

## Baruch College /The City University of New York

# SECURITY

One of the senior colleges of The City University of New York, Baruch College is located in several hi-rise buildings in the Gramercy Park neighborhood of Manhattan. The College has over 1,800 full and part-time employees, and approximately 16,000 students pursuing degrees from the bachelor to the doctoral levels.

Baruch College is located in a diverse and dynamic area of New York City with many opportunities for cultural and intellectual enrichment. However, as with any urban setting, the community surrounding Baruch has problems typical of all cities. Students, faculty, and staff must, therefore, take the same safety and anti-crime precautions as do other members of the community.

The Campus Security and Public Safety Department of the College strives to provide a safe and secure environment on the Baruch campus and within the community. Programs that include seminars on crime prevention and security procedures have been established, along with those conducted in conjunction with the New York City Police Department on subway safety, sexual assault, and confidence games. Nonetheless, each person must take the necessary measures for self-protection. Reducing personal vulnerability lessens the likelihood of becoming a crime victim.

Baruch College's policy on crime awareness, protection, and the procedures for reporting a crime is provided in the following information.

### **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 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 us or the 13<sup>th</sup> Pct. 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 is immediate through CUNY ALERT. Entry into the log will 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.

### **Public Safety and Security Services**

The Security and Public Safety unit consists of the Director of Security, an Associate Director for Operations, and 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 I.D. and Access Control Center. The Security unit also includes 9 Sergeants, 40 Campus Peace Officers (Patrol Officers), and 16 Campus Security Assistants 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 being empowered by Criminal Procedure Law section 2.10. CSA and contract officers have same authority of private citizens. The University has a memorandum of understanding with the New York City Police Department which is renewed on a yearly basis.

Campus Security operates 24 hours a day, 7 days a week. A supervisor is always present on campus while classes are in session, including weekends.

The office is located in suite 102, 17 Lexington Avenue. Phone: (646) 660-6000. Emergency: Baruch ext. 3333. In the event of immediate danger, dial 911, New York City's emergency assistance phone number.

### **Personal Safety and Security on Campus**

Baruch College Security and Public Safety Department's primary methods of reducing crime are through vigilance and education of the Baruch community about ways to minimize vulnerability. 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 I.D. cards are subject to confiscation. Access to the Baruch buildings is accomplished by swiping I.D. cards through turnstiles. 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, an advance notice must be given to the Office of Campus Security and Public Safety before access can be granted to any Baruch building. The Department of Campus Security

and Public Safety is in continuous contact with the office of Campus Facilities on security considerations for campus projects.

Security provides 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 and Public Safety Department'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 but important considerations. The City University of New York has a memorandum of understanding certified by the chancellor and the Police Commissioner of New York City relative to police response on university property.

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 possible prevention of another crime. If necessary, a member of the Baruch Security Department will guide a victim through the criminal justice system.

### **Campus Safety, Security Programs, and Information**

In addition to this publication, special "Safe Campus" flyers are published as needed. Also, Crime Prevention Seminars coordinated with the New York City Police Department are held concerning subway and travel safety, sex offenses, and confidence games. Professional speakers from the Police Department instruct students and employees in safety matters.

The date, time, and location of each seminar is posted conspicuously and listed well in advance in *The Ticker*. These topics are also addressed by an Assistant Security Director at every freshman and transfer orientation and international student advisement session. Crime prevention pamphlets are prepared and distributed periodically. These pamphlets include safety tips and reminders to safeguard property. The college informs, advises and updates students about security procedures by the inclusion of the Security Letter in the Undergraduate Bulletin, The Student Handbook, and the Schedule of Classes. The Security Letter is also posted on the Baruch College Public Safety website:

<http://www.baruch.cuny.edu/psafety/documents/SECURITYLETTERfromPUBLICSAFETY102008.pdf>

### **Security and the Local Police**

Members of the Security and Public Safety Office attend monthly meetings of the local NYC Police 13th Precinct's community council and maintain excellent rapport with the local police and state. Although the majority of Baruch Security personnel are not empowered as police officers, Baruch's Director of Campus Security and Public Safety and several Assistant Directors are former members of the New York City Police Department and are trained in police procedures, investigative techniques, and New York State Law.

### **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 Security (ext 6000) to report crimes or suspicious activities.
- Call Police (911) or Emergency Security (ext. 3333) if immediate danger is suspected or if

*you are threatened.*

### **In Elevators**

*-If alone and someone suspicious enters, stand near the controls. If necessary use the alarm. Security Officers will respond.*

### **On the Street**

- Be alert and aware of others on the street.*
- Carry a whistle on your key chain.*
- Walk with keys in hand as you approach your home so you don't need to fumble for them.*
- Stay on well-lighted streets.*
- Avoid dark or concealed areas.*
- If you think you are being followed, cross the street or change direction. Find an occupied building, such as one with a doorman, or an open store.*
- If a car follows you or stops near you to ask for directions, do not approach the car.*
- Try not to overload yourself with packages, books, purses, etc.*

### **Subway or Bus**

- Wait at well-lighted areas.*
- Enter only subway stations that display a green light at the entrance, indicating that a token clerk is on duty*
- If someone bothers you, say in a loud voice, "Leave me alone!" Move to another area of the bus or train. Do not get off the bus or train in an isolated area.*
- If you are followed when you exit, use the measures listed above for safety on the street.*

### **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 13-25 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 common-sense precautions one takes, the less the chance of becoming a victim. Remember: a locked door can give a potential victim adequate time to call 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 and Sex Offenses**

Report the crime immediately to the Police by dialing 911 and to the Baruch College Office of Security and Public Safety at (646) 660-6000.

