Introduction

The safety and security of the members of our community is of vital concern to The Stella and Charles Guttman Community College. This Right To Know handbook can assist you in navigating through some vital information you may need during an emergency. In addition, the publication of our Annual Security Report is a means of sharing with you our security policies and crime statistics for the most recent three-year period. In compliance with the 1990 Clery Act, this information is disseminated annually to all students and employees. This is available at www.guttman.cuny.edu

Guttman Community College discloses crime statistics for the campus and public areas immediately adjacent to or running through the campus. These statistics are gathered from the Public Safety Department, local law enforcement, and other school officials who have "significant responsibility for student and campus activities". Professional mental health and religious counselors are exempt from specific reporting obligations, but are encouraged to refer patients to a confidential reporting system.

If you have any questions, please call the Public Safety Office at 646-313-8101

Have a safe and rewarding school year!

Chief Anastasia M. Koutsidis
Public Safety Director
646-313-8001
Guttman Community College

Established on September 20, 2011, with Governor Andrew M. Cuomo’s approval of a Master Plan amendment, The Stella and Charles Guttman Community College was the University’s first new community college in more than 40 years. As Manhattan’s second community college, Guttman was inspired by Chancellor Matthew Goldstein’s interest in improving graduation rates for CUNY’s diverse urban students with a wide range of linguistic and cultural backgrounds. “There is no more urgent task in higher education than to find ways to help more community college students succeed,” the Chancellor has said.

Guttman officially opened its doors in midtown Manhattan overlooking Bryant Park on August 20, 2012, after four years of planning in consultation with experts from around the country and hundreds of faculty and staff across the University. At the college’s inaugural Convocation, CUNY Chancellor Matthew Goldstein awarded Mayor Michael R. Bloomberg the prestigious Chancellor’s Medal from The City University of New York for his support and commitment to the development of this innovative new college. In accepting the medal the Mayor commented, “I think this school has the potential to be a game-changing model for community colleges across the country.”

Public Safety Mission Statement

The members of the Stella and Charles Guttman Community College Public Safety Department are proud of our diverse community. We are committed to being a caring and sensitive, professional public safety organization. We are dedicated to the concepts of personal excellence at the highest level, uncompromising integrity, continuous improvement, productive teamwork and efficient public service.

We take pride in our professional accomplishments and abilities. Individually and collectively, we are dedicated to seeking the proper tools and training necessary to meet our goals and objectives. Our interactions are based upon mutual respect, cooperation, recognition and fairness. We work to create an environment of teamwork through trust, commitment, collaboration, perspective and positive attitude. We shall maintain the partnership with our community that shares community protection responsibilities and facilitates public safety and crime prevention through education and law enforcement. We shall contribute to continuing improvement of the quality of life in our community by providing understanding, compassionate and effective public safety practices.

As required by federal law, Guttman Community College’s yearly crime statistics for this report are compiled on a calendar year basis, in accordance with the definitions provided by the FBI for use in Uniform Crime Reporting (UCR) system.

These statistics include the previous 3 years of crimes reported to the Public Safety Office that occurred on campus and on public property immediately adjacent to and accessible from the campus. In addition, these statistics are gathered from other campus officials with significant responsibility for students and student activities as well as those crimes reported to the local police precinct. The statistics also include persons referred for campus disciplinary action in categories required under the Clery Act, including liquor law violations, drug law violations and illegal weapons possession.

This office has responsibility for college security and safety in the public, environmental, and occupational safety realms. It conducts on-going assessments of college conditions and develops and implements policy and programs to enhance safety and security.

The Public Safety Office is located in Room 015 on the lower level of the building located at 50 W 40th Street, New York, New York. This office is open twenty-four hours a day, seven days a week and can be also contacted from any campus phone by dialing extensions 38101/38112.
The Public Safety force consists of uniformed City University of New York (CUNY) Campus Peace Officers and Campus Security Assistants. Campus Peace officers are sworn peace officers under Section 2.10 of the NYS Criminal Procedure Law, and have arrest powers granted to them by the State of New York.

The Officers are responsible for manning posts and patrolling the campus grounds. The force is supervised by a Director and assisted by a staff of administrative personnel. This department interacts with members of all state and city law enforcement agencies, and enjoys an excellent working relationship with the NYC Police Department. The college has several memorandums of understandings with the NYPD, which cover missing persons, violent felonies and non-emergency police presence on campus.

