



## Hunter's Apartments at 79th Street Resident Handbook

HUNTER COLLEGE: CITY UNIVERISTY OF NEW YORK

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## **Introduction**

The Office of Residence Life is committed to facilitating the personal growth of each resident student. Our primary goal is to create a Residence Hall that promotes educational achievement, embraces cultural pluralism, and encourages positive social relationships.

The Office of Residence Life seeks to:

- Maintain Residence Hall facilities that both meet and exceed the resident students' expectation for a safe, secure, and comfortable environment.
- Encourage academic achievement, integrate academic and social experiences, and foster wholesome campus lifestyle.
- Create a community living experience in which resident students are encouraged to take responsibility for their own actions and make purposeful, self-directed choices.
- Provide experiences that will increase resident students' understanding of, and respect for, persons with different lifestyles and backgrounds.
- Promote interaction among the resident students and offer opportunities for personal growth as well as social, intellectual, and career development.

Hunter College and the Office of Residence Life do not condone discrimination on the basis of race, sex, religion, color, national origin, age, disability, or sexual orientation. The College and this Office will take the strongest disciplinary action possible against those resident students found to be involved in discriminatory behavior.

## **Residence Hall Offices & Staff**

### **Residence Life Staff**

Our talented and diverse staff is dedicated to ensuring the Residence Hall runs smoothly and safely. The office staff is comprised of a Director, Assistant Director, and an Administrative Assistant, Residence Life Coordinators, and Graduate Assistants. All Residence Life staff is available to assist resident students with questions and concerns about the Residence Hall and its programs.

### **Graduate Assistants**

Graduate Assistants (GAs) reside on the lower level floor and are one of the most valuable resources within the Residence Hall community. GAs are academically successful students who have been selected for their leadership potential, interpersonal skills, positive attitude, and sense of commitment to the shared community.

GAs provide general information about the Residence Hall/Hunter College programs and services. They also refer resident students to college services, as needed. GAs assist resident students in mediating floor conflicts, reporting problems with the facilities, and with developing

active and passive programs. GAs not only offer a wealth of information, but also provide a model for successfully adjusting to the demands of college.

### **Brookdale Office Locations and Hours of Operations**

The Office of Residence Life is located in Room 117 on the first floor of the North Building on the Brookdale Campus and is open Monday-Friday from 9:00 am – 5:00 pm. In case of an emergency, resident students should contact Public Safety, which will contact the appropriate Residence Life staff as warranted. A member of the Residence Hall staff is always on call for emergencies.

### **Public Safety**

The Residence Hall has 24-7 security posted at the main entrance. Public Safety Officers monitor guest and resident traffic. Officers assist resident students in contacting Residence Life staff in cases of medical, psychological, and maintenance emergencies. Public Safety works in conjunction with the Office of Residence Life, and New York police, fire and emergency services.

After offices hours, emergencies should be reported to **Public Safety** at (212) 706-0647. Public Safety will contact Residence Life staff, as needed.

*Please note that lockouts are not considered emergencies.* For information regarding the lockout policy, see the Key and lockout Policy section on Page 13.

## **Residence Hall Programs & Resources**

### **Counseling & Wellness Services**

Licensed mental health counselors are available to assist resident students with concerns and to provide short term counseling services. For counseling services, call (212) 772-4931. For other health and wellness services, call (212) 772-4800.

### **Monthly Newsletter**

Monthly newsletters are sent to each resident at the beginning of each month. They provide information residents need regarding rules and regulations, building updates, and important Residence Life updates. Residents are responsible for all information provided in the newsletters and should reach out to Residence Life Staff if questions arises.

### **The Residence Life Council**

The Residence Life Council is a branch of the undergraduate student government, responsible for representing resident students through the Living@Hunter Program (all residents). The Council also plans events, manages the Brookdale gameroom and provides an additional resource that supports resident students' welfare.

## **Residence Hall Policies & Procedures**

### **Residence Hall License Agreement**

Resident students must sign a Residence Hall License Agreement in order to live in the Residence Hall. The resident students may not Check-In unless a signed License Agreement is on file. When a resident student signs a Residence Hall License Agreement to live in the Residence Hall, he/she is entering into an agreement with the College which specifies rights and responsibilities. License Agreements should never be taken lightly. The resident student should read all conditions of the Residence Hall License Agreement carefully, since he/she will be held accountable for all its provisions. For example, if the resident student moves out of the Residence Hall he/she will be financially liable for the room for the remainder of the agreement period unless an appeal is granted. The Residence Hall License Agreement for the entire academic year (Fall and Spring semester, including Winter Intersession), unless terminated early provided therein. Resident students who live in the Residence Hall in the Summer session(s) and/or in subsequent academic years will be required to sign separate Residence Hall License Agreements covering those periods.

### **Payment**

Unless otherwise notified in writing by the Office of Residence Life, the payment deadlines are August 1 for the Fall semester, December 3 for the Spring semester, and May 1 for Summer housing. Resident students who do not keep their accounts up to date may be denied housing in subsequent semesters or academic years. Resident students are required to pay (or make arrangements to pay in accordance with Hunter policy) their housing fees prior to Check-In. For additional information on fees see the Bursar's web site:

<http://www.hunter.cuny.edu/onestop/finances/bursar/residence-halls>

### **Eligibility Requirements**

#### **Academic Requirements:**

- To maintain occupancy in the Residence Hall, you must be a full time matriculated student, 12 or more credits, with (a) a GPA of 2.0 or above if you are an undergraduate resident student or (b) a GPA of 3.0 or above if you are a graduate resident student. Residents who fall below the GPA requirement will be placed on Academic and Residential probation and may be asked to vacate the residence hall.
- Macaulay Honors and Residential scholars must maintain the required GPA and other academic requirements of their program. Students who are released from their scholar program will need to appeal for residential stay.

**Reapplication (excluding new summer session only students) — Continued residence for subsequent academic years is not automatic. Current resident students must (including resident students currently participating in a Study Abroad Program):**

- File an application for the following Fall semester
- Meet all published application deadlines
- Not have outstanding debt owed to the college
- Fulfill all eligibility requirements

### **Primary Place of Residence**

Resident students must use their rooms as their primary places of residence. To be compliant with the primary-place of residence rule the resident must:

- Stay overnight in the Residence Hall building at least four nights a week and two weekends a month
- Attend mandatory meetings and sessions as stated
- The College reserves the right to cancel the Residence Hall contract of any resident student who is not using the Residence Hall as his/her primary place of residence

### **Room Assignments & Room Changes**

The Residence Hall License Agreement specifies that the College shall provide the resident student with a room or apartment in the Residence Hall, but does not guarantee an assignment to a particular room or type of accommodation. The College reserves the right to assign rooms/apartments and to make changes, as necessary. In most cases resident students must remain in their assigned rooms for the entire term of the Residence Hall License Agreement. However, sometimes rooms become available in the middle of the academic year and are available for room changes. The room change request period takes place near the end of the first semester, and room changes are usually handled on a first-come, first-served basis.

All room change requests must be submitted directly to the Office of Residence Life. The Director or his/her designee must approve all room changes. Resident students **MUST NOT** change rooms without authorization. Unauthorized room changes will result in improper check-out fines and disciplinary action.

### **Check-In & Check-Out**

**Check-In** occurs on designated dates the beginning of each semester. Students may forfeit their rooms if they do not comply with designated dates and times. The resident must appear in person to sign for and pick up his/her room keys. During Check-In, the resident will complete Check-In documents. Residents should make sure that the documents accurately reflect the condition of his/her room and the furnishings within it. The resident will be financially liable for the damages

that occur to his/her room or its replacement cost of any furniture which is missing from his/her room at Check-Out.

**Check-Out** occurs at the end of the resident student's contract period within designated established dates. Before the resident student checks out of the room he/she should remove all personal belongings and clean the room. Once the room is empty and clean, the resident will fill out a Check-Out form with a Residence Life staff member. The staff member will take the resident student's room key and make note of any major damages or issues with the room. The room will be inspected by a member of the professional staff after the resident student leaves. The staff will note changes and/or damages to the room which cannot be accounted for as normal wear and tear and the resident student will be sent a bill for any damages or fines.

