York State Alcoholic Beverage Control Law prohibiting the sale, delivery, or providing of alcoholic beverages to people under the age of 21. In addition, organizations granted permission to serve alcoholic beverages must provide adequate supervision for distribution and consumption. Specific details pertaining to the “Permit for the Use of Alcoholic Beverages at an Authorized Student Program” may be found in the student organization handbook, The Informer, available in the Office of Student Life, Newman Vertical Campus, Room 2-210.

Any person found to have violated the College policy on alcohol and drug use is subject to discipline by City University officials.

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

The possession or use of illegal drugs is a crime in the State of New York. Anyone found in possession of or using such drugs on College property will be dealt with severely and may be suspended from the College, in addition to facing criminal charges and arrest.

WEAPONS POLICY

No one within the University community, except peace officers pursuant to authorization of the college presidents, shall have in their 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.
INSTITUTIONAL SANCTIONS

Students are expected to comply with the Rules of Conduct printed in the Undergraduate Bulletin and Graduate Bulletin. A student found to be in violation of these rules could be subject to disciplinary action. Sanctions may include admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, and/or complaint to civil authorities, as stated in full in Baruch College’s bulletins.

A student who is experiencing difficulty with alcohol or chemical dependency may seek direct assistance or be referred by members of the institutional staff to the Office of the Vice President for Student Affairs & Enrollment Management or to the appropriate counseling center. The vice president for student development may take disciplinary action or recommend that the student meet with a counselor for assistance through self-help organizations or other outside agencies.

BARUCH SMOKING POLICY

Baruch College has taken on the challenge of making the air that its students, faculty, and staff breathe cleaner. Baruch College is a non-smoking institution. Smoking is not allowed inside any building on campus, including entry canopies.

DIFFERENCES BETWEEN COLLEGE PROCEDURES AND CIVIL AND CRIMINAL PROCEDURES

A safe and secure campus depends on the cooperation and assistance of everyone—Baruch students and staff—to be aware of possible safety hazards and of the potential for crime on campus. Crime prevention and prompt reporting of unsafe conditions should be the objectives of every member of the Baruch community. Campus peace officers make Newman Vertical patrols in all Baruch buildings, and an officer is stationed in the lobby of each building. The officers carry portable radios to communicate with other officers and to summon aid if necessary.

Baruch’s policy is that students and employees must report safety hazards, crimes, loss of property, illness, or injury. Proper reporting facilitates apprehension of criminals and assists in making Baruch safe. Incidents can be reported to any uniformed peace or security officer by calling or visiting the Office of Campus Security and Public Safety. A member of this office is in constant touch with the local precinct to monitor and record off-campus crime. A daily crime log is maintained in the public safety office that records by date any crime that occurred on or off campus within the patrol jurisdiction of the campus Public Safety Department and was reported to the department or the 13th Precinct of the New York City Police Department. Entries into the crime log must include the nature, date, time, and general location of each crime and the disposition of the complaint, if known. The College is further required to issue a timely warning to the College community when a crime that the institution considers to be a threat to students and employees is reported to a campus security authority or a local police agency. This warning and entry into the log must be made within two business days unless disclosing this information is prohibited by law or would jeopardize the confidentiality of the victim. The 1998 amendments to the Clery Act also permit an institution
to withhold this information if release of the information would jeopardize an ongoing criminal investigation or jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. However, once the adverse effect of disclosing the crime information is no longer likely to occur, the institution must disclose the information.

THE CITY UNIVERSITY OF NEW YORK DRUG/ALCOHOL USE AMNESTY POLICY

The City University of New York’s (“CUNY’s”) Drug/Alcohol Use Amnesty Policy has two principal purposes. First, it is intended to encourage students to seek medical assistance related to drug and/or alcohol use without fear of being disciplined for such use. Because the use of drugs or alcohol may be life-threatening, CUNY wishes to reduce barriers to seeking and receiving medical help in those situations. Second, CUNY wishes to encourage students under the influence of drugs and/or alcohol who may be the victims of, witnesses to, or otherwise become aware of violence (including but not limited to domestic violence, dating violence, stalking, or sexual assault) or sexual harassment or gender-based harassment to report that violence or harassment. Toward that end, CUNY’s Policy is that students who seek medical assistance either for themselves or others and/or are reporting violence or harassment will not be subject to discipline under the circumstances described below.

