

THE TOWERS AT THE CITY COLLEGE OF NEW YORK



RESIDENT HANDBOOK

2019-2020 Academic Year

Table of Contents

Introduction	Page 4
Community Involvement	Page 5
Resident Assistants	Page 6
Occupancy Guidelines	Page 7
Checking In	Page 7
Keys and Access Cards	Page 8
Lock Out Policy	Page 8
Guest Policy	Page 8
Identification Checks & Building Entry	Page 11
Reasonable Requests	Page 11
Room Changes	Page 11
Checking Out	Page 12
Removal Requests	Page 13
Resident Rights & Responsibilities	Page 14
Conduct Requirements	Page 16
Alcohol & Drugs	Page 17
Good Samaritan	Page 17
Computing	Page 18
Endangering Behavior	Page 18
Evacuation	Page 18
Excessive Housekeeping	Page 18
Expense of Misuse and Charges for Damages	Page 18
Fire Hazards	Page 19
Fire of Other Emergency	Page 19
Furniture	Page 20
Harassment & Intimidation	Page 20
Hazardous Substances & Weapons	Page 20
Implied Consent	Page 20
Maintenance and Care	Page 21
Noise & Quiet Hours	Page 21

Parties & Events	Page 21
Pets	Page 22
Respect for Property	Page 22
Roommate/Suitemate Vacancy	Page 22
Smoking	Page 22
Solicitation & Posting Signs	Page 23
Sports Equipment	Page 23
Storage Space	Page 23
Theft	Page 23
Transferring Units	Page 23
Unauthorized Areas	Page 24
Unhealthy/Unsafe Conditions	Page 24
Windows	Page 24
Facility Maintenance and Care	Page 26
The Towers Facilities Services	Page 28
Communications	Page 31
Security, Safety, Emergencies	Page 33
Appendix A – Student Health Services and Counseling Center	Page 39
Appendix B – CCNY and Towers Contacts	Page 41
Appendix C – Transportation and Access Routes	Page 43
Appendix D – The Towers Disciplinary Hearing Procedures	Page 44
Appendix E – CUNY Board of Directors Bylaws	Page 51
Appendix F – CCNY Alcohol/Drug Use Amnesty Policy	Page 56
Appendix G – Henderson Rules	Page 57
Appendix H – Medical Withdrawal and Re-entry Policy and Procedures	Page 60
Appendix I – Sexual Harassment Guidelines	Page 70
Appendix J – File Sharing and Copyrighted Material	Page 73
Appendix K – Policy on Acceptable Use of Computer Resources	Page 74
Appendix L – Towers Facilities FAQs	Page 84
Appendix M – Appliance Guides and Charges	Page 87
Appendix N – Towers Residence Hall Association Constitution	Page 91
Appendix O – CUNY Drug and Alcohol Policy	Page 95

Introduction

The Towers at The City College of New York (“CCNY”) is a dynamic campus residence for students, faculty, and staff. We are committed to providing a convenient, comfortable, secure, and vibrant environment for all residents. The rights and responsibilities of Towers residency apply equally to all residents, and all residents are welcome to use The Towers and CCNY’s public facilities and attend our public functions. While The Towers is a facility designed primarily for students of The City College of New York, it welcomes students from other colleges who make their residence with us. We believe that the opportunity for CCNY and non-CCNY students to meet, socialize, and work together will enrich their college experiences.

The atmosphere and programming at The Towers reflect the fact that most of the residents are students. A college experience should enrich the lives of students not only through their education in the classroom, but through interactions with persons from different cultures, religions, and geographical areas, who may have diverse educational interests. While a college education focuses on individual intellectual development, these are also the years to develop the strong sense of community and social responsibility. Living in a residential community expands these opportunities and enriches the intellectual, cultural, and social development that is the ultimate reward of attending college. These advantages come from interactions with residents and staff, through involvement in the programs provided by and for The Towers residents, and through participation in activities of our extraordinary college, CCNY, which is a flagship campus of The City University of New York (“CUNY”). These are the reasons that CCNY and CUNY had this residence hall built for you on this historic campus.

Beneficial community living requires that members enjoy their own residences while observing community standards that govern relationships with other residents, visitors, and staff. This Handbook is provided as a source of information to help ensure that all residents are familiar with their rights and responsibilities to achieve our goal of providing a convenient, secure, comfortable, and vibrant residence.

MANAGEMENT

The Towers is a facility managed for the benefit of CCNY by Capstone On-Campus Management, LLC, referred to in this Handbook as “the Management.” The Office of Housing and Residence Life (referred to as “The Towers Office”), located on the first floor of The Towers, is operated by the Management. The Director of The Towers Office (“the Director”) is the primary liaison with the CCNY Office of Residential Education, which is under the jurisdiction of the CCNY Vice President (“VP”) for Student Affairs or designee.

Appendix B lists the staff of The Towers Office with information on who residents may call for services. Students may also contact appropriate offices at CCNY about relevant issues concerning their residency.

INVOLVEMENT IN THE TOWERS COMMUNITY

Living on campus gives you access to a wealth of opportunities and resources, but to take full advantage, you must get involved both in planning activities and in participating in those activities. This section will help you plan your contributions to residence life.

Residence Hall Association

All students who live in The Towers are members of the Residence Hall Association (RHA),¹ whose mission is to understand and meet the needs of residential students and to facilitate active involvement in the residential community. The RHA organizes and provide programs and services for residents, evaluates the needs and opinions of The Towers student residents, and helps to develop student leaders. The RHA reviews and makes recommendations about Residence Life policies and procedures and serves as a liaison between residents and the Management and CCNY.

The RHA elects officers and committees, and holds regular meetings, which are open to all resident students. These meetings are an opportunity for residents to contribute to the community by suggesting new ideas, urging changes, and serving as advocates for other residents. Elections for RHA officers will be announced early in the fall semester. All resident students, especially those actively involved in the RHA, are invited to apply to attend conferences sponsored by the organizations with which the RHA is affiliated. The Towers Office will have information about dates, costs, and applications. See Appendix M for the current version of the RHA Constitution.

Group and Individual Activities

The Towers was designed to provide residents opportunities to enjoy both group and individual activities in residents' living areas and in the common areas that are shared by all residents. In the following pages of this Handbook, you will read more about policies designed to assist residents in their interactions with other residents and guests in an environment that safeguards the security and well-being of all residents.

¹ The RHA is formally registered with the National Association of College and University Residence Halls, Inc. (NACURH), the Northeast Affiliate of College and University Residence Halls (NEACURH), and the New York Association of College and University Residence Halls (NYCURH).

Planning Activities

The regulations governing small group activities planned by and for residents and their guests in the residents' own living areas or in common areas involve issues of privacy, security, and convenience of all residents. These issues are addressed throughout this Handbook. While we welcome this form of residential life, which probably will make up most of your interactions, it is essential that all residents know and apply these regulations when planning and executing these activities.

CCNY prides itself on its long history as an institution that welcomes a diversity of viewpoints. All programs will adhere strictly to the laws and policies that protect free speech and guard against bias in program planning and execution. If there are uncertainties about the application of these principles to any program, The Towers staff and CCNY Office of Student Affairs will consult with the CUNY Office of the General Counsel.

It is the function of The Towers Office staff and the CCNY Office of Student Affairs to facilitate these plans, including executing such administrative functions as giving appropriate advice, helping to book required facilities, and determining budgetary considerations and the potential need for security and maintenance if large numbers of participants are expected. Residents are welcome to hold events too large for The Towers facilities in CCNY facilities, subject to the standard rules for booking events through the CCNY Events Planning Committee. The Towers staff will consult with the Communications Division of CCNY on the final roster of programs to determine the appropriate venues for publicizing the activities and the proper wording of all announcements. The roster of activities will be listed on The Towers and CCNY portals.

In light of the unfettered opportunities for residents to attend any public function or presentation on the CCNY campus, and to preserve the ambience of a residential community in The Towers, no commercial, cultural, religious, or governmental organization will be permitted to establish itself in any area of The Towers for the purpose of contacts with residents either through discussions or through the distribution of materials.

Resident Assistants

Resident Assistants ("RAs") are undergraduate and graduate level student residents who have been trained as peer resources for resident students. The RAs have knowledge of The Towers and CCNY resources, and they will help in the development of constructive relationships among The Towers residents. Residents will receive information on how to contact the RAs. Your contact with these students, who are carefully selected for their ability to serve as peers, may well be one of your most satisfactory associations at The Towers, and you are encouraged to call upon them for help and support.

Student residents interested in becoming RAs should contact The Towers Office for an application and explanation of the selection process. Minimum qualifications include: full-time student status at a higher education institution (enrolled in a minimum of 12 undergraduate or 9 graduate credits); a minimum 2.5 GPA; sophomore classification or above at the start of

employment; attendance at a higher education institution for at least one semester; and good financial and judicial standing with The Towers and their educational institution.

RAs serve in several important roles to assist you with your educational and social pursuits. These are:

Emergencies:

RAs are trained in emergency response procedures for situations involving serious physical illness and injury, psychological crisis, and threats to physical safety such as fires, major power failures and dangerous weather.

Peer Advising and Counseling:

RAs assist students with questions and with personal and academic problems, and they are trained to provide referrals to resources on campus for more in-depth assistance.

Behavior Management:

RAs ensure that students have access to the Handbook to be familiar with the residence hall rules, and they assist students in deciding upon mutual expectations. RAs also confront students when rules are broken and assist fellow students in learning how to confront and enforce expectations with peers.

Administrative Tasks:

RAs work with students on some basic administrative tasks that concern living unit assignments and physical facilities.

Planning Activities:

RAs work with students, faculty members and others to plan social, recreational and educational activities for residents.

These are the most important roles in which RAs serve on your behalf, but they may serve in other supportive functions as well as those specifically listed. You will have an opportunity to evaluate your RA's performance through the use of a written evaluation during the year.

In the course of their work, RAs, like all students, are expected to adhere to the policies described in this Handbook. Should you ever have questions about your RA's performance or his or her behavior toward you, or if you feel that your RA's actions have been unfair or inappropriate, you may contact The Towers Office.

OCCUPANCY GUIDELINES

Checking In

The day you check in you will have a number of important tasks to complete. There will be several forms to fill out, and you will receive your key card and mailbox key. Within a week of move-in, RAs will hold mandatory floor meetings to review the major policies in this Handbook

and to explain the building and the services that are provided at The Towers. The Towers Office staff and RAs will be here to help you through the process. In addition to the information in this Handbook, please review the information in the letter sent to you about moving in and residing in The Towers.

Keys and Access Cards

Keys and access cards are provided for the convenience and security of residents. They remain the property of the Management and must be returned at the end of the resident's occupancy. Charges of \$50.00 per mailbox key and \$10.00 per access card will be assessed if those items are not returned at the end of the term of the License Agreement or for replacements during the resident's occupancy. Residents may not duplicate keys. Residents may request a receipt for all keys returned to the Management.

Security and safety are of paramount concern at The Towers. Therefore, non-residents (including parents) may use the premises only if accompanied by residents. Residents may not give their access cards or room keys to anyone, including other residents. Residents who have allowed non-residents access by providing them with keys or access cards may be considered in default of the License Agreement. Never leave keys or access cards in places where they may easily be taken by others, and make sure that you always know where your keys and access cards are.