- a. **Study Abroad:** Students must notify the Residence Life Office and be prepared to Check-Out of their room during the Check-Out period prior to their departure. Failure to Check-Out will result in financial penalties as stated in the License agreement and maybe subject to disciplinary action.
- b. **Winter Inter-Session:** A resident student whose Residence Hall License Agreement expires or is terminated at the end of the Fall semester **may not** remain in the Residence Hall during the Winter inter-session (the period between the end of a Fall semester and the beginning of the following Spring semester). Resident students whose License Agreement expires or is terminated at the end of the Spring semester **may** remain in the Resident Hall during the Winter inter-session.
- c. **Improper Check-Out and Fees:** Resident students who do not Check-Out on time will be fined for improper Check-Out and late charges. Improper Check-Out fines are no less than \$50. Resident students are billed at the rate of \$150 per day or prorated amount for overstays. Resident students who do not vacate as scheduled may also be locked out and incur a key and lock change fee. Resident students who fail to turn in all keys will be charged a \$50 improper Check-Out fee and may incur a \$50 key and lock change fee.
- d. **Express Check-Out:** If a resident student cannot Check-Out during established dates and times, he/she can do an express Check-Out. This service is not available after the established Check-Out dates and times. To complete this process the resident student picks up an express Check-Out form from the front desk and puts the keys and forms into an envelope and give the envelope to front desk staff. There is a \$50 charge to use this service. A staff member will check the room at a later date and the resident student will be sent a bill for any damages or fines.

Check-Out dates will be emailed to Residents.

## Keys & Lock-Outs

Resident students should carry their key Fobs with them at all times, and must not lend them to anyone. Resident students should lock their doors at all times. The College is not responsible for loss or theft resulting from failure to secure and lock rooms.

- a. **Lost Key Fobs:** Lost key fobs should be reported immediately. Resident students are charged \$50 for a lost key fob and may be charged up to an additional of \$500 for a Door Lock Installation. The lost key fob will be billed to the resident student's account. The Office of Residence Life is not obligated to provide access to resident students' rooms when the resident has simply "forgotten" his/her key.
- b. **Lockout & Re-Entry:** Residents may contact Public Safety staff in the event of a lockout. Residence Life and Public Safety reserve the right to refuse access after 11:00 pm if they believe the resident student is abusing this privilege.
- c. **Unauthorized Access:** Resident students may not give their key fob to anyone. Guests, including guardians of the residents, may only use the Residence Hall if accompanied by the resident. Resident who provide their key to any one will be in violation of the Residence Hall policy.
- d. **Third Party Access:** In special circumstances and with written permission from the resident student, the Residence Life staff may grant a third party access to the resident student's room. Arrangements must be made during normal office hours. In the written permission, the resident student must list items to be removed by the third party. Resident Life staff will accompany the third party to the resident student's room. The resident student will be held responsible for any policy violations in plain sight found in his/her room.

## Notification & Communication Requirement

Resident students will be notified of payment schedules, Check-Out times and dates, and other pertinent information pertaining to the Residence Life contract via regularly scheduled meetings, flyers, emails to resident student's Hunter or other CUNY e-mail address, and memoranda delivered to resident student's Residence Hall mailbox. Resident students are responsible for reading all postings, emails and publications and are responsible for all the material contained in them. Resident students are required to maintain a Hunter College or CUNY email address. Failure to do so will result in the resident student not receiving important information from the Residence Life Office.

## Care & Condition of Facilities

### Work Order Requests

To submit any work order for any damages or issues in your room, please submit a request at: <http://bit.ly/79WorkOrder>

### Room Decorations

While resident students are encouraged to create a comfortable living environment by decorating their rooms, the following guidelines apply:

#### Prohibited:

- Painting of rooms.
- Affixing wallpaper, contact paper, or other adhesives to the walls.
- Affixing items to the walls, ceiling, or doors using screws, nails, or other devices which would leave marks or holes. This could cause damage to wires and pipes that are hidden behind floor, wall, and ceiling surfaces.
- Affixing items other than message boards to the outside of their doors.
- Lofting or stiling of beds using furniture, cinder blocks, or other similar items.
- Installing large furniture not provided by the College.
- Hanging anything, including clothes, from sprinkler pipes, heads and cages.
- Installation of carpeting.

**Permitted:** Mounting posters and other wall decorations with putty-type adhesive or with masking tape. Resident students are responsible for removing all adhesives and tape prior to Check-Out.

### Furniture in Rooms

All College furniture has been labeled. Resident students may NOT remove College furniture from their rooms or move College furniture from one room to another. Large-sized outside furniture is not permitted. Small shelves, desk chairs, stools and other small outside furniture is permissible. However, resident students may not remove College furniture from rooms to make room for outside furniture. A fine of \$300 per item will be imposed for removing College furniture out of a resident student's room or having prohibited furniture.

### Abandoned Items

Any items that remain in the room/apartment or lounge area at any of the following times will be considered abandoned and disposed of at the resident student's expense:

- After a Check-Out.

- After the published floor closing deadline.
- After an administrative removal, relocation, or room change deadline.
- During non-approved overstays (extensions must be requested and approved in writing in advance).

**Damages & Fees**

- Community Responsibility:** Resident students are not “renting a room,” rather resident students are an integral part of a community within the Residence Hall. If someone damages or vandalizes something and a resident student is aware of it, it is his/ her responsibility as a community member to report it to Residence Life staff or to Public Safety. Maintaining a clean, comfortable, and attractive environment is the responsibility of every member of the Residence Hall community.
- Individual Responsibility:** Resident students are responsible for the loss or damage to any property within the Residence Hall that result from resident students or his/ her guests’ negligence or vandalism.
- Room Damage Fees:** Resident students who have room damages will receive a bill and a “stop” will be placed on their records until the bill is paid in full. Bills for damages cannot be paid using financial aid deferments.
- Cost for Repairs and Damages:** The following is an estimate of the costs of loss and/or damages to your room and public space. All estimates are subject to change and may vary with each situation.

<u>Item Replacement</u>	<u>Cost</u>	<u>Cleaning/ Repairs</u>	<u>Cost</u>
Fire Extinguisher	\$125	Walls/ Repairs and Painting	\$50-\$250
Samsung 32” Television	\$390	Window/Screens	\$30-\$250
RCN Cable TV Box	\$150	Removal of carpet/furniture	\$25-\$100
RCN Cable Router	\$150	Drawers	\$25
TV Remote	\$100	Doors	\$100
TV Wall Mount with Repairs	\$350	Apartment Clean – Up	\$50/Resident
TV Wall Shelf Unit	\$300	Oven/Stove Top	\$50
Dining Chairs	\$250	Cabinets	\$50
Dining Table	\$300	Microwave Cleaning	\$75
Microwave	\$100	Countertop Repairs	\$50-\$500
Refrigerator/Freezer	\$1000		
Oven/Stove	\$1000		
Gas Range	\$750		
Pendant Ceiling Lamps	\$175		
Wall Air Conditioning Units	\$800		
Air Conditioning Remotes	\$100		

Toilet and Toilet Seat, Seal and Installation	\$600
Glass Shower Doors	\$950
Bed Bug Covers	\$75
Adjustable Bunk Beds (Mattress, Headboard, Bed Rails)	\$400
2 Drawer Dressers	\$400
3 Piece Sectional Sofa – Per Piece	\$500
Window Shade	\$90-\$190
Window Glass – Double Glazed	\$750
Window Limiters	\$250
Floor Lamps	\$90
Toilet Paper Roll Holders	\$30
Toilet Seat	\$150
Shower Head	\$100
Balcony Door Latch	\$250
Lights/Power Outlet Plate	\$75
Kaba Door Lock and Installation	\$500
Key FOB	\$50
Mailbox Key	\$50
Laundry Cards	\$20
Residence Hall Sticker	\$5

### Room Entry & Search

While the College endeavors to respect resident students’ right to privacy there are conditions which permit staff acting in an official capacity to enter and inspect resident students’ rooms.

