

MERCY COLLEGE

POLICY AND PROCEDURES RELATING TO SEXUAL MISCONDUCT

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I. Policy Statement

Every member of the Mercy College community, including students, employees, contractors, vendors and visitors, deserves the opportunity to live, learn and work free from sexual harassment, gender-based harassment, and sexual violence. Accordingly, Mercy is committed to:

- 1) Defining conduct that constitutes prohibited sexual harassment, gender-based harassment and sexual violence;
- 2) Providing clear guidelines for students, employees, contractors, vendors and visitors on how to report incidents of sexual harassment, gender-based harassment and sexual violence and a commitment that complaints will be handled respectfully;
- 3) Promptly responding to and investigating allegations of sexual harassment, gender-based harassment and sexual violence, pursuing disciplinary action when appropriate, referring the incident to law enforcement when appropriate, and taking action to investigate and address any allegations of retaliation;
- 4) Providing ongoing assistance and support to students and employees who make allegations of sexual harassment, gender-based harassment and sexual violence;
- 5) Providing all individuals involved in a complaint relating to sexual harassment, gender-based harassment and sexual violence with information regarding where and how to obtain supportive service both on and off-campus, as well as their rights under federal law, state law and Mercy policy, including filing a complaint with the College as well as with external agencies;
- 6) Providing awareness and prevention information on sexual harassment, gender-based harassment and sexual violence, including widely disseminating this policy, as well as a “students’ bill of rights”, disseminating information on resources available both on campus and locally, and implementing training and educational programs on sexual harassment, gender-based harassment and sexual violence to College constituencies.
- 7) Gathering and analyzing information and data that will be reviewed in order to improve safety, reporting, responsiveness and the resolution of incidents.

II. Prohibited Conduct

A. Sexual Harassment, Gender-Based Harassment and Sexual Violence.

This policy prohibits sexual harassment, gender-based harassment and sexual violence (together “sexual misconduct”) against any Mercy College student, employee, contractor, vendor or visitor.

Sexual Harassment includes unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic and electronic communications or physical conduct that is sufficiently severe and pervasive to adversely affect an individual’s participation in employment, education or other Mercy College activities.

Gender-based harassment is unwelcome conduct of a nonsexual nature based on an individual’s actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes that is sufficiently severe and pervasive to adversely affect an individual’s participation in employment, education or other Mercy College activities.

Sexual violence is an umbrella term that includes: (1) sexual activity without affirmative consent, such as sexual assault, rape/attempted rape, and forcible touching/fondling; (2) dating, domestic and intimate partner violence; and (3) stalking/cyberstalking (“stalking”).

B. Retaliation.

This policy prohibits retaliation against any person who reports sexual harassment, gender-based harassment or sexual violence, assists someone making such a report, or participates in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence complaint.

The complete definitions of these terms, as well as other key terms used in this policy, are set forth in Section XI below.

III. Applicability

This Policy applies:

- 1) To all persons regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.
- 2) To all members of the College community, including students, employees, contractors, vendors and visitors.
- 3) Regardless of whether the incident of sexual misconduct occurred on campus or off-campus if the incident involves a Mercy College student or employee.

IV. Title IX Coordinator

Mercy College has designated an employee as the “Title IX Coordinator.” This employee is responsible for compliance with Title IX of the Education Amendments of 1972, which prohibits sex discrimination in education programs. The Title IX Coordinator has overall responsibility for implementing this policy, including but not limited to:

- 1) Receiving all complaints that are not strictly confidential;
- 2) Overseeing the investigation of complaints;
- 3) Ensuring all persons involved in a complaint are advised of their rights, in writing, under state and federal laws, and this policy;
- 4) Ensuring investigations are handled in a prompt and thorough manner, maintaining confidentiality when requested and where appropriate, and offering privacy for all persons involved to the greatest extent possible;
- 5) Keeping the College President and other appropriate senior administrators abreast of ongoing investigations, including findings of misconduct and penalties to be imposed under this policy;
- 6) Ensuring appropriate student education and staff training is conducted;
- 7) Ensuring a campus climate assessment is conducted in accordance with relevant law; and
- 8) Ensuring the College’s compliance with federal and state reporting obligations.

V. Immediate Assistance in Cases of Sexual Violence

A. Reporting to Law Enforcement

Students or employees who experience or observe any form of sexual violence on or off-campus (including Mercy College sponsored trips or events and students) are strongly encouraged to immediately report the incident by calling 911, contacting their local police department, state police, or contacting Mercy College Office of Safety and Security which is available 24 hours a day, 7 days a week at 914-674-9999 (or x 9999). The College shall have an appropriately trained employee available at all times to provide the complainant with information regarding options to proceed, including information regarding the criminal justice process and the preservation of evidence. College Safety and Security officers can also assist the complainant with filing a complaint both on and off-campus, and in obtaining immediate medical attention and other services.

B. Obtaining Immediate Medical Attention and Emotional Support

Mercy College is committed to assisting anyone who experiences sexual violence to seek comprehensive medical attention as soon as possible to treat injuries, obtain preventative treatment for sexually transmitted diseases, and preserve evidence, among other things. For rapes in particular, immediate treatment and the preservation of evidence of the incident are crucial for many reasons, including facilitating an investigation if the complainant decides to file a criminal

complaint. In addition, individuals who have experienced or witnessed sexual violence are encouraged to seek emotional support as soon as possible, either on or off-campus.

On-campus resources, at no cost to students, include a nurse/nurse practitioner and registered nurses at the Dobbs Ferry campus and licensed mental health counselors at the Dobbs Ferry, Bronx and Manhattan campuses, through the Health and Wellness Center. Students at the Yorktown Heights campus can call x 9999 to seek assistance in obtaining immediate services, either locally or at other Mercy campuses.

Appendix B provides a list of emergency contacts and resources, including rape crisis centers, anonymous and confidential reporting hotlines, mental health counseling, victim advocacy services, legal assistance, and visa immigration services available throughout Westchester County and New York City. This list also includes a designation of which local hospitals are designated as SAFE (Sexual Assault Forensic Examination) hospitals, which are specially equipped to handle rapes, including the gathering of evidence.

