

Policy and Procedures for Reports of Misconduct

This policy covers sexual harassment, sexual assault, and gender-based misconduct

Fall 2019



Application

This policy and its procedures apply to students as well as faculty, staff, and third party conduct.

Values

The College honors its special commitment to persons who might otherwise find it difficult or impossible by reason of age, race, national origin, gender, sexual orientation, or income to obtain an education in keeping with their aspirations and abilities.

College policy requires that equitable consideration be given to all persons. The College does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity/gender expression, national origin, domestic violence status, marital status, predisposing genetic characteristics, pregnancy, age, citizenship status, disability, or any other protected category under applicable local, state or federal law in the administration of its admission, employment and educational policies or scholarship, loan, and other school administered programs.

The health, safety, and well-being of all members of the College community are among the College's primary concerns. In accordance with Title IX of the Education Amendments of 1972 ("Title IX") and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), as amended by the Violence Against Women Act/Campus Sexual Violence Act ("Campus SaVE Act"), and New York State Education Law, the College is committed to maintaining a community free from all forms of sex discrimination, including sexual harassment and sexual misconduct. The College does not discriminate on the basis of sex in its education programs and activities. Sexual harassment and sexual violence/misconduct is gender discrimination prohibited by Title IX. Sexual misconduct includes a broad range of behaviors that will not be tolerated in the College's education programs or activities. The College strictly prohibits sexual harassment and sexual violence, including the offenses of sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking. Sexual misconduct can occur between strangers, acquaintances, or people who know each other well, including those who are involved in an intimate or sexual relationship, and can be committed by anyone regardless of sex, gender, or gender identity. Such behaviors are serious violations of our community values.

Questions or complaints may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights.

Clotilde Ibarra
Title IX Coordinator
Metropolitan College of New York
60 West Street
New York, New York 10006
(212) 343-1234, ext. 2800; Cibarradillon@mcny.edu

U.S. Department of Education
Office for Civil Rights, New York—Region II
32 Old Slip, 26th Floor
New York, NY 10005
(646) 428-3800; OCR.NewYork@ed.gov

The College is committed to operating with integrity and in compliance with all applicable laws, regulations, and College policies and procedures. All College community members are expected to comport themselves responsibly, and to behave in a manner consistent with the College's mission.

The College recognizes that freedom of academic inquiry and the transmission of knowledge are the foundations of higher learning. However, any assertion of rights or freedoms must be balanced by a readiness to assume corresponding responsibilities. These include respecting the rights of others in the academic community and accepting responsibility for one's own behavior.

Security Procedures

Listed below are items to help ensure your safety while you are at the College:

- Security staff is on duty during all hours that the College is open.
- All students entering the College **must** produce and show identification cards to security.
- Students **must** have their ID cards visible at all times. Student Services will issue students ID cards.

If you forget your College ID card, you must show other identification and sign in with Security.

Any suspicious behavior or misconduct should be reported immediately to the security guard on duty, or in his or her absence, to one of the Deans or a College administrator.

All students must leave the building when Security makes the final evening check.

An additional list includes some suggestions that can help you protect yourself while you are off campus:

- If you attend evening classes, leave the building with a group rather than alone.
- When walking, try to stay in well-lit, populated areas. Do not walk close to doors or in alleyways. Stay as close to the street as possible.
- If you are dependent on subway transportation to go to and from the College, do not stand in an isolated area of the subway platform. Stand near other people or the attendant booth.
- Be careful when walking down subway stairs alone.

Student Conduct

Students may be subject to College discipline and sanctions for violations of this Policy that take place off-campus. The College may address such violations if the off-campus conduct impairs college-related activities or creates a risk of harm to any member or members of the college community. The Title IX Coordinator will determine whether the activities in question have sufficient connection to, or impact on, College activities to merit investigation and disciplinary action by the College under this Policy.

In the interest of protecting the rights of all individuals on campus, the College has established standards of conduct and policies and procedures prohibiting discrimination, harassment, sexual assault and other disruptive and or illegal conduct. The College's expectations with regard to student conduct apply to all facets of College programming, including field placements, internships, and study abroad programs.

Students must refrain from:

- Making any verbal or physical threats of violence, or behaving in a coercive, intimidating, hostile or threatening manner to students, faculty or staff.
- Bringing weapons on campus, including firearms, box-cutters, knives, mace, or any instrument or device used for attack.
- Engaging in unprofessional and or illegal behavior or conduct, such as harassment, assault (see separate section on sexual harassment and sexual assault), falsifying official College documents, stealing, damaging personal or College property, using illegal substances, disrupting a class or activities in an area of the College's premises, etc.
- Uploading or downloading copyrighted works - music, movies, software, video games and other copyrighted works - without authorization of the owners. This is a violation of Federal copyright law.
- Viewing sexually explicit or other inappropriate websites on any of the College's computers.
- Any behavior that interferes with the operation of the College or any situation that recklessly or intentionally endangers or threatens the mental or physical health of any individual, including but not limited to threats, coercion, harassment, or acts of violence.