#### The following guidelines pertain to room entry and search:

- College Officials may enter and search a room when the resident student consents. Resident students are required to respond when staff members present themselves at the room and properly identify themselves. Resident students are reminded that they must respond to any reasonable request of a College official acting in an official capacity.
- College Officials may enter and search a resident student’s room **WITHOUT CONSENT**:
  1. In order to perform necessary maintenance ~~tasks~~
  2. When it is believed that a resident student’s health and safety are at risk
  3. When there is a reasonable suspicion that a violation of a federal, New York State or New York City law or regulation or a CUNY, Hunter or Residence Life rule, regulation or policy or a term or condition of the Residence Hall License Agreement has been committed or is in progress

4. For the purpose of insuring compliance with fire, sanitation and safety procedures
  5. As otherwise permitted by law. Building or floor-wide searches may be warranted in order to investigate dangerous conditions. For example, if smoke is present, staff may enter and search any rooms in the affected area in order to locate the source of the smoke
  6. Maintenance staff hired by or contracted by the College may enter rooms in order to perform requested maintenance tasks. When a resident student requests maintenance service it is assumed that consent to enter the room is given unless the resident student indicates otherwise. Resident students may request the right to be present for maintenance work, with the understanding that accommodating the request may hinder the work being done in a timely manner.
  7. Residence Life and/or Facilities staff hired by or contracted by the College may also enter rooms to perform routine and scheduled maintenance tasks (i.e. checking smoke detectors, inventorying furniture, inspection of windows). All efforts will be made to inform resident students of these routine inspections at least 24 hours in advance, however this cannot be guaranteed.
- Residence Life staff will conduct periodic inspections to ensure that all resident students are in compliance with fire safety policies. Please refer to the section on Fire Safety Inspections.
  - The College will provide access to resident student rooms to any local, state, or federal authorities executing valid search warrants. Government officials may also request entry to individual resident student rooms when there is “probable cause” to believe that a violation of law is in progress or has been committed. Residence Life or Security staff will escort any federal, state, or local authorities executing warrants on premises to the extent possible.
  - Whenever possible, two staff members will be present when any resident student’s room is entered.
  - In extraordinary circumstances and with written permission from resident, the Residents Life staff may grant access to a third party to a resident student’s room. In this permission, you must indicate the items that may be removed. Arrangements must be made during normal office hours. The third party will be accompanied by a Residence Life staff member. In all cases, staff who enters a resident student’s room have the right and the responsibility to report any policy violations or dangerous conditions that are present in “plain sight.”

### Use of On-Campus Facilities

- The roof is completely off limits.

- The patio is available for resident's use during the hours of 9AM – 10PM. The patio will be locked between the hours of 10PM – 9AM

### **Prohibited Items**

In addition to prohibitions stated in other sections of this handbook, the items listed here are also prohibited; some items are repeated here for the sake of emphasis. Resident students found in possession of a prohibited item will be required to remove the item from the Residence Hall immediately and may face disciplinary action. In addition, Resident students may be responsible for any cost accrued in the removal of the item. Resident students are responsible for all damages caused by prohibited items.

#### **Prohibited items include:**

1. Firearms or other weapons, including but not limited to, knives, swords, chukka sticks, or other objects, which are considered weapons or which may be mistaken for weapons.
2. Pocketknives, hunting knives, or other knives that are not specifically suited for food preparation.
3. Dangerous materials such as explosives and/or chemicals such as gunpowder, propane, and gasoline.
4. Light fixtures or lamps utilizing halogen or other high intensity bulbs.
5. Multi-plug adapters or multi-plug extension cords; (only power strips and heavy-duty, single-receptacle extension cords are permitted).
6. Pets of any kind (including aquariums and fish).
7. Furniture not provided by the College, such as additional beds, futons, sofas, large lounge chairs, etc.
8. Personal items or furniture may be left in the hallways.
9. Loft beds, cinder blocks or other materials which are used to “stilt” beds.
10. Large exercise equipment (e.g., weight machines, exercise bikes, treadmills, and rowing machines).
11. Laser pointers.
12. Candles, incense, and hookah pipes.
13. Flashing light devices, megaphones, or any other devices which may be mistaken for official police or fire safety equipment.
14. High-powered musical equipment or instruments (large amplifiers, public address systems, etc.).
15. Refrigerators larger than 4.5 cubic feet.

16. Drug-related paraphernalia: any and all objects related to the use of prohibited drugs in any form. (E.g. bong, pipe, hookah, methamphetamine lab items).
17. Live Christmas trees.
18. Outside antennas and satellite dishes.
19. Water propelling devices.
20. Hover boards
21. Drones
22. Other items deemed to negatively impact on the health and safety of resident students.

### **Pest Control (Roaches, Mice, etc.)**

Resident students should report problems with roaches, bugs, mice, etc. to the GA or to the Office of Residence Life. Residence Life will submit a work order on behalf to the student to the Department of Facilities who will in turn make sure that pest control assesses the reported situations. Residents should keep rooms and common areas clean and place food in airtight containers. Pests are attracted to food and dirt.

### **Amenities**

#### **Cable/ Wireless Internet**

Wireless Internet access is available in all rooms. Each apartment has their own Television, Cable TV box and a Cable Router. Username and password is located on each box.

#### **Laundry Room**

Washers and dryers are located in the basement of the building. Resident students must use the laundry card provided to pay for use of the washers and dryers. Residents can reach out to Hercules for all washers and dryer questions regarding a refund or a machine that is out order. Resident students who leave laundry unattended do so at their own risk. The College is not responsible for lost or stolen items. If a machine is out of order, please attach a sign to it; report the broken machine number to the Office of Residence Life.

#### **The Hunter College ID/OneCard**

OneCard is a system that lets students use their Hunter ID card for campus services, such as printing, copying, dining, vending machines, laundry and library fees. Students can put money on their card and check their account balance through the OneCard web site, <http://www.hunter.cuny.edu/icit/services/onecard> or at any of the Account Management Centers (AMC). Problems with the OneCard must be reported to the OneCard Office by email at: [onecard@ hunter.cuny.edu](mailto:onecard@hunter.cuny.edu)

## **Patio**

The patio is accessible through the lower level entry way. The patio is available for resident's use during the hours of 9AM – 10PM. The patio will be locked between the hours of 10PM – 9AM.

## **Vending Machines**

A drink vending machine is located in the outdoor patio.

## **Intercom**

Each apartment is equipped with an intercom system. Guests may communicate with residents through this system. Please note that Resident's will still need to come to the lobby to sign their guest in with Public Safety. If residents are ordering food for delivery, they must pick up the food in the lobby. Delivery personnel will not be allowed into the building past the lobby.

## **Health & Safety**

### **Fire Safety**

All resident students and guests are expected to comply with the following fire safety policies and procedures:

1. Each apartment is equipped with a Fire Extinguisher and is checked monthly by a Residence Life staff member and a public safety officer. Residents will be informed at least 48 hours in advance of when Fire Extinguisher inspections will take place.
2. Resident students and guests are expected to evacuate the building via the stairwells when instructed.
3. Smoking, possessing candles, incense, or any other object or activity that produces flames and/or smoke are all strictly prohibited in all Residence Hall rooms.
4. Resident students are expected to exercise caution and care in preparing food in their kitchen. The kitchen should never be left unattended when food is cooking on the stove or in the oven.
5. Tampering with smoke detectors, heat sensors, fire extinguishers, sprinklers or any other fire safety equipment is strictly prohibited. Resident students may not cover or otherwise disable smoke detectors. Resident students are responsible for reporting broken smoke detectors to the Residence Life Office.
6. Resident students should NEVER use emergency exits to enter or exit the building, except in cases of emergency.
7. No person shall activate the fire alarm system when there is no cause to believe that a fire or dangerous condition persists.
8. Hanging objects from sprinkler heads/pipes or tampering with sprinkler heads/pipes in any way is strictly prohibited. Any damage to the sprinkler heads/pipes or water damage

to any personal property which is the result of a resident student and/ or his/her guest(s) tampering with or damaging the sprinkler system shall be the responsibility of said resident student.