I. Students who in good faith call for medical assistance for themselves or others and/or who receive medical assistance as a result of a call will not be disciplined for the consumption of alcohol (either if underage or if consumed in a CUNY-owned or operated residence hall or facility where alcohol consumption is prohibited) or drugs as long as there are no other violations that ordinarily would subject the student to disciplinary action. Similarly, students who may be the victims of, witnesses to, or otherwise become aware of violence or sexual harassment or gender-based harassment and who report such violence or harassment will not be disciplined for the consumption of alcohol or drugs in the absence of other violations that ordinarily would subject the student to disciplinary action. Other violations that would invoke discipline include but are not limited to (i) unlawful distribution of alcohol or drugs; (ii) sexual misconduct, as defined in CUNY’s Policy on Sexual Misconduct; (iii) causing or threatening physical harm; (iv) causing damage to property; (v) hazing.

II. The students involved will be encouraged to complete alcohol and/or drug education activities, assessment, and/or treatment, to be determined by the individual campuses or units of CUNY with which the students are affiliated. If repeated incidents of alcohol or drug use are involved, there may be issues of medical concern, which may result in parental notification, medical withdrawal, and/or other non-disciplinary responses.

III. CUNY’s Policy is intended both to implement Article 129-B of the Education Law (which mandates drug and alcohol amnesty for reporters of violence) and to complement New York State’s Good Samaritan Law, which is designed to encourage individuals to call 911 in the event of an alcohol or drug-related emergency. Generally, the Good Samaritan Law protects persons who witness or suffer from a medical emergency involving drugs or
alcohol from being arrested or prosecuted for drug or underage alcohol possession after they call 911. It does not protect against arrest or prosecution for other offenses, such as the sale of drugs.
The Baruch College Campus Intervention Team (CIT) works together as a support system to provide assistance to students in crisis. Any member of the college community (faculty, students, staff) can reach out to the CIT to report a concern about a student.

The CIT is constituted to assist in providing support for students in crisis. Faculty or staff concerns should be reported to the Office of the Provost or to Human Resources, respectively.

Concerned faculty, staff or students may fill out an Incident Communication Form if they have noticed student behavior that is perceived to be harmful to the student him/herself or to others. This behavior may include:

- Unusual or erratic behavior in class
- Extended absence from class by a typically engaged student
- Written work with troubling themes or references
- Verbal or written threats made by a student toward another student
- Written or verbal expressions of suicidal ideation
- Other actions that cause an alarm or call into question the safety of the student or his/her peers.

All reports are confidential and will be handled by members of the CIT.

To alert the CIT to a concern, complete and submit the Incident Communication Form. A member of the team will receive and review your submission. Please note that you may be contacted for follow-up information.

Members of the CIT may be emailed at cit@baruch.cuny.edu or call us at 646.312.4576.
Quiet Hours

Courtesy hours are in effect at all times in the residence halls. It is expected that each resident will extend courtesy and consideration to other residents at all times. Quiet hours are defined times when noise will be kept to a minimum. Quiet hours are in effect each night from 11pm to 9am. This is also the time frame outlined by New York City ordinances regarding quiet hours. Radios, stereos, and televisions must be played at lower volume levels that will not disturb other residents.

You live in a community where it is essential that you respect your neighbors. Please keep sound levels low within your room and comply with requests to reduce intrusive noise levels. Repeated violations of the noise policies will subject you to disciplinary action. 24-hour quiet hours will be in affect during finals. We want to provide students with an atmosphere where they can relax and study. Please adhere to all signage concerning noise and quiet hours.

Residents are not permitted to play amplified musical instruments or high-watt stereo equipment. Students who wish to play or practice should wear headphones or muffle their instruments.

Room Condition Reports

The digital room condition reports (RCRs) are filled out by Resident Assistants and Residence Life staff. A resident is responsible for viewing and verifying all this information is correct. Residence Life Staff will provide residents with the Room Condition Report Agreement for 2020-21. This document verifies that all information in a room is accurate. Reporting any pre-existing damage in the residence hall room and/or common area is the only way to avoid being held financially accountable for damage found at the end of occupancy.

*Please note that failure to submit the Room Condition Report Agreement for 2020-21 at the beginning of occupancy results in students not being able to contest damages at the end of the academic year*

Students will be able to view their RCRs through a link provided via email from the Baruch College Housing Office on move-in day. Resident Assistants will be available in case you have any questions regarding your RCR, the confirmation, or the form itself.