**Reporting Crimes**

The college encourages the prompt, voluntary reporting of crime by victims or witnesses to both the college and the NYPD in the interest of the college community and public safety. An incident report will be prepared and an investigation conducted in an effort to apprehend the perpetrator of the offense and/or to prevent reoccurrence. If requested, reports can be made on a confidential basis for inclusion in the annual disclosure of crime statistics. All crimes on campus should be reported to a Public Safety Officer immediately. Reports can also be made by phone or email. Emergencies should be reported immediately to the Public Safety Officer on duty to ensure a quick response. This can be done by calling the Public Safety Office at 646-313-8101/8112 or from any internal phone at 38101/38112.

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety, constitutes an ongoing threat, a campus wide “timely warning” will be issued through the college e-mail system. Flyers, college web site, electronic message board announcements and other available methods may also be utilized to alert the campus community to an ongoing threat.

In addition, a Daily Crime Log is maintained which records, by the date that the crime was reported, any crime occurring on campus, on a non-campus building or property leased by the college, or on public property within the patrol jurisdiction of the Public Safety and Security office. The log is kept in the Public Safety Office, Room 015, and is available for public inspection. Off campus crimes reported to the Public Safety Office will be documented and referred to the local NYC Police Department for follow-up. However, a report may still be filed at the Public Safety Office if relevant to the campus in any way. Public Safety assistance is available to those persons wishing to notify local law enforcement agents of any crime.

**Designated Campus Security Authorities:**

The Offices of:

- Office of the Provost, Room 601, 646-313-8025
- Office of Student Engagement and Success, Room 205, 646-313-8818
- Office of Mentoring and Student Success, Room 011, 646-313-8085
- Office of Wellness, Room 507, 646-313-8126
- Office of Accessibility, Room 506A, 646-313-8112
- Office of Leadership and Success, Room 004, 646-313-8121
- Office of the Public Safety Director, Room 008, 646-313-8001
- Active Faculty Advisors to Student Organizations, a list can be found in 004
The Guttman Community College campus has no residential facilities or recognized off campus student organizations.

**Campus ID Cards**

All campus identification cards are issued by the Information Technology Department. Students, staff and faculty may keep the same ID card for the length of their enrollment or employment. Cards are validated each semester by Public Safety.

**Crime Prevention**

To enhance the security awareness of the college community the Guttman Community College sponsors crime prevention lectures each semester. Members of the New York City Police Crime Prevention Units are invited by the Public Safety Department as guest lecturers. Student Right-to-Know information is distributed at orientation/registration in compliance with the Campus Security Act of 1990. Memos are distributed each semester to advise campus members on how to protect themselves and their property from being victimized. Signage is posted and safety messages are displayed on the electronic message boards throughout the building.

**Bias Related Crimes**

The Hate Crimes Act of 2000 (Article 485 of the NYS Penal Law) increased the penalties for specified crimes that are committed because of a victim's race, color, national origin, ancestry, gender, age, disability, religion, religious practice or sexual orientation. These crimes are known as "hate" or "bias related" crimes. The crimes covered by this law include: assault, menacing, manslaughter, stalking, rape, sexual abuse, unlawful imprisonment, kidnapping, criminal trespass, grand and petit larceny, robbery and harassment. Hate crime laws are designed to send the message that hate and bias motivated crimes will not be tolerated, because they are often attempts to silence and instill fear into entire groups. The University also prohibits bias related crimes.

Any student who is a victim of a bias related crime should immediately report the incident to the Office of Public Safety Office, Room 015, 646-313-8101/8112. Students are encouraged to seek counseling from our Wellness and Accessibility Clinician on staff. They will assist with the consequences of bias related crime trauma and provide crisis intervention, in-office counseling, referral to other support services and self-help groups. Please contact the Office of Wellness and Accessibility at 646-313-8126. The college will assist any student wishing to contact outside agencies, including local police, regarding charges and complaints of a bias related crime.

**Investigation of Violent Felony Offenses and Missing Persons**

In accordance with the New York State Education Law Article 124 Section 6205 sub. 15, Guttman Community College has implemented procedures in cooperation with the New York City Police Department on the investigation of violent felony offenses and missing persons.

**Violent Felony Offenses**

These are defined in Section 70.02 sub. 1 of the New York State Penal Law and include Class A, B, C, D and E violent felony offenses. Crimes of this magnitude will be immediately reported to the New York City Police Department by the Guttman Community College Public Safety Office. A joint initial investigation will be conducted, with a follow up investigation by the appropriate unit of the New York City Police Department. The college administration and college community will be kept informed and updated on developments.
Missing Persons Investigation

Guttman Community College does not maintain student dormitories or housing facilities on or off campus. Therefore, all reports of missing persons, as per New York City Police Department procedure, will originate in the precinct of the missing person’s residence. The New York City Police Department will be the lead investigative agency on all reports of missing persons. However, the Guttman Community College Public Safety Office will assist in both on and off campus wide searches for any reported missing persons who are reasonably suspected to be on campus.