While these items address major standards of conduct, it is not realistic to list every potential infraction; the College reserves the right to extend these principles to similar acts.

Policies and Procedures for Reporting, Investigation, and Adjudication of Misconduct

I. Definitions

Harassment

Harassment is conduct directed toward an individual or group based on membership in a protected class, including harassment of an individual in connection with a stereotyped characteristic of a protected class, or because of that person's identification with a protected class. Such harassment is any conduct, verbal, nonverbal, or physical, on or off campus, that has the effect, because of its severity and/or persistence, of unreasonably interfering with an individual or group's educational or work performance or that creates an intimidating or hostile educational, work, or living environment.

Sexual Harassment

Sexual harassment is a type of gender discrimination and is prohibited by Title IX, other state and federal laws, and by College policy. Sexual harassment may include unwelcome sexual advances, requests to engage in sexual conduct or for sexual favors, or other behavior of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual; and/or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance, or of creating an intimidating, hostile or demeaning educational or employment environment.

The College strictly prohibits sexual harassment of and by any member of the College community, whether such harassment is aimed at students, faculty, or other employees. Violators will be subject to disciplinary action. All College employees and students are responsible for adhering to this policy.

The following activities are examples of possible sexual harassment. Each of these activities alone, if sufficiently severe, may warrant immediate discipline, discharge, or expulsion. These examples are intended to be illustrative rather than exhaustive:

- Threatening retribution or promising benefits in return for sexual favors, whether implicitly or explicitly;

- Unwanted verbal, physical or visual conduct - the person who is the target of the conduct determines what is unwanted;
- Unwanted sexual advances;
- Sexual violence and sexual assault;
- Comments concerning an employee's or a student's sexual habits, sexual preference, or sexual desirability, whether generally stated or, specifically at an individual;
- Offensive talk about sex or sexuality;
- The use of demeaning or offensive words when referring to people of a particular sex;
- The display of pornographic or other offensive material, including circulating written or graphic material including e-mail messages that denigrates or shows hostility or aversion toward an individual or group.

It makes no difference if the harassment is “just joking” or “teasing” or “playful.” Depending on the context and impact jokes may amount to harassment.

Bias Crimes (Hate Crimes)

A bias crime, also known as a hate crime, is a criminal offense committed against a person or property which is motivated in whole or part, by the offender's bias against a race, gender, religion, disability, sexual orientation, or ethnicity / national origin. Examples of bias-related crimes are racially or religiously targeted acts or attempted acts by any person, or group of persons, against the person or property of another individual or group which may in any way constitute an expression of racial or religious hostility, including threatening phone calls, certain types of graffiti, hate mail, physical assaults, vandalism, cross burning, fire bombing, etc. The College prohibits all bias-related actions, and will take prompt disciplinary action, up to and including discharge or expulsion, against any employee or student who commits a bias crime.

Sexual Exploitation

Sexual exploitation is non-consensual sexual abuse or exploitation of another. Examples of sexual exploitation include, but are not limited to, non-consensual use of electronics to capture, reproduce or share images of a sexual nature without consent of parties involved, public indecency or exposing genitals to others without consent, or engaging in ‘peeping’ (observing another when privacy would be reasonably expected) without consent.

Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim, by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim who is protected from that person's acts.

Domestic violence can also consist of actions by one person to control another person in an intimate relationship. The shift in power can happen very slowly, over a period of time, so that the other

person cannot remember when it happened. Or it can happen very quickly after there is some sort of commitment or some change in the level of intimacy.

Physical abuse is not the only form of domestic violence. There are many ways that your partner might try to gain power and control in your relationship.

Ways a person might try to gain power and control over their partner include:

- **Isolation** - making it hard for you to see your friends and family; telling you that your friends and family cause problems in the relationship or are trying to "come between you."
- **Economic abuse** - having complete control over the money; making you account for every penny you spend; taking your money from you.
- **Verbal, emotional, psychological abuse** - calling you names; putting you down or embarrassing you in front of other people; criticizing your abilities as a partner or parent.
- **Intimidation** - making you afraid with a look, action, or gesture; getting you to do something by reminding you about "what happened last time."
- **Coercion and threats** - showing you a weapon and threatening to use it on you; threatening to "out" you to family, friends, or employers if you are gay or lesbian; threatening to harm your family, friends, or anyone you might go to for help.
- **Physical abuse** - pushing, grabbing, hitting, slapping, punching, or kicking you.
- **Sexual abuse** - forcing you to have sex when you don't want to; making you engage in sexual acts that make you uncomfortable; forcing you to engage in prostitution.
- **Using children** - undermining your authority with your children; threatening to take the children away from you by kidnapping or getting custody of them; "pumping" your children for information about you.
- **Minimizing, denying, blaming** - making you think the abuse is your fault; saying the abuse was caused by stress, alcohol, or problems at work; denying that the abuse happened at all.