Damage Billing

If your room has sustained damage beyond the usual wear and tear, the cost of the repairs will be charged directly to you and/or deducted from your security deposit. Below is a list of charges for items within your room. Since some room types differ from others, items listed here may not necessarily be found in your room. You are, however, responsible for all items that are applicable to your room and residence.
EXTERIOR ENTRANCE DOOR
Room
sign......................................................$75
Electronic key lockset...............................$400
Door defacement (inside/outside) ...............$150
Door..............................................................$500

INTERIOR ENTRANCE DOOR
Fire evacuation sign.................................$50
Fire safety notice.......................................$40

GENERAL ROOM
Smoke detector device...............................$75
Overhead lighting fixtures........................$100
Painting (full room).....................................$350
One wall and/or plaster..............................$100
Floor tiles (per tile).................................$150
Ceiling plastering and painting...................$250
Base molding .............................................$150
Television..................................................$400
Television mount........................................$100
Remote control ...........................................$75
GENERAL ROOM (cont.)
Cable / fittings (per fitting, plus repair) .......$10
Data modem ..............................................$150
Cable box..................................................$150
Telephone/Internet jack..............................$100

BEDROOM
Drawers for Beds / Desks / Nightstands ...... $75
Desk ..........................................................$300
Key Board Tray.........................................$30
Bed ..........................................................$600
Mattress ....................................................$200
Chair..........................................................$125
Wall Mounted Lamp...................................$200
Blinds (per blind).......................................$125
Window Unit.............................................$350
Air Conditioner Unit (8,000 BTU) ...............$500
Air Conditioner Knob..................................$10
Air Conditioner Filter.................................$10
Refrigerator ..............................................$350
Refrigerator Shelving.................................$75
Window Stoppers........................................$15
Floor Tiles (per tile).................................$150
Phone.......................................................$25
Base Molding.............................................TBD
Microwave................................................$150
Remote Control.........................................$75
Ethernet Cable..........................................$10
Modem AC Adaptor.......................................$25
<table>
<thead>
<tr>
<th>BATHROOM</th>
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<tbody>
<tr>
<td>Bathroom door</td>
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<tr>
<td>Bathroom door saddle</td>
<td>$85</td>
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<tr>
<td>Bathroom lockset</td>
<td>$150</td>
</tr>
<tr>
<td>Bathroom doorknob</td>
<td>$100</td>
</tr>
<tr>
<td>Floor tiles (per tile)</td>
<td>$50</td>
</tr>
<tr>
<td>Shower rod</td>
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<tr>
<td>Shower fixtures</td>
<td>$350</td>
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<tr>
<td>Basin</td>
<td>$225</td>
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<tr>
<td>Medicine cabinet</td>
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<tr>
<td>Medicine cabinet mirror</td>
<td>$100</td>
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<tr>
<td>Medicine cabinet shelves (per shelf)</td>
<td>$25</td>
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<tr>
<td>Mirror</td>
<td>$100</td>
</tr>
<tr>
<td>Light fixtures</td>
<td>$100</td>
</tr>
<tr>
<td>Sink / faucets / knobs / fixtures</td>
<td>$150</td>
</tr>
<tr>
<td>Toilet tank</td>
<td>$150</td>
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<tr>
<td>Toilet seat cover</td>
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<tr>
<td>Toilet</td>
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<td>Toilet paper roll dispenser</td>
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<tr>
<td>Towel rod</td>
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<td>Tub reglazing</td>
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<tr>
<th>ARMOIRE</th>
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<tr>
<td>Door</td>
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<td>Door knob</td>
<td>$50</td>
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<td>Rod</td>
<td>$25</td>
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<tr>
<td>Shelves (per shelf)</td>
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<th>OTHER CHARGES</th>
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<td>Photo ID</td>
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<tr>
<td>Improper Checkout Fee</td>
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<td>Unauthorized Appliance</td>
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<tr>
<td>Cleaning Fee</td>
<td>$100</td>
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<tr>
<td>Bulk Item Removal</td>
<td>$100</td>
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<td>Furniture Disassembly</td>
<td>$150</td>
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<td>Alcohol Policy (no alcohol)</td>
<td>TBD</td>
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Please note that prices are subject to change and labor and materials may be added as an additional charge for any of the damaged property.
Disciplinary Proceedings