- 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 Rape Survivors and Sex Offenses**

If you are assaulted at Baruch, call Security's emergency number: 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 offenses to the Office of Campus Security and Public Safety at (646) 660-6000 and to the Office of the Vice President for Student Development 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 a 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 New York State Division of Criminal Justice Services maintains a registry of convicted sex offenders which is available to local law enforcement agencies, including CUNY's Public Safety Departments. To obtain information about a Level 2 or Level 3 registered sex offender you may:

- 1) contact the police department in the jurisdiction in which the offender resides and/or in which the college is located;
- 2) contact Henry J. McLaughlin Public Safety Director at 646-660-6000; or
- 3) call the Division's sex offender registry at 800-262-3257

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

- 1) contact the Division's sex offender registry website - [www.criminaljustice.state.ny.us/nsor/sor\\_about.htm](http://www.criminaljustice.state.ny.us/nsor/sor_about.htm)
- 2) access the Division's Level 3 subdirectory electronically or via CD-ROM at the college's Public Safety Department or the local law enforcement agency for the jurisdiction in which the offender resides.

## **The City University of New York Policy Against Sexual Harassment**

### **Policy Statement**

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

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

### **A. Prohibited Conduct**

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

## **B. Definition of Sexual Harassment**

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other oral or written communications or physical conduct of a sexual nature when:

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

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individuals of unequal power (such as between a faculty member and student, supervisor and employee, or tenured and untenured faculty members), it may also occur between individuals of equal power (such as between fellow students or coworkers), or in some circumstances even where it appears that the harasser has less power than the individual harassed (for example, a student sexually harassing a faculty member). A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

## **C. Examples of Sexual Harassment**

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment include, but are not limited to, the following:

- requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations);
- submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the target does find, and a reasonable person would find, that an intimidating, hostile or abusive work or academic environment has been created. Examples of this kind of sexual harassment include, but are not limited to, the following:

- sexual comments, teasing, or jokes;
- sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;
- graphic or sexually suggestive comments about an individual's attire or body;
- inquiries or discussions about sexual activities;

- pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- sexually suggestive letters or other written materials;
- sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling;
- coerced sexual intercourse or sexual assault.

#### **D. Consensual Relationships**

Amorous, dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor, or other member of the University community and any person for whom he or she has a professional responsibility. These dangers can include: that a student or employee may feel coerced into an unwanted relationship because he or she fears that refusal to enter into the relationship will adversely affect his or her education or employment; that conflicts of interest may arise when a faculty member, supervisor, or other member of the University community is required to evaluate the work or make personnel or academic decisions with respect to an individual with whom he or she is having a romantic relationship; that students or employees may perceive that a fellow student or co-worker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty members, supervisors, and other members of the University community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

For purposes of this section, an individual has "professional responsibility" for another individual at the University if he or she performs functions including, but not limited to, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits such as promotions, financial aid awards or other remuneration, or that may impact upon other academic or employment opportunities.

#### **E. False and Malicious Accusations**

Members of the University community who make false and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

#### **F. Procedures**

The University has developed procedures to implement this policy. The President of each constituent college of the University, the Senior Vice Chancellor at the Central Office, and the Dean of the Law School shall have ultimate responsibility for overseeing

compliance with this policy at his or her respective unit of the University. In addition, each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility shall be required to report any complaint of sexual harassment to the individual or individuals designated in the procedures. All members of the University community are required to cooperate in any investigation of a sexual harassment complaint.

## **G. Enforcement**

There is a range of corrective actions and penalties available to the University for violations of this policy. Students, faculty, or staff who are found, following applicable disciplinary proceedings, to have violated this Policy are subject to various penalties, including termination of employment and/or student expulsion from the University.

The complete sexual harassment policy can be found on Baruch's website at [http://www.baruch.cuny.edu/hr/documents/CUNY\\_sex\\_harass\\_statement.PDF](http://www.baruch.cuny.edu/hr/documents/CUNY_sex_harass_statement.PDF).

## **Hate (Bias) Crimes**

1. A person commits a hate crime when he or she commits a specified offense and either:
  - a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
  - b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of this section.
3. A "specified offense" is an offense defined by any of the following provisions: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (sodomy in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70

(aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

4. For purposes of this section:
  - a) the term “age” means sixty years old or more;
  - b) the term “disability” means a physical or mental impairment that substantially limits a major life activity.

### **Sentencing**

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, the hate crime shall be deemed a violent felony offense.
2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:
  - a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of the penal law.
  - b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02;
  - c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04;
  - d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05; and

- e) the maximum term of the indeterminate sentence of the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06.
4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years

### **Procedures For Dealing with Hate (Bias) Related Crimes**

A Baruch student who is found to have committed a hate (bias) crime is subject to arrest and disciplinary action that can include admonition, deprivation of certain privileges, probation, suspension, or expulsion.

## **THE CITY UNIVERSITY OF NEW YORK WORKPLACE VIOLENCE POLICY & PROCEDURES**

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

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

### **Policy**

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

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

### **Scope**

All faculty, staff, students, vendors, contractors, consultants, and others who do business with the University, whether in a University facility or off-campus location where University business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with

the University, such as former employees, former students, and visitors. When students have complaints about other students, they should contact the Office of Student Affairs at their campus.

### **Definitions**

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

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

### **Reporting of Incidents**

1. General Reporting Responsibilities

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

2. Imminent or Actual Violence  
Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the Campus Public Safety Office immediately, or call 911.
3. Acts of Violence Not Involving Weapons or Injuries to Persons

Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his or her supervisor, or in lieu thereof, to their respective Campus Public Safety Office. Students should report such incidents to the Office of Student Affairs at their campus or in lieu thereof, their campus Public Safety Office. The Campus Public Safety Office will work with the Office of Human Resources and the supervisor or the Office of Student Affairs on an appropriate response.