IV. Reporting Sexual Harassment, Gender-Based Harassment or Sexual Violence to Mercy College

Mercy College encourages individuals who have experienced sexual harassment, gender-based harassment or sexual violence (referred in this policy as “complainants”) to report the incident(s) to campus authorities, even if the incident has already been reported to outside law enforcement authorities, and regardless of whether the incident took place on or off-campus (including “study abroad” programs.) Such reporting will enable complainants to get the support they need, and provide the College with the information it needs to take appropriate action. After a report is made, the College shall inform the individual of her/his legal rights, including but not limited to those listed in Appendix A.

A. Filing a Complaint with Campus Authorities

1) **Students.** Students who experience sexual harassment, gender-based harassment or sexual violence should bring their complaint to one of the following campus officials/offices:

- Title IX Coordinator;
- Office of Safety and Security;
- Dean of Student Affairs;
- Residence Life staff.

2) **Employees, Contractors, Vendors and Visitors.** Employees who experience sexual harassment, gender-based harassment and sexual violence on or off-campus, and contractors, vendors or visitors who experience sexual harassment, gender-based harassment and sexual violence on a Mercy College campus or affiliated location, should bring their complaint to one of the following campus officials/offices:

- Title IX Coordinator;
- Office of Safety and Security

- Department of Human Resources

Once any of the campus authorities or offices above is notified of an incident of sexual harassment, gender-based harassment and sexual violence, she/he will immediately contact the Title IX Coordinator and shall coordinate with the appropriate College office(s) to address the matter in accordance with this policy, including taking appropriate interim and supportive measures. The individuals receive a complaint will maintain a complainant's privacy to the greatest extent possible, and all information in connection with the complaint, including the identities of the complainant and the respondent, will be shared only with those who have a legitimate need for the information.

B. Support Assistance for Complainants

Upon receipt of a complaint, the Title IX Coordinator will provide written notification to the complainant about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, among other services available to the complainant, available through the College as well as community resources as set forth in Appendix B.

In addition, the following support assistance will be provided:

- 1) **Students**. When the Title IX Coordinator receives a complaint of sexual harassment, gender-based harassment or sexual violence from a student, she/he will work with the Dean of Student Affairs to identify a trained staff member to assist the complainant with support services.
- 2) **Employees**. When the Title IX Coordinator receives a complaint of sexual harassment, gender-based harassment and sexual violence from an employee, she/he will work with the Office of Human Resources to assist the complainant with support services.

C. Amnesty for Alcohol and/or Drug Use

The health and safety of every student at Mercy College is of the utmost importance. Mercy recognizes that students who have been drinking and/or using drugs at the time that sexual harassment, gender-based harassment or sexual violence occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Mercy College strongly encourages students to report incidents of sexual harassment, gender-based harassment or sexual violence. Therefore, a complainant or bystander acting in good faith who reports any incident of sexual harassment, gender-based harassment or sexual violence to Mercy College or law enforcement authorities will not be subject to the College's Code of Conduct for violations of Mercy's Drug and Alcohol Use Policy occurring at or near the time of the commission of the sexual harassment, gender-based harassment or sexual violence.

D. Reporting Retaliation

Any individual who believes she/he has been retaliated against for making a report under this Policy, assisting someone making a report, or participating in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence complaint may file a complaint with the Title IX Coordinator. All retaliation complaints will be investigated in accordance with the investigation procedures set forth in this policy, and individuals who are found to have engaged in retaliation will be subject to disciplinary action.

E. Malicious Allegations

Members of the Mercy College community who make false and malicious complaints of sexual harassment, gender-based harassment or sexual violence, as opposed to complaints which, even if erroneous, are made in good-faith, may be subject to disciplinary action under this policy.

F. Employees Required to Report Incidents of Sexual Harassment, Gender-Based Harassment and Sexual Violence

The College has designated certain employees as “responsible employees” who have a duty to report incidents of sexual harassment, gender-based harassment and sexual violence, including all details of which they become aware, immediately to the Title IX Coordinator. Such employees are not permitted under any circumstances to maintain a complainant’s confidentiality, except that the Title IX Coordinator may honor a request for confidentiality under the circumstances described in Section V. below. However, these employees will maintain a complainant’s privacy to the greatest extent possible, and information reported to them will be shared only with the Title IX Coordinator, the responsible employee’s supervisor, and other people responsible for handling the College’s response to the report.

Before a complainant reveals any information to a responsible employee regarding an incident of sexual harassment, gender-based harassment and sexual violence, the employee shall advise the complainant of the employee’s reporting obligations—and if the complainant wishes to maintain confidentiality, direct the complainant to confidential resources at the Health and Wellness Center.

Mercy College has designated the following individuals as “responsible employees”:

- 1) Safety and Security staff
- 2) Student Affairs staff (with the exception of Health and Wellness staff and work-study students). Student Affairs staff includes, but is not limited to:
 - Residence Life staff
 - Athletics staff
 - PACT staff members
 - College Opportunity Program employees
 - Enrollment Services employees
 - Career Services
 - Office of ACCESSibility
- 3) Human Resources staff
- 4) Provost’s Office staff

- 5) Deans and Academic Unit Heads
- 6) Managers
- 7) President's Office staff
- 8) Senior College Administrators, including Vice Presidents
- 9) General Counsel's Office

Even in cases where a complainant requests confidentiality, the responsible employee nonetheless must report the incident to the Title IX Coordinator. See Section V.B. regarding the College's obligations in handling requests for confidentiality.

G. Reporting and Other Actions by Bystanders/Community Members

While those designated as "responsible employees" are required reporters pursuant to this policy, Mercy encourages all other community members, including other employees, students, contractors, vendors and visitors to report incidents of sexual harassment, gender-based harassment or sexual violence that they observe or become aware of to the Title IX Coordinator or other campus authority so that the College may take appropriate steps to eliminate the alleged discrimination and assist a complainant in obtaining the appropriate supportive measures she/he needs. Community members who choose to exercise this positive moral obligation will be supported by the College and shall be protected from retaliation. The College also encourages bystanders who witness sexual harassment, gender-based harassment or sexual violence to take reasonable and prudent actions to prevent or stop the conduct. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority.