Lock-Out Policy

If a resident is locked out of their suite/room, they can come to The Office of Housing and Residence Life from Monday through Friday, 9:00 AM until 5:00 PM, to request access to their living space. After 5:00 PM and on the weekends, Residents should proceed to The Towers-courtesy desk to request access to their living space. (If locked out of suite only, resident is highly encouraged to contact roommate to open the door prior to asking the courtesy desk.)

The first five (5) lock-outs are free of charge. If a student has an excess number of free lockouts (6 or more a semester) the resident will be charged \$50 and every subsequent lockout from that point forward.

*If a staff member is dealing with an emergency situation they will respond to the lock out as soon as possible.

*Resident also must have proper photo ID for residency verification purposes.

Guest Policy

I. Guests Defined

A guest is considered any person who is not a current resident of The Towers. Non-Resident guests under the age of 18 must be accompanied by a parent or guardian. All non-Resident guests must be accompanied at all times while in common areas of the building (i.e., lounges, seminar room, etc.) by the host Resident. Guests under the age of 12 are not permitted to stay

overnight (anytime between 11 pm and 8 am) even if parent/legal guardian is present. Resident hosts may not leave their guest(s) unaccompanied in their suite for more than four hours. Residents are limited to two guests at any time (total suite occupancy cannot exceed ten individuals). No overnight guest during the first week of the academic year and during final exam period.

Residents may not give their key card or room key to any other person (Resident or non-Resident guest). If a non-resident is found in possession of a key card or room key, it will be confiscated by a Towers staff member and the guest will be required to leave the building until their host returns.

II. Sign-in Procedures

All non-resident guests must be signed-in and signed-out by the host resident. All non-resident guests must have valid government-issued photo identification, such as a government-issued ID card, state-issued Driver's License, passport, or green card. Guests who do not have proper ID will be denied entry to the building. Residents are expected to inform their guests in advance that a valid photo ID will be required to enter the building. The host resident and guest must leave their ID at the Welcome Desk for the duration of the visit.

III. Enforcement

The behavior of guests is subject to the same regulations as apply to residents and it is the responsibility of the host resident, who will be held accountable for the behavior of their guests, to ensure that guests understand their rights and obligations. Hosts are responsible for the behavior of their guests at all times while at The Towers, including if the guest is unaccompanied. The Office of Housing and Residence Life reserves the right to remove non-resident guests from the property if they are non-compliant with Towers, CCNY or CUNY policies.

IV. Guest Guidelines

- Residents of a suite must discuss expectations regarding guests at the beginning of the year via the roommate agreement form. Residents will be expected to abide by the agreed upon standards in regards to notification of guests, hours of visitation, etc.
- Host residents are responsible for the actions of their guest(s). If a suitemate does not approve a guest, that guest may not stay in the room.
- Residents with concerns about a guest should speak with their roommate first, and then, if necessary, with Towers Staff.
- Residents are limited to two (2) guests at any time
- The total number of people in a suite (including residents of the suite and their guests) at any given time should not exceed ten (10) people, even if the additional people are residents of The Towers.
- An overnight guest is considered any person that is not signed-out by midnight or is signed-in between the hours of 11:00 PM and 8:00 AM.

- No guest may stay as an overnight guest more than three nights in a seven-day period (Sunday through Saturday), regardless of the resident host. A host should not have overnight guest more than 12 nights in a calendar month. If there are extenuating circumstances regarding the duration of stay, you may contact The Towers Office to discuss your individual situation prior to your guest's arrival.
- No overnight guests are permitted during the first week of the academic year and during finals exam period.
- Guests may not sleep in lounges or public areas of the building. In addition, guests may not sleep in the common areas of the suite without permission from all suitemates.

V. Managing Conflicts

- Should Towers staff receive either of the following:
 - o (1) a complaint that the presence of a guest is unreasonably interfering with the academic or personal well-being of the residents in particular suite/room or in the building in general or
 - o (2) a complaint that the students sharing a living space are unable to agree on the time, date, frequency, and duration of each other's visitors,

Towers staff may restrict the presence of guests in that suite/room until such time that the room/suitemates are able to come to a mutually satisfactory agreement about visitation. Towers staff is available to mediate these discussions if necessary.

- Conflicts involving guests will be addressed through informal discussions among room/suitemates or through formal mediation. Should such efforts fail, Towers staff shall have the authority to establish reasonable parameters for visitation and all residents of that room/suite will be expected to adhere to those terms. Failure to abide by those conditions may likely result in the reassignment of the student who violates the terms set forth and may also subject that student to disciplinary action should their guests be involved in a violation of a Towers policy.

VI. Special Circumstances

- A resident may request an exception to this policy by submitting a written request to the Associate Director of Residence Life or designee who shall have the sole discretion to grant or deny the request based upon the circumstances (e.g. situation, frequency of exceptions sought, impact on room/suitemates, etc.).
- There may be certain times of the year, such as semester breaks or exam periods, when these guest policies may be restricted or modified. Students will be notified in advance when any such changes occur. Any modifications or exceptions to these guest policies must be approved by the Office of Housing and Residence Life.

Identification Checks & Building Entry.

Valid photo ID (such as a school ID card, government-issued ID card, state-issued Driver's License, or passport) must be presented when entering the building. Failure to produce proper identification upon request will be considered a violation of the Reasonable Request policy. Entry and exit must occur through designated doors. It is also a violation to jump over the turnstiles. It is a violation of policy to prop external doors with any item.

Reasonable Requests

Residents or guests, shall, upon demand by The Office of Housing and Residence Life Staff, CCNY Public Safety, or any other identifiable legal or staff entity attempting to procure information, provide valid identification such as Student ID card, Driver License, or any other government issued ID. Residents and guests shall also adhere to all reasonable requests made by staff.

Providing false or misleading information and/or failure to comply with the directives of university personnel acting in accordance of their assigned duties is a violation of residence-hall policy This includes but is not limited to: failure to evacuate from a building during a fire alarm; failure to prepare a room as instructed for facility maintenance, housekeeping or the pest control contractor; failure to abide by posted regulations and failure to complete mandated sanctions for violations of Housing and Residence Life policy.

Room Changes

Room changes requested because of a serious deficiency in a room should be brought to the immediate attention of The Towers Office. Residents also may request room changes due to conflicts with other residents of their suite. Residents are encouraged to attempt to resolve conflicts amongst themselves; however, if additional mediation and assistance is needed, the RAs can assist in this process. Such conflicts usually do not constitute grounds for termination of the License Agreement unless the conflict involves a violation of the rules that results in termination.

Residents who believe they have a valid reason for requesting a transfer should make a formal written request to The Towers Office, including detailed reasons for the requested transfer. If the reason is valid, space is available, and the resident's current room is left in satisfactory condition, the resident will be notified of a new assignment. To complete the transfer process, after a request is granted, the resident must agree to a specific moving date; arrange for the inspection of the current apartment with The Towers Office staff; agree to pay all fees and damages attributable to the resident; enter into a new License Agreement for the balance of the term that reflects the bedroom and apartment suite into which the resident has moved; and pay a \$100.00 transfer fee.

Checking Out

Residents who are not authorized to renew their License Agreements, or who have not formally renewed their License Agreements by the deadline for the following academic year, are required to vacate their rooms by their contract termination date, as specified in the Housing License Agreement. Steps for completing a formal checkout are:

1. All checkouts will be done via Express Check Out process. The express check out envelopes are located at the courtesy desk. Residents will put access cards and mailbox keys in the express check out envelope and place it in the office mailbox.
2. Remove all personal belongings, trash, decorations, and/or alterations. Items left behind will be considered abandoned and discarded at the resident's expense.
3. All furniture must be returned to its original location.
4. Your residence must be cleaned, vacuumed and returned to the same condition that it was when you moved in.

Once you have checked out, or the move-out deadline has passed, you may not remain in The Towers without prior written approval from the Towers Office, and you must follow the current guest/escort policy. There may be an improper checkout fee of \$100 placed on the resident's student account, plus any related charges, if the above-described procedures are not followed.

Per the Housing License Agreement, failure to check-out by contract termination date may result in a holdover fee of \$100.00 per day or portion of a day being charged to your account.

Condition of Premises at Conclusion of Term and Condition of Premises

Residents are required to surrender their premises and common areas in a clean and sanitary condition and in the same condition as in the beginning of occupancy, except for normal wear. Residents are responsible for all damage to the premises caused, directly or indirectly, by the residents or the residents' guests or invitees, including the residents' assigned living space and common areas.

Residents are given the opportunity to complete and submit an online Room Condition Report (RCR) during check-in, in order for them to note any existing conditions in need of repair or replacement. Residents have 3 days from the receipt of their keys to submit RCR through the Resident Portal. If a resident does not submit the online RCR within that time, the Management may refuse to accept the RCR, in which case that resident will forfeit the right to claim that there was prior damage to the unit.

Condition of Furniture

Residents are required to take good care of the furniture in their units and agree to return the furniture to the Towers at the termination of their License Agreements in as good a condition as received except for reasonable wear. Residents may not disassemble any existing furniture or fixtures, nor shall they remove any furniture from their assigned apartments without written permission from the Towers Office. Oversized and/or heavy furniture is not permitted in any

apartment unit, including, but not limited to, all types of lofts, wood structures, bars and waterbeds. The use of both temporary and permanent hot tubs is prohibited.

Common area furniture is intended for the enjoyment of all residents and may not be removed from common areas. Missing furniture will be considered stolen and handled through the police as a crime.

Abandoned Items

Any items of personal property that are left in the premises after checking out, after the published hall closing deadline, after an administrative removal, after a relocation or room change deadline, or in the event of non-approved extensions, will be considered abandoned and will be disposed of at the resident's /owner's expense.

Conservation

As members of the global, campus, and The Towers at CCNY community, we all have an obligation to conserve resources such as energy and water. Conservation also will help minimize increases in rent costs due to utility usage, so keep the following measures in mind throughout your experience living at The Towers.

Conservation Measures

- Turn off all lights when you leave a room.
- Do not run water longer than necessary.
- Turn off all appliances, including the TV and stereo, when not in use.
- Report leaks, toilet problems, and nonfunctioning windows immediately.
- In the winter, leave the thermostat at 72 degrees or less. Lower the thermostat to 70 degrees or less at night. Close the window blinds in the evening and open them in the morning to admit sunlight.
- In the summer, leave the thermostat at 74 degrees or higher. Close the blinds in the morning to reduce sunlight and open the blinds after sundown.
- If you leave your apartment for more than three days, set the thermostat to 80 degrees in the summer and 68 degrees in the winter.
- Close all windows and doors when the heat or air conditioning systems are operating.
- Schedule your laundry so that the washing machine is always done with full loads.
- Do not block air vents.

License Agreement Release Request

In the event of extenuating circumstances, residents may apply for a release from their License Agreements. The Management may release a resident at any time from their License Agreement, under limited circumstances upon receipt of a written Petition for License Agreement Cancellation requesting such extraordinary action accompanied by appropriate documentation. License Releases are extraordinary, not automatic, and will be reviewed, with appropriate

supporting documentation. Please visit our website (www.ccnyc Towers.com) to download a license cancellation request form.