Sexual Assault

Sexual Assault is any non-consensual sexual act. Sexual assault includes:

Non-Consensual Sexual Contact: Any intentional sexual touching, however slight and with any object or body part, that is without consent (as defined in this Policy) and/or by threat, intimidation, coercion, duress, violence, or by causing a reasonable fear of harm. This includes intentional contact with breasts, buttocks, groin, mouth, or genitals, as well as any other intentional bodily contact that occurs in a sexual manner with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Non-Consensual Sexual Intercourse (Rape): the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, forcibly or without affirmative consent or where the victim is incapable of affirmative consent due to mental or physical incapacity. Statutory rape is non-forcible sexual intercourse with a person who is under the statutory age of consent. In New York, the statutory age of consent is 17 years old.

Dating Violence

Dating violence is violence committed by a person who is or has been in a romantic or intimate relationship with the victim. The existence of such a relationship will be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. Stalking may include contact through a third party, the monitoring of an individual online or through the use of social media, email or other technology.

Examples of stalking include:

- Unwelcome and repeated visual or physical proximity to a person;
- Repeated oral or written threats;
- Extortion of money or valuables;
- Unwelcome/unsolicited written communication, including letters, cards, emails, instant messages, and messages on on-line bulletin boards;
- Unwelcome/unsolicited communications about a person, their family, friends, or coworkers;
- Sending/posting unwelcome and/or unsolicited messages with another username;
- Implicitly threatening physical conduct or any combination of these behaviors directed toward an individual person.

A stalker can be a stranger or someone the victim knows including a partner, an ex-partner, or a family member.

If you are a victim of domestic abuse or stalking, you may be able to obtain protection through the court system through an Order of Protection. Some abusive behavior including stalking is also a violation of criminal laws and subject to prosecution. Victims of domestic abuse or stalking should see Student Services regarding resources for counseling and other support services.

Affirmative Consent (“Consent”)

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.

Please note that to comply with the above definition of affirmative consent, you should be guided by the following principles:

- 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.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given, but withdrawn at any time.
- 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 the lack of consciousness or being asleep, being involuntarily restrained, or if an 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.
- Consent cannot be given when it is the result of coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given sexual activity must stop.

Incapacitation

Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an 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. Evaluating incapacitation requires an assessment of an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments;
- Capacity to appreciate the nature and the quality of the act; and
- Level of consciousness.

An individual who engages in sexual activity with someone the individual knows, or reasonably should know, is incapable of making a knowing, reasonable decision about whether to engage in sexual activity, is in violation of this Policy.

Hazing

College policy and New York State Law prohibit all forms of hazing. Hazing is defined as any action taken or situation created which, regardless of location or consent of the participants, recklessly or intentionally endangers mental or physical health or involves forced consumption of alcohol or other drugs for the purpose of initiation into or affiliation with any organization at the College. All instances of hazing should be immediately reported to a College official, such as the Campus Security Staff or the Dean of Students. All allegations of hazing shall be fully investigated. Individual violators are subject to disciplinary actions by the College, up to and

including dismissal from the College. All students, faculty, staff and campus visitors or invitees are subject to these rules. In addition, violators may also be subject to criminal sanctions.

Violence

The College prohibits any act of intimidation, threat of violence, or act of violence against or by any person affiliated with the College.

- **Intimidation:** A physical or verbal act toward another person, the result of which causes that person to reasonably fear for his/her safety or the safety of others.
- **Threat of Violence:** A physical or verbal act, which threatens bodily harm to another person or damage to the property of another.
- **Act of Violence:** A physical act, whether or not it causes actual bodily harm to another person or damage to the property of another.

Workplace Violence

The College is committed to providing faculty, staff and students with a safe and secure environment that is free from threats and acts of intimidation or violence. For the purpose of this policy, “workplace violence” shall mean any behavior, act or statement that:

- Would be interpreted by a reasonable person to be aggressive, intimidating, harassing, or unsafe; and
- Which carries an expressed or implied intent to cause harm to a person or property.

The College will take prompt disciplinary action, up to and including discharge or expulsion, against any employee or student who engages in any type of violence or intimidation. It is the responsibility of each employee and student to contribute to a safe working and learning environment. The College expects of all of its community members’ full cooperation in the investigation and resolution of complaints.

Violence Warning Signs

There is no exact method to predict when a person will become violent. One or more of these warning signs may be displayed before a person becomes violent, but they do not necessarily indicate that an individual will become violent.