H. Coordination With Outside Law Enforcement Authorities

In cases where the complainant files a complaint with outside law enforcement authorities as well as with the College, the College shall determine what actions to take based on its own investigation. The College may coordinate with outside law enforcement authorities in order to avoid interfering with their activities and, where possible, to obtain information regarding their investigation. Neither a law enforcement determination whether to prosecute a respondent, nor the outcome of any criminal prosecution, is dispositive of whether the respondent has committed a violation of this policy.

V. Rights and Obligations Relating to Confidentiality

A. Confidential Resources

- 1) **Students.** Students at the College who wish to speak to someone who will keep all of the communications strictly confidential regarding sexual harassment, gender-based harassment and sexual violence should speak to a mental health counselor and/or nurse/nurse practitioner at the College's Health and Wellness Center. Mental health counselors and nurse/nurse practitioners will not report **any** information about an incident to College officials without the student's permission, except where there is an imminent threat to the complainant or any other person, or pursuant to legal reporting

obligations, set forth in Section VI. below.

A student who speaks solely to a mental health counselor and/or a nurse/nurse practitioner must understand that the College may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the respondent. Even so, these health care professionals will assist the student in receiving other necessary support. A student who first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement authorities and thereafter have the incident fully investigated (although a delay, even slight, may hinder an investigation by the College or law enforcement authorities.)

- 2) **Employees:** While there is no one directly employed by the College to whom employees can speak on a confidential basis regarding sexual harassment, gender-based harassment or sexual violence, free confidential support services are available through Mercy's Employee Assistance Program (EAP), which is listed on the Benefits Focus website. Confidential community counseling resources are also available throughout Westchester County and New York City. See Appendix B.

B. Handling Confidentiality Requests After a Report Has Been Received by the College

After a report of an alleged incident of sexual harassment, gender-based harassment or sexual violence has been received by the Title IX Coordinator, a complainant may request that the matter be investigated without her/his identity or any details regarding the incident be divulged further, or that no investigation into a particular incident be conducted or that an incident not be reported to outside law enforcement authorities.

In all such cases, the Title IX Coordinator will weigh the complainant's request against the College's obligation to provide a safe, non-discriminatory environment for all College community members, including the complainant. Factors used to determine whether to honor such a request include, but are not limited to:

- 1) Whether the respondent has a history of violent behavior or is a repeat offender;
- 2) Whether the incident represents escalation in unlawful conduct on behalf of the respondent from previously noted behavior;
- 3) The increased risk that the respondent will commit additional acts of violence;
- 4) Whether the respondent used a weapon of force;
- 5) Whether the complainant is a minor; and
- 6) Whether the College possesses other means to obtain evidence such as video surveillance, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

In cases where a complainant requests confidentiality and the College is able to honor that request, the College will take all reasonable steps to limit the effects of the alleged sexual harassment, gender-based harassment or sexual violence and prevent its recurrence consistent with the request for confidentiality. The College shall assist the complainant with academic, housing,

transportation, employment and other reasonable and available accommodations regardless of her/his reporting choices. Such individuals are advised, however, that the College's ability to meaningfully investigate the incident and pursue disciplinary action may be limited.

C. Reporting Obligations Under Federal and State Law

Regardless of a request for confidentiality, the College is required to abide by laws mandating disclosures in the following circumstances:

- 1) Annual crime statistics. The College must report certain crimes occurring in specific geographic locations that shall be included in the College's annual security report pursuant to the Clery Act, though it is anonymous, and does not identify either the specifics of the crime or the identity of the complainant.
- 2) Timely warnings. The College is also required to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual. The complainant will not be identified in the timely warning.
- 3) NYS Campus Safety Act. The College must notify the appropriate law enforcement agency as soon as practicable but in no case more than twenty-four hours after report of a violent felony or student who resides in housing owned or operated by such institution is missing; provided that such reporting requirement shall take into consideration applicable federal law, including, but not limited to, the federal Campus Sexual Assault Victims' Bill of Rights under Title 20 U.S. Code Section 1092(f) which gives the victim of a sexual offense the right on whether or not to report such offense to local law enforcement agencies.
- 4) Notice to parents. While the Family Educational Rights and Privacy Act (FERPA) allows the College to share information with parents when i) there is a health and safety emergency, or ii) when the student is a dependent on either parent's prior year federal income tax return, under New York State law the College is **not permitted** to share information about a report of domestic violence and dating violence, stalking or sexual assault with parents without the permission of the complainant.
- 5) Suspected Child Abuse. Certain members of the Mercy College community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at Mercy or sponsored by Mercy (such as those in a clinical setting) are required to report immediately to the New York State Maltreatment Hotline at 1-800-342-3720 if they have reasonable cause to suspect abuse or maltreatment of individuals under the age of 18. If anyone other than New York State mandated reporters has reasonable cause to believe that a minor is being or has been abused or maltreated on campus, she/he should notify either the Title IX Coordinator or the College Safety and Security Department. If any community

member witnesses child abuse while it is happening, she/he shall immediately call 911.