Removal for Renovation or Repair

The Management reserves the right to reassign residents to other vacant (which may not coincide with current contracted space) apartments if there is a need to provide for renovation or repair of the premises. Reasonable effort will be made to minimize the inconvenience to residents and, whenever possible, advance notice will be given to residents of the nature and time of the work that will be done. Residents may not withhold license fee payments due to removal for renovations or repairs.

Roommate Rights and Responsibilities

Roommates are responsible for:

- Preventing unreasonable noise, undue interference, and other distractions that may inhibit roommate's ability to read, study, relax, and sleep.
- Respecting roommates' personal belongings.
- Assisting to maintain a reasonably clean living environment.
- Allowing roommates free access to room and facilities.
- Respecting roommates' personal privacy.
- Requesting permission to host guests without prejudice, or unequal standards.
- Ensuring that guests respect the rights of roommates and other hall residents.
- Respecting the rights of roommates' guests.
- Communicating and working toward resolving conflicts and concerns.
- Not engaging in intimidation or threatening or inflicting physical and/or emotional harm to others.
- Demonstrating reasonable cooperation in the use of the room telephone and other common use items (such as TVs, radios, etc.) and in adhering to agreed upon procedures.
- Request to revisit the roommate contract.

Roommates have the right to:

- Read and study free from undue interference in their own rooms. Unreasonable noise and other distractions inhibit the exercise of this right.
- Sleep without undue disturbance from roommates, or guests of a roommate.
- Expect that roommates will respect each other's personal belongings.
- A reasonably clean environment in which to live.
- Free access to their own rooms and facilities without pressure from roommates.
- Personal privacy.
- Host guests, as long as their roommates agree, with the expectation that guests are to respect the rights of the host's roommates and other hall residents.

- Communicate and work toward resolving conflicts and concerns.
- Freedom from fear of intimidation, physical and/or emotional harm.

Expect reasonable cooperation in the use of the room telephone and other common use items (such as TVs, radios, etc.) and in adhering to agreed upon procedures. Upon move-in, RAs should encourage and help roommates to complete roommate agreements. Such agreements should include items such as mutually-agreed upon visitation rules, room quiet hours, and rules concerning borrowing property.

Mediation

The Towers Office staff is available to conduct roommate mediations for students who are experiencing conflict. Conditions of the mediation are that students agree to participate in good faith and agree to develop an amended *Roommate Agreement* based on reasonable principles governing roommate behavior and in accordance with this Handbook and other rules and regulations governing student conduct, as described below in the section on Conduct Requirements. Please note that mediations are an important step to take prior to requesting a formal written room request change.

CONDUCT REQUIREMENTS

All residents are expected to comply with all CUNY and CCNY policies governing students, faculty, staff and visitors to the CCNY campus, as well as with all rules and regulations governing conduct in The Towers (detailed in this Handbook, as well as in the License Agreement and Rules and Regulations, collectively referred to as “The Towers Rules”), and all applicable laws.

Residents are responsible for all activities that occur within their living units and for taking an active role in ensuring that neither they nor their guests engage in inappropriate activities in either in their units or in common areas. Residents therefore are strongly encouraged to report activities that violate conduct requirements and especially those that present a threat to health or safety.

Residents who engage in conduct prohibited under The Towers Rules will be subject to sanctions that may be imposed by the Management under the procedures described in Appendix D. If residents who are students at CCNY or other colleges engage in conduct that violates the Henderson Rules (annexed at Appendix F), which governs the conduct of students at CCNY and other CUNY colleges, or other CCNY or CUNY rules and regulations or law, the Management (after consultation with the CCNY VP of Student Affairs), in cases involving severe offenses, will refer such residents to CCNY or their home colleges, as applicable, for disciplinary proceedings under Article XV of the Bylaws of the CUNY Board of Trustees (annexed at Appendix E), or, if applicable, proceedings under CUNY’s medical withdrawal policy (annexed at Appendix G).

The Management will address disciplinary issues with students, but will also inform the appropriate official at those students’ home colleges of the conduct at issue and the ultimate resolution of any disciplinary action taken against the student.

Further, the Management, in consultation with the CCNY VP of Student Affairs, may inform local law enforcement officials concerning conduct that may violate criminal law, including but not limited to situations in which a resident is in possession of a weapon.

Conduct Prohibited

All of the conduct described below violates The Towers Rules, and certain conduct may also violate the Henderson Rules, other CCNY or CUNY rules and regulations, or law. Engaging in prohibited conduct will result in disciplinary action and the imposition of sanctions. The sanctions imposed will vary depending on the gravity of the offense, with the most severe offenses potentially resulting in termination of the License Agreement and suspension or expulsion from The Towers. Further, in the event of a determination that the prohibited conduct violates the Henderson Rules or other CCNY or CUNY policies or law, other penalties may be assessed under Article XV of the CUNY Bylaws, including but not limited to suspension or expulsion from CUNY.

If a resident's behavior poses a severe, direct and imminent threat to him or herself or others (by evidencing a likelihood of harm to him or herself or others), the Management, in consultation with the CCNY VP of Student Affairs, may direct an emergency interim removal of a resident from The Towers until a final determination on the student's case is made through applicable procedures.

The fact that a resident has threatened, or attempted suicide may not be used as the basis for an emergency interim removal. In such a circumstance, for a resident who is a student at CCNY or another CUNY college, CCNY's VP of Student Affairs or designee shall refer the resident to a mental health professional for an assessment of whether the resident presents a severe, direct and imminent threat to him or herself or others under CUNY's medical withdrawal policy. For non-CUNY students, the CCNY VP of Student Affairs or designee shall attempt to consult with the Office of Student Affairs of the student's home college to determine further action, including referral to a mental health professional. Should the Office of Student Affairs of the student's home college not be reachable for immediate consultation, the CCNY VP of Student Affairs or designee shall follow the procedures outlined in CUNY's medical withdrawal, including referral to a mental health professional. Further, under CUNY's medical withdrawal policy, if the student refuses to submit to the assessment, the VP of Student Affairs may determine whether he or she poses such a threat based on the available evidence and act as permitted under the policy.

Alcohol & Drug Policy. Residents of The Towers shall abide by CUNY/CCNY policies, procedures and regulations and local, state and federal laws regarding alcohol and illegal drugs.

The possession, consumption, and/or sale of alcohol are prohibited, regardless of age. Empty alcohol bottles are also not permitted as decoration. Violations may result in administrative and/or disciplinary sanctions, up to and including contract termination.

The possession, sale, distribution, manufacture, or provision of any illegal drug, controlled substance, or drug paraphernalia is prohibited. This includes but is not limited to roach clips, bongs, pipes, blow tubes, hookahs, bowls and any type of water pipe or any object filled with water through which smoke is drawn. Students found to be involved with drugs in or around The Towers will be subject to The Office of Housing and Residence Life administrative student conduct process and may also be referred to their academic institution's student conduct system, in accordance with the institution's *Code of Student Conduct*. Where applicable, sanctions will address both the Resident status in The Towers and the student status of the Resident with the academic institution.

Violations of The Towers and CUNY Alcohol and Drug Policy may result in administrative and/or disciplinary sanctions, up to and including Housing Contract termination and/or suspension/expulsion from the academic institution.

Good Samaritan Policy. Safety is a primary goal for all residents of The Towers. In this spirit, when residents or their guests are in need of medical assistance, The Towers staff wants to ensure that fear of consequences is not a barrier to safety. If a resident or guest is in a dangerous position based on any illicit substance use or alcohol consumption, if the endangered person or an observer takes action to ensure that the endangered person receives appropriate medical attention,

no disciplinary action will be pursued by the Management. This is in line with the City University of New York Drug/Alcohol Use Amnesty Policy (Appendix F).

Computing Policies. The Towers Internet Service Provider (ISP) is Airwave Networks. The use of computing resources provided by The Towers (including the hardwired and wireless service in the Unit, the computer lab, or any other computing services provided by The Towers) may not interfere with others' use of shared computer resources and/or their activities. The generation of network traffic which compromises, cripples, or disables a network resource, propagation of computer worms or viruses, or spamming will not be tolerated. **Servers (including web, ftp, mail, dhcp, snmp, tftp) are not permitted in The Towers. Personal routers are also not permitted.** Students found to have violated this policy will be charged for the restoration of the computer(s) operating system and any hardware that may be corrupted. If personal routers are found within the suite, The Office of Housing and Residence Life has the right to remove it, at no cost to The Office of Housing and Residence Life and the Owner.

Endangering Behavior. The Agent may terminate this Contract prior to the expiration of the Contract and immediately remove Resident and his or her guests from the Premises, in the event the Resident's behavior or the behavior of any of Resident's guests is or has the potential to become dangerous to the Resident or others.

Evacuation. Resident agrees to evacuate in the case of emergency at the sole discretion of the Agent and/or The City College of New York. Resident understands that no reduction in license fees will be given in the case of emergency evacuations. Resident is required to follow all directions for evacuations.

Excessive Housekeeping. Excessive housekeeping is defined as any situation requiring cleaning that is not part of the custodian's normal daily or scheduled routine. This includes cleaning items such as fire-extinguisher powder; clumps of mud; food stuffs; bodily fluids in public areas, rooms, or apartments; and trash that has not been disposed of in the designated receptacles (e.g., trash rooms). Residents may be billed individually or as a group for excessive housekeeping. These fines are imposed on rooms/floors/buildings on an escalating basis.

Expense of Misuse and Charges for Damages. Any damage to an apartment or suite, other than normal wear and tear, will be charged to the responsible party or parties to the extent that they are identifiable. Resident is responsible for guest(s) behavior and any charges or damages that result from misbehavior. Resident shall immediately report to Agent and the local law enforcement authority any acts of vandalism to the Premises or the apartment unit in which the premises are located. To the extent not identifiable, all co-Residents will be jointly liable and will be assessed a charge. All invoices for damage are for the restitution of the damage that has occurred and must be paid within thirty (30) days.

The Resident agrees to immediately reimburse the Agent for any charges that are assessed as set forth in this agreement. Should charges be assessed and totaled after the expiration of this Contract, they shall constitute a debt payable by Resident immediately upon demand by the Agent. Any fines or expenses resulting from the use, misuse or destruction of Owner's property, including but not limited to fire sprinkler, fire alarm or smoke alarm by Resident, Resident's guests or invitees shall be borne by Resident and shall be considered additional monies due to Agent. Intentionally or recklessly destroying, damaging or defacing any area of The Towers complex is prohibited and shall be considered cause for termination of the Housing Contract.

Fire Hazards. The use of kerosene, propane or electric space heaters (without prior consent) within the premises and about the property is prohibited. The use of candles or other open flame devices, the use of hot plates, burning of incense and the use of halogen lamps of any kind are all prohibited in the Premises and about the Property. Any style lamp that uses a halogen bulb is strictly prohibited. Please refer to resident handbook for detailed list of prohibited items.

Tampering with, altering or changing any safety equipment, locks, fire alarms, smoke detectors, sprinkler heads, telephone equipment, TV cable, plumbing, electrical systems, etc., is prohibited

Residents are prohibited from affixing any object to ceiling areas and from painting any ceiling areas. Residents are prohibited from tampering with or allowing any objects to come in contact with sprinkler heads.

