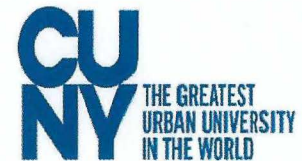


CUNY/NYCCT SEXUAL MISCONDUCT POLICY AND PROCEDURES SUPPLEMENTAL TRAINING – FOR CHAPERONES AND ESCORTS

Focus On Off – Campus Activities
February 2023



NEW YORK CITY
COLLEGE OF TECHNOLOGY



City Tech's Goals

- Prevent sex discrimination/sexual misconduct on our campuses and off-campus, including while students and employees are on overnight domestic & abroad travel
 - **One incident is one too many.**
- Provide clear policies and procedures on addressing sex discrimination/sexual misconduct, including while on off-campus overnight travel
- Provide and promote education and awareness of staff and student obligations and available resources, including while on off-campus overnight travel
- Appropriately respond to students and employees who complain of sex discrimination/sexual misconduct, including while on off-campus overnight travel
- Encourage, though not require, complainants to report to law enforcement
- Provide an adjudication process that is fair to both complainants and respondents

New York Legislation “Enough is Enough”

- Colleges must have trained individuals available 24/7 to receive complaints. They must be able to provide information on evidence preservation and be aware of CUNY’s/City Tech’s Policies/Procedures.
- Students’ Bill of Rights provided to students at the time a report is made – see last 2 pages of Policy on Sexual Misconduct.
- Reporting Individuals must receive immediate notice of:
 - Right to report or not to report to law enforcement
 - Right to report to institution
 - Right to be protected from retaliation
 - Right to assistance and resources provided by the institution, which includes on-going supportive measures and accommodations

Sexual Misconduct Filing a Complaint

All individuals who believe that they have experienced or witnessed sexual misconduct are strongly encouraged to report the incident to campus authorities.

Students should report to:

- Title IX Coordinator or designated staff
- Office of Public Safety
- Office of the Vice President for Student Affairs
- Students will be assisted in reporting all cases involving any form of sexual violence and/or stalking to the NYPD, if they wish to do so.

Employees should report to:

- Title IX Coordinator
- Director of Human Resources
- Office of Public Safety
- Employees will be assisted in reporting all cases involving any form of sexual violence and/or stalking to the NYPD, if they wish to do so.

With matters involving off-campus domestic overnight trips or study abroad trips, the International Education Liaison, and/or Chaperone or staff members leading/supervising students on such trips are commonly the first party to learn of a complaint. Please remember to immediately contact City Tech's Title IX Coordinator, Public Safety Director, Vice President of Student Affairs, or Human Resources Director as soon as you become aware of any such allegations, as this is required.

All City Tech community members are advised that if they experience or observe a sexual assault, call 911 immediately, if in the US or Canada. **For travel abroad trips, chaperones must inform students on the trip of the emergency number(s) for the country or countries they will be visiting at the pre-departure orientation session.**

Prior to Departure

- Chaperones and/or Trip Leader on any Travel Abroad must thoroughly review the Title IX Compliance Guidelines for CUNY Employees Travelling Abroad with Students located at:

www1.cuny.edu/sites/title-ix/campus-websites/study-abroad

and distribute to all students on the trip a copy of Understanding Title IX Guidelines When Abroad: A Student Guide, which is also located at the link above

- Conduct a pre-departure student orientation session and review the information contained in the Student Guide

Prior to Departure – cont'd

- Chaperones and/or Trip Leader on domestic over-night trips must also conduct a pre-departure student orientation session, reviewing with the students:
 - The definition of Affirmative Consent in the Policy on Sexual Misconduct
 - Risk Reduction – never travel alone; help friends get back to accommodations safely
 - Process of reporting a complaint while on a trip
 - Investigation process as it applies while on travel – investigation may not be completed until returning to campus
 - Importance of preserving evidence where possible
 - Alcohol/drug amnesty
 - Interim measures
 - Options for continuing with the program or returning to campus