Communicating About Safety

Yearly crime statistics, college policy and other security related information can be obtained upon request by contacting the Public Safety Office located in Room 015. This “Right To Know” brochure is updated annually as required, and is provided to the college community. Crime stats are conspicuously posted at the Public Safety Office.

Safety Tips

Safety is everyone's responsibility. The Charles and Stella Guttman Community College, like any urban institution, is subject to a certain amount of risk to personal safety and property loss. Vigilance by the campus security force must be complemented by alertness on the part of all members of the campus community.

The following advice should be followed:

- Report all "suspicious" persons or trespassers to a Public Safety Officer.
- Do not expose money, "flashy" jewelry, credit cards or brag about valuables that you may have in your possession.
- Do not leave personal property (wallets, handbags, cash, jewelry, tote bags etc.) unattended, unsecured or exposed.
- If you encounter a theft in process do not expose yourself to harm. Get a description of the person/s, leave the area and report the incident to Security immediately.
- Do not lend any office, desk, locker, lab or equipment keys you have been entrusted with.
- Advise Public Safety in advance if you intend to work during unscheduled campus-operating hours.

Marketing of Credit Cards to Students

In compliance with state law, Guttman Community College does not allow the advertising, marketing, or merchandising of credit cards to students on its campus. In addition, it does not provide student lists to credit card companies.

Traveling to and from Campus

Public Transportation

Plan ahead. Know where you are going and which subway train or bus will take you there. If you don't know or are uncertain, ask a uniformed transit worker or police officer for directions. Have your money in your hand.
(preferably small amounts) when you are buying a metro card, do not expose your wallet. When riding on the subway, sit with others; do not sit in a subway car by yourself.

Automobile

When traveling by automobile, park in legal areas only. There are no campus parking facilities, so all persons driving to the campus must park on the street or in a parking garage. Anyone utilizing a garage or parking on the street must follow the rules of the area.

Walking

When walking to and from the campus, use well-traveled streets; avoid "shortcuts" which may be in secluded areas. If you are walking, have a companion join you especially at night. Be aware of your surrounding and any "suspicious" person/s or activities. Security is most jeopardized when safety procedures and common sense are ignored.

Lost and Found

All items found on campus should be turned in at the Public Safety Lobby Desk. The items will be recorded and stored in the Public Safety Office. Persons who have lost property should inquire at the Public Safety Office, Room 015. Items will be kept in compliance with the CUNY Lost and Found Policy. Perishable items will be discarded due to health concerns.

Medical Services

Injuries and illnesses requiring medical assistance should be reported to Public Safety immediately. Assistance can be obtained by informing any Public Safety Officer.

Access to College Facilities

Guttman Community College has no residential buildings.

The Department of Public Safety monitors access to the Guttman Community College building. Students, staff and faculty must exhibit college identification at all entrances to gain access. Those persons entering campus without college I.D. must show valid photo identification and sign in. Persons entering must be a registered student, faculty or staff member. Guttman Community College is not an open campus and access is restricted to college members, unless prior arrangements have been made. To enhance access security, the following policies are also in effect:

- College ID cards must be worn while on campus and shown when requested by any college official, including faculty, staff and Public Safety.
- Access and departure are allowed only at authorized entrances.
- Non-college members or other unauthorized persons are not permitted on campus without prior approval.
- Campus buildings are to be vacated at the predetermined closing time except during special events.
- Emergency doors are not to be opened for access or egress unless during a legitimate emergency.
- ID cards are not transferable and must not be given to another person.
- Lost or stolen ID cards are to be immediately reported to the Public Safety Office.
- Persons authorized to remain on campus (working, studying) should inform the Public Safety Office ahead of time.
Email notification to a staff member for work during off hours must be copied to his/her supervisor.

- Faculty need only email Public Safety to notify them of the time and location they will be occupying the building.
- Access is granted to the Atrium and Info Commons to any valid CUNY ID holder.
- Children are not allowed in high risk areas, such as labs, or in areas where advising and or counseling is being conducted. Children should never be left unattended.