Fire or Other Emergency. Setting or fueling a fire of any size is prohibited. The Resident shall give immediate notice to the Agent of fire, accident, damage, and dangerous or defective conditions. All Residents must evacuate the Premises during a fire alarm. Falsely reporting a fire or any other emergency, including bomb threat, falsely reporting a serious injury, or pulling a fire alarm station when no fire is evident is prohibited. Fire warning devices and safety equipment are to be used only in the case of an emergency.

A fire alarm must be taken seriously, and in the event of a fire alarm, the Resident must proceed in accordance with established evacuation/fire alarm protocols. Intentionally sounding an alarm in a non-emergency situation or tampering with emergency equipment (including alarms, extinguishers, signage, smoke detectors, heat sensors, door closures and sprinklers) is a criminal offense, and the person or persons responsible will be treated accordingly. Tampering with apartment smoke detectors (including removal of the battery) is prohibited. Residents are also prohibited from touching, tampering with, or hanging anything from their sprinkler head. This paragraph shall not limit the Agent's ability to impose additional charge, penalties or sanctions for damage or destruction of fire safety equipment. Refusal to leave a building during a fire alarm, refusal to produce proper identification upon request of the Agent, refusal to cooperate with a reasonable request by the Agent, emergency personnel, or police officials acting in the performance of their duties is prohibited.

The following are also prohibited:

- Decorative items including but not limited to: fishnets, parachutes and large wall or ceiling coverings; halogen lamps/lights; combustible decorations on doors (covering more than 50% of the door), in hallways or in elevators, including live-cut trees; lighter fluid; gasoline, motor and engine oil or propane; the act of setting items aflame; and discharging a fire extinguisher except in the event of a fire.

- Electrical cords attached to a ceiling or wall that run under carpet or are taped to the floor. Communication cords (cable, telephone) running across the floor must be secured to avoid tripping hazards. Floor areas must remain uncluttered to avoid tripping hazards.

- Extension cords and adapters are prohibited. Multi-plug power strips with overcurrent and surge-protection properties and reset switches must be used instead of extension cords but must not be plugged into each other (they must be plugged directly into a wall outlet). String or theme lighting is prohibited unless there are three wires (one wire is a ground) and the strand is plugged directly into a wall outlet. Plugging into another set of lights is prohibited.

Furniture. Resident shall take good care of the furniture and agrees to maintain the furniture and return it to the Agent at the termination of this Contract in as good a condition as received, with reasonable wear and tear expected. Residents shall not disassemble any existing furniture or fixtures, and existing furniture shall not be removed from the Resident's assigned apartment without written permission from the Agent. No oversized and/or heavy furniture is permitted in any apartment unit, including, but not limited to, all types of lofts, wood structures, bars and waterbeds, all of which are strictly prohibited. The use of both temporary and permanent hot tubs is prohibited.

Common area furniture is intended for the enjoyment of all Residents. This furniture, including cushions and tables, is not to be removed from Common areas. Furniture found to be missing will be reported to the police. Missing furniture will be considered stolen and handled through the police as a crime. Residents are not allowed to bring common area furniture into their room/suite.

Harassment and Intimidation. Conduct that infringes upon the rights of others to a quiet, academic living environment is not acceptable under any circumstances and is cause for disciplinary action and removal from The Towers. Such conduct includes, but is not limited to, intentionally or recklessly causing physical or psychological harm or injury, or threatening physical or psychological harm or injury to any person, including assault/battery, intentionally or recklessly provoking and/or engaging in physical fights or harassing any person verbally abusing others and/or intimidating others (including university officials and student staff acting in accordance with their duties) in such a way as to seriously or repeatedly interfere with that person's academic pursuits, sleep, and/or other personal pursuits. This includes malicious pranks and issuing threats in person, nuisance and/or prank calls, via white boards, via third party, via telephone, letters, emails, instant messages, text, Twitter, Facebook, tumblr, Instagram, Snapchat or any other means.

Hazardous Substances and Weapons. Fire and safety regulations strictly prohibit the use, manufacture, or storage of any fireworks, explosives, flammable liquids, cans of compressed gasses, poisons, highly combustible substances, chemicals, or any substance designed to injure others or damage property, in any apartment, hallway, or about the Premises. The storage or use of gasoline or electric powered vehicles or engines regardless of their state or dismantlement in the apartment is likewise prohibited. Setting materials on fire, possession or use of flammable or highly combustible materials is prohibited.

State Law strictly prohibits the possession or use of any weapons, fireworks, or explosive devices in the Premises or about the Property. No weapon of any kind is permitted in the Premises. In the event the Agent discovers that Resident is in possession of a weapon, the Agent shall have the right to immediately notify the police. Prohibited weapons include but are not limited to knives, razors, metal knuckles, blackjacks, hatchets, bows, arrows, nunchakus, foils or any explosive or incendiary device. Items used for a class which can be considered a weapon are not allowed within the building.

Implied Consent. Residents are responsible for all activities that occur within their living space (apartment or room) and/or if they are in the presence of a policy violation. By failing to report behaviors or items that violate the policies and regulations of The Towers, the Resident has demonstrated an implied consent for the violations. Residents are responsible for taking an active role in ensuring that inappropriate behaviors or items do not exist in their living space (apartment, suite, or room) or building. It is the Resident's responsibility to report behaviors that violate The Towers policy to a staff member. Passive participation in events that violate policy will not be tolerated and in determining responsibility, may be viewed as equal to active participation. Residents will be considered in violation of policy if they

fail to report and then remove themselves from activities or situations which violate The Towers rules and regulations.

Maintenance & Care. Resident shall not erect any exterior wires, aerials, signs, satellite dishes, etc., about the Premises or the Property. Resident shall not install or modify any fixtures without the written consent of the Agent. Resident shall not lay contact paper on any shelves or walls and agrees to use non-damaging products to hang personal effects on walls. Resident shall not paint or wallpaper the apartment or suite or any fixtures without the written consent of the Agent. Resident acknowledges acceptance of the apartment unit in its present condition, agrees to maintain the apartment and return it to the Agent at the termination of this Contract in as good condition as when taken, reasonable wear and tear excepted.

Resident, at own expense, shall keep the apartment clean and fit for habitation and shall be responsible for all damage to the apartment including but not limited to furnishings, walls, floor, ceiling, screens, sprinkler system, appliances, plumbing, heating, air conditioning, and ventilation systems as a result of Resident's neglect, including that of Resident's guest(s) or invitees, regardless of whether the neglect was an affirmative act which caused the damage or failure to act in order to prevent damage. Damage to the common areas will be assessed solely to the Resident when the Resident or the Resident's guest has been identified as the responsible party, otherwise all Residents who use the common area will be billed a pro-rata share of the damages. **Additional charges may be assessed for the inappropriate disposal of objects (tampons, sanitary napkins, etc.) in toilets.**

Students may not alter or add attachments to their rooms. Prohibited attachments include but are not limited to: locks, outside radio and television antennae, additional wiring, window shades or awnings. Removing screens from windows is prohibited. Students will be charged for reinstallation and subject to judicial action.

If the premises require repairs by the maintenance department, maintenance requests can be filled out online at www.ccnytowers.com via the Resident Portal. A username and password is required to access the maintenance area of The Towers website and can be obtained at the time of occupancy. Maintenance Emergencies must be reported to The Office of Housing and Residence Life during regular business hours or to The Towers Courtesy Desk if it is after-hours or on the weekend.

Noise & Quiet Hours. Excessive noise is not allowed and courtesy hours are always in effect. Noisy or disruptive behaviors which interfere with another person's or a group's free exercise of academic or personal pursuits or their ability to sleep or study, including music, television, or other electronic equipment playing at high volume, excessive yelling, music practice, violations of established floor/hall quiet hours, large gatherings, and other types of noise are prohibited and will not be tolerated. If a student has a problem with noise, the student is encouraged to talk to the other student(s) who are creating the noise. If noise continues, then the student should contact The Office of Housing and Residence to request assistance. Quiet Hours are from 11pm-8am on Sunday-Thursday and 12am-8am on Friday and Saturday. The ninth and tenth floor have quiet hours in effect 24 hours a day. Quiet hours may be extended by hall staff before and during examination periods and/or as necessary.

Parties & Events. Parties are not permitted. Floor lounges and other common areas must be reserved in advance for use for an event. Whether in apartments, suites, bedrooms, or other gathering spots, social gatherings must not **a)** become too large for the host Resident(s) to exercise responsible control over the behavior of Residents and guests, **b)** expand beyond the boundaries of the apartment or reserved common

area, **c**) be open to all or advertised in any way, or **d**) violate the Guest Policy. The Office of Housing and Residence Life and CCNY Public Safety, if necessary, will intervene and instruct the host(s) to end the event when gatherings:

- Result in excessive noise, damage or destruction, fighting or other disruptive behavior
- Exceed the normal boundaries, with persons gathering in hallways, stairwells, lounges, entrances, and other common areas

Pets. The presence of any animals or pets on the Premises or the Property is prohibited, with the exception of fish. No fish tank shall exceed a ten (10) gallon capacity. Visiting pets are prohibited. Any student found to possess a pet of any kind other than fish will be subject to disciplinary action and will be required to immediately remove the pet from the premises. Service and emotional support animals are permitted with the prior written notification and documentation of need submitted to The Office of Housing and Residence Life and/or the CCNY Office of Student Disability Services, in accordance with the Americans with Disabilities Act.

Renovation and Repair. The Agent reserves the right to reassign resident to another apartment in the event there is a need to provide for renovation or repair of the Premises or the Property. If renovations or repairs become necessary, every effort will be made to minimize the inconvenience to the Resident and, whenever possible, advance notice will be given to the Resident of the nature and time of the work which will be done. Resident shall not withhold license fee payment due to renovations or repairs.

Respect for Property. Respect for property means recognizing not only the ownership rights of persons and of The Towers, but also the dependence of all on the availability and preservation of necessary facilities and equipment. No student shall take, possess, damage, litter or deface (with graffiti instruments, or otherwise tamper with) any property not their own on The Towers property. This includes, but is not limited to, furniture, computer equipment, access control systems or facilities. Tampering with building technology not limited to door controls, audio visual equipment, and elevator controls is prohibited. No student shall override room thermostat systems to drastically alter room temperature. Any costs to repair, replace, restore, or clean property to its original condition will be assessed to individuals and/or groups responsible for damaging, or defacing such property in addition to any sanctions which may be imposed.

In addition to Towers property, it is unacceptable to vandalize, take, possess, or damage any property that is owned by another individual.

Roommate/Suitemate Vacancy. Residents with vacancies in their room, suite or apartment are prohibited from moving into the vacant space. Vacant spaces may be allocated to new residents at any time. Residents should make every effort to keep the space neat, clean and orderly. Roommate/suitemate spaces may be randomly inspected by department staff to ensure the room is prepared for a new resident. If vacant areas in a room and/or common areas in a suite or apartment are not move-in ready for new residents, disciplinary action may be taken, and each resident of the assigned area may be billed at least \$50 for housekeeping staff to clean the area. Intentional deterrence of new roommates and suitemates by any means is not permitted. Residents who engage in this practice could face disciplinary action including but not limited to administrative relocation and/or loss of housing privileges.