Failure to comply with fire safety regulations is a very serious offense. Resident students who fail to follow these procedures present a danger to themselves and others and will be subject to disciplinary action. The sanction for this violation may include a monetary fine of \$350.

### **Fire & Smoke Emergencies**

- A. Fire or Smoke Conditions:** If you suspect or see a fire or smoke condition or hear a whooping alarm do not wait for announcements, you should vacate the area immediately, using the following precautions: close any doors behind you; activate the nearest fire alarm; in smoky conditions crawl low under the smoke; evacuate the building using stairs—do not use the elevator; as you approach a closed door, feel the door with your hand, if it is hot, do not use it, go to the next exit.

Do not re-enter the building until you have been instructed by Public Safety or the Fire Department.

If you are trapped in a room, keep your door closed but do not lock it. Cover the space under the door with clothes or towels to prevent smoke from entering the room. Call 911 and tell them your location, floor and room number. Listen for announcements over the Public Address system. Follow instructions of the Fire Wardens, Public Safety and the Fire Department.

- B. If you hear a constant alarm tone:** Listen for further information from Public Safety via the public address system.

### **Health and Safety Inspections**

The College respects resident students' desire for privacy. However, it is occasionally necessary for the College to exercise its legal and contractual right to enter a room in the interests of maintaining an environment that provides for the health, safety and wellness of all resident students. Resident students must not violate policies designed to protect all resident students from harm. Residence Life staff will conduct periodic inspections of rooms in order to ensure that students are adhering to fire safety policies.

All fire safety inspections will be scheduled and publicized at least 72 hours in advance. On the appointed date, the Office of Residence Life will inspect randomly selected rooms to ensure compliance with fire safety policies. Inspections will be conducted by a member of the Residence Life's staff. Residents are ENCOURAGED to be present.

Only a visual inspection is conducted. No items will be moved, and areas such as drawers and closets will not be checked. However, staff members conducting the inspections will inspect further if conditions in the room present reasonable suspicion that violations are present.

Resident students will receive a written notice when their room has been inspected, and any violations will be noted. Prohibited items that present a fire safety hazard (i.e. illegal appliances, candles, incense, etc.) will be removed from the room and discarded. Resident students who accrue more than one fire safety violation will be in violation of the Residence Hall Contract and may be required to surrender their residency privileges.

There are also two smoke detector checks done each year by Facilities and Public Safety staff. The Facilities personnel and Public Safety staff will be escorted by a Residence Life staff member. Any plain sight violations will be dealt with accordingly.

### **Weather-Related Emergencies**

Students are encouraged to sign up with CUNY alert. CUNY Alert allows you to receive text, email, and/or voice alerts of emergencies or weather related closings on your campus. You can choose your campus location, phone for voice and text messages, and/or email addresses for instant emergency communications. To sign up for CUNY alert, visit the website:

[www.cuny.edu/news/alert.html](http://www.cuny.edu/news/alert.html).

If weather conditions such as storms or high winds are predicted, take the following precautions:

- **SEEK COVER.** Do not attempt to go outside if conditions do not permit it.
- **EXERCISE CAUTION** by staying away from windows, shelves, or other items which may be knocked over, causing injury.
- View CUNY Alert online at: <http://www.cuny.edu/news/alert>.
- **LISTEN** for Public Safety announcements, information on local radio or television stations, or contact the Residence Life staff for updates.

### **Floods, Power Outages, or Other Maintenance Emergencies**

Report the problem to Public Safety at (212) 706-0647. Do not use electrical appliances or approach exposed wires.

**For Further Emergency information see the Hunter College Emergency Preparedness web site:** [www.hunter.cuny.edu/emergencyprep/emergency-preparedness-1](http://www.hunter.cuny.edu/emergencyprep/emergency-preparedness-1)

### **Medical Emergencies**

If you or others experience illness or injury, take the following steps:

- **REPORT** the problem to Public Safety, (212) 706-0647.
- Get as much information as you can about the condition of the affected person.
- Do not leave the affected person alone. Do not take chances with health matters. When in doubt seek professional medical attention.

## Personal Safety

There is much you can do to minimize the risk of being a victim of a crime. Don't be an easy target for criminals! Follow these precautions:

- Avoid traveling alone and keep to the busier streets, especially at night. Do not carry large amounts of cash and refrain from displaying expensive jewelry and electronics.
- When you are going out, let a friend know of your plans, and tell him/her when you plan to return.
- Always lock your door and never loan your key or identification to anyone.
- Refrain from abusing alcohol or other drugs, which impair your judgment and your ability to defend yourself.
- Be suspicious of people whom you meet in public places or on the internet. Do not go home with someone you've just met.
- Record bank account and credit card account information and keep it in a safe place. That way, if these items are stolen, you will be able to cancel them immediately.
- Exercise caution when using ATM machines. Keep an eye out for people loitering by the machine or door.
- Use caution when using online communities like Facebook, Twitter, and Instagram. Do not give out personal information or send photos to strangers.

For additional safety tips visit the following website: <http://www.hunter.cuny.edu/publicsafety/crime-prevention-1>

## Judicial Systems & Procedures

### Hunter College & CUNY Rules, Regulations, & Policies

The Residence Hall is an integral part of the CUNY and Hunter community and therefore all policies, rules and regulations applicable to Hunter and CUNY, including CUNY's Rules and Regulations for the Maintenance of Public Order pursuant to Article 129A of the New York State Education Law, CUNY's Medical Withdrawal and Re-Entry Policy and Procedures Governing Resident student Behavior that Presents a Direct Threat or Harm to Self or Others or Substantially Disrupts the Learning or Working Environment or Other and the Resident student Disciplinary Procedures set forth in Article XV of CUNY's Bylaws, apply to all residents. Residents should refer to Hunter's Graduate and Undergraduate Catalogs for a detailed description of the policies, rules and regulations of Hunter and CUNY. Article 129A of the New York State Education Law was adopted by the CUNY Board of Trustees for the purpose of maintaining public order on college campuses and other college.

## Student Conduct Procedures

In addition to adherence to the aforementioned policies and procedures, resident students are expected to abide by all federal, state, and local laws. Alleged violations of the law will be referred to the appropriate official, including applicable court or law enforcement authority, the Office of Residence Life, and the Office of Vice President for Student Affairs. Violations of applicable laws and College/CUNY policies may result in administrative action by the Office of Residence Life and/or the College, regardless of the outcome of criminal investigations and proceedings.

Judicial procedures are invoked in response to the receipt of a complaint that alleges that a resident student or resident students have engaged in behavior which violates one or more of the policies outlined in this handbook or other applicable College policies. Any member of the campus community, or a guest, may file a complaint. Resident students who wish to file a complaint must submit a statement, or incident report, to the RA on duty or with the Campus Security Officer on duty. Resident students may also file complaints with the Office of Residence Life.

When an incident report is received, it is reviewed by the Director of Residence Life or his/her designee. A determination is made as to whether the incident and behavior in question may violate one or more College or Residence Hall policies. The Director of Residence Life or designee will contact the resident student(s) involved in order to complete a preliminary investigation of the allegations. All members of the College community must comply with this investigation by responding to requests for meetings and by answering all questions truthfully. Any resident student who engages in behavior which impedes an investigation into a judicial matter is in violation of College and Residence Life policy. Once the preliminary investigation is completed, the Director of Residence Life, often in consultation with the Vice President for Student Affairs, makes a determination as to whether to proceed with further judicial action. In the case of serious offenses, the accused resident student(s) may be suspended from the Residence Hall pending the outcome of the judicial review. In such cases a judicial hearing and review will be scheduled for no later than seven working days from the date that the determination to proceed is made. All disciplinary matters may be addressed through the resident student disciplinary procedures set forth in Article XV of CUNY's bylaws, pursuant to which the College's Faculty Resident student Disciplinary Committee may conduct a judicial hearing in accordance with Article XV of CUNY's bylaws.

Incidents involving less serious allegations may be referred for judicial action to either a resident student judicial board or to an administrative hearing with the Director or Assistant Director of Residence Life. Resident students who are referred for judicial review will receive information regarding the judicial hearing process when they are informed of the pending charges. Resident students are expected to appear for scheduled judicial proceedings. If resident students fail to report for judicial matters the case can proceed in their absence.