**Emergency Evacuation Procedures**

Guttman Community College publishes an on campus booklet entitled Emergency Procedures, which is updated and published to the Guttman website at the beginning of each academic year. The booklet is readily available in the Public Safety Office and on the college website. In addition Guttman Community College performs evacuation drills throughout the academic year. These drills are conducted by the Public Safety staff and include the following methods of notification: the use of Public Safety Officers, bull horns, public announcement systems as well as campus wide email alerts.

These methods will be utilized in the event of an actual emergency. Emergency Evacuation notifications are made through various electronic mediums, including the CUNY Alert e-mail, telephone and text notification systems, campus emails as well as plasma television screens located throughout the Guttman Community College campus and on the website at www.guttman.cuny.edu

**Equal Opportunity & Affirmative Action**

The Stella and Charles Guttman Community College of The City University of New York is an equal opportunity and affirmative action institution. It does not discriminate on the basis of gender, age, color, race, creed, religion, national or ethnic origin, ancestry, citizenship, sexual orientation, gender identity, disability, veteran or marital status, or any other legally prohibited basis in its student admissions, employment, access to programs or administration of educational and personnel policies.

To ensure equal opportunity for all qualified persons in deed as well as intent, the college will continue to engage in a positive and ongoing affirmative action program that will overcome the cause, as well as the conditions of de facto discrimination in employment against women and minorities. This program is in compliance with federal, state, NYC and CUNY requirements; and, as directed by the Chancellor of the City University of New York in 1976, includes Italian Americans.

**Drugs and Alcohol**

**Statement of principles**

The mission statement of the Guttman Community College substance abuse program and the Drug-Free Schools and Communities Act Amendments of 1989 guide the campus program.

1. Alcohol consumption and the use of illegal drugs is contrary to the functioning and goals of any institution for higher education or any institution of learning. Here at Guttman Community College, our goals are to implement and achieve an academic environment free of all substance abuse, which hampers ones abilities to learn and work within the college and the community.
2. To ensure that alcohol and illegal drugs do not interfere with the goals of Guttman Community College and CUNY, substance abuse programs have been developed for the college as both an educational institution and a workplace. The programs are designed to:

- Establish and enforce clear policies for students and employees that promote an educational environment free from the abuse of alcohol and the use of illegal drugs;
- Educate all members of the campus community about the health risks associated with the use of illegal drugs and the abuse of alcohol;
- Create a campus environment that promotes and reinforces healthy, responsible living and respect for the community, campus standards and regulations, and
- Provide a reasonable level of care for alcohol abusers and users of illegal drugs through counseling and referral.

3. The possession, use or sale of any of controlled substance is prohibited on campus. Alcohol consumption is also prohibited. Violators are subjects to penalties as set forth in Guttman Community College policies, CUNY policies and criminal law.

Policy

The unlawful manufacture, distribution, dispensation, possession, sale or use of illegal drugs or other controlled substances by Guttman students or employees, on college premises, or as part of any college activities is prohibited. CUNY employees must also notify the Human Resources Director of any criminal drug statute conviction no later than five (5) days after such conviction.

The possession, use or distribution of alcohol by students or employees on college premises or as part of any college activity is prohibited.

Penalties

Any student engaging in conduct prohibited by the CUNY Board of Trustees Rules of Public Order or Guttman policy may be subject to one or more of the following sanctions: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, arrest and/or referral for criminal or civil prosecution.

Drug & Alcohol Abuse Education Programs

If a campus member is experiencing difficulty with alcohol or chemical dependency, on campus counseling or referral to community based services is available. Campus strategies include:

- College-wide workshops on substance abuse
- Drug use and abuse courses
- Availability of pamphlets
- Outreach counseling
- Substance abuse forums

College Resources

Guttman employs a Wellness and Accessibility Clinician who can provide further information on the treatment or prevention of alcohol and substance abuse. In addition, assistance the Department of Human Resources can provide the information for the Employee Assistance Program.
Community/Off Campus Referrals