Smoking. Consistent with New York State Laws and CUNY Tobacco-Free Policy governing public facilities and the CCNY campus facilities, The Towers is a smoke-free community. Smoking is not allowed in apartments, suites, stairwells, lobbies, common areas, hallways, offices, front patio, side patio,

back patio, and is prohibited in all other public and private areas within The Towers. In accordance with CCNY Tobacco-Free Policy, smoking outside the building on Towers premise is also not permitted. This policy applies to all tobacco and tobacco products, vaporizers, hookahs, marijuana, and e-cigarettes. Any smoke-based damages will involve a \$250 fine assessed to the responsible resident(s).

Solicitation & Posting Signs. Solicitation and/or canvassing of any kind, without the prior consent of the Agent, is not permitted in the Premises or about the Property. No sign, signal, advertisement, illumination, painting, poster or flyer of any kind shall be placed in any window or other part of the Premises without the written approval of the Agent.

Sports Equipment. Use of any sports/recreational equipment except in designated areas is prohibited. The use of equipment prohibited within the premises include, but are not limited to, roller blades, scooters, bicycles, skateboards, footballs, soccer balls, basketballs, baseballs, volleyballs, lacrosse equipment, field hockey equipment, nerf balls, hover boards and Frisbees. Bicycles are prohibited from being inside the building and must be stored in exterior bicycle racks only. Bicycles chained to outside furniture (benches) or light poles will be subject to removal.

Storage Space. There is no storage space for Resident use at The Towers. Under no circumstances are utility or furnace rooms, entrances, hallways, stairwells or other public areas to be used for storage.

Theft: Theft and/or possession of stolen property is a violation of state law and prohibited by residence-hall policy. Students are encouraged to report any thefts to CCNY Public Safety. The RA should be notified so that the student may complete and submit a resident incident report to the Office of Housing and Residence Life.

Transferring Units. The Agent shall not be liable for any personal conflict of resident with any other residents that reside at the Property or their guests or invitees. Therefore, a conflict between residents does not constitute grounds for termination of this Contract. However, the Agent acknowledges that there may be valid reasons why a request for transfer to a different unit would be considered and approved. Any resident desiring a transfer should make a formal written request to The Towers Office, including the reason for the requested transfer. Space permitting and if the request is valid and practical, the resident will be notified of a new assignment. In order to make the transfer process from one unit to another run smoothly, the following policy has been established. Residents requesting an apartment transfer must comply with the following procedures:

1. Submit a Room Change Request Form to The Office of Housing and Residence Life.
2. Room changes are not permitted during the first 3 weeks of the fall and spring semesters.
3. Upon approval
 - a) Agree to a specific moving date.
 - b) Arrange for an inspection of current apartment with The Office of Housing and Residence Life.
 - c) Agree to pay all license fee payments and damage costs found by The Office of Housing and Residence Life to be attributable to resident.
 - d) Enter into a new Contract for the balance of the Contract Term that reflects the bedroom and apartment unit into which the Resident has moved.
 - e) Pay a \$100.00 transfer fee.
 - f) Be current on all other charges; no outstanding charges on the resident's account.

Unauthorized Areas: Students are not permitted in unauthorized areas including but not limited to maintenance rooms, boiler rooms, mechanical rooms, elevator rooms/shafts, roofs, balconies, ledges, telephone/data closets, and storage rooms/areas.

Unhealthy/Unsafe Conditions: Living conditions that could adversely affect residents' health and safety are prohibited. Residents are responsible for maintaining reasonable standards of cleanliness and safety in their rooms and suites, hallways, lounges, bathrooms and lobby areas, including proper garbage/trash disposal and securing of cable, telephone and electrical wiring. The Office of Housing and Residence Life reserves the right to inspect rooms to ensure that residents comply with health and safety regulations, even outside of announced Health & Safety Inspections.

Windows. Participating in throwing, dropping or causing objects to fall from a window is prohibited. No Resident may hang laundry or shake rugs from a unit window. Windows may not be used as an entrance or exit, except in the case of an emergency evacuation. Sitting on window ledges and leaning out of windows and/or hanging or putting things outside of a window are violations of state and campus fire-safety regulations and is prohibited. If window screens are found damaged the residents of the room will be billed for the repair. In accordance with NYC law, all windows must have a window stop that prohibits the window from opening more than 4". All windows are equipped with this feature. Residents found tampering with this feature are subject to disciplinary action and restitution for replacement and installation of a new window stop.

Right of Inspection and Entry

Residents must permit the Management or its representatives or designees to enter their units during reasonable hours with reasonable notice for the purpose of making inspections, repairs, and for any other purpose deemed necessary by the Management, and at all times and without notice during an emergency. Any resident of a unit may give the Management or its representatives or designees permission to enter the unit without the need to obtain the permission of the other residents of that unit. Management reserves the right to conduct an administrative search when there is reasonable suspicion of the presence of prohibited items that may be considered a danger or hazard to the health and welfare of the Resident and greater resident community and/or a violation of law.

Damages

Residents agree to reimburse the Management for any charges that are assessed within 30 days of that assessment, as set forth in the License Agreement, and as long as they remain legally in The Towers. Should charges be assessed after the expiration of the resident's License Agreement, they will constitute a debt payable by the resident immediately upon demand by the Management. Residents are responsible for their guests' behavior and for any charges or damages that result from misbehavior. Residents are required to immediately report to the Management and the local law enforcement authority any acts of vandalism to any part of their apartment units. For damages to common areas of an apartment unit, to the extent that the perpetrator is not identifiable, all co-residents will be jointly liable and will be assessed a charge. In addition to monetary damages, intentional or negligent damage to The Towers complex will

be considered cause for termination of the License Agreement. See also Appendix L for a list of damage costs.

FACILITY MAINTENANCE AND CARE²

Modifications, Alterations

Residents may not erect any exterior wires, aerials, signs, or satellite dishes. Residents may not install or modify any fixtures without the written consent of the Management. Residents may not lay contact paper on any shelves or walls, and residents agree to use only non-damaging products (such as **3M hanging hooks or poster strips**) to hang personal effects on walls. Residents may not paint or wallpaper their apartments or any fixtures without the written consent of the Management. Residents may not affix any object to any ceiling area. Residents may not tamper with or allow any object to come in contact with sprinkler heads.

Repairs

Requests for non-emergency repairs should be submitted as follows:

- Work orders may be submitted at any time through the Resident Portal at www.ccnytowers.com.
- Maintenance tickets allow you to request that a maintenance technician repair a problem in your apartment. When filling out a maintenance ticket, please be as detailed as possible. For example, “Dresser drawer is off track” is much more informative than “Dresser broken”.
- Emergency facilities problems may be reported to The Towers Office during business hours or to the Security Desk after hours or on the weekends.

If the repair is not completed within two business days, log on to www.ccnytowers.com for an update. There may be notes showing additional information. If the information does not answer your questions, please call The Towers Office to speak with staff: do not file multiple maintenance tickets for the same repair.

Health and Safety Inspections and Preventative Maintenance

Every other month (or as needed) a preventative maintenance technician will post a notice to enter your apartment in order to perform preventative maintenance on the apartment systems. Their preventative maintenance checklist includes tasks such as: changing the air filter, checking the water temperatures of the bathtubs, checking airflow temperatures from the vents, checking the plumbing for leaks, and other routine mechanical maintenance. When you receive this notice, please make sure that all of these areas are accessible for the technician.

The Towers also provides a preventative maintenance pest control program. Each apartment will receive preventative pest control services throughout the year. It is very important that the apartment be clean at the time of this service, so plan to clean the apartment when you receive the notice of entry. The treatment consists of fast-drying gel bait; no sprays will be used. Please

² See Appendix For Responses to: Facilities Frequently Asked Questions

note that any violations of policies and procedures that are observed by the Maintenance staff may result in disciplinary action.

Health & Safety Inspections will be conducted at regular intervals to ensure that residents' care of their units complies with all health and safety rules and regulations, as described in the Rules and Regulations and License Agreement. Health and Safety Inspections may include the opening of the kitchen refrigerator and cabinets to ensure proper food storage. Please be aware that any violations of the policies and procedures included in this Handbook, the Rules and Regulations, and/or License Agreement that are observed during Health and Safety Inspections may result in judicial action.

Personal Trash

Trash should be disposed of in trash chutes, not in common area trash bins. Residents should refrain from throwing large objects, electronics, hangers, boxes, etc. down the trash chutes. These items may be placed in the trash rooms. Please breakdown all cardboard boxes for easier removal. Residents must use recycle bins, and they should inform the Management if such bins are not available. **Any waste thrown in a trash chute must be at room temperature or cooler.**

Air Quality and Reducing Allergens and Mold

The Management will take a number of steps to ensure good air quality and reduce mold growth in The Towers. Residents need to cooperate by taking the following steps:

- Clean your private bathroom thoroughly with a proper cleanser at least once a week.
- Wipe/dry the tub/shower after each use.
- Hang wet/damp towels so that they can dry.
- Do not let trash accumulate.
- Vacuum thoroughly and dust thoroughly, preferably with a damp cloth.
- Wash bedding and bath towels every week.
- Wipe air vents (filters will be changed by the maintenance staff).
- Clean microwaves, stove, refrigerators, and coffee makers on a regular basis
- If feasible, use allergy-proof covers for pillows and bedding.
- Avoid products that release odors or contaminants, such as spray deodorants or spray cleaners. Consider the use of “green” (non-contaminating) cleaners.
- Clean up spills as soon as they occur.
- Wash hands often; sanitize shared room equipment.

If you need advice on good practices in cleaning, such as proper cleansers, ask the RA or The Towers Office staff for help.

THE TOWERS FACILITIES SERVICES

Mail and Package Service.

Student Mailboxes are located on the 1st floor of The Towers. Mail should be addressed to:

Student's Name
Apt #
401 W 130th Street
New York, New York 10027

All residents have a mailbox that is shared with their other suitemates. Mail is delivered to resident mailboxes Monday through Saturday by 7:00pm. All mail and packages must be addressed by name to a Resident of The Towers. **Mail received that is not addressed by name to a Resident will be returned to sender.** The Towers will only accept packages/deliveries that come from the United States Postal Service, FedEx, UPS, DHL, or other authorized shipper. The resident must be physically present to accept all other deliveries, including items dropped off by a friend or family member, grocery deliveries, and deliveries from retailers.

Residents will receive a Package alert email to the email account registered with Towers. The email will have a package number. The resident should bring that number along with a photo ID to the Welcome Desk to pick up package. Packages can be picked-up at any time. **Unclaimed packages may be returned after fourteen (14) days.**

Laundry

Laundry is included with your stay in The Towers at no additional cost. Residents are responsible for their own laundry and should be respectful of any wait times for other residents. Clothes left in machines overnight may be removed for donations. Laundry carts are provided for convenience to move clothes from washers to dryers and should not be removed from the laundry room. The laundry room is located on the 1st floor of The Towers. In case of a machine malfunction, you may download the CSC Coinmatch app on your phone and report the machine by scanning the barcode.