VI. Interim Protective Measures and Accommodations

The College will take immediate steps to protect the complainant in the educational and employment setting, as well as the campus community at large, including taking interim protective measures and provide accommodations, as appropriate, during an investigation. The complainant will be informed in writing of such interim protective measures and accommodations, which may include, among other things:

1) No contact orders on campus

- Issuing a “no contact order” between the complainant and the respondent. Continued intentional contact with a complainant would be a violation of this policy subject to additional conduct charges.
- If the respondent and a complainant observe each other in a public place, it shall be the responsibility of the respondent to leave the area immediately and without directly contacting the complainant.
- Establishing an appropriate schedule for the respondents to access applicable College buildings and property at a time when such buildings and property are not being accessed by the complainant under certain circumstances;

2) Orders of protection through law enforcement authorities

- Providing the complainant with assistance in obtaining an order of protection (or if outside New York, and equivalent protective or restraining order);
- Providing a copy of the order the College may receive to the complainant and having an individual on campus who has knowledge, explain the order and answer any questions about it, including information from the order about the respondent’s responsibility to stay away from the protected person or persons;
- Providing an explanation of the consequences for violating these orders, including but not limited to arrest, additional disciplinary charges, and interim suspension.
- Receiving assistance from the College Office of Safety and Security in contacting local law enforcement to effect an arrest for violating such order;

- 3) Making necessary changes to academic programs, including a change in class schedule, making appropriate accommodations to permit the complainant to take an incomplete or drop a course or courses without penalty, permitting the reporting individual to attend a class via skype or other alternative means, providing an academic tutor, or extending deadlines for assignments;

- 4) Addressing situations in which it appears that a complainant's academic progress is impacted by the alleged incident;
- 5) Making necessary changes to residential housing situations;
- 6) Changing an employee's work assignment or schedule;
- 7) Providing the complainant an escort to and from class or campus office;
- 8) Offering counseling services to the complainant and the respondent, through the Health and Wellness Center or a referral to an off-campus agency; and/or
- 9) Providing the complainant assistance with filing a criminal complaint.

Such protective measures, including "no contact" orders, will remain in place and supportive services will be provided for as long as necessitated during and after any investigation, though protective measures may be adjusted based on the findings after an investigation. Both the respondent and the complainant shall, upon request be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects her/him, and shall be allowed to submit evidence in support of her/his request. The request for such a review shall be made to the Dean of Student Affairs if either the complainant or respondent is a student, or to the College's Executive Director of Human Resources if both the respondent and complainant are employees.

VII. Investigating Complaints of Sexual Misconduct

If College becomes aware that sexual misconduct may have been committed against a student, employee, contractor, vendor or visitor, or by a student or employee, and determines that an investigation is required, it shall notify the reporting individual and take immediate steps to protect the complainant, prevent recurrence of the sexual harassment or sexual violence, and correct its effects on the complainant and others. The College will take also steps needed to ensure that it provides a prompt, fair, and impartial process from the initial investigation to the final result.

A. The Investigation

Once the Title IX Coordinator determines that an investigation is warranted, she/he will ensure the investigation is conducted in a timely, thorough and impartial manner that provides the complainant and accused/respondent a meaningful opportunity to be heard. The Title IX Coordinator will coordinate investigative efforts with other College offices, and may designate another trained individual to conduct all or part of the investigation. The investigation shall be conducted by an individual who has received annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made.

Complainants and respondents shall have the following rights during the investigation:

- 1) An opportunity to offer evidence during an investigation, and to review and present available evidence in the case file, or otherwise in possession and control of the College and relevant to the case;
- 2) To have charges filed against the respondent indicating: the alleged prohibited conduct committed, approximate date, time and location of occurrence, the factual allegations concerning the alleged violation, and possible sanctions;
- 3) To receive written or electronic notice, provided in advance, of any meeting they are required or eligible to attend, of the policy the respondent is alleged to have violated and in what manner, and the sanction(s) that may be imposed on the respondent based upon the outcome of the conduct process.
- 4) To be accompanied by a confidential advisor of choice (including an attorney) who may assist and advise the respondent and reporting individual throughout the investigative and appeal process including during all meetings related to these processes.
- 5) To exclude their own prior sexual history with persons other than the other party in the process or their own mental health diagnosis and/or treatment from admittance in the stage of the process that determines responsibility. Past finding of domestic violence and dating violence, stalking or sexual assault may be admissible in the stage of the process where sanction is determined.
- 6) To make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.

B. Conflicts

If any administrator designated by this policy to participate in the investigation or resolution of a complaint (including but not limited to the Title IX Coordinator) is the respondent, or there exists a conflict for any other reason such as knowledge of the complainant and/or the respondent, the President will appoint another College administrator to perform such person's duties under this policy. If the President is the respondent, the investigation will be handled by the College's General Counsel or her/his designee.

C. Mediation

While mediation is not permitted in cases where sexual violence is alleged, it may be appropriate where sexual harassment or gender-based harassment allegations have been made by a student or employee but there is no allegation of sexual violence. Mediation is a process whereby the parties can participate in a search for fair and workable solutions. Mediation requires the consent of both the complainant and the respondent, but does not require the complainant and the respondent to meet face-to-face. Either party, however, has the right to end the mediation at any time and

proceed with the investigation process. A respondent who is covered by a collective bargaining agreement may consult with and have a union representative present at any mediation session.

D. Admission and Acceptance of Penalty Prior to Finding

At any time prior to a finding of misconduct, the respondent may admit to the charges and accept the penalty that the Dean of Student Affairs or designee determines to be appropriate to address the misconduct. This agreed upon penalty shall be placed on the respondent's transcript consistent with Section IX A. 3) below. Before resolving a complaint in this manner, the Dean of Student Affairs must first consult with the complainant and provide the complainant an opportunity to object to the proposed resolution, orally and/or in writing. If a resolution is reached over the complainant's objection, the Dean of Student Affairs or designee shall provide the complainant with a written statement of reasons supporting such resolution, and the complainant may appeal the decision to enter into the resolution to the Title IX Appeals Panel.

E. Timing

The College will make every reasonable effort to ensure that the investigation and resolution of a complaint occurs are carried out as timely and efficiently as possible. However, the College may need to temporarily delay the fact-finding portion of its investigation during the evidence-gathering phase of a law enforcement investigation. While some complaints may require extensive investigation, whenever possible, the investigation of complaints should be completed within sixty (60) calendar days of the receipt of the complaint. If there is a delay in completing the investigation, the Title IX Coordinator shall notify the complainant and the accused/respondent in writing and shall keep the parties continuously abreast of timing issues.

F. Report of Findings

Following the completion of the investigation, the Title IX Coordinator or her/his designee will report the findings to the Dean of Student Affairs if the respondent is a student, the Provost if the respondent is a faculty member, or to the Executive Director of Human Resources if the respondent is an employee other than a faculty member.