4. Commission of a Crime

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

5. False Reports

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

6. Incident Reports

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

## **Responsibilities**

1. Presidents

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

2. Campus Public Safety Office

The Campus Public Safety Office is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Campus Public Safety Office will immediately log all incidents of workplace violence and will notify the respective supervisor of an incident with his/her employee, or notify the appropriate campus official of an incident with a student. All officers should be knowledgeable of when law enforcement action may be appropriate. Public Safety will maintain an internal tracking system of all threats and incidents of violence. Annual reports will be submitted to the

President (at the same time as the report noted below) detailing the number and description of workplace violence incidents, the disposition of the incidents, and recommend policy, training issues, or security procedures that were or should be implemented to maintain a safe working and learning environment. These incidents will be reported in the Annual Report of the College Advisory Committee on Campus Security consistent with the reporting requirements of Article 129A Subsection 6450 of the NYS Education Law (Regulation by Colleges of Conduct on Campuses and Other College Property for Educational Purposes).

Officers will be trained in workplace violence awareness and prevention, non-violent crises intervention, conflict management, and dispute resolution.

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

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

### 3. Supervisors

Each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility (hereinafter “supervisor”) is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report to their respective Campus Public Safety Office any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the Campus Public Safety Director and immediate supervisor, the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

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

### 4. Faculty and Staff

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

by the employee's supervisor should be brought to the attention of the Campus Public Safety Director.

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

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

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

#### 5. Office of Human Resources

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

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

#### 6. Students

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

#### 7. Workplace Violence Advisory Team

A college President shall establish a Workplace Violence Advisory Team at his/her college. This Team, working with the College Advisory Committee on Campus Security, will assist the President in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of

workplace violence at its site; assessing the college's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This Team will also develop workplace violence prevention tools (such as pamphlets, guidelines and handbooks) to further assist in recognizing and preventing workplace violence on campus. It is recommended that this Team include representatives from Campus Public Safety, Human Resources, Labor Relations, Counseling Services, Occupational Health and Safety, Legal, and others, including faculty, staff and students, as deemed appropriate by the President.

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

## 8. University Communications

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

### **Education**

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

### **Confidentiality**

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

### **Retaliation**

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

### **Domestic Violence**

Baruch College is committed to promoting a safe and secure academic and work environment for all members of the college community. Victims of domestic violence who have orders of protection or believe the violence may extend onto the campus are encouraged to notify the

Department of Public Safety at (646)660-6000. In the case of imminent or actual violence or other emergency, call Public Safety at 646-312-3333 or 911, New York City's emergency assistance number. If you have a question or concern about domestic violence, please contact the all language toll free New York City Domestic Violence Hotline, available 24 hours a day, 7 days a week at 800-621-HOPE (4673). Hearing impaired members of the Baruch college community can call 212-233-3456 or 800-810-7444.

The domestic violence policy is posted on the HR web page:  
<http://baruch.cuny.edu/hr/documents/CUNYpolicy-DomesticViolence.pdf>

### **Counseling and other Support Services**

The availability of counseling and other support services for victims of bias related or other crimes are available through the office of the Vice President of Student Development.

It is the policy of the college to encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of the procedures to report a crime on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

## **THE CITY UNIVERSITY OF NEW YORK POLICY ON DRUGS AND ALCOHOL**

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

Federal law requires that CUNY adopt and implement a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. As part of its program, CUNY has adopted this policy, which sets forth (1) the standards of conduct that students and employees are expected to follow; (2) CUNY sanctions for the violation of this policy; and (3) responsibilities of the CUNY colleges/units in enforcing this policy. CUNY's policy also (1) sets forth the procedures for disseminating the policy, as well as information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and available counseling, treatment, or rehabilitation programs, to students and employees; and (2) requires each college to conduct a biennial review of drug and alcohol use and prevention on its campus.

This policy applies to all CUNY students, employees and visitors when they are on CUNY property, including CUNY residence halls, as well as when they are engaged in any CUNY-sponsored activities off campus.

## **CUNY STANDARDS OF CONDUCT**

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age. For purposes of this policy, a CUNY residence hall means a residence hall owned and/or operated by CUNY, or operated by a private management company on CUNY's behalf.

In order to make informed choices about the use of drugs and alcohol, CUNY students and employees are expected to familiarize themselves with the information provided by CUNY about the physiological, psychological, and social consequences of substance abuse.

## **CUNY SANCTIONS**

Employees and students who violate this policy are subject to sanctions under University policies, procedures and collective bargaining agreements, as described below. Employees and students should be aware that, in addition to these CUNY sanctions, the University will contact appropriate law enforcement agencies if they believe that a violation of the policy should also be treated as a criminal matter.

### **STUDENTS**

Students are expected to comply with the CUNY and college policies with respect to drugs and alcohol. Any student found in violation may be subject to disciplinary action under Article 15 of the Bylaws of the Board of Trustees, which may result in sanctions up to and including expulsion from the University.

In addition, any student who resides in a CUNY residence hall and who is found to have violated any CUNY or college policy with respect to drugs and alcohol may be subject to sanctions under the CUNY Residence Hall Disciplinary Procedures, up to and including expulsion from the residence hall.

In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the student must see a counselor or successfully participate in a drug and alcohol treatment program.

In accordance with the Federal Educational Rights and Privacy Act ("FERPA"), CUNY may also choose—when appropriate—to contact parents or legal guardians of students who have violated the CUNY policy on drugs and alcohol.

### **EMPLOYEES**

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

CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the employee must successfully participate in a drug or alcohol treatment program.