Common Areas

The Towers at CCNY offers a number of common areas for residents to utilize in addition to their own living quarters.

Seminar Room: The Seminar room is a multi-purpose room that may be used for a variety of events. Used primarily for The Towers events and as a study room, this space also may be reserved for small social gatherings and study groups. You can submit a space reservation [request](#) by contacting the office on The Towers office on the first floor. All events must be

sponsored/hosted by a registered CCNY student organization OR planned in consultation with a Resident Assistant/RHA.

Floor Lounges: Every floor from floors 2-8 has a designated student lounge where residents can interact socially, form study groups or assemble for informal gatherings. Each lounge has wireless Internet access and comfortable lounge chairs.

Main Lobby Lounge: The lounge area on the first floor is designed for residents to intermingle and relax. Comfortable seating and a large flat screen television make this an ideal location to watch TV, participate in social programming, or just hang out and catch a breather late at night.

Community Kitchen: The kitchen on the first floor (located between the main lobby lounge and the seminar room) provides a facility for students with a culinary passion; it is open to all students. The kitchen includes what you need for cooking meals, including two full size oven. Students are reminded to turn off the oven after use and to ensure that they leave the kitchen clean and orderly. Please note that any belongings left after use may be discarded.

Barbecue Area (Side Patio): Two charcoal barbecue grills are available for the enjoyment of residents and their guests.

The following rules apply to the barbecue grill area when being used by resident:

1. Barbecue grills can only be used between the hours of 9am and 8pm
2. Grills must be attended at all times
3. Alcohol and alcohol containers are not allowed
4. Clean up area after use
5. Trash must be discarded in outside receptacle
6. Douse charcoal with water to ensure that fire is completely extinguished before leaving area
7. Please limit noise
8. Resident uses grills at own risk. Management is not responsible for any injury as a result of barbecue grill use Resident uses grills at own risk

Fitness Center: The Fitness Center (located on first floor of building) is available for use by residents and their guests.

Here are our Fitness Center guidelines:

1. It is recommended that user consult with physician prior to starting an exercise program
2. No food or beverages other than water permitted
3. No one under the age of 16 permitted
4. Do not drop weights
5. Wipe off machines and other equipment after each use
6. Management is not responsible for any injury as a result of fitness center use
7. In case of an emergency call 911

Technology Policies

The Towers Internet Service Provider (ISP) is Single Digits Inc. The use of computing resources provided by The Towers (including the hardwired and wireless service in each living unit) may not interfere with the use of shared computer resources and/or their activities. Personal routers are also not permitted. If personal routers are found within the suite, The Towers Management has the right to remove it, at no cost to Towers Management and the Owner. The generation of network traffic that compromises, cripples, or disables a network resource, propagation of computer worms or viruses, and/or spamming, will not be tolerated. Servers (including web, ftp, mail, dhcp, snmp, tftp) are not permitted in The Towers. In addition, illegal copying or distribution of music, movies, software or other files is prohibited. (See Appendix H, File Sharing and Copyrighted Material, and Appendix I, the CUNY Computer Use Policy).

COMMUNICATIONS

The Towers Electronic Communication System

The primary sources for communication of relevant and important information will be through email and letters/mailings delivered to the resident's mailbox at The Towers. Residents will be held accountable for all information communicated by the Management and are responsible for updating contact information and providing a valid email address. Students are prohibited from blocking/screening emails from CCNY, their home colleges or universities, and/or The Towers' Office staff.

To register on the resident portal follow these steps:

- 1) Go to www.ccnytowers.com
- 2) Click on the link on the right side of page entitled "Resident Portal."
- 3) Click on "Register Now" link on the bottom left of the page.
- 4) Fill out your information on the Resident registration page and click "Submit."
- 5) Check your email to retrieve your log-in information. You may want to add the "ccnytowers.com" domain to your Safe List with your email provider.
- 6) Change your password.

You will then be registered on the portal: your home page will show your contract, contact and work order information.

Print Communications

Newsletter: *The Residence* is a resident newsletter that is published regularly. The newsletter is written by student residents and student staff and published by The Towers Office. It provides information on upcoming programs, CCNY events, and other information about policies, procedures, and activities throughout the residence hall. To submit an article, make a suggestion, or provide feedback, please stop by the Towers Office.

Posting Announcements: Provisions are made for residents and staff to post announcements. However, it is essential that these printed announcements be posted in an orderly fashion to prevent The Towers from becoming unsightly and littered. To accomplish this, there are Bulletin Boards available in public areas for use by residents and the Management. All posting by residents must be posted on these Bulletin Boards and selected designated areas approved by The Towers staff. All postings have to be approved and stamped by The Towers Office. Only emergency announcements by staff may be placed in any area other than these Bulletin Boards. All postings that are not made in compliance with these regulations will be removed and the person(s) who posted the materials will be sent a warning message.

Wireless Internet Access

Wireless internet is available throughout the entire building for all residents and their guests. To connect to the network:

- From your device, select the wifi that provides the best connection
- There are routers on every floor for your convenience
- You are not permitted to bring your own routers as they will interfere with the available routers provided by The Towers

Ethernet Internet Access

Residents can also connect to the internet by using a wired connection in their bedrooms by connecting their computer to the blue Ethernet jack with an Ethernet cable. The LAN network configuration of the computer may need to be updated to reflect the correct DNS servers.

SECURITY

Residential Security Staff

The Towers has a courtesy officer overseeing the Welcome Desk 24 hours a day, 7 days per week in order to assist in safety and communicating emergency issues to appropriate parties. The Towers courtesy personnel will monitor guest and resident traffic. The Towers courtesy officer staff will work cooperatively with The Towers Office staff, CUNY and CCNY Public Safety Offices, and New York City police, fire and emergency services.

Escort Service

CCNY Public Safety will provide escorts for The Towers residents. Shuttle buses run through campus and to The Towers and subways. After the regular shuttle service, or for emergencies between regular services, a Public Safety Escort will be available to provide transportation to the subway. Please call (212) 650-6911 in order to request an escort during emergencies or non-shuttle times.

FIRE SAFETY

Equipment:

All rooms and apartments are equipped with smoke detectors. Each suite or apartment is equipped with a sprinkler system. Several fire alarm pull stations are located on each corridor. This equipment is checked monthly to ensure that it is in good working condition. Also, if the smoke detector in your room beeps because of a weak battery, please submit a work order through the Resident Portal.

Any person, who sets off a false alarm, interferes with the operation of the alarm system, or damages or removes any part of the alarm system, fire extinguishers, smoke detectors, sprinkler systems, or removes an exit sign is subject to severe disciplinary sanction.

For the sake of emphasis, the following prohibitions related to fire safety are repeated:

- No open flames, such as candles, incense, kerosene lamps, or any incendiary devices are permitted.
- The storage or use of flammable substances is strictly prohibited.
- Electrical appliances with exposed heating elements are prohibited. All appliances must be U.L. approved.
- The use of multi-outlet plugs is prohibited, except those with builtin circuit breakers.
- Motorcycles, motor scooters, and other internal combustion engines are not permitted inside or adjacent to residence halls or apartments, except in approved parking lots.
- Bicycles may not be kept in hallways or stairwells, attached to fire equipment, or placed in any manner that interferes with exit from the building.
- Smoking is prohibited in all CCNY facilities, including the residence hall.

- Residents must ensure that there is no interference with the ceiling sprinklers in their area or in common areas.
- Under no circumstances may smoke detectors be removed or disabled.

Candles/Holiday Decorations:

Holiday and other celebrations that typically involve the lighting of candles and/or string lighting may be observed, with permission of the Management, only in a common area downstairs visible to Security, and only if conducted in a manner that does not trigger fire safety systems. Examples of such events include, but are not limited to the lighting of the Menorah during Hanukah, lighting of the Kinara during KWANZAA, or the lighting of Christmas trees during Christmas. These rules apply to such occasions:

- Candles, incense, or other open flames are not permitted, even as decorations. This includes birthday, Shabbat, yahrzeit and holiday candles.
- Garbage Bags or other flammable material may not be used for decorations.
- Room/apartment/suite and individual lights may not be covered for any reason.
- Artificial trees made of aluminum or any other metal may not be wired with tree lights, and live trees are prohibited.
- Residence hall entrance doors, doors and windows in other public areas, and doors in student rooms may be decorated in a manner that does not deface or damage property or create a fire hazard. No more than 50% of doors may be covered at anytime. Material that is difficult to remove or might result in damage, such as artificial snow, is not permitted.
- Decorations that violate any established policies are prohibited.
- Empty alcohol bottles may not be used as decorations of any sort.
- All lights or other decorations must be approved by the RA for your area.
- Extension cords may never be used.
- Any structures or decorations that do not meet the standards set by The Towers Office and the Fire Marshal will be taken down immediately. If the required changes are not made, the Towers Office reserves the right to remove all structures from the room and bill the resident responsible for the cost of removal. Failure to remove or redesign items may result in disciplinary action.

Fire Alarms/Evacuation Procedures:

To comply with state and local fire regulations and for fire safety education, unannounced fire drills are conducted each semester. You must assume that there is an emergency when the fire alarm sounds. At the sound of the alarm, quickly and calmly exit the building using the nearest emergency exit and assemble on sidewalk at 132nd and St. Nicholas Terrace at the east entrance. Do not reenter the building for any purpose until you are directed to do so by the proper authorities. Failure to evacuate during an alarm may result in disciplinary action.

Fire Exits

The fire exits are for emergency use only. These exits are alarmed and monitored. Other than during emergencies, entrance to and exit from the building is only at the main entrance, which is serviced by security officers. Improper use of fire exits may result in disciplinary action, up to and including fines and License Agreement termination. Furthermore, roof access is prohibited except during emergencies. Entering roof at other times may result in disciplinary action, up to and including fines and License Agreement termination.

Fire or Other Emergency

Setting or fueling a fire of any size is prohibited. The Resident shall give immediate notice to the Agent of fire, accident, damage, and dangerous or defective conditions. All Residents must evacuate the Premises during a fire alarm. Falsely reporting a fire or any other emergency, including bomb threat, falsely reporting a serious injury, or pulling a fire alarm station when no fire is evident is prohibited. Fire warning devices and safety equipment are to be used only in the case of an emergency.

A fire alarm must be taken seriously, and in the event of a fire alarm, the Resident must proceed in accordance with established evacuation/fire alarm protocols. Intentionally sounding an alarm in a non-emergency situation or tampering with emergency equipment (including alarms, extinguishers, signage, smoke detectors, heat sensors, door closures and sprinklers) is a criminal offense, and the person or persons responsible will be treated accordingly. Tampering with apartment smoke detectors (including removal of the battery) is prohibited. Residents are also prohibited from touching, tampering with, or hanging anything from their sprinkler head. This paragraph shall not limit the Agent's ability to impose additional charge, penalties or sanctions for damage or destruction of fire safety equipment. Refusal to leave a building during a fire alarm, refusal to produce proper identification upon request of the Agent, refusal to cooperate with a reasonable request by the Agent, emergency personnel, or police officials acting in the performance of their duties is prohibited.