- Verbal, nonverbal, or written threats or intimidation, explicit or subtle
- Fascination with weaponry and or acts of violence
- Expression of a plan to hurt self or others
- Feelings of persecution, expressed distrust, especially with authority figures
- Frequent interpersonal conflicts
- Displays of unwarranted anger
- Indications of marked mood swings

- Vandalism- violence toward inanimate objects
- Sabotaging projects or equipment
- Holding a grudge against a specific person; verbalizing a hope that something will happen to him or her.

Employees and students who are concerned about potentially violent behavior of coworkers or classmates should report their concerns to a College official.

Retaliation

Retaliation is any action to penalize, intimidate, harass, or take adverse action against a person who makes a report of misconduct, cooperates or participates in an inquiry or investigation, or otherwise asserts rights protected by the laws or this policy. Retaliation is prohibited by College policy and could result in new or additional misconduct charges.

II. Reporting Misconduct

Any instance of misconduct should immediately be reported to a College official such as the Title IX Coordinator or to Campus Security Staff. Individuals may also notify law enforcement authorities, including the NYPD, regardless of whether or not a report has been made to the College. College officials can help individuals notify and cooperate with external authorities.

If an allegation is against an employee of the College, the Title IX Coordinator may refer the matter to the Director of Human Resources or College Counsel for a separate or coordinated investigation.

If the reporting individual asks that the College not investigate a report, the College will weigh that request against its obligation to provide a safe environment for members of the College community. In all cases, information will be shared only with necessary parties to the investigation, discipline process, or supervisory process. The College will accept complaints by third parties, such as witnesses/bystanders, but the College's ability to investigate such complaints may be limited without cooperation of the alleged victim.

A reporting individual may file a report with law enforcement authorities at the local NYPD precinct, regardless of the status or outcome of the College investigation.

III. Filing a Complaint

Any member of the faculty, administration, staff, or student body may file a complaint against an individual by following the procedure below. Complaints should be made, in writing, to the Title IX Coordinator. Reporting individuals may meet with the Title IX Coordinator before making a written report. Reports must be typed or legibly hand-written, dated, and signed (electronic signature is sufficient). The complaint must clearly describe the incident, including specific time and date of the occurrence and all persons involved. Reporting parties should include any relevant materials with the complaint. The complaint is to be delivered to Clotilde Ibarra, Dean of Students and Title IX Coordinator, 60 West Street, New York, New York 10006. Email: Cibarra@mcny.edu, Phone: 212-343-1234, ext. 2800.

Confidentiality and Privacy

This Policy distinguishes between *privacy* and *confidentiality*. If a reporting individual discloses an incident to a College employee, but wishes to maintain confidentiality or does not consent to the institution's full investigation, the College will consider that request in light of its obligation to provide a safe, non-discriminatory environment for all members of the community.

Privacy

Information disclosed by a reporting individual will only be shared with a small circle of individuals who are directly involved in the resolution of a report. These individuals will be discreet and respect the privacy of all involved.

Confidentiality

Certain professionals off campus have been designated as confidential resources. This means that any information shared with a confidential resource will not be shared with the College without the permission of the person that shares the information.

In rare circumstances, a confidential resource may need to share information with the police or other authority if, for example, there is an imminent threat of harm to self or others, or the conduct involves suspected abuse of a minor.

IV. Investigations

After the receipt of a report of misconduct, the Title IX Coordinator or one of her designees will meet with the reporting individual to gather as much information as possible. The Title IX Coordinator and/or her designee will also meet with any witnesses or individuals who may have information about the conduct at issue. The Title IX Coordinator or her designee will counsel the reporting individual and the person accused of misconduct on available interim measures such as academic support and counseling.

The accused will be notified that an investigation is underway and will be afforded the opportunity to independently meet with the Title IX Coordinator or her designee to review this procedure and to have his/her rights explained. The Title IX Coordinator or her designee(s) will also meet with the accused to gather any evidence he or she may offer so that the College can better understand the issue. The accused will also have the opportunity to submit names of individuals with knowledge of the situation and the College will follow up with those individuals. The College will notify both parties in writing prior to any meeting that they are required or eligible to attend.



During an investigation, the Title IX Coordinator or an appropriate designee may ask for written statements and other documents or evidence which may aid in the investigation. Therefore, it is important to preserve all evidence associated with the conduct or that you think might help others understand what happened. Such evidence can include text messages, Facebook or Instagram posts, photos, voicemails, emails, or items of clothing.

During the fact-finding process, upon agreement of all parties, the Title IX Coordinator or her designated representative may attempt mediation to informally resolve the issue. Sexual assault, domestic violence, dating violence, and stalking claims will not be mediated. If the issue is not resolved at this level, the Title IX Coordinator will refer the complaint for a disciplinary hearing.

