

Understanding Title IX Guidelines When Abroad: A Student Guide



If you are a CUNY student who experiences sexual harassment, gender-based harassment, or sexual violence, including sexual assault, stalking, domestic violence, intimate partner violence or dating violence, while abroad on a CUNY program, you are entitled to the following rights:

- To make a complaint to the program director, who will notify the Campus Chief Study Abroad Officer, Chief Student Affairs Officer, and Campus Title IX Coordinator.
- To have your complaint investigated in a prompt, impartial and thorough manner, to the extent possible abroad.
- To have the investigation of your complaint continued upon your return to campus by individuals who have received appropriate training in conducting investigations and the issues related to sexual misconduct.
- To have any allegations of retaliation investigated in a prompt, impartial and thorough manner upon your return to campus.
- To report incidents of sexual harassment or sexual violence that you experience while under the influence of alcohol or drugs without receiving discipline for the alcohol or drug use, if you agree to complete appropriate education or treatment as the circumstances warrant.
- To work with your program director to determine whether or not to continue with the program. If you decide to leave the program, you can receive alternative assignments to allow you to earn program credit.
- While abroad, you have the right to advice from local consular personnel with knowledge of the local criminal justice system to help you understand your options as a potential complainant. However, laws regarding crimes of sexual violence vary substantially from country to country, and your options may be limited by local law and by local authorities' expectations that complainants remain in or return to the country to support a prosecution.
- Upon your return to campus, to be provided with confidential on-campus counseling, and to be notified of other available services on and off-campus.
- To obtain, where appropriate, changes with respect to academic and living arrangements, no-contact orders, and other interim remedial measures, including security measures. Some interim measures may only be implemented upon return to campus.
- Upon your return to campus, if a disciplinary hearing is held, to have the same opportunity as the accused to participate in a student disciplinary hearing before a faculty-student disciplinary committee, including the right to be present, to be represented by a person of your choice, including an attorney, to present evidence, call witnesses, cross-examine witnesses, receive notice of the outcome of the hearing, and to appeal the decision.
- To file a criminal complaint against assailants and (if they are U.S.-based) to seek an Order of Protection, with the assistance of the college, if you so choose.

As the participant in a program abroad, you also have responsibilities:

- To participate in all pre-departure orientation sessions and to read all materials distributed by the program director, study abroad office, and (if applicable) other entities involved in your study abroad experience, such as a study abroad provider.
- To complete the College's pre-departure orientation that will include information about different cultural customs, norms and laws in the destination country. You will be advised that different norms abroad may affect your safety and/or the safety of other program participants.
- To follow all program rules.
- If you go to a bar or party abroad, to arrive and leave with friends.
- If you or a friend are impaired by alcohol or drugs, to seek help from a trip leader. A student who reports or experiences sexual harassment, gender-based harassment, or sexual violence will not be disciplined by the college for any violation of CUNY's Policy Against Drugs and Alcohol in connection with the reported incident subject to the conditions in CUNY's Medical Amnesty/Good Samaritan policy.
- If you are participating in a program not run directly by CUNY, including CUNY-affiliated programs, it is your responsibility to ask the program to provide information on its policies and practices regarding sexual misconduct.

If you are the victim of sexual assault while on a program that does not have CUNY staff or faculty on site (affiliated programs, exchange programs and programs that students enroll in directly):

- You should work with your local program director to access support and resources while on the program.
- You have the right to on-campus counseling and support services when you return to campus.
- If you enrolled in the program through a CUNY college (if the program is an affiliated or exchange program), please inform the Study Abroad Office at the college that helped you enroll of any incidents of sexual misconduct.