VIII. Disciplinary Action.

The appropriate College official (i.e. the Dean of Student Affairs, Provost or Executive Director of Human Resources) will review the investigation report. When it is determined that, by a preponderance of the evidence, a violation of this policy has occurred, she/he shall authorize such action as she/he deems necessary to properly correct the effects of or to prevent further harm to an affected party or others similarly situated. The College official shall apprise the President of the College of the findings of any investigation, as well as the recommended sanction(s) to be imposed.

A. Discipline Against Students

1) Rights

In cases where it is recommended that discipline be imposed against an accused/respondent who is a student, the respondent and complainant shall be entitled to the following process and rights:

- To receive simultaneous (among the parties) written or electronic notice of the findings of fact, the decision and the sanction, if any, as well as the rationale for the decision and the sanction (notice shall go to the next of kin if the complainant is deceased);
- To choose whether to disclose or discuss the outcome of the conduct process.
- To appeal the findings and/or sanction to the Title IX Review Panel that is fair and impartial and does not include individuals with a conflict of interest. Members of this three-person appeal panel shall be specially trained in hearing such cases, including the effects of trauma. Notice of the appeals finding shall be sent by electronic or written form, simultaneously to the parties.
- To have all information obtained during the course of the conduct process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

2) Penalties

The range of penalties against a student found to have committed a violation of this Policy include, but are not limited to: removal from housing, removal from a sports team or other school activity, suspension or expulsion.

3) Interim Suspensions

When the respondent is a student who presents a continuing threat to the health and safety of the community, the College shall subject the respondent to interim suspension pending the outcome of the conduct process. Both the respondent and the complainant shall, upon request, be afforded a prompt review by the Dean of Student Affairs, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of her/his request.

4) Notations on Transcripts

In cases in which a respondent has been found responsible for committing a Clery Act reportable crime of violence, the College shall make a notation on her/his transcript stating that she/he was “**suspended after a finding of responsibility for a code of conduct violation.**” or “**expelled after a finding of responsibility for a code of conduct violation.**” For the respondent who withdraws from the College while such conduct charges are pending, and declines to complete the disciplinary process, the College shall make a notation on the transcript of such students that they “**withdrew with conduct charges pending.**” Such notation shall not be removed prior to one year after

conclusion of the suspension, while notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, such as after an appeal to the Title IX Appeals Panel, any such transcript notation shall be removed.

5) FERPA

Nothing in this policy, including notice regarding the results of the disciplinary process, violates the Family Educational Rights and Privacy Act (FERPA), including any initial, interim and final decision (and the rationale) by a College official entitled to resolve student disciplinary matters.

B. Discipline Against Employees

In cases where an employee is accused of sexual harassment, gender-based harassment or sexual violence, the matter will be referred for disciplinary action in accordance with applicable Mercy handbooks, policies, rules and/or collective bargaining agreements. Penalties for employees who are found to violate this policy may include, but are not limited to: reprimand, suspension or termination of employment following the relevant disciplinary procedures, if applicable.

An employee who presents a continuing threat to the health and safety of the community will be subjected to an interim suspension pending the outcome of any disciplinary action, in accordance with applicable Mercy College handbooks, policies, rules and/or collective bargaining agreements.

C. Action Against Contractors, Vendors or Visitors

In cases where the person accused of sexual harassment, gender-based harassment or sexual violence is neither a Mercy student nor a Mercy employee, the College will take appropriate action, such as restricting her/his access to campus. In addition, the matter will be referred to local law enforcement authorities in appropriate circumstances and consistent with this policy.

D. No Disciplinary Action

In cases where a determination is made not to bring disciplinary action, the Title IX Coordinator will inform the complainant and the respondent of that decision contemporaneously, in writing, and will offer counseling or other support services to both the complainant and the respondent.

IX. Consensual Relationships

Sexual harassment may be at issue even in relationships that begin as consensual ones. In particular, such relationships can be problematic when one person in the relationship is, or could be perceived to be, in a position of institutional authority relative to the other person. In order to avoid that possibility, it is the policy of the College that any relationship in which one person has, or reasonably could be perceived to have, institutional authority over another member of the College community must be disclosed as follows, so that the matter may be addressed as appropriate under the circumstances. Any faculty member who is or becomes a party to a consensual relationship with a student—regardless of whether the student is in the faculty

member's class—must disclose that relationship to the Associate Provost or their School Dean. Any non-faculty College employee who is or become a party to a consensual relationship with any student must disclose that relationship to the Office of Human Resources. Any employee (faculty member or otherwise) who is in a relationship with another employee with someone for whom they supervise, must disclose the relationship to the Office of Human Resources.

X. Filing External Complaints

Complainants have the right at any time to file complaints with the Office for Civil Rights (“OCR”) of the U.S. Department of Education, alleging violations of Title IX, and to file complaints with other appropriate agencies alleging violations of other federal, state or local laws, such as the New York State Division of Human Rights. Contact information for OCR, the New York State Division of Human Rights, and other relevant agencies is set forth in Appendix B.

XI. Additional College Obligations Under this Policy

In addition to addressing possible violations of this Policy, Mercy College has the following obligations:

A. Dissemination of Policies, Procedures and Notices.

The Title IX Coordinator, in coordination with the Office of Student Affairs, Office of Safety and Security, the Office of Human Resources and other applicable offices, is responsible for the wide dissemination of the following: (i) this policy; (ii) Mercy's Notice of Nondiscrimination; (iii) the Title IX Coordinator's name, phone number, office location, and email address; and (iv) contact information for the Office of Safety and Security.

Such dissemination shall include posting the documents and information on the college website and including it in any student or employee handbooks and in resident life materials. In addition, the Students' Bill of Rights, which is appended to and made a part of this policy, must be distributed to any individual reporting an incident of sexual harassment, gender-based harassment or sexual violence at the time the report is made. It must also be distributed annually to all students. All of the above information shall be posted on the College Title IX website in an easily accessible manner to the public, posted in campus residence halls and campus centers, and shall include links or information to file a report and seek a response.