CHAPERONES

- During off-campus over night trips chaperones will be available to assist students.
- It is recommended that one chaperone be assigned for every twenty students on off-campus overnight trips. There must be one chaperone for any group of 5 or more students.
- Chaperones should be City Tech employees - they must have successfully completed the annual employee E-SPARC online training for the academic year in which the trip is occurring. Prior to departure they must provide their Certificate of Completion for inclusion in the trip approval submission package, along with their fully executed Supplemental Training Acknowledgement Memo & Form. (See the last 2 slides).
- Chaperones are considered Responsible Employees under the Policy on Sexual Misconduct and may be the first individual to learn of a complaint.
- Chaperones are required to:
 - Immediately inform the trip leader, who must inform either City Tech's Title IX Coordinator, Public Safety Director, or VP of Student Affairs of any reports of sexual misconduct;
 - Provide complainant with Students' Bill of Rights (found in City Tech's Policy on Sexual Misconduct, last 2 pages); and
 - For stalking and sexual violence matters, if the complainant wishes to do so, discuss the option of filing a complaint with law enforcement –any issues should be examined.

CHAPERONES – CONT'D

- Chaperones are prohibited from:
 - Drinking while on duty
 - Sharing rooms with students on any overnight trip

Chaperones- Available Interim and Supportive Measures

- Chaperones should work with City Tech's Title IX Coordinator, Public Safety Director and VP Of Student Affairs, who may assist in providing the student with:
 - **Immediate interim measures**
 - Housing/Hotel Room arrangements- if incident occurs within the same living arrangement, you may be required to remove one of the parties from the location
 - Return travel
 - Re-arrange work duties: Assist in ensuring complainant does not have to work or interact with the respondent
 - Assist in arranging an escort for medical services or, upon consultation, to law enforcement
 - **Remind students about CUNY's Alcohol/Drug Use Amnesty Policy**

Sexual Misconduct

Other Forms of Notice

- Even when no formal complaint is made by an alleged victim, a chaperone can learn of an incident of sexual misconduct in a number of other ways, including but not limited to:
- A student, friend or family member can report an incident to a chaperone;
- A chaperone can witness an incident; and
- A chaperone can learn in an indirect manner: on social media (Twitter, Facebook), or may overhear individuals discussing an incident.

Coordination with Other Offices

- Complaints involving Employees and/or Students on an off-campus overnight trip require a great deal of coordination between departments to ensure that the appropriate interim services are provided.
- Even though the incident may occur while on an off-campus trip, City Tech's Title IX Coordinator will coordinate with other offices and conduct an investigation, as soon as may be possible, to the extent possible.
- **The chaperone will assist by gathering all information learned while on the off-campus trip, and provide it to City Tech's Title IX Coordinator or the Director of Public Safety.**

POLICY ON SEXUAL MISCONDUCT

Student-Employee Relationships

- Faculty members and other employees are prohibited from engaging in consensual intimate relationships with students for whom they have a professional responsibility. For example:
- **Chaperones have a professional responsibility for students participating in domestic off-campus overnight or travel abroad trips and as such are prohibited from engaging in an intimate relationship with the students under their watch. This includes student-employee chaperones on any such trips.**

POLICY ON SEXUAL MISCONDUCT

- Supervisors are strongly discouraged from engaging in consensual intimate relationships with non-student employees they supervise.
- Supervisors are required to report any such relationships to their supervisors.

Responsible Employees

“Responsible Employees” are REQUIRED to report incidents of sexual misconduct, they include:

- Title IX Coordinator and her/his staff
- Office of Public Safety employees (all)
- Vice President for Student Affairs and Dean of Students and all staff housed in those offices
- Residence Life staff in CUNY owned or operated housing, including Resident Assistants (all)
- College President, Vice Presidents and Deans
- Athletics Staff (all)
- Faculty Athletics Representatives
- Department Chairpersons/Executive Officers
- Human Resources staff (all)
- University Office of the General Counsel employees (all)
- College/unit attorney and her/his staff
- College/unit labor designee and her/his staff
- International Education Liaisons/Study Abroad Campus Directors and Field Directors
- **Faculty/staff members at times when they are leading or supervising students on off-campus trips, this includes chaperones**
- Faculty or staff advisors to student groups
- Employees who are Managers (all)
- SEEK/College Discovery staff (all)
- College Childcare Center staff (all)
- Directors of “Educational Opportunity Centers” affiliated with CUNY colleges
- **Chaperones on off-campus trips**

All Other Employees

- Employees who are not designated “Responsible Employees” are strongly encouraged to report any possible sexual harassment or sexual violence.
- Only certain employees can promise that a student’s allegations of sexual misconduct will remain confidential. At City Tech, these include:
 - Counselors at City Tech’s Counseling Services Office – Namm 108
 - On-duty Nurse

Off Campus Incidents of Sexual Misconduct

- City Tech is committed to investigating incidents of sexual misconduct that occur both on and off campus.
- In matters where the respondent is a City Tech student/employee, but the complainant is not, City Tech will investigate and, if there is/are substantiated finding(s) adopted by City Tech's President, refer the matter to Student Affairs or HR for appropriate follow up.
- In matters where the complainant is a City Tech student/employee, but the respondent is not, City Tech will provide the complainant with assistance and support services.