V. Interim Measures

The College may be able to offer interim measures while the College investigates and resolves a case covered by this policy. Interim measures are designed to be temporary and may include, depending on resources and the circumstances of a case, a change in class schedule, academic counseling, alternate exam schedules, and/or work arrangements. If in the College's determination an individual poses a threat to the health and safety of the community the College may place that individual on an interim suspension pending the outcome of the conduct review process.

The parties may also request that the College issue a "no contact" order, which prohibits the parties from interacting and restricts one or both party's access to certain areas of campus. "No contact" orders are usually not indefinite and either party may request that the Title IX Coordinator or her designee amend or revoke a "no contact" order. Intentional and/or repeated violations of a College-issued "no contact" order are a violation of this Policy and may result in additional disciplinary charges and sanctions.

VI. Assistance and Support

Advisors

Both parties may bring an advisor or support person of choice with them to any meeting or phase of proceeding discussed in this Policy. Advisors/support persons are, however, not allowed to speak or otherwise participate in any meeting or hearing.

Confidential Resources

Confidential resources are not required to report incidents to College officials. Individuals seeking confidential assistance or who are not seeking action by the College may reach out to the confidential resources listed on page 24 of this Policy.

Non-Confidential Resources

These resources at the College are not confidential, but they will maintain privacy to the greatest extent possible:

- Clotilde Ibarra, Dean of Students and Title IX Coordinator, Cibarra@mcny.edu, ext. 2800
- Michael Molina, Director of Student Services, Mmolina@mcny.edu, ext. 2801

Responsible Employees

All College employees are “responsible employees,” which means that all employees are required to report alleged violations of this Policy to the Title IX Coordinator. Under Title IX, the College is required to take immediate and corrective action if an employee knew or, in the exercise of reasonable care, should have known about sexual or gender-based harassment or violence prohibited under Title IX.

Employees will respect an individual's privacy and only share information with a small circle of individuals who are directly involved in the resolution of a report under this Policy. Employees are nonetheless required by the College to immediately share information reported to them, including the date, time, location, the names of the parties involved, and a brief description of the incident with the Title IX Coordinator or her designee.

VII. Hearing Process

After the completion of an investigation, and upon a threshold determination that there is sufficient evidence to move on to a formal review of the evidence, the Title IX Coordinator will convene a hearing. The hearing may be before a hearing or administrative officer. The parties will be notified of the hearing ahead of time and are encouraged to attend. If either or both parties choose not to attend, the College reserves the right to conduct the hearing in their absence. Either party may appear at the hearing by Skype or conference call if the party is uncomfortable appearing in person.

Hearings will be open only to invited individuals and witnesses. The accused or complainant may bring an advisor of choice to the hearing, but the advisor may not speak or otherwise participate in the hearing process. The parties must give the Title IX Coordinator at least 24 hours' notice that the presence of an advisor is desired at the hearing.

The hearing officer will hear all testimony relevant to the complaint and may ask questions of all parties and witnesses. The accused and complainant will not be permitted to directly question each other during the hearing. The hearing officer's determination regarding responsibility will be based on the preponderance of the evidence and will be submitted to the Title IX Coordinator. The Title IX Coordinator will notify the parties, in writing, of the decision and recommended sanction. The parties will have 10 business days following receipt of the hearing officer's decision to appeal.

VIII. Sanctions

Sanctions imposed will be determined by the severity of the violation, prior misconduct and the student's understanding and willingness to accept responsibility for the behavior. Possible sanctions include, but are not limited to:

- Verbal and or written warning
- Community and or College service
- Behavioral contract
- Monetary fines and or restitution
- Social probation (suspension from a student club, group or activity)
- Suspension from attending classes or being on College premises
- Expulsion from the College
- Notations in the student's permanent file and/or academic transcript
- Withholding degree

The College reserves the right to combine sanctions, as appropriate. Any student who is suspended or expelled will be responsible for tuition charges incurred, in accordance with the tuition liability policy. Prior to the College's final determination as to sanction, the parties may submit an impact statement for consideration.

IX. Appeal

Decisions of the hearing officer may be appealed, in writing within 10 business days of receipt of the decision. Failure to submit an appeal within this period shall constitute a waiver of the right to appeal. Appeals will be before a panel, and are not an opportunity to rehear the case. Appeals will be granted only in certain circumstances. Those circumstances are when there is concern that:

- The original hearing was not conducted in a fair manner and in accordance with College policy;
- The decision was not based on a preponderance of the evidence or there was a misapplication of evidence;
- The sanctions were inappropriate for the violation; and/or
- New information that was not available at the time of the initial hearing has just become available.

Requests for an appeal must be in writing and clearly articulate the basis for the appeal. On appeal, the panel may uphold, modify or dismiss the hearing officer's decision and sanction. The appeal panel may also send the matter back to the hearing officer and/or Title IX coordinator for reconsideration or further investigation. The decision of the appeal panel is final.