There are consequences to violating policy; below are the potential sanctions that may occur for such violations. Sanctions may include, but are not limited to:

- Written warning
- Disciplinary fines
- Educational projects
- Community service
- Restitution for damages
- Disciplinary probation
- Imposed room or building reassignment
- Loss of guest privileges
- Suspension from the residence
- Expulsion from the residence
- Referral to public law enforcement agencies

If A Complaint Is Filed

A complaint may be submitted by anyone, including RAs, residence hall staff, or other students in the residence hall. The complaint must be in writing. The complaint should be submitted to the RA on duty or the RLC. The RLC will assess the incident and identify any alleged policy violations. If a policy may have been violated, the appropriate University official will handle the case.

The accused student will be asked to meet with the appropriate University official to discuss the charges. After an investigation has been completed, Baruch College will determine if residence hall, CUNY and/or Baruch College policy was violated. In cases involving minor infractions, a policy clarification notice letter may be sent in lieu of a formal meeting. Should the student wish to contest the policy clarification letter and have a meeting instead, the student must send a written request for a meeting to the Residence Life Coordinator within five (5) business days from receipt of the policy clarification letter.
There are three potential outcomes to a meeting regarding a policy violation. First, the case may be resolved by mutual agreement, which may include the imposition of sanctions for violations of policy (if a student admits responsibility for such violations). Second, if no agreement is reached, the matter may proceed to a formal disciplinary hearing. Third, if the student effectively demonstrates that the investigation's findings are incorrect, the allegations may be dismissed as unfounded.

Guest Policies

The policies and procedures related to guests exist to allow residents to have visitors while not infringing upon the comfort and rights of other residents. A guest is expected to abide by all Baruch College and building procedures, regulations and standards to ensure the safety and security of the residents in the building. The host is responsible for the actions of his/her guests at all times. Any guest who violates Baruch College or 60 Guilders policy while in student housing or other areas will be asked to leave the residence hall. **All guests must be 18 years or older to be signed-in as a guest.**

It is the responsibility of the host to meet his/her guest in the lobby and to remain with that person at all times when the guest is in the residence hall. **All guests must register at the security desk and leaving a valid form of current identification** (this must be an unexpired photo ID). When the guest leaves the hall they must be escorted to the lobby by the host and must sign out with security. The ID will be returned as the guest leaves the building.

**Short-term Guests**

Provided that there is no unreasonable interference with the rights of a roommate, a resident may have a maximum of two (2) short-term guests (one who stays for a few hours, but not overnight) at any time between the hours of 8am and 11pm. Short-term guests must leave the building by 11pm, or they will be considered an unapproved overnight guest.

**Overnight Guests**

An overnight guest is defined as someone who stays after 11pm regardless of how long they stay. In consideration to the rights of roommates and other hall residents, limits are placed on the duration and frequency of such visits. A resident may have only one (1) overnight guest at any time. **Residents are not allowed to have overnight guests during the first two weeks and last two weeks of the semester.** This allows new residents to socialize with their roommates and become better acquainted with the residence hall community and focus during finals. Residence Life also reserves the right to suspend guest privileges during midterms, finals, or any other event deemed necessary.
Residents Must Adhere To The Following Procedures and Conditions:

All residents must submit an Overnight Guest Form electronically. For a same day overnight guest, the Overnight Guest Form and roommate(s)’ approval must be received by 10:30pm. An overnight guest may stay for more than one (1) night, but no more than three (3) consecutive nights. The Overnight Guest Forms can be found on the Baruch Residence Life official website or at [www.tinyurl.com/baruchovernightguest](http://www.tinyurl.com/baruchovernightguest).

- All residents must fill out an electronic Overnight Guest Form for guest, regardless of guest’s length of stay. All overnight guests must be approved by the RA-on-duty and roommate (if applicable).
- Failure to complete and submit the form along with roommate approval by the 10:30pm deadline will result in an automatic denial of guest.
- Resident may receive guest confirmation emails from residence life staff; if not, it is on the resident to confirm approval of guest BEFORE the office closes at 11pm.
- A resident may not have an overnight guest without approval by Residence Life staff and roommate(s).
- No guest may stay longer than seven (7) nights per month.
- A resident may only be allowed to have up to seven (7) overnight guests per calendar month.
- A non-resident may not be an overnight guest in the residence halls for more than seven(7) nights per calendar month, whether the same host or different hosts eachnight.
- A valid Photo ID must be left with security during the duration of the visitor’s stay; it is the visitor’s responsibility to retrieve their ID upon departure.
- Hosts must escort and sign out their guest at the end of their stay.
- No single room can have more than one (1) overnight guest on any given night.
- No double room can have more than two (2) overnight guests on any given night.
- No triple room can have more than three (3) overnight guests on any given night.
- All residents are legally and financially responsible for the conduct of their guests.
- While in the building, guests must be accompanied by their host at all times.
- Violations will be emailed to the student once processed which will include dates of guest suspensions. For any questions, contact the RA on duty.
Additional Policies