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

Self-Help and Treatment Programs

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<tr>
<th>New York County</th>
<th>Kings County</th>
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<tr>
<td>Bellevue Hospital Center</td>
<td>Kings County Hospital Center</td>
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<tr>
<td>462 First Ave.</td>
<td>606 Winthrop St.</td>
</tr>
<tr>
<td>New York, NY 10016</td>
<td>Brooklyn, NY 11203</td>
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<tr>
<td>(212) 562-4141</td>
<td>(718) 245-2630</td>
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<tr>
<td>St. Luke’s-Roosevelt Hospital Center</td>
<td>Interfaith Medical Center</td>
</tr>
<tr>
<td>1000 Tenth Ave.</td>
<td>1545 Atlantic Ave.</td>
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<tr>
<td>New York, NY 10019</td>
<td>Brooklyn, NY 11213</td>
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<tr>
<td>(212) 523-6491</td>
<td>(718) 613-4330</td>
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<tr>
<td>Greenwich House, Inc.</td>
<td>Bridge Back to Life Center, Inc.</td>
</tr>
<tr>
<td>50B Cooper Square</td>
<td>175 Remsen St., 10th Floor</td>
</tr>
<tr>
<td>New York, NY 10003</td>
<td>Brooklyn, NY 11201</td>
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<tr>
<td>(212) 677-3400</td>
<td>(718) 852-5552</td>
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<tr>
<th>Queens County</th>
<th>Bronx County</th>
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<tr>
<td>Flushing Hospital Medical Center</td>
<td>St. Barnabas Hospital</td>
</tr>
<tr>
<td>4500 Parsons Blvd.</td>
<td>4535 East 183rd St.</td>
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<tr>
<td>Flushing, NY 11355</td>
<td>Bronx, NY 10457</td>
</tr>
<tr>
<td>(718) 670-5078</td>
<td>(718) 960-6636</td>
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<tr>
<td>Samaritan Village, Inc.</td>
<td>Montefiore Medical Center</td>
</tr>
<tr>
<td>144-10 Jamaica Ave.</td>
<td>3550 Jerome Ave., 1st Floor</td>
</tr>
<tr>
<td>Jamaica, NY 11435</td>
<td>Bronx, NY 10467</td>
</tr>
<tr>
<td>(718) 206-1990</td>
<td>(718) 920-4067</td>
</tr>
<tr>
<td>Daytop Village, Inc.</td>
<td>Bronx-Lebanon Hospital Center</td>
</tr>
<tr>
<td>316 Beach 65th St.</td>
<td>1276 Fulton Ave., 7th Floor</td>
</tr>
<tr>
<td>Far Rockaway, NY</td>
<td>11692 Bronx, NY 10456</td>
</tr>
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</table>
(718) 474-3800

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

**Nassau County**

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

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

Nassau Health Care Corporation  
2201 Hempstead Tpke.  
East Meadow, NY 11554  
(516) 572-9400

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**New York State Office of Alcoholism and Substance Abuse Services**

Tel: (877) 846-7369  
[http://www.oasas.state.ny.us/](http://www.oasas.state.ny.us/)

**New York State Smokers’ Quitline**

Tel: (866) 697-8487  

**DAYTOP Substance Abuse Treatment Center**

104 W 40th St, 4th Floor, New York, NY, 10018  
(212) 354-6000

**St. Luke’s Roosevelt Hospital**

1000 Tenth Avenue, New York, NY, 10019  
(212) 523-4000

**Phoenix**

164 W 74th St  
New York, NY 10023-2301  
(800)COCAINE or (1800-262-2463)
Al-Anon
350 Broadway, Rm 404
New York, NY 10013-3911
(212) 941-0094

NYS Drug Information Hotline 1-800-522-5353

Alcohol Council of Greater NY
352 Park Ave S
New York, NY 10010-1709
(212) 252-7001

American Cancer Society 1-800-ACS-2345

Additional information can be obtained on campus from the Public Safety Department or the Wellness and Accessibility Office.

Sexual Harassment

It is the policy of The Charles and Stella Guttman Community College to promote a cooperative work and academic environment in which there exists mutual respect for all students, faculty and staff. http://www.guttman.cuny.edu/about/campussafety/Policies/SexualHarassment.pdf

Harassment of students or employees based on gender is inconsistent with this objective and contrary to the City University of New York’s non-discrimination policy. Sexual harassment is illegal under federal, State and New York City law, and will not be tolerated at Guttman.

It is also a violation of Guttman policy for any member of the community to engage in sexual harassment or to retaliate against any member of the 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.

Definitions

“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 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. Other examples of this type of sexual harassment include, but are not limited to, the following:
1. Requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations)
2. 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.

Different types of unwelcome conduct can constitute sexual harassment, if so 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 developed. 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.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Dating violence include patterns of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

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

“Stalking” is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear or emotional distress.

Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person’s home or school, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).

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

**False and Malicious Accusations**

**Note:** Members of the Guttman community who make false and malicious accusations of sexual harassment (instead of complaints which, even if erroneous, are made in good faith), will be subject to disciplinary action.
**Consensual Relationships**

Romantic or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor or staff 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 will 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 **prohibited**.