X. Transcript Notations

Students suspended or expelled for committing an act of sexual assault, domestic violence, dating violence, stalking or a "violent crime" as defined by the Clery Act, will have a notation placed on their transcript as follows: "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation."

The College will consider requests to remove transcript notations for those students suspended for sexual assault, domestic violence, dating violence, stalking or Clery violent crime. However, a

transcript notation will not be removed sooner than one year after the conclusion of the suspension. Expulsion notations will not be removed in any case. Appeals seeking removal of a transcript notation may be addressed to the Title IX Coordinator and should include an explanation and supporting information for why a transcript notation should be removed. If a finding of responsibility is vacated for any reason a corresponding transcript notation will be removed.

If an accused student withdraws from the College while conduct charges that include sexual assault, domestic violence, dating violence, stalking and/or a Clery crime of violence are pending, and declines to complete the disciplinary process, the following notation will be placed on his/her transcript: “withdrew with conduct charges pending.”

XI. Policies with Regard to Alcohol, Drug-Free Schools and Communities

The unlawful use, manufacture, distribution, dispensation, sale, or possession of any drug or controlled substance is prohibited. Students and employees are prohibited from reporting to the College or to work or fieldwork while under the influence of any drug or controlled substance, including alcohol. Violation of this policy may be grounds for serious disciplinary action, up to and including dismissal. Individuals suffering from drug or alcohol abuse are encouraged to seek assistance from their doctor who can refer them to proper treatment or rehabilitation programs. A list of referrals regarding available treatment, special resources, community drug prevention programs, etc., is available by contacting the Office of Student Services.

Alcohol and/or Drug Use Amnesty Policy

The health and safety of every student is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will not be subject to the College’s code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Nothing in this section shall be construed to limit the College’s ability to provide amnesty in additional circumstances.

Weapons in the Workplace and on Campus

The College strictly prohibits employees and students from possessing weapons of any kind on campus. The prohibition explicitly includes firearms of any type, including those for which the holder has a legal permit, with the exception of firearms carried by off-duty police officers or other peace officers. Other prohibited items include box-cutters, knives, mace, or any instrument or device used for attack. Employees and students may not bring weapons to the work site or

store weapons on school property. The school property covered by this policy includes property of any nature owned, controlled, or used by the College, including but not limited to offices, desks, file cabinets, and lockers. This policy is designed to ensure the health and safety of all employees and students on campus. A violation of this policy may result in disciplinary action up to and including immediate discharge or expulsion. Police officers or peace officers who fall within the exception above must have written approval from the College President to bring a weapon on campus, and provide supporting documentation as requested.

Workplace Violence Procedures

Employees and students who experience, observe, or become aware of acts of violence or threats of violence, not just sexual violence, should immediately report such conduct to Security or, if Security is unavailable or in an emergency, call 911. The College will not tolerate any form of retaliation against any employee or student for making a report under this policy. The College will investigate any acts of violence that take place on the College campus in coordination with local law enforcement.

Advice and Updates to Students regarding Security Procedures

In addition to the information contained herein, the College Advisory Committee on Campus Safety reviews current campus security policies and procedures and makes recommendations for their improvement. Students and employees are advised and updated regarding campus security procedures in a number of ways. Depending on the nature of the change, letters may be sent out to the student body. The College's website is updated immediately and publications such as the Student Handbook are updated at their next printing. In addition to the above methods, College employees are notified of any policy changes through institution-wide emails, postings on bulletin boards, etc. The Advisory Committee on Campus Safety will provide, upon request, all campus crime statistics as reported to the United States Department of Education. To receive such information, please contact the Director of Student Services at 212 343-1234, or visit the Department of Education website at: <http://ope.ed.gov/security/index.asp>.

Appendix A

Students' Bill of Rights

The College is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the College, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

Appendix B

New York Crime Definitions

Below are New York State criminal law definitions. These definitions are used by the College to categorize and report crimes pursuant to the Clery Act and the Violence Against Women Reauthorization Act. This page is for informational purpose only. The New York District Attorney's office will determine whether an act qualifies as a crime under New York law.

CONSENT¹: Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

CONSENT, ABBREVIATED: Clear, unambiguous, and voluntary agreement between the participating to engage in specific sexual activity.

DATING VIOLENCE: New York State does not specifically define "dating violence." However, under New York Law, intimate relationships are covered by the definition of domestic violence when the crime is committed by a person in an "intimate relationship" with the victim. See "Family or Household Member" for definition of "intimate relationship."

DOMESTIC VIOLENCE: An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent

¹The College's definition of consent differs from the criminal law definition. The College defines consent as *affirmative consent* consistent with N.Y. Educ. Law § 6441.

accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

FAMILY OR HOUSEHOLD MEMBER: Person's related by consanguinity or affinity; persons legally married to one another; person formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common regardless of whether such persons are married or have lived together at any time; unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

PARENT: means natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

SEXUAL ASSAULT: New York State does not specifically define sexual assault. However, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape.