## **RESPONSIBILITIES OF CUNY COLLEGES/UNITS**

Each college or unit of the University should make its best efforts to educate employees and students about this policy and the risks associated with the unlawful possession, use, or distribution of illegal drugs and alcohol. The President of each college or unit may choose to ban alcohol at on-campus functions or at any particular function. This policy, together with information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and counseling, treatment, or rehabilitation programs available to employees or students, must be distributed annually to all employees and students. The Chief Student Affairs Officer shall be responsible for the distribution of this material to students, and the Director of Human Resources shall be responsible for the distribution of the material to the employees.

The Vice President for Administration, or person performing the equivalent function at each college or unit of CUNY, shall be responsible for conducting a biennial review to determine the effectiveness of CUNY's drug and alcohol program at its college or unit, and to ensure that sanctions for drug and alcohol violations are consistently enforced. Upon completion, the biennial review must be sent to the University's Executive Vice Chancellor and Chief Operating Officer. This biennial review must include the number of drug and alcohol-related violations and fatalities that occur on the college's campus or as a part of the college's activities, as well as the number and type of sanctions imposed as a result of drug and alcohol-related violations and fatalities that occur at the college as part of its activities.

## **INFORMATION FOR THE CUNY COMMUNITY ON THE RISKS AND CONSEQUENCES OF DRUG AND ALCOHOL USE**

### **Background**

The City University of New York's Policy on Drugs and Alcohol, adopted by the Board of Trustees on June 22, 2009, prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by employees, students or visitors, on CUNY property, in CUNY buses or vans, or at CUNY-sponsored activities. It prohibits all students (regardless of their age) from possessing or consuming alcoholic beverages in CUNY residence halls. It also prohibits CUNY employees from illegally providing drugs or alcohol to CUNY students. As the Policy states, sanctions for violation of the Policy, following appropriate disciplinary proceedings, may include, in the case of students, expulsion from the university, and in the case of employees, termination of employment.

This document sets forth additional information required to be provided under federal law, including the legal sanctions for drug and alcohol use, health risks of such use, and information regarding available counseling, treatment, or rehabilitation programs.

### **Legal Sanctions**

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

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

*Further, pursuant to New York State law:*

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

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

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

A person under 21 who presents false written evidence of age for the purpose of purchasing or attempting to purchase any alcoholic beverage may be punished by a fine, community service and/or completion of an alcohol awareness program. Alcoholic Beverage Control Law § 65-b (1). Possessing such false evidence may also be criminal possession of a forged instrument, which is a felony in New York, punishable by a fine of up to \$5,000, imprisonment up to 7 years, or both. Penal Law § 170.25

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

### **Health Risks**

The following is a brief summary of some of the health risks and symptoms associated with use of many of the most-publicized drugs, including alcohol and tobacco. This information was obtained from the National Institute on Drug Abuse (part of the National Institutes of Health of the U.S. Department of Health and Human Services), and the Mayo Clinic. Please note that

individuals experience such substances in different ways based on a variety of physical and psychological factors and circumstances.

### **LSD (Acid)**

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

### **Cocaine**

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

### **MDMA (Ecstasy)**

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

### **Heroin**

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

### **Marijuana**

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

### **Methamphetamine**

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

### **PCP/Phencyclidine**

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

### **Prescription Medications**

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

### **Tobacco/Nicotine**

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

### **Steroids**

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

### **Alcohol**

Excessive alcohol consumption can lead to serious health problems, including cancer of the pancreas, mouth, pharynx, larynx, esophagus and liver, as well as breast cancer, pancreatitis, sudden death in people with cardiovascular disease, heart muscle damage leading to heart failure, stroke, high blood pressure, cirrhosis of the liver, miscarriage, fetal alcohol syndrome in an unborn child, injuries due to impaired motor skills, and suicide.

## **Substance Abuse**

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

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

### **Alcohol and 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 persons. 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, of 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.

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, Room 2-255, 55 Lexington Avenue.

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.**

If you suspect that you or someone you know has a problem with drugs and/or alcohol, please utilize the resources listed below.

## **RESOURCES ON CAMPUS**

For assistance and referrals, **students** should (1) consult the relevant college website; or (2) contact their Student Affairs Office and/or Counseling Center.

For assistance and referrals, **employees** should consult with their Human Resources office. Assistance is also available through union employee assistance programs or through the CUNY Work/Life Program.

CUNY Work/Life Program (800) 833-8707  
<http://www.cuny.edu/worklife/>

## **RESOURCES OFF CAMPUS**

### 12 Step Recovery Programs

Narcotics Anonymous (212) 929-6262  
<http://www.newyorkna.org/>

Cocaine Anonymous (212) 262-2463  
<http://www.ca-ny-org/>

Marijuana Anonymous (212) 459-4423  
<http://www.ma-newyork.org/>

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

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

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

### **Detoxification and Outpatient/Inpatient Rehabilitation Facilities**

#### **New York County**

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

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

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

#### **Queens County**

Flushing Hospital Medical Center  
4500 Parsons Blvd.  
Flushing, NY 11355  
(718) 670-5078

Samaritan Village, Inc.  
144-10 Jamaica Ave.  
Jamaica, NY 11435  
(718) 206-1990

Daytop Village, Inc.  
316 Beach 65<sup>th</sup> Street  
Far Rockaway, NY 11692  
(718) 474-3800

#### **Kings County**

Kings County Hospital Ctr.  
606 Winthrop St.  
Brooklyn, NY 11203  
(718) 245-2630

Interfaith Medical Center  
1545 Atlantic Ave.  
Brooklyn, NY 11213  
(718) 613-4330

Bridge Back to Life Ctr, Inc.  
175 Remsen St. 10<sup>th</sup> floor  
Brooklyn, NY 11201  
(718) 852-5552

