



JOHN JAY COLLEGE  
THE CITY UNIVERSITY OF NEW YORK  
OF CRIMINAL JUSTICE

JOHN JAY COLLEGE POLICY SEC.006  
Office: Finance & Administration  
Department: Public Safety  
Contact: 212 237-8524  
Last Modified: August 2010

---

## **CUNY SEXUAL HARASSMENT POLICY**

### **Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and - Intimate Partner Violence against Students Policies and Procedures**

#### **Policy or Procedure Description:**

- Sec.006 provides the City University of New York's sexual harassment policy.
- Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and - Intimate Partner Violence against Students Policies and Procedures

**CUNY SEXUAL HARASSMENT**

The College forbids sexual harassment as defined in the University's sexual harassment policy and by the Equal Employment Opportunity Commission (EEOC) (See the CUNY Policy Against Sexual Harassment). Violation of this policy can result in a range of disciplinary sanctions. Prompt investigation of allegations will be made in accordance with the procedures outlined in the University's policy on as confidential manner as possible to ascertain the veracity of the complaints and to protect both the complainant and the accused. The complete University's Policy is available on the John Jay Web Site under the sub captions Public Safety, Human Resources, and Student Development.

Sexual harassment occurs whenever unwelcome sexual advances, request for sexual favors, and other oral or written communication or physical conduct of a sexual nature when:

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

There are generally two types of sexual harassment:

1. "Quid Pro Quo" meaning "this for that". This type occurs when a person in a position of power pressures another person to meet his or her sexual demands. For example, a professor insists on sex in return for a higher grade or a supervisor implies that your job security will be based on your submission to sexual demands. The threat need not be stated but can be implied by the mere existence of the power structure.
2. "Hostile Environment" occurs when repeated offensive behavior or comments create an unpleasant or intimidating environment and unreasonably interferes with someone receiving an education or earning a living. This is the most common kind of harassment. A sexually hostile environment may be created by:
  - Discussing sexual activities or telling off-color jokes.
  - Unnecessary touching.
  - Commenting on physical attributes.
  - Displaying sexually suggestive pictures.
  - Using demeaning or inappropriate terms such as "Babe".
  - Using indecent gestures.
  - Using crude or offensive language.

Sexual harassment is an illegal form of discrimination under Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972. It affects relationships between students, between students and faculty, as well as employees and administrators. Repeated or outrageous sexual harassment may cause serious problems. The victim feels angry, afraid, embarrassed, degraded and intimidated. It can cause depression and trauma similar to that caused by sexual assault.

---

**CUNY SEXUAL HARASSMENT**

If you feel that you are a victim don't ignore it. Tell the harasser to stop, keep notes and copies of your academic or employment records and follow the grievance procedures prescribed by the College.

It is the policy of John Jay College and the City University of New York to prohibit harassment of employees or students on the basis of sex. Prompt investigation of allegations will be made with confidentiality maintained to the maximum extent possible to ascertain the veracity of the complaints and appropriate corrective action to be taken. There are formal and informal remedies if a person feels he or she is being sexually harassed. Any person found responsible for sexual harassment will be subject to disciplinary action by the College and may be subject to action by civil authorities. A member of the college community who has taken action against someone for reporting incidents will be subject to disciplinary action. Any person making a false allegation will likewise be disciplined.

Several staff members are available to answer questions and to give advice concerning informal complaints and the formal grievance procedure concerning allegations of any sexual harassment or assaults. Information and advice may be requested anonymously. Inquiries may be informal and are always kept confidential. To seek assistance in cases of sexual harassment or sexual assault call:

The Title IX Coordinator and Sexual Harassment Panel Coordinator  
(212) 237-8122

The Director of Human Resources  
(212) 237-8512

The Director of the Department of Public Safety  
(212) 237-8524

These administrators will help you directly as well as offer to you the services of professional college counselors.

**CUNY SEXUAL HARASSMENT**

Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence against Students.

RESOLVED, That the CTINY Board of Trustees approves the Policies and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence against Students, effective July 1, 2010.

EXPLANATION: A CUNY-wide Sexual Assault Task Force comprised of CTJNY students, faculty members, counselors, administrative staff and attorneys was charged with the responsibility to formulate a policy to address the prevention of sexual assaults, stalking and domestic violence against its students, and to establish a uniform protocol for handling cases in which CUNY students have been the victims of sexual assaults or other acts of violence, on or off-campus. New York State Education Law requires colleges to adopt such a policy.

The Policy creates a comprehensive plan for handling sexual assaults and other acts of violence on our campuses in the event that a student is victimized. It also requires each CUNY campus to educate students concerning ways to reduce the occurrence of sexual assaults, stalking and domestic violence. Further, the Policy requires that peace officers, counselors, student affairs administrators, and other relevant CUNY staff members obtain periodic training so as to provide the most effective education, outreach, and counseling to CUNY students. CUNY's Vice Chancellor for Student Affairs will monitor compliance with the Policy and Procedures at all of the campuses and will review its implementation on an annual basis.