Interference
No student shall intentionally or recklessly interfere with a Baruch Staff member or other officials exercising her/his assigned duties.

Alcohol and Drug Prevention
All Baruch residents must complete the mandatory alcohol and drug prevention training mandated by Baruch Residence Life. Residents will be notified when the training has opened and the due date. If you need information to access the training, please see a residence life staff member for assistance. Failure to complete within the designated time will affect your ability to have guests in the residence hall.

Intoxication
As outlined in the Baruch College Code of Student Conduct, alcohol is not permitted in the residence hall. When a staff member is alerted of a resident who becomes incapacitated as a result of drinking or drug use, 911 will be called. Residents will be financially responsible for the costs of the medical care including ambulance and/or hospitalization. Additionally, the resident will face disciplinary action. Loud or disruptive behavior, interference or drinking habits that are disruptive or injurious to the health of individuals will not be tolerated and disciplinary action will be taken which could lead to removal from the building and forfeitures of all monies paid.

Drugs
Students are required to abide by all federal, state and city laws and regulations in addition to the policies of the Educational Housing Services, regarding the use, sale, and distribution of controlled substances. Marijuana is an illegal substance and is strictly prohibited in the residence hall. If any student or guest in the residence hall is found in possession of, using, selling or distributing marijuana or other controlled substances, (or in the case of prescription drugs, without a valid prescription) the New York City Police Department will be contacted. Your license agreement will be immediately terminated, all monies paid forfeited and you will be required to vacate the premises. Additionally, students will face disciplinary charges from the institution, which could result in expulsion from the college.

Pets
No animals of any kind are permitted in your room or in the building at any time.

Room Changes
Due to limited space available, room changes are not guaranteed and may not be granted. Once a room change has been granted a cleaning fee of $55 will be charged to resident for cleaning of room.
**Floor Meeting**  
Every resident must attend the mandatory floor meeting scheduled during the first semester living in the residence hall. Failure to attend meeting or any makeup meetings will result in lost of guest privileges.

**Lock-outs**  
Understand that it is your responsibility to carry your ID/key with you at all times. We will be keeping track of every lockout and expect you to adhere to the policies listed below if you are locked out of your room:

- For lockouts students must go to the Security desk.
- All students should go to the 60 Guilders Office located in the lobby of the residence hallon Monday-Saturday between the hours of 10am and 10pm and Sunday 12pm-7pm.
- A temporary room key will be issued (proof of valid identification will be required), and residents will be required to return this key within 20 minutes of issue, or a fine of $20 will be charged.
- Key replacement: Should any student lose their key, there will be a $20 replacement fee to be paid through the 60 Guilders office.
- Lock change: Should any student damage their lock they will be billed a $400 replacement fee.

If you lose your key, you will be expected to pay for a replacement key in the 60 Guilders office located in the lobby of the Residence Hall.

**Fire Equipment**  
Tampering with fire equipment such as fire alarms, fire extinguishers, sprinkler systems, exit signs, and common area smoke detectors is prohibited. Violations include, but are not limited to:

- Removing smoke alarm from rooms (this includes removing batteries or from hard wire)
- Removing a fire extinguisher from its prescribed location
- Discharging a fire extinguisher for any purpose other than putting out a fire
- Setting false alarms
- Tampering with the covers on fire alarm pull stations
- Tampering with common area and room sprinkler systems

Any action by a resident that places other residents at risk will result in the violator being held financially responsible to all costs associated. Additionally, the violator will be subject to disciplinary action including possible termination of Housing License Agreement.
**Burning substances**
Burning any substance in student housing is not permitted. This includes, but is not limited to burning candles and incense, which are both prohibited items in the residence hall. These items will be confiscated and disposed of by staff.