#### **Bronx County**

St. Barnabas Hospital  
4535 East 183<sup>rd</sup> Street  
Bronx, NY 10457  
(718) 960-6636

Montefiore Medical Center  
3550 Jerome Ave., 1<sup>st</sup> floor  
Bronx, NY 10467  
(718) 920-4067

Bronx-Lebanon Hospital Ctr.  
1276 Fulton Ave. 7<sup>th</sup> floor  
Bronx, NY 10456  
(718) 466-6095

## **Richmond County**

Staten Island University Hospital  
375 Seguine Ave.  
Staten Island, NY 10309  
(718) 226-2790

Richmond University Medical Center  
427 Forest Ave.  
Staten Island, NY 10301  
(718) 818-5375

Camelot of Staten Island  
263 Port Richmond Ave.  
Staten Island, NY 10302  
(718) 981-8117

## **Nassau County**

Long Beach Medical Center  
455 East Bay Drive  
Long Beach, NY 11561  
(516) 897-1250

North Shore University Hosp.  
400 Community Dr.  
Manhasset, NY 11030  
(516) 562-3010

Nassau Health Care Corp.  
2201 Hempstead Tpke.  
East Meadow, NY 11554  
(516) 572-9402

### **Other Resources**

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

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

### **Weapons**

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.

### **Investigation of Violent Felony Offenses**

An incident that is determined by an Assistant Director of Public Safety to be a violent felony offense as described under subdivision one of section 70.02 of the New York State penal law or a missing person, the NYPD will be notified. The NYPD will respond and commence an appropriate investigation.

### **Institutional Sanctions**

#### **Students**

Students are expected to comply with the Rules of Conduct printed in the *Undergraduate Bulletin* and the *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 Development 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.

### **Employees**

The unlawful manufacture, distribution, possession or use of illegal drugs or other controlled substances and the unauthorized use of alcohol by Baruch College employees in the workplace is prohibited.

Employees found in violation of the Standards of Conduct referred to in this policy may be subject to disciplinary action under the provisions of the applicable union contract. Additionally, sanctions that may be imposed include verified attendance and successful participation in a drug/alcohol assistance program and/or the filing of criminal charges and arrest.

### **Counseling, Treatment, and Rehabilitation Programs**

Baruch College provides educational and counseling services to students and employees through the Division of Student Development and Counseling, 55 Lexington Avenue (phone: (646) 312-2155. A full list of off-campus resources is available in the Counseling Center.

### **Following is a partial list of local resources:**

AIDS Hotline (DOH)	212-447-8200
Al-Anon	212-254-7230
Alcohol Council of New York	212-252-7001
Pot Smokers Anonymous	212-254-1777
ACOA Intergroup of Greater New York	212-647-1680
Daytop Village, Inc., 54 West 40 Street, NY, NY 10018	212-354-6000
Odyssey House, Inc., 309-311 East 6 Street, NY, NY 10003	212-780-1515
Phoenix House, 164 West 74 Street, NY, NY 10023	212-595-5810
Beth Israel Medical Center, Methadone Maintenance Treatment Program, First Avenue at 16 <sup>th</sup> Street, NY, NY 10003	212-420-2059
Bellevue Hospital Center, 27 Street and First Avenue, NY, NY 10016	212-562-4141
St. Luke's-Roosevelt Hospital Center, Smithers Alcoholism Treatment Center, 410 West 58 <sup>th</sup> Street, NY, NY 10019	
The Stuyvesant Polyclinic, 137 Second Avenue, NY, NY 10003,	212-647-0220

### **Local Hospitals with Rape Crisis Programs**

St. Vincent's Department of Community Medicine, Rape Crisis Program,	212-604-8068 FAX 212-604-7627
Beth Israel Hospital, 317 East 17 <sup>th</sup> Street, NY, NY 10003	212-420-4516
New York Police Department, Special Victims Squad	212-374-5260
Manhattan District Attorney's Office, Sex Crimes Unit	212-335-9000

## **The City University of New York Missing Persons Procedures**

## **I. Introduction**

The purpose of The City University of New York Procedures on Missing Persons (“CUNY Missing Persons Procedures”) is to establish official notification procedures for missing students who reside in on-campus housing and to ensure that a student who resides in on-campus housing is informed of his or her options and rights under section 485 (j) of the Higher Education Act.<sup>[1]</sup>

## **II. Definition of Missing Person**

For the purposes of these Procedures, a student is deemed a “missing person” when the student is a current on-campus housing resident and he or she has been unreachable for more than 24 hours without any known reason.

## **III. Definition of On-Campus Housing**

For the purposes of these Procedures, “on-campus housing” is defined as student housing in residence halls operated by CUNY or operated by a private management company on behalf of CUNY.

## **IV. Designation of Emergency Contact**

Each CUNY student who resides in on-campus housing must identify a contact individual (“emergency contact”) who will be contacted no later than 24 hours from the time the student is determined missing. A student may designate his or her emergency contact on the application for residence in on-campus housing. The student’s designated emergency contact information will be kept confidential and will be retained by the campus Residence Life Office and the Department of Public Safety. The emergency contact information will be used only when the student is determined to be a missing person or in other emergency situations.

Students who are under the age of 18 and who are not emancipated must designate an emergency contact. However, in the event that such a student is determined to be a missing person, the Campus must, in addition to providing the notice to the emergency contact, also notify the student’s custodial parent or legal guardian, if the parent or guardian is not listed as the emergency contact, no later than 24 hours after the student is determined missing.

A student’s designation of an emergency contact will remain in effect until changed or revoked by the student.

## **V. Notification**

### **A. Generally**

Any individual on campus who has information that a student who is an on-campus housing resident may be missing must notify the campus Department of Public Safety as quickly as possible. After receipt of such notification, the Department of Public Safety must contact appropriate campus staff (e.g. the Campus director of Residence Life) to aid in the search of the student.