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.

**Reporting incidents of sexual harassment, assault, misconduct, stalking or dating violence**

Reports of sexual harassment including, stalking and dating violence should be reported to one of the individuals listed below.

Deputy Title IX Coordinator: Bindi Patel, Room 207C, 646-313-8119 bindi.patel@guttman.cuny.edu

Chief Student Affairs Officer, Room 205, 646-313-8818 Charles.pryor@guttman.cuny.edu

Director of Public Safety, Anastasia M. Koutsidis, Room 008, 646-313-8001 anastasia.koutsidis@guttman.cuny.edu

For more detailed information, please also see CUNY policies, Getting Help, Understanding and Preventing Sexual Assault and Sexual Harassment at [http://www1.cuny.edu/sites/title-ix/?post_type=campus_profile&p=51](http://www1.cuny.edu/sites/title-ix/?post_type=campus_profile&p=51)

Harassing conduct creates a hostile environment when it is sufficiently severe or pervasive to limit or interfere with a student’s ability to participate in educational activities.

**Procedures**

Anyone who wishes to report harassment or a sex offense should be guided by the following procedures:
1. Report the incident to the Department of Public Safety (646) 313-8101. A formal report will be made and a copy forwarded to the Office of Student Engagement and Success, or

2. Report the incident to the College’s Office of Student Engagement and Success who, if requested, will contact the Department of Public Safety to commence an appropriate investigation; or

3. Report the incident to the Title IX Officer or the Deputy Title IX Officer and they will in turn report the incident to Public Safety for investigation and or follow-up; or

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

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

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

Some frequently asked questions (FAQs)

* **Who is a perpetrator?**

Many people think that sexual assaults are only perpetrated by vicious strangers on dark, deserted streets. In fact, studies indicate that between 80 and 90 percent of all people who have been raped know their perpetrator(s). “Date rape” is not a legally distinct or lesser category of rape. It refers to a relationship and situational context in which rape occurs on a date. When the victim knows the perpetrator, alcohol use is often involved. But sexual assault is still a crime, regardless of the intoxication of the perpetrator or the victim.

* **Who is a victim?**

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

* **When is there lack of consent?**

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

Lack of consent exists in situations of duress, i.e., when (1) the use of physical force or threat (express or implied) is involved, which places the person in fear of physical injury to self or another; (2) there is incapacity to consent on the part of the victim; (3) circumstances exist in which the victim does not expressly or impliedly acquiesce in
the actor’s conduct; or (4) circumstances exist in which the victim clearly expressed by words or actions that he or she did not consent to engage in such sexual act, and a reasonable person would have understood such person’s words or actions as an expression of lack of consent to such conduct.

* Who is responsible for a sexual attack?

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

* How can one minimize the risk of or prevent sexual assault?

- Demand that you be treated with respect at all times.
- Meet new acquaintances in public places. Travel with friends or have your own transportation.
- Keep money in your possession for emergency phone calls.
- If you drink alcoholic beverages, never drink to the point that you are not in full control of yourself.
- Make sure that your date or partner fully understands your sexual limits. If you are offended by unwanted affection, say so immediately. To delay may cause the situation to get out of control.

Feel free to say “no” to any unwanted attention. If your date or partner won't listen you should leave immediately. Embarrassment on either party's part should not prevent you from doing what is right for you. If you have to draw attention to yourself to get your date or partner to stop unwanted sexual behavior, do so without hesitation.

If you are sexually assaulted, try to remain calm and seek help immediately. Get to a safe place and call for help. If you are on campus you can report a sexual assault to any Public Safety Officer or you can report the incident directly to the Public Safety Office. You can also report the incident over the phone at (646-313-8101/8112).

* How are sexual harassment complaints handled?

At Guttman, the Title IX Officer, Director of Human Resources, Public Safety and Chief Student Affairs Officer are all available to receive complaints of sexual harassment from members of the college community, explain the complaint procedures and refer individuals to appropriate resources.

* Who may make a complaint of sexual harassment?

Any member of the college community may report complaints of sexual harassment.

* Must sexual harassment complaints be made in writing?

No. Individuals may be asked, however, to prepare a written statement setting forth the particulars of the complaint.

* Are sexual harassment complaints kept confidential?