SEX OFFENSES; LACK OF CONSENT: Whether or not specifically stated, it is an element of every sexual act committed without consent of the victim.

SEXUAL MISCONDUCT: When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.

RAPE IN THE THIRD DEGREE: When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

RAPE IN THE SECOND DEGREE: When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled

or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

RAPE IN THE FIRST DEGREE: When a person engages in sexual intercourse with another person (1) by forcible compulsion; or (2) who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

CRIMINAL SEXUAL ACT IN THE THIRD DEGREE: When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

CRIMINAL SEXUAL ACT IN THE SECOND DEGREE: When a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

CRIMINAL SEXUAL ACT IN THE FIRST DEGREE: When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

FORCIBLE TOUCHING: When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. It includes squeezing, grabbing, or pinching.

PERSISTENT SEXUAL ABUSE: When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

SEXUAL ABUSE IN THE THIRD DEGREE: When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

SEXUAL ABUSE IN THE SECOND DEGREE: When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

SEXUAL ABUSE IN THE FIRST DEGREE: When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

AGGRAVATED SEXUAL ABUSE: For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE: When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE: When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE: When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE: When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

STALKING IN THE FOURTH DEGREE: When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (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, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her 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.

STALKING IN THE THIRD DEGREE: When a person (1) commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

STALKING IN THE SECOND DEGREE: When a person: (1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

STALKING IN THE FIRST DEGREE: When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

Resources	
Police	Police – 911 NYPD Sex Crimes Report Line - 212-267-RAPE (7273)
Public Safety	Campus Security - 212-343-1234, ext. 2000
Private, but NOT Confidential	Clotilde Ibarra , Dean of Students and Title IX Coordinator; 60 West Street, New York, New York 10006; (212) 343-1234, ext. 2800; Cibarra@mcny.edu Michael Molina , Director of Student Services, 60 West Street, New York, New York 10006; (212) 343-1234, ext. 2801; Mmolina@mcny.edu
Off-Campus, Confidential Resources	Safe Horizon’s Rape, Sexual Assault & Incest Hotline – 212-267-RAPE Mt. Sinai/St. Luke’s Crime Victim’s Treatment Center – 212-523-4728 DOVE – Domestic & Other Violence Emergencies, New York Presbyterian Hospital - 212-305-9060 NYC Gay & Lesbian Anti-Violence Project – 212-714-1141 NYC Family Justice Centers www.nyc.gov/html/ocdv/html/help/fjc.shtml <u>NYC Family Justice Center - Manhattan</u> 80 Centre St., NY (212),602-2800 <u>NYC Family Justice Center - Bronx</u> 198 East 161st Street, Bronx, (718) 508-1222 Rape Abuse & Incest National Network – 800-656-HOPE - ohl.rainn.org/online
Legal Resources	SUNY - Sexual Assault & Violence Response (SAVR) Resources www.suny.edu/violence-response/ Manhattan District Attorney’s Office; Sex Crimes Hotline – 212-335-9373

Stay Safe and Preserve Evidence

Get to a Safe Place. If you are being stalked, threatened, or are concerned about your personal safety, call Campus Security ext. 2000 or the NYC Police Department at 911 (off-campus) or go to a police station or hospital.

Call for Assistance. Call Campus Security ext. 2000 or the NYC Police. Or call Sexual Violence Response and Race Crisis/Anti-Violence Support Center, **(212) 854-HELP**, for crisis intervention and to discuss options for reporting and medical help. An advocate can accompany students to resources such as emergency rooms.

Seek Medical Attention from one of the listed resources or at an Emergency Room.

Preserve Evidence for Law Enforcement. Preserve any physical evidence. You can decide whether to file charges later, but you can only preserve physical evidence now.

Go to the nearest hospital and ask for a Sexual Assault Forensic Examiner (SAFE)

Emergency Care

If you have been raped within the past 96 hours...

- Get to a safe place. (For example -- someone's home, the nearest hospital or police precinct)
- Call 911 to be taken to an emergency room for medical care and/or for immediate police protection and assistance. A complete medical evaluation will include a physical examination, treatment, evidence collection, and/or counseling. Remember, you will not be made to do anything you do not want to do and may decline any of the elements of this evaluation.

If you have been raped, it is important to seek medical care, especially if you have been physically injured. Even if you do not have any visible physical injuries from the assault, there may be physical injuries that you cannot see, and medical and health centers can provide additional services such as testing for sexually transmitted diseases and emergency contraception.

- When you call 911, explain what has happened and request to be sent to an emergency department that is a certified SAFE Center of Excellence. (See "What is a 'SAFE Center of Excellence'")
- In the meantime, do not change clothes, bathe, douche, or brush your teeth. This is important for the evidence collection process that will occur at the hospital.