What Happens After A Complaint of Sexual Misconduct Is Made?

- Complaints relayed to Chaperones during an off-campus overnight trip will be reported to City Tech's Director of Public Safety and its Title IX Coordinator. City Tech's Title IX Coordinator will report the matter to the University Title IX Director.

Student Discipline

- City Tech is required to follow the procedures in CUNY's/City Tech's Policy on Sexual Misconduct before disciplining a student.
- **This is applicable even on off-campus trips.**

Reporting Misconduct: Confidentiality v. with Privacy

City Tech strongly encourages all students to report incidents of sexual misconduct to the College. While only some employees may maintain confidentiality, as indicated in slide 15 above, all are strongly encouraged to maintain individual privacy to the greatest extent possible. **Chaperones on off-campus trips will provide information on a needs to know basis only.**

Alcohol Use

- On college campuses, alcohol is often involved in sexual violence and date rape.
- Alcohol consumption is not an excuse for sexual misconduct.
- A person who is intoxicated may be incapacitated. However, a person may be intoxicated without being incapacitated.
- **On off-campus overnight trips, alcohol is banned from student rooms.**
- **While away on off-campus trips, students are to adhere to the NYS legal drinking age of 21.**

IMPORTANT CONTACT INFORMATION

- Chaperones are responsible for keeping this contact information easily accessible on any off-campus overnight trip:
 - Title IX Coordinator : Patricia A. Cody, Esq., Namm 322,
pcody@citytech.cuny.edu, 718-938-0265
 - Public Safety Director: Stephen Trowbridge, Namm 109,
strowbridge@citytech.cuny.edu, 718-260-5550
 - Interim Vice President of Enrollment Management and Student Affairs: Marling Sone, Namm 325, msone@citytech.cuny.edu, 718-260-5111

QUESTIONS

- For those completing this supplemental training on-line, prior to departure, email the Title IX Coordinator with any questions you may have at:
- pcody@citytech.cuny.edu

Acknowledgment Memo

TO: Chaperones and Escorts – Off Campus Overnight Trips

FROM: Patricia A. Cody, Esq.
Chief Diversity Officer, Title IX Coordinator

SUBJECT: Supplemental Sexual Misconduct P & P Training Acknowledgment Memorandum and Form

- New York City College of Technology (City Tech), through the City University of New York, requires that a supplemental training be completed by all responsible employee chaperones and escorts on off-campus overnight trips of any type. This training must be completed, and this acknowledgment form signed, dated and returned to the designated trip leader for submission with the trip approval packages, at least fourteen (14) days prior to leaving on any such trip, unless a different timeframe is approved by a department head, the Provost or VP of Student Affairs. This reflects City Tech's commitment to provide information regarding appropriately handling reports of sexual misconduct while supervising such trips.
- **It is mandated that all Responsible Employee Chaperones/Escorts on off-campus overnight trips complete the Supplemental Sexual Misconduct Policies and Procedures Training in addition to the annual required E-Sparc training for the academic year in which the trip is occurring. If you have not participated/will not be participating in a live Supplemental Training Program, you can access the on-line training at:**

www.citytech.cuny.edu/compliance-diversity/docs/cuny_citytech_training.pdf

Other Important Information:

- You will need Internet access and audio capabilities.
- To avoid technical issues, please use any major web browser released within the previous two years.
- You should complete the Supplemental Training in one sitting/session. This should take about 20 minutes. No Certificate of Completion is provided.

ACKNOWLEDGMENT MEMO – CONT'D

By signing below, I acknowledge receipt of the Supplemental Training Memorandum

and that I have timely completed the Supplemental Training.

I agree to abide by all that is mandated as set out in the Supplemental Training both before and while I am supervising students as a chaperone or escort on an overnight off-campus trip.

Signature

Printed Name

Job Title & Department

Date