It is not possible to guarantee absolute confidentiality. The privacy of persons who make complaints of sexual harassment will be respected. Information obtained in connection with bringing, investigating, or resolving complaints will be handled as confidentially as possible.
**Are there time limits for reporting sexual harassment complaints?**

There are no time limits for reporting sexual harassment. However, allegations of sexual harassment should be reported as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the college to investigate the allegations.

**What should be done upon learning of an incident of sexual harassment involving another person?**

Members of the college community with supervisory responsibility must report to the Title IX Officer any incidents of sexual harassment of which he or she becomes aware or reasonably believes to exist. Other members of the University community who become aware of allegations of sexual harassment should encourage the aggrieved individual to report the incident(s) to the Title IX Officer, Director of Human Resources, Public Safety or the Chief Student Affairs Officer.

**Complaint Response**

Guttman will act promptly in response to information that a student has been sexually assaulted by another member of the campus community. On receipt of a complaint, the college will investigate. If there is sufficient evidence to warrant disciplinary charges, such charges shall be brought pursuant to Article 15 of the CUNY Board of Trustees Bylaws. If the matter is brought to a hearing, both parties are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The victim is entitled to a report of the results of the proceeding at her/his request. If, after a disciplinary hearing, an individual is found guilty of sexual assault or other act of violence against another member of the campus community, the penalties may include suspension, expulsion from residence halls or permanent dismissal from CUNY.

Victims of sexual assault are encouraged to contact the Office of Student Engagement and Success, Room 201, to obtain assistance in accessing medical and counseling services, or to change academic program situations. Public Safety can help students with getting to and from campus safely, filing a police report and obtaining an order of protection. Complaints can be filed with the Office of the Provost against a perpetrator who is a student or employee of the Office of Student Engagement and Success or the Public Safety Office.

**Counseling and Support Services**

**On Campus**

Counseling Services  
Wellness Office  
Room 507  
646-313-8165

Public Safety Office  
Rooms 015, 008  
Lobby (24hrs)  
646-313-8101/8112/8001

**Off Campus**

**ANY POLICE STATION OR HOSPITAL**

NYPD Special Victims Liaison Unit  
English, Spanish, 24 hours 212-267-RAPE (7273)
New York State Penal Laws

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

<table>
<thead>
<tr>
<th>Crime</th>
<th>Illegal Conduct</th>
<th>Criminal Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rape in the first degree (PL § 130.35)</td>
<td>A person is guilty when he or she engages in sexual intercourse with another person by forcible compulsion, with a person who is incapable of consent by reason of being physically helpless (e.g. being asleep, unconscious or due to alcohol or drug consumption), who is less than 11 years old or less than 13 and the actor is 18 or older.</td>
<td>Class B felony, with penalties up to 25 years in prison.</td>
</tr>
<tr>
<td>Rape in the second degree (PL § 130.30)</td>
<td>A person is guilty when being 18 years old or more, he or she engages in sexual intercourse with another person less than 15, or with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated</td>
<td>Class D felony, with penalties up to 7 years in prison.</td>
</tr>
<tr>
<td>Criminal sexual act in the first degree (PL § 130.50)</td>
<td>A person is guilty when he or she engages in oral sexual contact or anal sexual contact with another person by forcible compulsion, or with someone who is incapable of consent by reason of being physically helpless, or with someone less than 11 or with someone less than 13 and the actor is 18 or older.</td>
<td>Class B felony, with penalties up to 25 years in prison.</td>
</tr>
<tr>
<td>Forcible touching (PL § 130.52)</td>
<td>A person is guilty when he or she intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire</td>
<td>Class A misdemeanor, with penalties up to 1 year in jail.</td>
</tr>
<tr>
<td>Sexual abuse in the first degree (PL § 130.65)</td>
<td>A person is guilty when he or she subjects another person to sexual contact; by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the person is less than 11 years old.</td>
<td>Class D felony, with penalties up to 7 years in prison.</td>
</tr>
<tr>
<td>Aggravated sexual abuse in the first degree (PL § 130.70)</td>
<td>A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11.</td>
<td>Class B felony, with penalties up to 25 years in prison.</td>
</tr>
<tr>
<td>Aggravated sexual abuse in the third degree (PL § 130.66)</td>
<td>A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11.</td>
<td>Class D felony, with penalties up to 7 years in prison.</td>
</tr>
<tr>
<td>Facilitating a sex offense with a controlled substance (PL § 130.90)</td>
<td>A person is guilty when he or she knowingly and unlawfully possesses a controlled substance or any substance that requires a prescription to obtain to another person, without such person’s consent and with intent to commit against such person conduct constituting a felony, and commits or attempts to commit such conduct constituting a felony defined in Article 30.</td>
<td>Class D felony, with penalties up to 7 years in prison.</td>
</tr>
</tbody>
</table>