**Firearms and explosives**
Firearms, paintball guns, bow and arrows, ammunition, fireworks, gasoline and other combustible or explosive items are prohibited in the residence hall. If any of the above items or similar items are discovered the New York Police Department will be contacted.

**Security**
The management maintains 24-hour security in the lobby as well as surveillance cameras in all hallways, elevators and common areas. Security guards are posted at the entrance of the building and will often do rounds. Do not congregate at the security station. Please be mindful of your behavior at all times.

**Smoking**
Smoking is not permitted in your rooms or anywhere else in the building. If you need to smoke, please do so outside the building. Do not loiter directly in front the building or block the entrance.

**Threats and violence**
Do not engage in, or threaten to engage in, any behavior that endangers the health or safety of another person or oneself.

**Vandalism**
Any student who defaces public property or any area in any residence will be subject to disciplinary action, appropriate fines, and for cleaning and repairing the defaced area.

**Windows**
Even a small item that falls or is thrown out of your window can seriously injure or even kill a pedestrian. Your windows are designed to open no more than a few inches. Do not try to remove these safety devices, and never throw anything out your window. Any violation of this policy will be reported to the New York Police Department.

**Bicycles and rollerblades**
You are permitted to have a bicycle and rollerblades; however, these items must be stored in your room. You are not allowed to ride them inside the building. Leaving items in the hallway is a safety hazard and will be promptly confiscated by the staff.

Consolidation
Please remember that the double/triple occupancy rooms are intended for two/three residents. When a vacancy becomes available in a shared space, another roommate or roommates will be found immediately. **Please do not allow guest(s) to sleep or settle into the unoccupied space.** The space must be ready for a new arrival to check-in. Every effort will be made to give you at least 24 hours’ notice prior to a new roommate's arrival.

Equal opportunity housing availability
Baruch College is an equal opportunity organization and offers living accommodations without regard to race, age, color, national origin, or disability as provided for in Title IV and Title IX and sanctions 503 and 504 of the Rehabilitation Act of 1973 and the American Disabilities Act of 1990.

Filming
In order to protect residents’ rights to privacy and undue disruption of their community you are not permitted to film in any area of the building.

Gambling
Gambling in your room or anywhere within the residence halls is not permitted.

Rooftops
Residents are strictly forbidden to be on the roof at any time for any reason (except by the request of a New York fire official). Any violation of this policy will lead to disciplinary action.

Restricted areas
Residents are strictly prohibited from going into certain areas including but not limited to: electrical or storage closets and areas in the basement level. Residents cannot use emergency exits unless there is an emergency.

Signage
Exhibiting or affixing any sign, advertisement, notice or other lettering, flags or banners on any part of the outside of your room, door or the building (including signage inside your room if it
can be viewed from the outside) is prohibited. Additionally, residents are not permitted to attach or hang any projections (radio or television antennas, awnings, flags, banners, etc.) on the outside walls or windows of the building.

**Solicitation and/or business**

It is prohibited to conduct any business or commercial enterprise from the building. You are prohibited from unauthorized solicitation, membership recruitment, subscription, polling, posting, placing materials underneath doors, canvassing, and commercial sale of products, services, or tickets in any residence. Under no circumstances is prostitution or escort services permitted in the residences at any time.

**Sports**

Playing any sports in the hallways or lounges is strictly prohibited. Please take all frisbees, footballs, etc. outdoors.

**Storage**

There is no extra storage space available. Please do not bring more personal property than you can keep within your room. Summer storage is also not available and anything left behind will be considered abandoned and you will incur appropriate charges. You may use local storage spaces such as City Closets or Manhattan Mini Storage for your storage needs.

**Please Note**: Any violation of these rules, or of other policies, whether included in this Residence Guide or not, may result in the appropriate disciplinary action by Baruch College (including termination of the lease agreement), and possibly legal authorities.
COVID-19 Related Policies

Please note during this time that we are actively combating COVID-19 that these policies supersede all other above policies.

Check In:
- Bring only essential belongings to the residence hall. In the chance that the residence hall needs to close due to COVID-19 outbreak, students will be asked to leave the hall with their belongings.
- You have been assigned a specific check in time. These times are staggered to allow for social distancing and efficient use of the elevators. Please arrive on time for your check in so as to remain on schedule. Only one individual will be allowed to assist in moving in belongings.