If you seek to place a report with the police or press charges, it is best for evidence collection to occur within 96 hours of the rape. Keep in mind, though, that evidence

collection does not require you to place a report with the police or press charges, it just preserves these options for the future.

- Or, go directly to the nearest SAFE Center of Excellence Emergency Department. If you go to the nearest emergency department that that is not a designated SAFE Center, you can be transferred to the nearest SAFE Center of Excellence.

What is a "SAFE Center of Excellence"?

Sexual Assault Forensic Examiner (SAFE) services are considered the best and most victim-centered approach to acute health care for sexual assault patients. The New York State Department of Health certifies Emergency Departments as SAFE Centers of Excellence.

SAFE Centers provide sexual assault patients with:

1) Sensitive, victim-centered, medical and forensic health care performed by a specially trained Sexual Assault Forensic Examiner (SAFE). A SAFE is a healthcare provider such as a doctor, nurse, physician's assistant or nurse practitioner.

2) Care that is timely, compassionate, and patient-centered, in a designated and appropriately equipped private room.

3) Assurance about the quality of collection, documentation, preservation and custody of physical evidence by utilizing a trained and New York State Department of Health-certified sexual assault forensic examiner to perform exams. These examiners are available to provide expert testimony if patients choose to report crimes to law enforcement.

2) Psycho-social and legal support by a specially trained Rape Crisis Advocate or Counselor.

3) Reliable referrals to mental and physical health care and follow-up services.

Hospitals in New York City with SAFE Centers:

Manhattan

St. Luke's Hospital (CHP)
Amsterdam Ave & W 113th St

Roosevelt Hospital (CHP)
1000 10th Ave

Beth Israel-Petrie Campus (CHP)
1st Ave & E 16th St

Bellevue Hospital (HHC)
1st Ave & E 27th St

Harlem Hospital (HHC)
506 Lenox Ave

Metropolitan Hospital Center (HHC)
1901 1st Ave

Mount Sinai Medical Center (Mount Sinai)
1 Gustave L Levy Pl

New York Presbyterian Hospital-Columbia (NYP)
622 W 168th St

New York-Presbyterian Hospital- The Allen Pavilion (NYP)
5141 Broadway

New York-Presbyterian Hospital-Weill Cornell (NYP)
525 East 68th Street

Brooklyn

Woodhull Medical and Mental Health Center (HHC)
760 Broadway

Coney Island (HHC)
2601 Ocean Pkwy

Kings County Hospital Center (HHC)
451 Clarkson Ave

Bronx

North Central Bronx (HHC) E 210th St & Kossuth Ave

Lincoln Medical and Mental Health Center (HHC)
234 E 149th St

Jacobi Hospital (HHC) Eastchester Rd & Pelham Pkwy S

Queens

Queens Hospital Center (HHC)
82-68 164th St

Elmhurst Hospital (HHC)
79-01 Broadway

Staten Island

Richmond University Medical Center (IN)
355 Bard Ave

Beth Israel Medical Center: Rape Crisis & Domestic Violence Intervention Program

Address:

Dept. of Social Work
317 E 17th St.
New York, NY 10003

Contact: Carole Sher, Program Coordinator

Phone: (212) 420-4516

Fax: (212) 420-2036

E-Mail: csheer@chpnet.org

Hours: M-F 9-5, by appt.

Handicapped Accessible

Populations served

Survivors of sexual assault / abuse, sexual harassment, incest, domestic violence including:

- all ages 13+
- non-offending parents
- males / females

Medical Services

- 24-hour 7 day a week rape crisis counselors in the Emergency Department
- Medical / forensic examination* including HIV prophylaxis, date rape drug testing, and pregnancy prevention
- Trained sexual assault examiners on site
- Psychiatric evaluations

Advocacy

- Criminal justice advocacy

Counseling

- Short-term individual
- Long-term individual
- Group counseling for survivors of rape / sexual assault and adults sexual abused as children as scheduled
- Telephone counseling

Other Services

- Information and referral services

Special Considerations

- Adolescents (ages 13+) can receive counseling services and medical services without parental consent
- All counseling free of charge
- We respect client confidentiality

If possible, avoid drinking, eating, showering, brushing your teeth, combing your hair or changing your clothes before seeing a SAFE. But if you have done any of these things, evidence can still be collected and it remains important to seek medical attention.



CAMPUS ALERT SYSTEM

The **MCNY Campus Alert System** is an emergency notification system that notifies you of school closures, emergency events, etc. You can choose to receive the notifications via email and/or text message*.

Sign up at:

<http://www.mcnyc.edu/alert>

You can also call 212-343-1234 extension 3000 or visit www.mcnyc.edu for the latest update.

**Message and data rates may apply from your wireless carrier.*

If you have any questions, feel free to contact Student Services at 212-343-1234, ext 5009.