B. Student Educational Programming

The Title IX Coordinator, in coordination with the Office of Student Affairs, Office of Safety and Security, the Office of Human Resources and other applicable offices, is responsible for ensuring that the College engages in a comprehensive student orientation and ongoing education campaign, using multiple methods, to educate members of the College community about sexual misconduct, including domestic violence, dating violence, stalking and sexual assault. The programming shall: 1) be culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and informed by research or assessed for value, effectiveness, or outcome; and 2) consider environmental risk and protective factors as they occur on the individual,

relationship, institutional, community, and societal levels. Some of the information to be imparted shall include, but not be limited to:

- 1) All of the information contained in this Policy, including: prohibited conduct, resources offered while the College takes administrative and/or conduct action against an accused; that College policies apply equally to all students regardless of sexual orientation, gender identity or gender expression; the role of relevant College officials relating to this Policy; and the consequences and sanctions for individuals who commit these crimes and code of conduct violations;
- 2) Awareness of violence, its impact on victims and survivors and their friends and family, and its long-term impact (without identifying victims in any way.)
- 3) Bystander intervention and the importance of taking action to prevent violence when one can safely do so;
- 4) Risk assessment and reduction including, but not limited to, steps that potential victims, perpetrators, and bystanders can take to lower the incidence of violations, which may contain information about the dangers of drug and alcohol use, including underage drinking and binge drinking, involuntary consumption of incapacitating drugs and the danger of mislabeled drugs and alcohol, the importance of communication with trusted friends and family whether on campus or off campus, and the availability of College officials who can answer general or specific questions about risk reduction.

a) Required educational programming

The College shall provide such educational programming:

- 1) To all new students, whether first-year, or transfer, undergraduate, graduate or professional;
- 2) To each student leader and officer of student organizations recognized by the College, as well as those seeking recognition by the College, prior to receiving recognition or registration;
- 3) To student-athletes prior to participating in intercollegiate athletic competition;
- 4) To all students residing in College-sponsored housing prior to registering for the residence.

b. Other education

The College shall offer education to all other students not subject to required training, including international students, students that are also employees, students in student organizations, and online and distance learning students.

C. Faculty and Staff Training

The Title IX Coordinator, in coordination with the Office of Student Affairs, Office of Safety and Security, the Office of Human Resources and other applicable offices, is responsible for ensuring that all new employees and current employees, including but not limited to faculty, staff, administrators, security officers, athletic staff and residence life staff receive annual training regarding all aspects of this policy and on sexual misconduct (including domestic violence, dating violence, stalking and sexual assault).

D. Conducting Campus Climate Assessments

The College shall conduct, no less than every other year or as otherwise required by law, a campus climate assessment to ascertain general awareness and knowledge of the provisions of this policy, including student experience with and knowledge of reporting and college adjudicatory processes, which shall be developed using standard and commonly recognized research methods. The assessment shall be structured to be in compliance with applicable law, including Section 129-B of the New York State Education Law. The College shall publish the results of the surveys on its Title IX web page. The published results shall not contain any information which would enable a reader to identify any individual who responded to the climate assessment.

E. Annual Reporting

College is required to report to the State of New York aggregate data relating to domestic violence, dating violence, stalking and sexual assault, in accordance with state and any applicable law.

XII. Definitions of Terms in this Policy

A. Affirmative Consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression. Consent may be initially given but withdrawn at any time. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

In order to give consent, one must be of legal age (17 years or older). Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by lack of consciousness or being asleep, being involuntarily restrained, or if the individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

When consent is withdrawn or can longer be given, sexual activity must stop.

B. Complainant refers to the individual who alleges that she/he has been the subject of sexual harassment, gender-based harassment or sexual violence, and can be a Mercy student, employee (including all full-time and part-time faculty and staff), contractor, vendor or visitor. Under this policy, the alleged incident(s) may have been brought to the college's attention by someone other than the complainant

C. Complaint is an allegation of sexual harassment, gender-based harassment or sexual violence made under this policy.

D. Dating, Domestic and Intimate Partner Violence is a pattern of coercive behavior that can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an intimate partner. Such violence may occur in all kinds of intimate relationships, including married couples, people who are dating, couples who live together, people with children in common, same-sex partners, and people who were formerly in a relationship with the person abusing them.

E. Forcible Touching/Fondling is intentionally touching the sexual or other intimate parts of another person without the latter's consent for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire.

F. Gender-Based Harassment is unwelcome conduct of a nonsexual nature based on an individual's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes that is sufficiently severe and pervasive to adversely affect an individual's participation in employment, education or other Mercy College activities. The effect will be evaluated based on the perspective of a reasonable person in the position of the complainant. An example of gender-based harassment would be persistent mocking or disparagement of a person based on a perceived lack of stereotypical masculinity or femininity.

G. Managers are employees who have the authority to either (a) make tangible employment decisions with regard to other employees, including the authority to hire, fire, promote, compensate or assign significantly different responsibilities; or (b) make recommendations on tangible employment decisions that are given particular weight. Managers include vice presidents, deans, directors, or other persons with managerial responsibility, including, for purposes of this policy, department chairpersons and executive officers.

H. Rape and Attempted Rape is the penetration or attempted penetration, no matter how slight, of any body part by a sex organ of another person, without the consent of that person.

I. Respondent refers to the individual who is alleged to have committed sexual harassment, gender-based harassment or sexual violence against a Mercy College student, employee, contractor, vendor or visitor.

J. Retaliation is adverse treatment of an individual as a result of that individual's reporting sexual harassment, gender-based harassment or sexual violence, assisting someone with a report of sexual harassment, gender-based harassment or sexual violence, or participating in any manner in an

investigation or resolution of a sexual harassment, gender-based harassment or sexual violence report. Adverse treatment includes threats, intimidation and reprisals by either a complainant or respondent or by others such as friends or relatives of either a complainant or respondent.