---

<sup>[1]</sup> Higher Education Opportunity Act § 485(j), Pub. L. No. 110-315 (2008).

If, after investigation, the campus Department of Public Safety determines that the student is missing, it must, after consultation with the campus office of Student Services/Affairs, designate a campus official to contact the missing student's emergency contact. This contact must be initiated no later than 24 hours after the time the student is determined missing.

#### **B. Missing Persons Under the Age of 18**

If the student who is determined to be a missing person is under 18 and not emancipated, the designated campus official must, in addition to contacting the emergency contact, immediately contact the missing student's parent or legal guardian, if the parent or guardian is not listed as the emergency contact.

#### **C. Missing Persons Without a Reachable Designated Emergency Contact**

If the missing student's emergency contact is not reasonably reachable, the designated campus official must inform the New York City Police Department that the student is missing. Such notification must be done no later than 24 hours after the time the student is determined missing.

#### **Emergency Response and Evacuation Procedures**

Fire Drills required by The New York City Fire Department for Hi-rise facilities, mandate fire drills to be conducted in all buildings, for each session of each semester. These drills are the required evacuation procedures and are re-inforced on our website and blackboard with specific video instructions for each building.

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the Baruch College Students and Staff occurring on or off campus the following action will be taken.

#### **The Fire Safety/Emergency Action Plan Director present will:**

##### **1. Activate the Emergency Action Plan**

##### **2. Alert all Baruch College Students and Staff via**

- CUNY Alert
- Two way radio
- Cellular Phone
- Email
- Instant message
- Mega Phone

##### **3. Notify 911 with the following information**

- The nature of the emergency
- We are implementing our Emergency Action Plan
- What actions are being taken

##### **4. Responds to the Fire Command Station**

Controls the Emergency Action Plan From this location  
Communicates with building occupants and Fire  
Safety/EAP Staff  
Utilizes Fire Alarm Communication system

**5. Sound alarm followed by the following announcement**

What has occurred  
Where it is located  
What part of the EAP is being implemented  
Why is it necessary

Depending on the severity and type of emergency this announcement will be repeated every five minutes or as needed until Fire Safety/EAP Staff has verified it is total implementation.

**EMERGENCY ACTION PLAN**

Depending on the type and scope of the emergency/threat one or more of the following EAP procedures Set forth below may be implemented.

**SHELTER IN PLACE**

**General Procedures**

In the event of an emergency or threat thereof, all Baruch College Students and Staff will be informed of the emergency and that the shelter in place Emergency Action Plan is being implemented effective immediately. The Students and Staff will be informed to remain at their workstations or their present location within the building.

Sheltering in place may require other actions to take place depending on the information available and the severity. These actions are as follows:

The shut down of the HVAC system  
Closure of all external windows and doors  
Turn off all individual air handling units & Windows AC units  
Seal windows and doors with duct tape  
Shut down all elevators (air movement)

The following announcement shall be made every five to ten minutes in the initial phase and every fifteen minutes or as needed there after:

- a) What has occurred
- b) Where it is located
- c) What provisions of the EAP plan are being implemented
- d) Why it is necessary

**IN-BUILDING RELOCATION**

## **General Procedures**

In-building relocation requires the moving of building occupants to a safe area inside the building. These areas are pre-determined with two exits and are identified in the Emergency Action Plan.

Depending on the information being provided, it may be best to relocate the occupants of the building away from the exterior or windowed areas of the building or from floor to floor. All occupants will be moved from the perimeter of the building to classrooms or offices located in the center or core of the building.

**In the event of an explosion of a dirty bomb or threat thereof or nuclear fallout due to an explosion, all Baruch College Students and Staff will be moved below ground until OEM (Office of Emergency Management) gives the all clear).**

In most cases occupants will be advised not to use the elevators, but to use the stairs. In some cases elevators will be used by trained EAP personnel. Evacuation from affected areas will be done in an orderly effective and speedy manner. The most affected areas will be evacuated first with the others following. Trained employees will use the elevators if permissible while evacuating injured or physically disabled occupants. Wheel chairs and evacuation chairs wherever possible (all wheel chair and evacuation chair operations will be conducted by two persons where possible) will be utilized. All staff and students with special needs will be located and assisted by Public Safety Officers or other trained emergency personnel

**The following announcement will be repeated as often as necessary**

What has occurred  
Where it's located  
What provisions of the EAP is being implemented  
Why it is necessary

### **Designated Routes by Which Building Occupants will be Directed to In-Building Relocation Areas.**

The best way for Students and Staff to get to the relocation areas are via the emergency stairwell. Additional announcements will be made directing Students and Staff to the areas of relocation. The announcements will be repeated until the Fire Safety/EAP Warden or Deputy Warden on the relocating floors reports to the EAP Director that all occupants have been safely relocated and accounted for.

### **Procedures of Accounting for Building Students and Staff after In-Building Relocation**

EAP personnel on the receiving offices, classrooms, floor or floors will make a count of all persons relocated to their floor. At the completion of the relocation, the receiving EAP personnel will meet with the emergency personnel, supervisors and or professors from the evacuated floor or floors and compare figures.

In the event that there is no need to leave the floor but to move to a safer area on the said floor the EAP staff member in charge of the receiving area will make a count of all arriving personnel on completion he or she will compare counts with the EAP Staff member from the relocate areas.

EAP staff will communicate with EAP Director via two way radio to notify him of any unaccounted for occupants; or that all is accounted for.

## **PARTIAL EVACUATION**

### **General Procedures**

Partial Evacuation is the emptying of some, but not all of the occupants of the building. This should occur when the emergency affects part of the building. All occupants of the building will be informed of the emergency and what steps are being taken to insure their safety.