The following are also prohibited:

- Decorative items including but not limited to: fishnets, parachutes and large wall or ceiling coverings; halogen lamps/lights; combustible decorations on doors (covering more than 50% of the door), in hallways or in elevators, including live-cut trees; lighter fluid; gasoline, motor and engine oil or propane; the act of setting items aflame; and discharging a fire extinguisher except in the event of a fire.

- Electrical cords attached to a ceiling or wall, that run under carpet or are taped to floor. Communication cords (cable, telephone) running across the floor must be secured to avoid tripping hazards. Floor areas must remain uncluttered to avoid tripping hazards.

- Extension cords and adapters are prohibited. Multi-plug power strips with overcurrent and surge-protection properties and reset switches must be used instead of extension cords but must not be plugged into each other (they must be plugged directly into a wall outlet). String or

theme lighting is prohibited unless there are three wires (one wire is a ground) and the strand is plugged directly into a wall outlet. Plugging into another set of lights is prohibited.

THEFT PREVENTION AND PERSONAL SAFETY

Personal Safety Precautions

- Do not walk or bike alone after dark; walk with friends or in a group, call for an escort or ride the shuttle buses. Call (212) 650-6911 for curb-to-curb service by Public Safety.
- Walk in well-lit and well-traveled areas.
- Constantly be aware of your surroundings.
- Know the locations of the nearest blue light emergency phones.
- Be wary of persons you don't know.
- Report suspicious persons or activity to the police.
- Have a cell phone available.
- Let your roommate, a friend, and/or family member know your whereabouts.

Apartment Safety Precautions

- Keep your apartment and bedroom door locked at all times, even if you or one of your roommates is home.
- Carry your keys with you at all times.
- Make sure doors close and latch behind you.
- Report suspicious persons to the police and to your service desk.
- Report damaged or malfunctioning doors, locks, etc. to the service desk.
- Report "salespeople" or "solicitors" to your the Towers Office staff; they don't belong in the building.
- Escort your guests at all times.
- Don't prop doors open; don't allow people to enter the building behind you, even if you think they may be a Towers resident. This kind of "tailgating" is how many criminals gain entry to apartment buildings.
- Use your peephole to determine who is knocking on your door.
- Get to know your neighbors and watch out for one another. If you see or hear anything suspicious, or witness any illegal activity, notify the police immediately.

Neither the Management nor CCNY is responsible for loss or damage to personal property of residents. We encourage you to carry personal property insurance. If applicable, you should check your parents' policy to see if your property is covered in your room or apartment unit. Report all thefts, vandalism, or attempted thefts to the CCNY Department of Public Safety and your RA and/or The Towers Office.

MEDICAL AND WEATHER EMERGENCIES

Medical Emergencies:

- Dial **212-650-7777**. CCNY Public Safety will send a first responder, who will assess the situation and take the appropriate action. The Towers Security Desk officer is located at the entrance of The Towers and will be present for the first responder's arrival and direct the responder quickly to the emergency site.
- If an emergency occurs in the hall, please do not crowd the area or panic.
- The Management's staff cannot transport residents for emergency treatment.
- The Management will collect emergency cards from each resident, which will include emergency contact information, insurance information, and relevant medical history information that may be critical to allow timely and accurate treatment in an emergency.
- Student Refusal of Ambulance. As a resident member of The Towers community, you will be expected to comply with the directives of CCNY officials in performance of their duties. The Henderson Rules, as implemented by CCNY, specify that failure to comply with reasonable directives from CCNY Staff and/or Public Safety is a violation of those Rules, and failure to comply may result in disciplinary action. The ambulance crew may determine that an involuntary transport is necessary depending on the degree of emergency.
- Return to Campus after the medical emergency: the resident must check in with The Towers Office staff member who is on duty immediately upon return to The Towers.

How to Respond to Possible Mental Health Emergencies:

If you became aware of a resident or guest who is threatening to commit or is attempting to commit suicide, or who seems severely distressed or anxious, or who is threatening harm to others, please take the following steps IMMEDIATELY:

During business hours Monday through Friday, 9 a.m. to 5 p.m.

1. Call The Towers Office at (917) 507-0070 or the Security Desk at (917) 507-0011 or, if the situation places the student in imminent bodily risk or risks the safety of others, contact 911 IMMEDIATELY.

After Business Hours and Weekends

1. If the situation places the student in imminent bodily risk or risks the safety of others, contact 911 IMMEDIATELY.
2. If it is not an emergency, contact the RA on call and he or she will contact a Towers Office staff member to assess the situation.

The CCNY Director of Health and Wellness and a Towers Office staff member will determine if transportation to a New York City hospital is necessary.

In an emergency situation, The Towers Office or a staff member from the CCNY Office of Student Affairs will contact a student's parents, legal guardians, or other designated emergency contacts, unless such persons are unavailable, or a mental health professional determines that it would be detrimental to the student's mental health to make such contact(s). The Management will consult with the CCNY VP for Student Affairs or designee on all student conduct that may be connected to a mental health issue.

See Appendix A for a list of the CCNY Health and Wellness Center services.

Emergency Weather Conditions:

In the event of emergency weather conditions such as a tornado warning or hurricane, emergency procedures will be issued by The Towers Office.

APPENDIX A

Student Health Services and Counseling Center

IF YOU ARE A CCNY UNDERGRADUATE STUDENT THE FOLLOWING SERVICES ARE PROVIDED TO YOU AS A REGISTERED STUDENT:

Office Hours: Monday through Friday from 9:00a.m. - 5:00p.m.

Services provided are immunization clearance, distribution of over the counter medication, and appointments with the physician and crisis counseling sessions.

Nurses Hours are: Monday-Friday 9:00a.m. – 5:00p.m.

Tuesday 10:00 a.m. – 6:00 p.m.

Physician Hours: Monday 1:00p.m. – 5:00 p.m.

Tuesday 2:00p.m. – 6:00 p.m.

Thursday 1:00 p.m.- 5:00 p.m.

Physician services include health screening and setting up a treatment plan, plus writing prescription drugs. Also included are responding to first aid crisis injuries and providing appropriate referrals as well as physical exams for the fitness center. All prescriptions, x-rays, and lab test are ordered and paid for by the student. Please call 212-650-8222 or walk-in to the WCC to make your appointment with the nurse or physician or a therapist for crisis counseling. If you must cancel your appointment, please call the number above.

Additional services include:

FREE IMMUNIZATIONS, including MMR (required of all undergraduate students), PPD, Hepatitis B and Flu vaccinations;

A WOMAN’S HEALTH COMPONENT, offering free pregnancy testing, STD education and contraception education and referral;

REFERRALS FOR HIV TESTING;

FREE PSYCHOTHERAPEUTIC COUNSELING by trained professionals who assist you to come up with your own solutions, activities and plans to deal with issues and problems in your life. Counseling in the Center is limited to short-term or crisis counseling service; the WCC also provides referrals to outside therapists and training institutes for long-term psychotherapy at a reduced rate.

IF YOU ARE A TOWERS RESIDENT the following services are available to you:

Towers residents are eligible to use the mental health counseling services at the Wellness and Counseling Center. The available hours will be posted in The Towers during the academic year. Please call 212-650-8222 when you want to make an appointment or walk-in emergency services

are also provided. The Wellness and Counseling Center is located in the Marshak Building, Room J-15.

APPENDIX B

CCNY CONTACTS³

<u>OFFICE</u>	<u>LOCATION⁴</u>	<u>TELEPHONE⁵</u>
Admissions/ Enrollment	A 101	6977
Adult and Continuing Education	SH 10	7596
Architecture Dean's Office	SH 103	7118
Athletics	MR 20	8228
Bookstore	NA 1/103	7109
Bursars Office	A 103	7218
Business Office	NA 1/210	5010
Campus Ministry	NA 1/210	5866
Career Center	NA 1/116	5327
Cohen Library	NA 2/310	7155
Education Dean's office	NA 6/204	5345
Engineering Dean's office	ST 142	5435
Finance, Office of VP for	A301	7309
Financial Aid	A 104	5819
Gateway Academy	NA 1/220	6115
Help Desk Computing	NA 1/505	7878
Humanities Dean's Office	NA 5/225	8166
Honors Center	NA 4/150	6917
ID Office	NA 1/204	5902
Information Desk	NA 1/203	5338
International Students Office	NA 1/107	8106
Mail and Duplicating	MR 024	6781
Metropolitan Food Services	NA 2/104	6771
President's Office	A 300	7285
Provost's Office	A 206	6638
Public Safety	NA 4/201	6911 ⁶
Registrar	A 102	7853
Science Dean's office	MR 1320	6849
Science Library	MR 29	7625
Social Science Dean's office	NA 6/141	8155
Sophie Davis' Dean's Office	HR 01	8420
Student Affairs	A204	5426
Student Life & Leadership Dev.	NA 1/210	5002
Student Newspaper (The Campus)	NA 1/119	8177
Student Newspaper (The Paper)	NA 1/118	5081
Student Support Services	NA 6/148	6825
Undergraduate Student Govt,	NA 1/109	5020
WCCR Radio Station	NA 1/108	8171

³ For complete listing of CCNY contacts see CCNY web site directory

⁴ See inside cover of Handbook for CCNY campus map and identification of buildings

⁵ All phone numbers are 212-650-xxxx

⁶ Towers Security telephone numbers are also listed in sections on security in this Manual

Wellness & Counseling Center
WHCR 90.3 FM

J-15
NA 1/513

8222
7147

Towers Management Staff

Title	Name	Primary Email	Office Phone
Director of Housing & Residence life	Seth Grossman	SGrossman@cocm.com	917-507-0070
Assistant Director of Housing	Atiya Patterson	apatterson@ccny.cuny.edu	917-507-0070
Office Coordinator	Vanessa Bishop-Pointer	vbishop@cocm.com	917-507-0070
Assistant Director of Operations	James Warren	jwarren@ccny.cuny.edu >	917-507-0070
Associate Director of Residence Life	Dave Piercey	dpiercey@ccny.cuny.edu	917-507-0070
Assistant Director of Facilities	Stivet Salcedo	ssalcedo@cocm.com	917-507-0070
Marketing Assistant	Destiny Dingle	ddingle@cocm.com	917-507-0070
Senior Resident Assistant	Parantap Saha	parantap@gtest.ccny.cuny.edu	917-507-0070

Resident Assistants

Rm #	First Name	Email
111A	Taylor Burgos	Taylor1@gtest.ccny.cuny.edu
212A	Noëlle Lilley	
312A	Alessandro Mercado	alessandro@gtest.ccny.cuny.edu
407A	Mia Chin	mia@gtest.ccny.cuny.edu
415A	Arielle Brutus	
512A	Shelly Zou	shelly@gtest.ccny.cuny.edu
612A	Ian Rohac	ian@gtest.ccny.cuny.edu
712A	William Dadario	william@gtest.ccny.cuny.edu
812A	Tiana Howell	tiana@gtest.ccny.cuny.edu
1011A	Tanja Miketic	tanja@gtest.ccny.cuny.edu

CCNY SCHEDULED VEHICLE SERVICE AND ESCORT SERVICE
CCNY PEDESTRIAN ROUTES**VEHICLE SERVICE:**

CCNY offers bus service 24 hours a day 7 days a week. All residents of The Towers are eligible for this free service; you only need to show your ID card.