Building Protocols:
- Limit elevators to 4 riders each while social distancing guidelines remain in effect via installation of signage and floor markings in elevator cabs
- Fitness Center to remain closed until NYC/NYS guidelines and governmental restrictions permit the opening of similar commercial establishment
- All Common areas will remain closed until NYC/NYS social distancing advisories are lifted
- All Common areas that must remain open (Kitchen, Laundry) will have reduced occupant load (50%), signage advertising reduced occupant load, and increased cleaning frequency

Baruch College Student Protocols:
- No guests are permitted in the Residence Hall.
- No more than three people in a room, including the resident. All people in a room must follow social distancing and face covering policies.
- All programming will be virtual, including floor meetings with Resident Assistants
- Students are assigned individual rooms with bathrooms
- Should a student need to quarantine, they will do so in their assigned room.
- Students must notify their RA when they leave the state or country and are expected to quarantine for 14 days when they return to the residence hall from a high-risk location.
- All community members will wear face coverings (masks) when in public spaces including hallways, elevators and communal spaces. Failure to do so can result in disciplinary action.

Quarantine Procedures:
- Students who need to quarantine (due to exposure to someone who has tested positive, tested positive themselves, or traveled out of state) will do so in their individual rooms for a minimum of 14 days.
- Students will notify their RA of the need to quarantine, including start date.
- Students are encouraged to get tested for COVID-19 at any one of the Urgent Care centers located within a block of the building.
- Students are encouraged to notify their doctor or the Baruch Health Center of their
symptoms for regular screening throughout the quarantine. If symptoms advance, 911 will be called to transfer student to nearest hospital.

- Students are encouraged to notify their parents of their symptoms and if they are transported to the hospital.
- Students who are in quarantine are able to have food delivered via the deli that is part of the building premises or other food delivery services which will be coordinated with the front desk staff.
- RAs will randomly check in on students in quarantine to ensure compliance.

**Should the Residence Hall Need to be Closed:**

- In the event the Residence Hall must close entirely, students will be notified (email, building signage) of need to leave the Residence Hall with their belongings.
- Students will be required to formally check out of their room, including returning keys, etc. For those students who are in quarantine if/when residence hall should close, they would use an electronic form to complete check out, leaving their keys in their room.
THE CITY UNIVERSITY OF NEW YORK
POLICY ON SEXUAL MISCONDUCT

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I. **Policy Statement**

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

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

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

3) Promptly responding to and investigating allegations of sexual harassment, gender-based harassment and sexual violence, pursuing disciplinary action when appropriate, referring the incident to local law enforcement when appropriate, and taking action to investigate and address any allegations of retaliation;

4) Providing ongoing assistance and support to students and employees who make allegations of sexual harassment, gender-based harassment and sexual violence;

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

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

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

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

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

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

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

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

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

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

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

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

B. Retaliation. This policy prohibits retaliation against any person who reports sexual harassment, gender-based harassment or sexual violence, assists someone making such a report, or participates in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence complaint.

C. Certain Intimate Relationships. This policy also prohibits certain intimate relationships when they occur between a faculty member or employee and any student for whom he or she has a professional responsibility as set forth in Section X below.

III. Title IX Coordinator

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

IV. Immediate Assistance in Cases of Sexual Violence

A. Reporting to Law Enforcement

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

B. Obtaining Immediate Medical Attention and Emotional Support

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

On-campus resources include nurses and/or nurse practitioners at campus health offices and counselors at campus counseling centers. Counselors are trained to provide crisis intervention and provide referrals for longer-term care as necessary. For off-campus resources, CUNY maintains a list of emergency contacts and resources, including rape crisis centers, available throughout New York City on its dedicated web page. This list includes a designation of which local hospitals are designated as SAFE (Sexual Assault Forensic Examiner) hospitals, which are specially equipped to handle sexual assaults and trained to gather evidence from such assaults.