At the conclusion of the judicial review a determination of responsibility is made, and in most cases where a resident student is determined to be responsible for a violation of College or Residence Hall policy a “sanction” is recommended.

Sanctions may include, but are not limited to, formal warnings, restitution for damages, probation, suspension or dismissal from the Residence Hall, and suspension or expulsion from the College. Once a decision regarding the sanction is made, the resident student will receive a written “Letter of Disposition” outlining the findings of the judicial review body as well as the sanctions to be imposed. For additional information on the CUNY Disciplinary Policy, see Appendix B.

### **CUNY Medical Withdrawal Policy**

The College is responsible for providing a safe learning and working environment for students, faculty, staff and other members of the CUNY community. Some students may, because of a medical condition, engage in behavior that presents a direct threat of harm to themselves or to others, or substantially disrupts the learning or working environment of others. In such situations, in addition to taking reasonable and appropriate action to protect the security and safety of the campus community, the College may address such student behavior under CUNY’s Medical Withdrawal and Re-entry Policy and Procedures.

The Vice President for Student Affairs or designee may, under certain specified circumstances, direct an emergency interim removal of a student from the Residence Hall and/or the College, request a student to voluntarily withdraw from the Residence Hall and/or the College, or agree to specified conditions, or initiate proceedings for the involuntary withdrawal of the student from the Residence Hall and/or the College. The policy also set forth procedures for consideration of a student’s re-entry to the Residence Hall and/or the College after the resident student withdraws or is withdrawn from the Residence Hall and/or the College pursuant to the policy. For additional information or a copy of this policy, please contact the Office of Residence Life Office or the Office of the Vice President for Student Affairs.

### **Personal & Community Conduct**

Residents must accept and abide by a specific set of rules that govern the community and ensure that the rights of all residents are protected. Community living requires a commitment from all residents to respect the rights of all members of the community. It also requires a commitment from all residents to protect the physical environment by refraining from dangerous behavior or behavior which causes discomfort and disruption. Behavior which infringes upon these rights will be regarded as a breach of the community’s trust and will be taken seriously. Residents and guests must comply with legitimate, reasonable, and lawful requests or directives given by a member of the Residence Hall staff, Public Safety personnel, college official or designee acting in his/her official capacity. Failure to comply may result in disciplinary action.

This section outlines policies which govern all residents and their guests. CUNY, the College and the Office of Residence Life reserve the right to make amendments to any of the policies contained herein, with the understanding that residents will be informed in writing of any and all additions or changes. Residents found in violation of these policies may be subject to disciplinary action.

### **Drug & Alcohol Policy**

**The Residence Hall is a drug and alcohol free environment.** (See the CUNY Drug and Alcohol Policy in Appendix A.)

#### **Drug Policy**

The unlawful manufacture, distribution, dispensation, possession, use or sale of drugs, controlled substance (which includes prescription drugs not intended for the holder), or drug paraphernalia is prohibited in and around the Residence Hall. Residents who violate this regulation will be subject to disciplinary action. Sanctions may include: Residence Hall Probation, Visitation privileges suspended, an Alcohol and Other Drug Comprehensive Evaluation, termination of resident's Residence Hall License Agreement, expulsion or suspension from the Residence Hall and/or from the College. Violations may also be reported to law enforcement officials. Residents who are expelled from the Residence Hall for a drug violation will be deemed persona non grata and not allowed to visit the Residence Hall.

#### **Alcohol Policy**

Alcohol possession and consumption is not allowed in the Residence Hall. Residents who violate this policy will be subject to disciplinary action. Sanctions may include: Residence Hall Probation, Visitation privileges suspended, an Alcohol and Other Drug Comprehensive Evaluation, a monetary fine of up to \$350, termination of resident's Residence Hall License Agreement, expulsion or suspension from the Residence Hall and/or from the College.

### **Disorderly & Disruptive Conduct**

Disorderly and Disruptive Conduct are prohibited in the Residence Hall. Conduct deemed to have a negative impact on the safety and well-being of the resident or others in the Residence Hall is prohibited. While some behavior in isolation may be considered minor, pattern or multiple minor occurrences may result in disciplinary action.

Examples of such conduct are: wearing/using skates, riding bicycles, playing sports in public areas, or engaging in excessive and loud noise. Additional examples are discussed in various sections of this document.

## Offenses against Persons

No person may engage in any activity which serves to threaten or harass another member of the College community, or which serves the purpose of preventing that person from the proper exercise of his/her rights under College policy. These activities include, but are not limited to:

- Fighting, pushing, shoving, or any violent or unwelcome physical contact.
- Attempting to block or detain a person(s) from entering or exiting any area where they are rightfully permitted to enter or exit.
- Physical and/or verbal harassment, intimidation, or threats, including unsolicited and/or unwelcome telephone calls or electronic communications.
- Brandishing or displaying any item in such a manner as to suggest that it can or will be used as a weapon.

## Noise

Resident students and guests are not permitted to create sounds or to operate any radio, stereo, television, or other sound-producing equipment which disturbs the quiet, comfort, or repose of any member of the campus community or which interferes with normal functioning of College activities. Any resident student has the right to expect that others will refrain from making noise that disturbs them upon request.

During designated Study Hours, reading days and periods of final examinations all resident students and their guests are expected to maintain a quiet environment at all times.

## STUDY HOURS

Monday – Sunday: 11PM – 9AM on every floor.

## Sexual Harassment and/or Assault

**The college prohibits Sexual Assault or Sexual Harassment of employees and students.**

### 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.
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 co-workers), 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.

### **What is Sexual Assault?**

- Any sexual act committed or attempted against a person's will.
- Forced sexual contact by dates, spouses, family members, acquaintances or strangers.
- A range of acts, from obscene phone calls to forced, sexual intercourse.
- Any sexual contact you don't want.

Visit the Public Safety website for additional information on CUNY's Sexual Harassment Procedures at: [www.hunter.cuny.edu/publicsafety/policies-and-procedures/sexual-assault-information/cuny-sexualassault-policy](http://www.hunter.cuny.edu/publicsafety/policies-and-procedures/sexual-assault-information/cuny-sexualassault-policy)

Hunter's Sexual Assault Policy: [www.hunter.cuny.edu/publicsafety/policies-and-procedures/sexualharassment-policy](http://www.hunter.cuny.edu/publicsafety/policies-and-procedures/sexualharassment-policy)

### **Smoking Policy**

The Residence Hall, like the rest of Hunter College and all municipal buildings, is a smoke free environment. Resident students may smoke tobacco only in the front of the building, a minimum of 20 feet from all entrances and exits. Smoking is prohibited in the Outdoor patio.

The non-smoking policy will be strictly enforced. Rooms will be entered if any staff member smells smoke emanating from a room. The presence of cigarette ashes or butts in the room will be used as substantiation of this violation. Resident students who violate this policy will be subject to disciplinary action. The sanction may include a Residential probation, monetary fine of \$350 and/or suspension or termination of the resident student's Residence Hall contract, expulsion from the Residence Hall and /or suspension or expulsion from the College.

### **Soliciting & Business Ventures**

- Posting, chalking, and/or canvassing of any kind outside of the designated areas, without prior consent by the Residents Life staff, is prohibited; this includes flyers, advertisements, papers, etc.
- Hunter related solicitation activities may be allowed. Prior approval for these activities must be received by the Residence Life staff.

Resident students may not run any sort of business through their room, address or mailbox.

### **Visitation Policy**

The Resident Hall Visitation Policy has been developed to protect residents' rights to security, privacy and comfort, to promote the "fair use" of shared facilities, and curtail unauthorized persons from entering the building and/or staying overnight in the Residence Hall. Public Safety personnel may deny entrance to any guest who appears to be intoxicated, under the influence of controlled substances, or behaving in a strange manner. Violations of the visitation policy may result in disciplinary action and suspension of visitation privileges.