THE CITY UNIVERSITY OF NEW YORK  
POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING  
AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

I. POLICY STATEMENT

The City University of New York seeks to create and maintain a safe environment in which all members of the University community-students, faculty and staff-can learn and work free from the fear of sexual assault and other forms of violence. The University's policies on Workplace Violence and Domestic Violence and the Workplace apply to all acts of violence that occur in the workplace or that may spill over into the workplace. The University's Sexual Harassment Policy prohibits many forms of unwelcome conduct, including but not limited to, physical conduct of a sexual nature. This policy is specifically directed towards sexual assault, domestic and intimate partner violence and stalking committed against students on and off-campus. CUNY wants all victims of sexual assault, stalking and domestic and intimate partner violence to know that the University has professionals and law enforcement officers who are trained in the field to assist student victims in obtaining help, including immediate medical care, counseling and other essential services. If the perpetrator is also a member of the CUNY community, the college will take prompt action to investigate, and, where appropriate, to discipline and sanction the perpetrator. CUNY urges all victims to seek immediate help in accordance with the guidelines set forth in this policy with the assurance that all information received from a complaint will be handled as confidentially as possible.

---

**CUNY SEXUAL HARASSMENT**

In order to eliminate sexual assaults and other forms of violence perpetrated against students, and to create a safe college community, it is critical to provide an appropriate prevention education program and have trained professionals to provide vital supportive services.

Accordingly, CUNY is committed to the following goals:

- Providing clear and concise guidelines for students to follow in the event that they or someone they know have been the victim of a sexual assault, domestic/intimate partner violence, or stalking.
- Assisting victims of sexual assault or abuse in obtaining necessary medical care and counseling, whether on or off-campus.
- Providing the most informed and up-to-date education and information to its students about how to identify situations that involve sexual assault, domestic and intimate partner violence, or stalking, and ways to prevent these forms of violence.
- Educating and training all staff members, including counselors, public safety officers and student affairs staff, to assist victims of sexual assault, domestic/intimate partner violence, or stalking.
- Ensuring that disciplinary procedures are followed in the event that the alleged perpetrator is a CUNY student or employee.

**II. PROCEDURES FOR REPORTING INCIDENTS OF SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE**

Obtaining assistance after a student is sexually assaulted, stalked or is in an abusive relationship is extremely important and can involve different points of on-campus contact for students, faculty and staff, including the Public Safety Department, Women's/Men's Centers and Counseling Departments, and/or the Dean of Student Development/Student Affairs. Each provides different forms of assistance which together address many of the needs of survivors.

- Contact Law Enforcement Personnel Immediately

CUNY urges any student who has been the victim of a sexual assault or other act of violence or abuse, or any student or employee who has witnessed a sexual assault or other act of violence against a student, to immediately report the incident to the college Public Safety Department if the attack occurred on-campus, or to call 911 or go to the local NYPD precinct if the incident took place off-campus. Each college shall be provided with a list of emergency contact numbers as part of its orientation and training programs.

**CUNY SEXUAL HARASSMENT**

- Seek Immediate Medical Attention

It is critical that victims of a physical assault receive comprehensive medical attention as soon as possible. For a sexual assault in particular, immediate treatment and the preservation of evidence of the attack i.e. retain the clothing worn during the attack and do not shower is crucial to a criminal investigation. If a student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person's system for a short period of time. In all other circumstances, public safety and police personnel can assist the victim in obtaining medical care. Each college shall be provided with a list of local hospitals, some of which are designated as SAFE Sexual Assault Forensic Examiner hospitals that are specially equipped to handle sexual assaults and are trained to gather minute evidence from such assaults. Rape crisis advocates at emergency rooms are also trained to handle domestic violence. EMS will be directed to bring victims to a SAFE hospital at their request. Medical attention is critical not only to treat internal and external injuries and to combat the possibilities of sexually transmitted infections and/or pregnancy, but also to collect evidence that can be used against the alleged perpetrator. It is also vital to ongoing safety and recovery that victims receive emotional support and professional counseling as soon as possible after the attack.

- Seek On-Campus Assistance

CUNY encourages student victims to contact the Dean of Student Affairs/Student Development to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student's academic program or residential housing situation. Public Safety can assist victims getting to and from campus safely, filing a police report and obtaining an order of protection against the perpetrator. Victims can also file a complaint with the College against a perpetrator who is a student or employee of the University with the Dean of Student Affairs/Student Development and the Public Safety Office.