The effected floors and those closest to the effected area or areas will be addressed and given evacuation instructions that would remove them from the affected area in an orderly and expeditious manner. This would involve using all available emergency stairwells, elevators, wheel chairs and evacuation chairs to be utilized by trained personnel.

Occupants of the effected areas will be evacuated out of the building to a designated safe area or to another Baruch College building if possible. All available Public Safety Officers along with all trained emergency personnel will assist in the evacuation. A head count of all occupants of the evacuated areas will be conducted to verify that all occupants were safely evacuated and accounted for. Trained Baruch College EMT's and personnel trained in First Aid and CPR will provide assistance to those who are injured until EMS arrives.

**Depending on the type of emergency or threat designated elevators may or may not be used.**

In the event that elevators are use they will be operated by trained EAP personnel in the independent mode to assist in the evacuation of building occupants. Special attention will be giving to those occupants with special needs, or those who may have been injured.

## **FULL EVACUATION**

### **General Procedures**

Evacuation is the emptying of all of the occupants of the building. This will occur when and emergency that affects the entire building and such an evacuation may have to be implemented. All Students and Staff will be informed of the emergency and what steps are being taken to insure their safety. This would include addressing the occupants via the public address system, contacting them via email, instant messaging, screen scroll messages, voice mails and text messages. Support staff including Public Safety, maintenance and custodial will be further informed via two-way radios.

All Students and Staff will be addressed and given clear evacuation instructions that would remove them from the building in an orderly, and expeditious manner. This would involve using all available emergency stairwells, elevators, wheel chairs and evacuation chairs used by trained personnel.

Every one will be evacuated to a designated safe area or to another building if possible. All available Public Safety Officers along with all trained emergency personnel will assist in the evacuation. A head count of all occupants will be conducted to verify that all occupants were safely evacuated and accounted for. EMT's and personnel trained in First Aid and CPR will provide assistance to those who are injured until EMS arrives.

## **Exit Route**

The safest route for all partial evacuations is via the emergency stairways traveling directly to the street exit. Elevators, evacuation chairs and wheelchairs may also be use if necessary.

## **Assembly Area**

Outdoors Assembly Area

Madison Square Park

Location: Between 5<sup>th</sup> and Madison Avenues and 23<sup>rd</sup> and 26<sup>th</sup> Streets

## **Accounting for Evacuated Occupants**

On arrival at the assembly area all occupants will report to the EAP personnel located at the assembly area confirming his or her arrival. After it has been certified that all occupants have left the floors evacuated, EAP personnel from those floors will proceed to the assembly area and meet with the EAP personnel stationed there. They will compare and verify all data in order to account for all evacuated occupants. Should there be any one unaccounted for at the assembly area all efforts will be made to contact this person and confirm that he or she has safely evacuated the affected areas. EAP staff at the assembly location will communicate with the EAP Director via two way radio.

## **Identification of FIRE SAFETY/EAP Staff**

EAP Director	Red Jacket with Bold Type
Deputy Director	Red Jacket with Bold Type
EAP Wardens	Red Armband
Deputy EAP Director	Purple Armband
Evacuation Supervisor	Blue Armband
Searchers	Green Armband
Critical Staff	Yellow Armband
Public Safety Officers	Full Public Safety Uniform

## **SPECIAL NEEDS OCCUPANTS**

Trained Public Safety Officers armed with the Baruch College Special Needs Occupants list will locate all Special Needs Occupants and evacuate them or relocate them as the situation dictates. Should there be a need for further assistance the Officers will move the Occupants to a safe area and request assistance via two-way radio or telephone. The Officer will give their exact floor number and their location on the floor, using references such as the elevator lobby or emergency stairwell A or B, the number of occupants needing assistance and if necessary the type of additional equipment needed.

Public Safety Officers trained in the use of evacuation chairs, wheelchairs, elevator and other evacuation techniques will respond to the given locations with the appropriate equipment and assist in the safe evacuation or relocation of all such persons.

In the event of a full evacuation all Special Needs Occupants will be evacuated using the secondary evacuation route while the other occupants will use the primary evacuation route. They will be taken directly to the assembly area and checked in. Public Safety Officers who are certified in First Aid and CPR will remain with them during the emergency until the situation changes or an all clear is given. Licensed Baruch College Emergency Medical Technicians will also be on hand to take care of any problems that may arise until Emergency Medical Services arrive, if needed.

An updated list of all special need personnel are posted at the FSD/EAP station and at the Security desk on the first floor of the building and is readily available to FSD/EAP personnel and responding agencies.

### **Drills**

Fire and EAP drills are conducted at the beginning of each Semester and are documented as required by the New York City Building Codes.

### **Seminars**

Fire Safety/EAP training and familiarization seminars are conducted twice annually by the Baruch College Public Safety Department and are open to all Baruch College Students and Staff. Recertification of all Public Safety Officers in First Aid, CPR and AED operation is conducted annually by the CUNY Training Academy.

### **Important Telephone Numbers**

Baruch College Security	
Director of Security and Public Safety, Henry J. McLaughlin	
Office of Campus Security and Public Safety	646-660-6000
Emergency (from any college phone dial)	3333
Web Site <a href="http://www.baruch.cuny.edu">www.baruch.cuny.edu</a>	
New York City Police 13 <sup>th</sup> Precinct	212-477-7411
Emergency 911	
Baruch Student Services	646-312-4570

### **General Information on Emergency Closings**

If it should become necessary to cancel classes or to close Baruch College buildings because of severe weather conditions or other emergencies, the following radio stations will broadcast and/or web post current CUNY messages after 6:00 a.m. on the day involved. Announcements will indicate whether day classes, evening classes, or both are canceled.