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

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

A. Filing a Complaint with Campus Authorities

i. Students

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

ii. Employees

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

iii. Visitors

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

F. **Reporting Suspected Child Abuse**

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

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

VI. Reporting/Confidentiality Obligations of College and University Employees

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

A. Confidential Employees

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

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

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

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

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

B. **“Responsible” Employees**

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

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

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

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

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

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

VII. Interim and Supportive Measures

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

A. Types of Interim and Supportive Measures

Interim and supportive measures may include, among other things:

i. Making necessary changes to academic programs, including a change in class schedule, making appropriate accommodations to permit the complainant to take an incomplete or drop a course or courses without penalty, permitting the complainant to attend a class via skype or other alternative means where appropriate, providing an academic tutor, or extending deadlines for assignments;

ii. Making necessary changes to residential housing situations or providing assistance in finding alternate housing;

iii. Changing an employee’s work assignment or schedule;

iv. Providing the complainant with an escort to and from class or campus work location;

v. Arranging appropriate transportation services to ensure safety;

vi. Prohibiting contact between the complainant and the respondent (“no contact” orders);

vii. Offering counseling services to the complainant, to the respondent, and, where appropriate, to witnesses, through the college Counseling Center or other appropriate college office, or a referral to an off-campus agency;

viii. Providing the complainant assistance in obtaining medical and other services, including access to rape crisis centers;

ix. Providing the complainant assistance with filing a criminal complaint and seeking an order of protection;

x. Enforcing an order of protection;
xi. Addressing situations in which it appears that a complainant’s academic progress is affected by the alleged incident;
xii. In exceptional circumstances, seeking an emergency suspension of a student or an employee under applicable CUNY Bylaws, rules, policies and collective bargaining agreements.

B. Process for Review of “No Contact” Orders

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

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

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

A. The Investigation

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

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

B. **Conflicts**

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

C. **Mediation**

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

D. **Timing**

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

E. **Report of Findings**

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

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

i. **Discipline Against Students**

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

ii. **Discipline Against Employees**

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

iii. **Action Against Visitors**

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

iv. **No Disciplinary Action**

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

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

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

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

I. **Filing External Complaints**

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

IX. **College Obligations Under This Policy**

In addition to addressing possible violations of this policy, colleges/units of CUNY have the following obligations:

A. **Dissemination of Policies, Procedures and Notices**

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

B. Training and Educational Programming

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

i. Training For Responsible Employees
   The college will provide training to all employees who are required to report incidents of sexual harassment, gender-based harassment or sexual violence under this policy.

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

C. Campus Climate Assessments

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

A. Relationships between Faculty or Employees and Students

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

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

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

B. Relationships between Supervisors and Employees

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

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

XI. Definitions of Terms in this Policy

A. **Affirmative Consent** is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity or gender expression. Consent may be initially given but withdrawn at any time. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

In order to give consent, one must be of legal age (17 years or older). Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by lack of consciousness or being asleep, being involuntarily restrained, or if the individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

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

B. **Complainant** refers to the individual who alleges that she/he has been the subject of sexual harassment, gender-based harassment or sexual violence, and can be a CUNY student, employee (including all full-time and part-time faculty and staff), or visitor. Under this policy, the alleged incident(s) may have been brought to the college’s attention by someone other than the complainant.

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

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

E. **Forcible Touching/Fondling** is intentionally touching the sexual or other intimate parts of another person without the latter’s consent for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire.
F. **Gender-Based Harassment** is unwelcome conduct of a nonsexual nature based on an individual’s actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes that is sufficiently severe and pervasive to adversely affect an individual’s participation in employment, education or other CUNY activities. The effect will be evaluated based on the perspective of a reasonable person in the position of the complainant. An example of gender-based harassment would be persistent mocking or disparagement of a person based on a perceived lack of stereotypical masculinity or femininity.

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

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

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

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

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

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

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

or

ii. such conduct is sufficiently severe and pervasive to adversely affect an individual’s participation in employment, education or other CUNY activities (hostile environment). The effect will be evaluated based on the perspective of a reasonable person in the position of a complainant.

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

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

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

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

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

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

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

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

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

iii. Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person’s consent.
N. **Sexual Misconduct** is sexual harassment, gender-based harassment or sexual violence, as defined in this policy.

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

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

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

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

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

Q. **Visitor** is an individual who is present at a CUNY campus or unit but is not a student or an employee.

The City University of New York
Students’ Bill of Rights

CUNY students who experience campus-related sexual or gender-based harassment or sexual violence, including sexual assault, stalking, domestic violence, intimate partner violence or dating violence, are entitled to the following rights:

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

Questions about CUNY’s sexual misconduct policy and procedures may be directed to your campus Title IX Coordinator Mona Jha at Mona.Jha@baruch.cuny.edu or 646-312-4542.

Information on resources and the process for filing a complaint is available on CUNY’s Title IX web page.