K. Sexual Activity is

- 1) penetration, however slight, of the vulva or the anus by the penis, hand/fingers or other object;
- 2) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
- 3) intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person; or
- 4) intentional touching, either directly or through the clothing of any other body part, with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

L. Sexual Assault is any form of sexual activity that occurs without consent.

M. Sexual Harassment is unwelcome conduct of a sexual nature, including but not limited to unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic and electronic communications or physical conduct of a sexual nature when:

- 1) Submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing or is used as the basis for employment decisions or for academic evaluation, grades, or advancement (quid pro quo); **or**
- 2) Such conduct is sufficiently severe and pervasive to adversely affect an individual's participation in employment, education or other Mercy College activities (hostile environment). The effect will be evaluated based on the perspective of a reasonable person in the position of a complainant.

Conduct is considered "unwelcome" if the individual did not request or invite it and considered the conduct to be undesirable or offensive.

While it is not possible to list all circumstances that might constitute sexual harassment, the following are some examples of conduct that might constitute sexual harassment depending on the totality of the circumstances:

- 1) Inappropriate or unwelcome physical contact or suggestive body language, such as touching, groping, patting, pinching, hugging, kissing, or brushing against an individual's body;
- 2) Verbal abuse or offensive comments of a sexual nature, including sexual slurs, persistent or pervasive sexually explicit statements, questions, jokes or

anecdotes, degrading words regarding sexuality or gender, suggestive or obscene letters, notes, or invitations;

- 3) Visual displays or distribution of sexually explicit drawings, pictures, or written materials; or
- 4) Undue and unwanted attention, such as repeated inappropriate flirting, staring, or making sexually suggestive gestures.

For purposes of this policy, sexual harassment also includes acts that violate an individual's right to privacy in connection with her/his body and/or sexual activity such as:

- 1) Recording images (e.g. video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- 2) Disseminating images (e.g. video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure;
- 3) Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent.

N. Sexual Misconduct is sexual harassment, gender-based harassment or sexual violence, as defined in this policy.

O. Sexual Violence is an umbrella term that includes: (1) sexual activity without affirmative consent, such as sexual assault, rape/attempted rape, and forcible touching/fondling; (2) dating, domestic and intimate partner violence; (3) stalking as defined below.

P. Stalking is intentionally engaging in a course of conduct directed at a specific person with whom the perpetrator currently has, previously has had, or desires to have, some form of sexual or romantic relationship, that:

- 1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or
- 2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted; or
- 3) is likely to cause such person to reasonably fear that her/his employment, business or career is threatened, where such conduct consists of appearing,

telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

Q. Vendor, Visitor or Contractor is an individual who is present at a Mercy campus or unit but is not a student or employee. Vendors and Contractors have business-related work with the College.

APPENDIX A

Mercy College Students' Bill of Rights

All **Mercy College** students have the right to:

1. Make a report to local law enforcement and/or State Police;
2. Have disclosures of domestic violence, dating violence, stalking and sexual assault treated seriously;
3. Make a decision about whether to disclose a crime or violation and participate in the disciplinary process and/or criminal justice process free from pressure by the College;
4. Participate in a College disciplinary process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident
8. Be protected from retaliation by the College, any student the accused and/or respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, respondent throughout the disciplinary process, including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice or disciplinary process of the College.

APPENDIX B

MERCY COLLEGE RESOURCE LIST

EMERGENCIES

Mercy College Emergency	(914) 674-9999
Police, Fire, Medical Emergency	911
<u>Mercy College Health and Wellness</u>	MH Room 108
<u>Dobbs Ferry Campus</u>	
Dr. Ori Shinar, Psy.D. Director of Mental Health Counseling	(914) 674-7233
Alyssa Prete, LMHC	(914) 674-7796
Colleen Powers, Director of Health and Wellness and Nurse Practitioner	(914) 674-7707
<u>Bronx Campus</u>	
Ingrid Mitchell, LMSW, Room 2294	718-678-8775
Manhattan Campus (Tuesdays)	
Dr. Ori Shinar, Psy.D. Director of Mental Health Counseling	(914) 674-7233

Community Resources for Sexual Assault/Domestic/Intimate Partner Violence

Westchester County

Westchester County Family Justice Center	(914) 995-3100
<i>FACT at Westchester Medical Center</i> – for forensic sexual assault exams	(914) 493-7000

24-Hour Hotline --- Rape Crisis Counseling

Victims Assistance Services of WestCOP, Inc.	(855) 827-2255
Westchester Hispanic Coalition - ALAS	(855) 252-7942

24-Hour Hotline --- Shelters/Counseling/Advocacy/Legal Services/Non-Residential Services

Hope's Door	(888) 438-8700
My Sisters' Place	(800) 298-7233
Putnam/Northern Westchester Women's Resource Center	(845) 628-2166

LGBTQ Resources

The LOFT	(914) 948-2932
Gay and Lesbian National Hotline	(888) 843-4564
National Coalition of Anti-Violence Program (NCAVP)	(212) 714-1141
	TTY (914) 995-7397

Sexual Transmitted Diseases

Hudson Valley Community Services (for HIV testing)	(914) 345-8888
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Westchester County Health Clinic

White Plains District Office	(914) 995-5800
Yonkers District Office	(914) 231-2500

Legal Assistance

Pace Women's Justice Center (legal helpline)	(914) 287-0739
Legal Services of the Hudson Valley	(877) 574-8529
My Sisters' Place Legal Center	(914) 683-1333
Westchester Hispanic Coalition	(914) 948-8466
Empire Justice Center	(914) 422-4329

For Further Information and Referral:

NYS Coalition Against Sexual Assault & Domestic Violence	(800) 942-6906
National Domestic & Sexual Violence Hotline	(800) 779-7233

<u>To Report Child Abuse</u> (NYS Registry)	(800) 342-3720
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New York City

Sexual Violence Hotlines and Websites

Safe Horizon, www.safehorizon.org (for a list of all hotlines)	(800) 621-HOPE
Rape, Abuse & Incest National Network (RAINN)	(800) 656-HOPE
New York City Alliance Against Sexual Assault	www.svfreenyc.org