WCBS 880 AM                    [www.wcbs880.com](http://www.wcbs880.com)    Web Sites  
WINS 1010 AM  
WFAS 103.9 + 106.3 FM    [www.wfasfm.com](http://www.wfasfm.com)  
WLIB 1190 AM  
WBLS 107.5 FM  
WFAS 1230 AM                [www.wfasam.com](http://www.wfasam.com)  
WADO 1280 AM  
WOR 710 AM                  [www.wor710.com](http://www.wor710.com)

The announcements also be posted on the CUNY website at [www.cuny.edu](http://www.cuny.edu)

The Public Safety Office (646-660-6000) is open 24 hours a day; the college switchboard (646-312-1000) will also be staffed for emergency coverage.

When changing conditions require early closing during the workday, Human Resources will notify each office directly by telephone or e-mail, and radio stations will alert students and faculty members about canceled evening classes.

For more information, please visit <http://www.baruch.cuny.edu/emergency/>.

**Report all crimes to the Office of Campus Security and Public Safety and to the New York City Police.**

**Website** [www.baruch.cuny.edu](http://www.baruch.cuny.edu)

### **Crime Statistics for the Baruch Community**

The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education. The United States Department of Education's web site address for campus crime statistics is <http://nces.ed.gov/surveys/peqis/publications/97402/>. Mr. John Siotkas, Assistant Director of Public Safety, is the designated Baruch College contact person authorized to provide such statistics for the college. He may be reached at 646-660-6000. Mr. Siotkas is in constant contact with the 13<sup>th</sup> Precinct and all Crime Stats from the precinct are included in our reporting. The reporting obligations of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires that **campus security authorities** report crime statistics for inclusion in the college's Annual Security Report. **Campus security authorities** are defined as **officials** of a college who have significant responsibility for student and campus activities, including, but not limited to public safety, student affairs, student activities, student discipline and campus judicial proceedings as well as the Athletic Director.

### **Important Telephone Numbers:**

Office of Public Safety Director	646-660-6000	17 Lexington Ave. Room 102
Director of Student Life & Activities	646-312-4550	VC building room B2-210
Director of Student Discipline & Campus Judicial Proceeding	646-312-4570	VC building room B2-255
V.P of Student Life Development	646-312-4570	VC building room B2-255
Director of Athletics	646-312-5046	VC building room B1-110

An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the college. Examples would include: administrators, directors, deans, department heads, chairpersons, advisors to students/student organizations, athletic coaches, etc. Professional mental health and pastoral counselors are exempt from reporting obligations, but may refer students to a confidential reporting system.

It should also be noted that it is the policy of the college to encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of the procedures to report a crime on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

If you observe any crime listed, or if any person reveals to you that he/she learned of or was the victim of, perpetrator of, or witness to any crime listed, please write down the details and contact the Department of Public Safety as soon as possible at ext. 6000.

The Baruch College Office of Campus Security and Public Safety submits a monthly Uniform Crime Report to the Vice President for Finance and Administration and to the Office of the University Director of Security and Public Safety. The following chart reflects the number of crimes for the most recent years.

**Crime Statistics for the Baruch Community**

Crimes	2008		2007		2006	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0
Non-forcible Sex offenses	0	0	0	0	1	0
Robbery	1	0	0	1	0	1
Aggravated Assault	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0

Burglary	12	0	2	0	6	0
Hate Crimes	0	0	0	0	1	0
(A)Type of Crime	0	0	N/A	N/A	N/A	N/A
(B)Category of Prejudice	0	0	N/A	N/A	N/A	N/A
<b>ARRESTS</b>						
Liquor Violation*	0	0	0	0	0	0
Drug Abuse*	0	0	0	0	0	0
Weapons Possession*	0	0	0	0	0	0
<b>REFERRALS</b>						
Liquor Violation*	0	0	1	0	0	0
Drug Abuse*	0	0	0	0	0	0
Weapons Possession*	0	0	0	0	0	0

\* Arrests only

\*\* Baruch college does **NOT** have Residence Halls

\*\*\* Baruch College does not have any **Non Campus Buildings or Property**

#### **New York State Laws and Penalties Related to Sexual Offenses**

<b>Applicable NYC Penal Law</b>	<b>Classification</b>	<b>Fine</b>	<b>Prison</b>
P/L 130.20 Sexual Misconduct	Class "A" Misdemeanor	Up to \$1,000	Excess of 15 days – Not in excess of 1 Year
P/L 130.25 Rape 3 <sup>rd</sup> Degree	Class "E" Felony	Up to \$5,000	1 to 4 Years
P/L 130.30 Rape 2 <sup>nd</sup> Degree	Class "D" Felony	Up to \$5,000	1 to 7 Years
P/L 130.35 Rape 1 <sup>st</sup> Degree	Class "B" Felony	Up to \$5,000	1 to 25 Years
P/L 130.55 Sexual Abuse 3 <sup>rd</sup> Degree	Class "B" Misdemeanor	Up to \$1,000	Excess of 15 Days – Up to 3 Months
P/L 130.60 Sexual Abuse 2 <sup>nd</sup> Degree	Class "A" Misdemeanor	Up to \$5,000	Excess of 15 Days – Up to 1 Year
P/L 130.65 Sexual Abuse 1 <sup>st</sup> Degree	Class "D" Felony	Up to \$5,000	1 to 7 Years
P/L 130.67 Aggravated Sexual Abuse 2 <sup>nd</sup> Degree	Class "C" Felony	Up to \$5,000	1 to 15 Years
P/L 130.70 Aggravated Sexual Abuse 1 <sup>st</sup> Degree	Class "B" Felony	Up to \$5,000	1 to 25 Years

Revised 10/01/09