- Obtaining an On-Campus Advocate

Student victims of a sexual assault, stalking or domestic or intimate partner violence shall be provided with on-campus support in the form of an advocate from the Women's/Men's Center if there is one on campus or an appropriately trained counselor to assist them in handling the various aspects of their ordeal, such as: 1 explaining to victims their options of whether or not to report the incident to campus or law enforcement authorities; 2 providing guidance if they require medical attention; 3 providing guidance in obtaining crisis intervention and/or ongoing counseling services or a referral to obtain the necessary services if such services are not available on campus; and assisting victims throughout the College's disciplinary process if they choose to file a complaint against another student in connection with the incident.

---

**CUNY SEXUAL HARASSMENT**

- Handling Sexual Assault, Stalking and Domestic and Intimate Partner Violence Complaints On-Campus

The Colleges shall act promptly in response to information that a student has been sexually assaulted, or has been the victim of domestic or intimate partner violence or stalking by another member of the CUNY community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student or staff member, such charges shall be brought pursuant to the appropriate University procedures or collective bargaining agreement. If the perpetrator is a student and the matter is brought before a hearing, the victim and alleged perpetrator are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The victim is entitled to a report of the results of the proceeding at her/his request. If a student is found guilty of committing a sexual assault or other act of violence against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY. In addition, if during the course of the investigation and/or disciplinary process the perpetrator, or anyone on his/her behalf, seeks to contact the victim so as to harass, intimidate, threaten or coerce the victim in any way, the College reserves the right to bring additional disciplinary action against the actor. Such conduct by any member of the CUNY community will not be tolerated.

- Confidentiality

The University recognizes that confidentiality is particularly important to victims of sex crimes, domestic and intimate partner violence and stalking. If the victim seeks counseling with a licensed professional and/or works with an advocate from the campus, those communications will be confidential. CUNY encourages victims in all circumstances to seek counseling in order to speak about her/his options and to begin the recovery period. While complete confidentiality cannot be guaranteed, every effort will be made to maintain confidentiality on a "need to know" basis. Generally, the wishes of a victim not to report a sexual assault or incident of domestic/intimate partner violence or stalking to the police will prevail, though the College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. Such notification, however, will generally be done without divulging the victim's identity and for the purpose of providing a campus-wide safety alert. In addition, the College must adhere to legal mandates such as Title IX, medical reporting laws, and the Campus Security Act. For example, CIJNY is required to make an annual report documenting the occurrences of violent crimes on campus, including sexual assault. However, this report does not include any information identifying the individuals including the victims linked to these crimes.

**HI. IMPLEMENTATION OF THE POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE AGAINST STUDENTS**

The President and Vice President for Student Affairs/Student Development of each college shall be responsible for implementing this policy in accordance with the most up-to-date information and resources pertaining to sexual assault, stalking and domestic/intimate partner violence education and prevention, and victim assistance. The following steps must be taken to implement this policy:

---

**CUNY SEXUAL HARASSMENT**

1. **Publication:** A copy of this policy shall be easily accessible on the CUNY website and on the website administered by each College. A summary shall also be incorporated into every College student handbook. In addition, copies of the policy and procedures shall be made available in student centers, residence halls, student affairs/student development offices, women's/men's centers, counseling centers, health clinics and public safety departments, and shall be distributed to all new students during orientations.
2. **Prevention Risk Reduction Education:** Each College shall develop materials and programs to educate its students, faculty and staff on the nature, dynamics, common circumstances and effects of sexual assault, domestic/intimate partner violence and stalking, and the means to reduce their occurrence and prevent them. Prevention education should provide up-to-date and relevant information, such as education pertaining to bystander intervention, the importance of peer networks and the significance of fostering a community of responsibility. Prevention education materials and programs shall be incorporated into campus orientation activities for all incoming undergraduate and graduate students including transfers, and shall be made available to all student activity groups, clubs and athletic teams. In addition, all residence halls shall have a mandatory orientation on sexual assault, stalking and domestic/intimate partner violence prevention. Colleges are encouraged to assist in the organization of peer education groups and to provide resources to such groups so that the groups can provide training and outreach to other students throughout the academic year. Since the abuse of alcohol is frequently involved in occurrences of sexual assault and other forms of violence, it is important that the education program include education about the deleterious effects of alcohol abuse.
3. **Professional Training:** Each College shall provide periodic training relating to the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence for all relevant personnel, including public safety officers, counselors, student affairs staff and residence hall assistants by experts trained in the field. Education and training shall also be made available to any interested faculty and staff member. Each campus must have at least one qualified staff or faculty member serve as a designated liaison and trainer.
4. **Oversight by CUNY Central Administration:** The University Vice Chancellor for Student Affairs shall monitor compliance with this policy at all of the campuses, shall review the policies and procedures on an annual basis, and shall make recommendations in the event that updates to prevention and education information are necessitated. In addition, the Office of the Vice Chancellor for Student Affairs shall provide educational materials that may be needed to ensure full implementation of this policy on every campus. Liaisons will be identified from each campus who will receive standardized training in order to fulfill their responsibilities on their campuses. The policies, procedures and outreach materials and programs will be subject to a periodic process of assessment in order to maintain efficacy.