Residents will be held responsible for the conduct of their guests including responsibility for any damage caused by their guest. Guests must remain under the direct supervision of the hosting resident student at all times and are not permitted to remain in the Residence Hall, including a resident's room, unaccompanied. The following are Visitation Guidelines and Policy:

#### **Guests:**

- Guests are not allowed to remain in the Residence Hall, Resident's room or Check-Out of the building unaccompanied by their host.
- All guests must sign in at the front desk with public safety and guests will need a photo ID with their birthdate.
  - If your guest is staying overnight, they will need to leave their ID with Public Safety after they are signed in. If you and your guest decide to leave the Residence Hall at night (11PM-9AM), you may retrieve your guest's ID. When they re-enter the building, your guest must return their ID to Public Safety.
  - Guests will be given either a daytime pass or an overnight pass that they will need to carry with them at all times and must return the pass and sign out upon departure.
- A guest can only obtain overnight privileges for 7 nights consecutively regardless of the identity of the host. Guests who violate the 7 night maximum can be placed on the Persona Non-Grata list.
- Guests must sign out each day by 12PM Noon each day and must obtain a new pass if they are staying again.

#### **Daytime Visitation:**

- All Residents are allowed 2 guests during the daytime which includes the hours between 9AM-11PM
  - If daytime guest is 17 years old or younger, they must leave the building by 9PM.

#### **Overnight Visitation:**

- All residents are allowed 1 overnight guest per night.
- Each resident is allowed 7 overnight guests a month. Your guest can stay 7 consecutive nights or spaced out within the month. Your overnight guest visitation will restart on the 1st of each month.
- Overnight is considered to be between the hours of 11PM-12PM the following day.
- Only guests over the age of 18 years or older can stay overnight.

### **Limited Visitation:**

- There is no overnight visitation during the 1st week of school
- Residents are only allowed to sign in overnight guest a maximum of 2 nights during Reading Days and Finals Week.

### **Sanctions for Visitation:**

- First Offense - Written Warning
- Any offenses after will be at the discretion of the Office of Residence and could result in the suspension of visitation indefinitely.

If there any other questions, you can always email [living@hunter.cuny.edu](mailto:living@hunter.cuny.edu)

### **Persona Non-Grata**

Visitors who violate Residence Hall policy or who gain access to the Residence Hall area without signing in as required will be banned from the Residence Hall. Any person considered “Persona Non- Grata” who attempts to enter the Residence Hall will be considered trespassing and in violation of city and state laws.

### **Release of Residence Hall Records**

The College adheres to federal law in relation to the release of educational records, which includes Residence Hall documentation. Students may submit written requests to view, or receive a copy of their Residence Hall record(s). Forms are available from the Office of Residence Life.

For additional information regarding student’s rights concerning educational records, visit the Registrars website at: [www.hunter.cuny.edu/middle-states/repository/files/standard-9/Hunter%20nondisclosureform.pdf](http://www.hunter.cuny.edu/middle-states/repository/files/standard-9/Hunter%20nondisclosureform.pdf)

### **Top Ten Residence Life Rules & Information**

**Here is a list of the top ten Residence Life rules and information that resident students each year claim: “No one ever told me!”**

1. To maintain occupancy in the Residence Hall, you must be a full time matriculated student with (a) a GPA of 2.0 or above if you are an undergraduate resident student or (b) a GPA of 3.0 or above if you are a graduate resident student. If your GPA drops below 2.0 or 3.0, as applicable, you will be asked to vacate your room.
2. You may live in the Residence Hall during the summer, without being registered for classes.
3. You must make the Residence Hall your primary residence. Anyone not living here more than four nights a week may be asked to vacate their space to someone on the waiting list.
4. Furniture is assigned to your room and labeled as such. You cannot move furniture from room to room. Large outside furniture may not be brought to your Residence Hall room.

5. You may NOT hang anything from the sprinkler pipes, cages or sprinkler heads within your room.
6. You must be present with your guest during the sign-out process too! Your guest cannot turn in their visitor sticker without you being present.
7. The 79<sup>th</sup> Street Residence Hall is a dry campus. You may not consume or possess alcohol in the Residence Hall.

## Hunter College Telephone Directory

### LIVING@HUNTER CAMPUSES

<b>CAMPUS SECURITY</b>	212-706-0647	79 <sup>th</sup> STREET LOBBY	<a href="http://www.hunter.cuny.edu/publicsafety">www.hunter.cuny.edu/publicsafety</a>
<b>Residence Hall Office</b>	212-396-7136	BROOKDAL E N117	<a href="http://www.hunter.cuny.edu/student-services/reslife">www.hunter.cuny.edu/student-services/reslife</a>

### 68TH STREET CAMPUS

<b>Academic Advising</b>	212-772-4891	E1119	<a href="http://www.hunter.cuny.edu/student-services/advising">www.hunter.cuny.edu/student-services/advising</a>
<b>Bursar's Office</b>	212-772-4400	N238	<a href="http://www.hunter.cuny.edu/bursar">www.hunter.cuny.edu/bursar</a>
<b>Career Development Services</b>	212-772-4850	E805	<a href="http://www.hunter.cuny.edu/student-services/cds">www.hunter.cuny.edu/student-services/cds</a>
<b>Counseling Services</b>	212-772-4891	E1121	<a href="http://www.hunter.cuny.edu/student-services/pcs">www.hunter.cuny.edu/student-services/pcs</a>
<b>Dean of Student Affairs</b>	212-772-4891	E1103	<a href="http://www.hunter.cuny.edu/student-services">www.hunter.cuny.edu/student-services</a>
<b>Financial Aid</b>	212-772-4820	N241	<a href="http://www.hunter.cuny.edu/finaid">www.hunter.cuny.edu/finaid</a>
<b>Graduate Student Government</b>	212-772-4309	TH218	<a href="http://www.huntergsa.org">www.huntergsa.org</a>
<b>Health Services</b>	212-772-4801	N307	<a href="http://www.hunter.cuny.edu/student-services/wellness">www.hunter.cuny.edu/student-services/wellness</a>
<b>One Stop</b>	212-772-4474		
<b>Recreation &amp; Athletics</b>	212-772-4912	WB317	<a href="http://www.huntercollegeathletics.com">www.huntercollegeathletics.com</a>

<b>Student Activities</b>	212-772-4924	NC001	<a href="http://www.hunter.cuny.edu/studentservices/sa">www.hunter.cuny.edu/ studentservices/sa</a>
<b>Undergraduate Student Government</b>	212-772-4261	N121	<a href="http://www.hunterusg.org">www.hunterusg.org</a>

**Notes for Appendix A, B, and C:**

**CUNY Policies are subject to changes and updates. Please check the Hunter College Website for updates and more information.**

**Appendix A**

**The CUNY 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 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 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.

## **Appendix B**

### **CUNY Residence Hall Disciplinary Procedures**

#### **Introduction**

These procedures are intended to apply to all CUNY owned and/ or operated residence halls, including those operated by CUNY and those operated by a private company on behalf of CUNY. The purpose of these procedures is to protect the health and safety of the entire residence hall community by providing for discipline of students who live in residence halls who violate the rules governing student conduct applicable to CUNY students. At the same time, these procedures are designed to ensure that the due process rights of student residents accused of engaging in inappropriate conduct are respected.

#### **Applicable Rules of Conduct**

All students who live in CUNY residence halls are expected to behave lawfully and responsibly. They are expected not to engage in conduct that threatens or causes harm to others or interferes with the working or learning environment of others. All resident students must comply with local, state and federal laws, including the Henderson Rules (N.Y. State Education Law, Article 129-A) and with CUNY and College policies, including College rules governing appropriate conduct in the residence hall. Students who violate their College's rules concerning behavior in the residence hall will be subject to discipline under these residence hall disciplinary procedures.

To the extent that the conduct at issue also violates local, state or federal law (including the Henderson Rules) or other CUNY or College policies, a student will be subject to discipline under Article XV of CUNY's Bylaws ("Article XV") as an alternative to disciplinary proceedings invoked under these residence hall procedures. In cases in which the conduct is serious and the sanction might involve suspension or expulsion from the University, rather than a sanction solely relating to future conduct and tenure at the residence hall, Article XV procedures should be invoked instead of residence hall disciplinary procedures.