**Registered Sex Offenders**

Information provided by New York State about registered sex offenders may be obtained by going to [www.criminaljustice.state.ny.us/nsor/](http://www.criminaljustice.state.ny.us/nsor/). A search can be done by zip code, county or name. Information on registered sex offenders who may be on the Guttman campus can be obtained at the Public Safety Office 023.
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 Guttman’s Public Safety Departments. To obtain information about a Level 2 or Level 3 registered sex offender you may:

- Contact the police department in the jurisdiction in which the offender resides and/or in which the college is located.
- Contact Anastasia M. Koutsidis, Director of Public Safety, at 646-313-8001.
- Call the Division’s sex offender registry at (800) 262-3257.

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

- Contact the Division’s sex offender registry web site www.criminaljustice.state.ny.us/nsor/sor-about.htm then click on “Search for Level 3 Sex Offenses” or
- Access the Division’s Level 3 subdirectory electronically at the local law enforcement agency for the jurisdiction in which the offender resides.

**Campus Crime Statistics**

In compliance with the Crime Awareness and Campus Security Act (Public Law 101-542 as amended), Guttman Community College discloses crime statistics for the campus and immediate environs in seven major categories: criminal homicide; sex offenses; robbery; aggravated assault; burglary; motor vehicle theft; and arson. Guttman also reports the following incidents if they result in an arrest or discipline: liquor law or drug law violations and illegal weapons possession. If both an arrest and referral are made only the arrest is counted. The report also indicates if any of the reported incidents was a “hate crime.” Guttman Community College crime statistics can be obtained visiting the college website at http://guttman.cuny.edu/about/campussafety/annualsecurityreport.html

**Rules and Regulations for the Maintenance of Public Order**

BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK
RULES AND REGULATIONS FOR THE MAINTENANCE OF PUBLIC ORDER

Pursuant to Article 129-A of the Education Law (the “Henderson Rules”)

The tradition of the University as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedom: the rights of professors to teach, of scholars to engage in the advancement of knowledge, of students to learn and to express their views, free from external pressures or interference.

These freedoms can flourish only in an atmosphere of mutual respect, civility, and trust among teachers and students, only when members of the University community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy. Academic freedom and the sanctuary of the University campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom.

Against such offenders the University has the right, and indeed the obligation, to defend itself. We accordingly announce the following rules and regulations to be in effect at each of our colleges, which are to be administered in accordance with the requirements of due process as provided in the Bylaws of the Board of Trustees. With
respect to enforcement of these rules and regulations we note that the Bylaws of the Board provide that: THE PRESIDENT. The president, with respect to his education unit, shall:

a. Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his jurisdiction;
b. Be the advisor and executive agent of the Board and of his respective College Committee and as such shall have the immediate supervision with full discretionary power in carrying into effect the Bylaws, resolutions, and policies of the Board, the lawful resolutions of the several faculties;
c. Exercise general superintendence over the concerns, officers, employees, and students of his educational unit.”

I. Rules

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution’s educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution’s instructional, personal, administrative, recreational, and community services.
2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.
4. Theft from or damage to University/college premises of property, or theft of or damage to property of any person on University/college premises is prohibited.
5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.
6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of their rights or interferes with the institution’s educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution’s instructional, personal, administrative, recreational, and community services.
7. Disorderly or indecent conduct on University/college owned or controlled property is prohibited.
8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.
9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University/college premises, or as part of any University/college activities is prohibited. Employees of the University must also notify the College Human Resources Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
11. The unlawful possession, use, or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

II. Penalties

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

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

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

4. Any organization which authorized the conduct prohibited under substantive Rules 1–11 shall have its permission to operate on campus rescinded. Penalties 1–4 shall be in addition to any other penalty provided by law or the City University Trustees.

Sanctions Defined:

A. Admonition. An oral statement to the offender that he has violated university rules.

B. Warning. Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may cause far more severe disciplinary action.

C. Censure. Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any University regulation within a period stated in the letter of reprimand.

D. Disciplinary Probation. Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.

E. Restitution. Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

F. Suspension. Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

G. Expulsion. Termination of student status for an indefinite period. The conditions of readmission, if any are permitted, shall be stated in the order of expulsion.

H. Complaint to Civil Authorities.

I. Ejection.

A true copy of resolution adopted by the Board of Trustees of the City University