Sexual Assault Forensic Examiner (SAFE) Hospitals

Bronx

North Central Bronx (HHC), E 210th St & Kossuth Ave
Lincoln Medical and Mental Health Center (HHC), 234 E 149th St
Jacobi Hospital (HHC), Eastchester Rd & Pelham Pkwy S

Brooklyn

Woodhull Medical and Mental Health Center (HHC), 760 Broadway
Coney Island (HHC), 2601 Ocean Pkwy,
Kings County Hospital Center (HHC), 451 Clarkson Ave

Manhattan

St. Luke's Hospital (CHP), Amsterdam Ave & W 113th St
Roosevelt Hospital (CHP), 1000 10th Ave
Beth Israel-Petrie Campus (CHP), 1st Ave & E 16th St
Bellevue Hospital (HHC), 1st Ave & E 27th St
Harlem Hospital (HHC), 506 Lenox Ave
Metropolitan Hospital Center (HHC), 1901 1st Ave
Mount Sinai Medical Center (Mount Sinai), 1 Gustave L Levy Pl
New York Presbyterian Hospital-Columbia (NYP), 622 W 168th St
New York-Presbyterian Hospital- The Allen Pavilion (NYP), 5141 Broadway
New York-Presbyterian Hospital-Weill Cornell (NYP), 525 East 68th Street

Queens

Queens Hospital Center (HHC), 82-68 164th St
Elmhurst Hospital (HHC), 79-01 Broadway

Staten Island

Richmond University Medical Center (IN), 355 Bard Ave

Intimate Partner/Dating/Domestic Violence

NYC Family Justice Centers. To be connected with a city Center, call **311**

Bronx, 198 E. 161st Street

Brooklyn, 350 Jay Street

Manhattan, 80 Centre Street

Queens, 126-02 82nd Avenue, Kew Gardens

Day One (youth dating and domestic violence services, including legal) **(800) 214-4150**

Confidential Sexual Assault Counseling Resources

Bellevue Hospital Center: Rape Crisis and Advocacy Program **(212) 562-3435**

1st Avenue at 27th Street New York, NY 10016

Beth Israel Medical Center: Rape Crisis & Domestic Violence Intervention **(212) 420-4516**

317 East 17th Street, 4th floor New York, NY 10003

Elmhurst Hospital: SAVI:Sexual Assault Violence Intervention **(718) 334-1418**

79-01 Broadway Queens, NY 11373

Harlem Hospital: Center for Victim Support **(212) 939-4613**

506 Lenox Ave New York, NY 10037

Kingsbridge Heights Community Center: Changing Futures Program **(718) 884-0700**

3101 Kingsbridge, Bronx, NY 10463

Mount Sinai Medical Center: Mt. Sinai SAVI: Survivors of Rape **(212) 423-2140**

1 Gustave Levy Pl New York, NY 10029

New York City Children's Centers (NYCCC): NYCCC Brooklyn Behavioral Health Clinic

1819 Bergen St Brooklyn, NY 11233 **(718) 613-3055/56**

**New York Presbyterian - Weill Cornell Medical College: Domestic and Other Violence
Emergencies (DOVE)** **(212) 305-9060**

622 W 168th St New York, NY 10032

North Central Bronx Hospital: Sexual Assault Treatment Program **(718) 519-2121**

3424 Kossuth Avenue Bronx, NY 10467

Safe Horizon: Rape Crisis Center **(855) 234-1042**

100 E 122nd St New York, NY 10035

Community Resources for Mental Health or Counseling Services

Westchester

Echo Hills Community Counseling Center (Hastings) 914-478-0633
Family Abuse Hotline 914-347-4558
Family Services of Westchester 914-631-2022
For a Psychologist in your area 1-800-964-2000
Mental Health Association of Westchester Crisis Hotline 914-347-6400
Mobile Crisis Team 914-493-7075
No Mas Abuso 1-800-942-6908
Phelps Counseling Services 914-366-3619 (ask for Rita Barbieri and mention Mercy College) Rape Crisis Hotline 914-345-9111
Westchester Jewish Community Services 914-949-6761
Westchester Medical Center 914-493-5190 (ask for Kathy and mention Mercy College)
Westchester Self-help Clearinghouse 914-761-0600

Bronx and Queens

Jacobi Hospital Psych. Emergency 718-918-4850
Madeleine Borg Community Services / Pelham Pkwy South 718-435-5700
Montefiore Hospital Psychiatric Outpatient 718-920-4295
Manhattan Multi Cultural Counseling Services 212-388-8191 or 646-420-6633
Elmherst Mobile Crisis Unit 718-334-3443
Our Lady of Mercy Psychiatric Outpatient 718-304-700
Pelham Bay Family Counseling 718-409-1047
Queens Mobile Crisis Teams 718-334-3443
Riverdale Marriage/Family Counseling 718-432-1780
Throgs Neck Family Counseling 718-792-4178

Manhattan

Lifenet 800-543-3638
NYSPI Depression Evaluation Service 212-543-5734
United Way of New York City 212-251-2500

External Agencies for Student and Employee Complaints

Students:

Office for Civil Rights

U.S. Department of Education

32 Old Slip, 26th Floor

New York, NY 10005-2500

Telephone: 646-428-3900

FAX: 646-428-3843; TDD: 800-877-8339

Email: OCR.NewYork@ed.gov

New York State Division of Human Rights

Bronx Office (Headquarters)

One Fordham Plaza, 4th Floor

Bronx, NY 10458

Telephone: (718) 741-8400

InfoBronx@dhr.ny.gov

Manhattan Office

Adam Clayton Powell State Office Building

163 West 125th Street, 4th Floor

New York, New York 10027

Telephone No. (212) 961-8650

Employees

United States Equal Opportunity Employment Commission (EEOC)

New York District Office

33 Whitehall Street, 5th Floor

New York, NY 10004

Telephone: 1-800-669-4000

Fax: 212-336-3790

TTY: 1-800-669-6820

New York City Commission on Human Rights

100 Gold Street, Suite 4600, in lower Manhattan,

Telephone: 311

See also information for State Division of Human Rights