Further, if a student's conduct threatens harm to him or herself or others or substantially disrupts the learning or working environment of others, and is connected to a mental health or other medical issue, that conduct should be addressed under CUNY's Medical Withdrawal and Re-entry Policy and Procedures ("Medical Withdrawal Policy").

### **Emergency Situations**

**Emergency Interim Removal:** If a resident's behavior presents an immediate, severe and direct threat to him or herself or others (by evidencing a likelihood of harm to him or herself or others), or is substantially disrupting the learning or working environment of others, the resident may be removed from the residence hall for a period not to exceed seven business days, pending the results of administrative proceedings or, where mental health issues are present, psychological evaluation.

The fact that a resident has threatened to commit or attempted to commit suicide, however, may not, in and of itself, be used as the basis for an emergency interim removal. In such a circumstance, the resident shall be referred to a mental health professional under the Medical Withdrawal Policy for an assessment of whether the resident presents a direct threat to him or herself or others.

Following an emergency interim removal of a student, the next step in the applicable and appropriate process (either under these procedures, the Medical Withdrawal Policy, or Article XV) should be taken as soon as practicable, and in no event later than the time deadlines outlined in the applicable policy.

**Emergency Interim Relocation:** A student may be relocated from one area of a residence hall to a different location in that building or, if applicable, to a different building in the complex. This relocation may be made permanent or temporary until a permanent space is located by the residence hall staff. The interim relocation shall become immediately effective without prior notice whenever there is evidence that the student's continued presence in the current residence poses a significant disruption to other persons or property or to the stability and continuance of normal housing functions.

Following an emergency interim relocation of a student, the next step in the applicable and appropriate process (either under these procedures, the Medical Withdrawal Policy, or Article

XV) should be taken as soon as practicable, and in no event later than the time deadlines outlined in the applicable policy.

## **Disciplinary Process in the Residence Hall**

### **Role of the Residence Hall Director**

Each residence hall, whether managed directly by a CUNY college or by a private management company, will have a director whose responsibilities will include oversight of the residence hall internal disciplinary process. The Residence Life Coordinator (RLC) or designee will conduct investigations of complaints and conciliation conferences and will also conduct those hearings.

## **Disciplinary Procedures**

### **Complaint and Investigative Process**

A complaint may be submitted by anyone, including resident advisors (“RAs”), residence hall staff, or other students in the residence hall. The complaint must be in writing. Intentionally providing false information is a serious offense that will subject a person providing such intentionally false information to disciplinary action. Further, retaliation of any kind against witnesses or other participants in the investigative process is strictly prohibited and may result in separate disciplinary action.

The complaint should be submitted to the RLC or designee for investigation, with a copy provided to the College’s Chief Student Affairs Officer. The RLC or designee will assess the incident and identify any alleged policy violations. If he or she determines that policies may have been violated, he or she will investigate by interviewing witnesses and gathering relevant documents. Investigations should be completed within thirty days, except that they must be completed within seven days if the student has been removed from the residence hall under the emergency interim removal procedure or if the student has been relocated within the residence hall or complex under the emergency interim relocation procedure.

After the investigation has been completed, the RLC or designee will determine if the residence hall, CUNY and/or College policy was violated. If so, the RLC or designee will refer the incident for informal conciliation through the residence hall’s procedures. Alternatively, in the event of a determination (in consultation with the College’s Chief Student Affairs Officer) that the matter presents a serious violation of CUNY and/or College policies (including but not limited to the Henderson Rules) for which the appropriate sanction might involve suspension or expulsion from the University, the RLC or designee will refer the case to the College’s Chief Student Affairs Officer for further action under Article XV of CUNY’s Bylaws or, if applicable and appropriate, the Medical Withdrawal Policy.

### **The Conciliation Process**

The first step in the conciliation process ordinarily should be a meeting between the accused student and the RLC or designee. In cases involving minor infractions, a policy clarification

notice letter may be sent in lieu of 31 initiating the conciliation process. Should the student wish to contest the policy clarification letter and have a Conciliation Conference instead, the student must send a written request for a Conference to the RLC within five business days from receipt of the policy clarification letter.

The RLC or designee will conduct the Conciliation Conference. At the Conference, the findings of the investigation will be discussed with the student with an effort toward resolving the case. There are three potential outcomes to a Conciliation Conference:

1. The case may be resolved by mutual agreement, which may include the imposition of sanctions for violations of policy (if a student admits responsibility for such violations).
2. If no agreement is reached, the matter may proceed to a formal disciplinary hearing.
3. If the student effectively demonstrates that the investigation's findings are incorrect, the allegations may be dismissed as unfounded. Failure to attend an assigned Conciliation Conference may result in the student being charged with an additional violation of residence hall rules and the scheduling of a disciplinary hearing.

## **Disciplinary Hearing**

### **1. Notice to Students**

Notice of the charge(s) and the time and place of the hearing must be sent to the student's college e-mail address and, by regular mail or hand delivery, to the student's residence hall address or by regular mail to the student's other current resident address, if the student is no longer living in the residence hall (or, if unknown, the student's permanent home address). The notice must contain a summary of the student's procedural rights at the hearing, as listed below. The student should be given a minimum of five business days' notice of the date of the hearing.

### **2. Summary of Student Procedural Rights at the Hearing**

- a. The right to a confidential, closed hearing.
- b. The right to present the student's version of the incident.
- c. The right to present witnesses and documentary evidence on the student's behalf.
- d. The right to cross-examine witnesses presenting evidence at the hearing.
- e. The right to receive copies of documents introduced into evidence at the hearing.
- f. The right to be represented by legal counsel or an advisor at the student's expense; the advisor does not act as an advocate for the resident and is not authorized to address the Peer Review Board or Hearing Officer, as applicable. The advisor must indicate relevant professional affiliation (if any), as well as name and relationship to the accused student. RAs are not permitted to serve as

advisors to accused students. The process will not be delayed due to the unavailability of an advisor.

- g. The right to take written notes during the hearing, but not to use recording devices. The RHD's office, however, will be responsible for recording the hearing, and must make a copy of that recording available to the student upon request.
- h. The right to a written decision based on a preponderance of the evidence.
- i. The right to appeal a determination after a hearing.

### 3. **General Rules**

In general, the model for the disciplinary hearing is an administrative proceeding, not a criminal or civil trial. Accordingly, criminal or civil trial procedures and rules of evidence do not apply. As long as the student rights outlined in this policy are observed, adjudicator(s) have considerable discretion with respect to procedural requirements so as to facilitate a fair and expeditious decision.

Hearings will be closed to the public, except that an open hearing may be held, at the discretion of the presiding adjudicator(s), if requested by the accused student. The Peer Review Board must select three members to hear each case and one of the three as chairperson to preside at the hearing. The case against the accused student will be presented by the RHD or designee.

The chairperson of the Peer Review Board (or Hearing Officer) will inform the accused student of the charges, the hearing procedures, and his or her rights. The student shall then be asked for a plea of "responsible" or "not responsible." If the student pleads "responsible," he or she will be given an opportunity to explain his or her actions and to discuss the appropriate sanction, if any. If the student pleads "not responsible," the hearing will proceed to determination on the student's culpability.

If the accused student does not attend the hearing, and does not present a reasonable excuse for non-attendance to the RHD or designee, the hearing may be held in the student's absence. The Peer Review Board, or Hearing Officer, as applicable, will consider the evidence and make a determination based on the evidence available. The absence of a student may give rise to an inference of responsibility, but may not be treated, by itself, as sufficient to demonstrate responsibility by a preponderance of the evidence.

### 4. **Witnesses**

The accused student and Peer Review Board or Hearing Officer, as applicable, may request the presence of relevant witnesses. In sensitive cases, including but not limited to

harassment or assault, the Peer Review Board or Hearing Officer, as applicable, may choose not to request the presence of the alleged victim at the hearing, particularly when there are independent witnesses to the alleged harassment or assault.

Witnesses may participate in the judicial process by answering questions posed during the hearing or by providing a signed statement to the RHD or the Peer Review Board or Hearing Officer, as applicable. Witnesses will be asked to affirm that their statements are truthful. Questions may be posed to witnesses by Peer Review Board members or the Hearing Officer (as applicable), the accused student, and the staff member presenting the case against the student.

#### **5. Documentary Evidence**

Accused students may introduce documentary evidence on their behalf at the hearing. CUNY adheres to federal law, the Federal Education Rights and Privacy Act (“FERPA”), which governs the permissible release of “education records.” Education records include records relating to students’ residency in residence hall. Except in emergency situations or for other good cause, requested copies will be provided to an accused student prior to a disciplinary hearing on that student’s case. However, redactions will be made to the copies if required by law.

#### **6. Determination**

Accused students may introduce documentary evidence on their behalf at the hearing. CUNY adheres to federal law, the Federal Education Rights and Privacy Act (“FERPA”), which governs the permissible release of “education records.” Education records include records relating to students’ residency in residence hall. Except in emergency situations or for other good cause, requested copies will be provided to an accused student prior to a disciplinary hearing on that student’s case. However, redactions will be made to the copies if required by law.

##### **a. Responsibility**

Once all of the evidence is presented, the hearing will be adjourned for the Peer Review Board, or the Hearing Officer, as applicable, to make a determination. A student will be found responsible for a violation of residence hall rules if the case against the student was demonstrated by a preponderance of the evidence. In other words, the evidence must demonstrate that it was “more likely than not” that the accused student was responsible for a violation. A simple majority of the three Peer Review Board members hearing a case may recommend a determination and sanctions. That recommendation on responsibility and sanctions will be reviewed by the Peer Review Board’s advisor, who may make adjustments as necessary to ensure that the sanctions are appropriate.

**b. Sanctions**

Students who are found responsible for a violation(s) may be subject to one or more sanctions. Accused students may also agree to sanctions in order to resolve a case during the conciliation process. The following is a list of possible sanctions:

**Educational requirement:** Mandate that the student complete an educational program relevant to the violation, with the possibility of imposition of sanctions if the student fails to complete the program.

**Warning:** Written notice that the student has violated a rule and that continuation or repetition of the wrongful conduct may result in more severe disciplinary action.

**Residential Probation:** Imposition of a sanction that is deferred for a period of time and then expires, unless the student continues or repeats the wrongful conduct.

**Censure:** Written reprimand for violation of a specified rule.

**Loss of Privileges:** Exclusion from participation in privileges for a specified period of time, including possible exclusion from certain areas of the residence hall.

**Relocation:** Interim or permanent relocation to another room/location within the hall.

**Restitution:** Reimbursement for damage to or misappropriation of property. It may also include restoring the property to its original condition, engaging in activities related to personal and/or academic growth and reflection, and/or providing service to the residence hall community.

**Denial of Renewal:** Denial of renewal option for future residence at the hall.

**Residence Hall Suspension:** Exclusion from the residence hall for a specified period of time, after which the student is eligible to return. It may also include specified conditions for re-admission.

**Residence Hall Expulsion:** Permanent separation of the student from the residence hall and termination of a student's housing or license agreement, as

applicable.

**c. Appeal**

Students found responsible for violations after a disciplinary proceeding may submit a written appeal (via their email account or by regular mail) to the RHD. Unless the student has been subject to emergency interim removal or the written determination after the proceeding states that the student presents a direct threat to him or herself or others (by evidencing a likelihood of harm to him or herself or others), or is substantially disrupting the learning or working environment of others, the student may not be removed from the residence hall while his or her appeal is pending.

The appeal should include a written statement outlining the specific issues for which review is sought, and the grounds upon which exception is taken to the determination. Grounds for appeal are limited to the following:

- There is evidence that was not available at the hearing which, had it been available, would in all reasonable likelihood have produced a different finding on the student's responsibility for the alleged violation(s).
- The factual findings are "clearly erroneous" based on the evidence presented.
- There was a substantial procedural irregularity.
- The sanctions imposed are grossly disproportionate to the violation.

The Appeal Officer will be the RHD, as long as he or she was not involved in an earlier stage of the proceedings at the Hearing or Conciliation Conference, and did not conduct the investigation. If the RHD had involvement with the case at an earlier stage, he or she should designate a staff member to decide the appeal. If there are no residence hall staff members who have not been involved in an earlier stage of the proceeding or investigation, the appeal will be decided by the College's Chief Student Affairs Officer or designee. The Appeal Officer may, in his or her discretion, schedule a meeting with the student or decide the appeal solely on the content of the letter. The Appeal Officer may alter the findings if they are clearly erroneous, may reduce the sanctions imposed, and/or, in some cases, may remand for additional fact-finding to be made at a hearing. A determination on the Appeal should be issued within seven business days from the date of receipt of the appeal, and it should be mailed by regular mail or hand-delivered to the president's residence hall address (or the resident's current address, if no longer living in the residence hall, or, if unknown, to the resident's permanent home address) and the resident's college e-mail address.

If and only if the sanction imposed is suspension or expulsion from the residence

hall, a further appeal to the College's President will be permitted on any of the grounds listed above. That appeal must be received by the College's President no later than fourteen business days from the date of receipt of the Appeal Officer's decision on appeal. The College's President should issue a decision within fourteen business days from the date of receipt of the Appeal.

## Appendix C

### CUNY Drug/Alcohol Use Amnesty Policy

The City University of New York's ("CUNY's") Drug/Alcohol Use Amnesty Policy has two principal purposes. First, it is intended to encourage students to seek medical assistance related to drug and/or alcohol use without fear of being disciplined for such use. Because the use of drugs or alcohol may be life-threatening, CUNY wishes to reduce barriers to seeking and receiving medical help in those situations. Second, CUNY wishes to encourage students under the influence of drugs and/or alcohol who may be the victims of, witnesses to, or otherwise become aware of violence (included but not limited to domestic violence, dating violence, stalking, or sexual assault) or sexual harassment or gender-based harassment to report that violence or harassment. Toward that end, CUNY's Policy is that students who seek medical assistance either for themselves or other and/or are reporting violence or harassment will not be subject to discipline under the circumstances described below.

1. Students who in good faith call for medical assistance for themselves or others and/or who receive medical assistance as a result of a call will not be disciplined for the consumption of alcohol (either if underage or if consumed in a CUNY-owned or operated residence hall or facility where alcohol consumption is prohibited) or drugs as long as there are no other violations that ordinarily would subject the student to disciplinary action. Similarly, students who may be the victims of, witnesses to, or otherwise become aware of violence or sexual harassment or gender-based harassment and who report such violence or harassment will not be disciplined for the consumption of alcohol or drugs in the absence of other violations that ordinarily would subject the student to disciplinary action. Other violations that would involve discipline include but are not limited to (i) unlawful distribution of alcohol or drugs; (ii) sexual misconduct, as defined in CUNY's Policy on sexual Misconduct; (iii) causing or threatening physical harm; (iv) causing damage to property; (v) hazing.
2. The students involved will be encouraged to complete alcohol and/or drug education activities, assessment, and/or treatment, to be determined by the individual campuses or entities of CUNY with which the students are affiliated. If repeated incidents of alcohol or drug use are involved, there may be issues of

medical concern, which may result in parental notification, medical withdrawal, and/or other non-disciplinary responses.

3. CUNY's Policy is intended both to implement Article 129-B of the Education Law (which mandates drug and alcohol amnesty for reporters of violence) and to complement New York State's Good Samaritan Law, which is designed to encourage individuals to call 911 in the event of an alcohol or drug-related emergency. Generally, the Good Samaritan Law protects persons who witness or suffer from a medical emergency involving drugs or alcohol from being arrested or prosecuted for drug or underage alcohol possession after they call 911. It does not protect against arrest or prosecution for other offenses, such as the sale of drugs.

*Approved by the Board of Trustees on 06/30/2014, Cal. No. 7D and effective date of 7/1/2014 as 'Medical Amnesty-Good Samaritan Policy'. Amended and changed to 'Drug and Alcohol Use Amnesty Policy' on 10/1/2015 Cal. No. 6D.*