During the heaviest travel periods, there are scheduled CCNY bus routes. These routes will transport residents to and from the Towers and the major buildings on the campus and to the major subway stops feeding the campus. During less heavily traveled periods, there are vans that provide similar service. To get to the bus stop from the Towers' front entrance/exit, walk north on the pathway prepared for you to 133rd and St. Nicholas Terrace. The bus also will drop you off at that stop when you return to the Towers.

The schedule for the bus and the van service is posted on the CCNY web site and copies are available at The Towers front desk. This schedule will give you the times the vehicles arrive at their scheduled stops at campus buildings and subway stations.

In addition, any resident who has special needs not accommodated by these scheduled stops should call CCNY Public Safety at 212-650-6911 to request a special escort service, which will respond to your call within 10 minutes to take you to or from a campus building to The Towers or to a subway station.

THE COLLEGE URGES RESIDENTS OF THE TOWERS TO MAKE FULL USE OF THIS SERVICE, WHICH HAS BEEN SCHEDULED TO ACCOMMODATE YOUR CONVENIENCE AND YOUR SAFETY.

PEDESTRIAN WALKWAYS

While we urge residents to make full use of our vehicle/escort service, we have lighted pedestrian walkways with Security Officers at key points. Current recommended pedestrian walkways will be posted on the Towers and the CCNY websites. All campus buildings are accessible from Convent Avenue. There are numerous places on our campus where you may relax, study, socialize out of doors, including the NAC Plaza, the grassy area south of the Administration Building next to the Marshak Building fitted with tables, and the quad area across from Shepard Hall. Wireless service is available in most areas. **CCNY HAS A BEAUTIFUL CAMPUS AND WE WANT YOU TO ENJOY IT!**

APPENDIX D

The Towers Office, CCNY and CUNY Conduct Policies and Procedures

In addition to adherence to the aforementioned policies and procedures, CCNY, CUNY, and all other student residents are expected to abide by all federal, state, and local laws. Violations of applicable laws may result both in administrative action by the Management and/or CCNY or other college, and in criminal investigations and proceedings, at the discretion of the Management and the relevant college officials.

CONDUCT VIOLATIONS: PROCEDURES

DISCIPLINARY PROTOCOL

All resident students alleged to have engaged in conduct that violates the policies described in this Handbook or other Towers Rules are subject to discipline according to the procedures described herein and/or the procedures contained in this Appendix. The Management will address most disciplinary issues of The Towers residents for violations of The Towers Rules, including the policies enumerated in this Handbook. However, the Management will consult with the CCNY VP of Student Affairs concerning residents who are CUNY students whose conduct also violates the Henderson Rules (Appendix F), other CCNY or CUNY rules and regulations, or law. In cases involving severe offenses, the Management will refer those residents either to the CCNY Office of Student Affairs, or, in the case of residents who attend other CUNY colleges, to the Office of Student Affairs of their home colleges, for disciplinary action under Article XV of the Bylaws of the CUNY Board of Trustees.

The Management will address disciplinary issues of non-CUNY students, but will also inform the appropriate official at those students' home colleges of the conduct at issue and the ultimate resolution of any disciplinary action taken against the student.

In addition, CCNY and other CUNY students whose conduct presents a direct threat of harm to themselves or others, or substantially interferes with the working or learning environment of others, and whose conduct appears to be connected to a mental health or other medical issue, will be referred to the CCNY Office of Student Affairs or the Office of Student Affairs of their home colleges, as applicable, who may address the students' conduct under CUNY's medical withdrawal policy (Appendix G).

CUNY RESIDENCE HALL DISCIPLINARY PROCEDURES

I. Introduction

These procedures are intended to apply to all CUNY- owned and/or - operated residence halls (referred to as "CUNY residence halls.") CUNY- owned buildings refers both to buildings operated by CUNY as the owner and those owned by CUNY but operated by a private company on behalf of CUNY. CUNY- operated buildings are buildings for which CUNY is responsible

for the management of the building, regardless of whether CUNY owns the building. The purpose of these procedures is to protect the health and safety of the entire residence hall community. These procedures provide 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.

II. 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. In addition, each CUNY residence hall should have written rules that are distributed to residents governing appropriate conduct in the residence hall. Students who violate their residence hall'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, in all cases involving a possible violation of CUNY's Sexual Misconduct Policy (cases involving alleged sexual misconduct, including cases of sexual harassment, gender-based harassment, or sexual violence), the cases must be reported to the applicable CUNY College's Title IX coordinator for applicable interim measures, investigation and potential discipline under Article XV.

Further, if a student's conduct threatens harm to themselves 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").

III. Emergency Situations

A. 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 Associate Director of Residence Life (ADRL) may remove the resident 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 ADRL must consult with the College's Chief Student

Affairs Officer or designee and Chief of the Department of Public Safety or designee before deciding on and effectuating such removal unless the situation presents an immediate danger. If the need for removal is immediate, the ADRL must consult with the above-referenced College officials as soon as practicable following such removal.

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 ADRL should contact the College's Chief Student Affairs Officer or designee, who shall arrange for the resident to 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.

B. 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. Room relocation may also be imposed as an interim measure under CUNY's Sexual Misconduct Policy.

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, including in cases involving alleged sexual misconduct) should be taken as soon as practicable, and in no event later than the time deadlines outlined in the applicable policy.

IV. Disciplinary Procedures in the Residence Hall

A. Role of the Associate Director of Residence Life

Each residence hall, whether managed directly by a CUNY college or by a private management company, will have an administrator, whose responsibilities will include oversight of the residence hall internal disciplinary process. The ADRL may conduct investigations of complaints, mediation conferences, and disciplinary hearings under these procedures.

B. Complaint and Investigative Process

A complaint of a violation of a residence hall, College or CUNY policy may be submitted by anyone, including resident advisors (“RAs”), residence hall staff, or other staff or students including guests 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.

If the complaint involves sexual misconduct because it alleges harassment, gender-based harassment, or sexual violence, the case must be reported to the applicable CUNY College’s Title IX coordinator for investigation and for potential discipline under Article XV. In all other cases, the complaint should be submitted to the ADRL or designee for investigation, with a copy provided to the College’s Chief Student Affairs Officer. The ADRL or designee will assess the incident and identify any alleged policy violations. If they 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 ADRL or designee will determine if residence hall, CUNY and/or College policy was violated. If so, and if the matter is not referred to the College’s Chief Student Affairs Officer, the ADRL or designee will refer the incident for informal mediation 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 ADRL or designee will refer the case to the College’s Chief Student Affairs Officer for all further action under Article XV of CUNY’s Bylaws or, if applicable and appropriate, the Medical Withdrawal Policy.

C. The Adjudication Process

The first step in the adjudication (or hearing) process ordinarily should be a meeting between the accused student (“respondent”) and the ADRL or designee. In cases involving minor infractions, a policy clarification notice letter may be sent in lieu of initiating the hearing process. Should the student wish to contest the policy clarification letter and engage in a hearing instead, the student must send a written request for hearing to the ADRL within five business days from receipt of the policy clarification letter.

The ADRL or designee will conduct the hearing. First, the ADRL or designee will reach out to the accused student via their email address on file with information regarding the violated

policy and when the infraction occurred. All respondents will be expected to submit a copy of their class schedule to the ADRL, who will then inform the respondent of their hearing time. If the respondent does not reply, notices will be delivered to the resident's room.

At the hearing, the findings of the investigation will be discussed with the student with an effort toward resolving the case. There are three potential outcomes to hearing. First, 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). Second, if no agreement is reached, the matter may proceed to a formal disciplinary hearing under these procedures. Third, if the student effectively demonstrates that the investigation's findings are incorrect, the allegations may be dismissed as unfounded.

Failure to attend an assigned hearing may result in the student being charged with an additional violation of residence hall rules.

D. Disciplinary Hearings

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, the Hearing Officer will have considerable discretion with respect to procedural requirements so as to facilitate a fair and expeditious decision.

Hearings will be closed to the public. The case against the respondent will be presented by the ADRL or designee, who will serve as the hearing officer. The Hearing Officer will inform the respondent of the charges, the hearing procedures, and their rights. The student shall then be asked for a plea of "responsible" or "not responsible." If the student pleads "responsible," they 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. The Hearing Officer will determine whether the student is responsible by reviewing the evidence presented and applying a preponderance of the evidence standard.

If the respondent does not attend the hearing, and does not present a reasonable excuse for non-attendance to the ADRL or designee, the hearing may be held in the student's absence. The Hearing Officer 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.

Summary of Student Procedural Rights at the Hearing

- The right to a confidential, closed hearing.
- The right to present the student's version of the incident.
- The right to present witnesses and documentary evidence on the student's behalf.
- The right to cross-examine witnesses presenting evidence at the hearing.

- The right to receive copies of documents introduced into evidence at the hearing.
- 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 Hearing Officer. The advisor must indicate relevant professional affiliation (if any), as well as name and relationship to the respondent. RAs are not permitted to serve as advisors to respondents. The process will not be delayed due to the unavailability of an advisor.
- The right to take written notes during the hearing, but not to use recording devices.
- The right to a written decision based on a preponderance of the evidence.
- The right to appeal a determination after a hearing.

Witnesses

The respondent and the residence hall staff member presenting the case each may present witnesses. Witnesses may participate in the process by answering questions posed during the hearing or by providing a signed statement. Witnesses will be asked to affirm that their statements are truthful. Questions may be posed to witnesses by the Hearing Officer, the respondent, and the professional staff member presenting the case against the student.

Documentary Evidence

Respondents 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 halls. Except in emergency situations or for other good cause, requested copies will be provided to a respondent prior to a disciplinary hearing on that student’s case. However, redactions will be made to the copies if required by law.

Determination

a. Responsibility

Once all of the evidence is presented, the hearing will be adjourned for the Hearing Officer 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 respondent was responsible for a violation.

A written decision will be issued and appropriate sanctions, if any, imposed, within ten calendar days from the date of the hearing. The decision will be sent by the ADRL by to the email address on file for the resident. In the event that the respondent is no longer residing in the residence hall, the ADRL will send the decision to the student’s new address, or, if unknown, to the student’s permanent home address.

b. Educational Requirements and Sanctions

Students who are found responsible for a violation(s) may be subject to one or more educational requirements and/or sanctions. Respondents may also agree to educational requirements and/or sanctions in order to resolve a case during the mediation process. The following is a list of possible requirements and 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.

Housing 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.

Loss of Privileges: Exclusion from participation in privileges for a specified period of time, including possible exclusion from certain areas of the residence hall or losing the ability to have guests.

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. The student will have no access to the building during the period of suspension.

Residence Hall Dismissal: Permanent separation of the student from the residence hall and termination of a student's housing or license agreement, as applicable. Following dismissal, the student will have no access to the building.

Note: Repeat offenses of policies may result in more serious sanctions. Residence Hall Dismissal is considered for any violation involving violence, sexual harassment, assault, endangerment, significant property damage, or repeated offenses of non-threatening behaviors.

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 an Appeal Officer within ten calendar days of the date of the decision. The Appeal Officer shall be the Director of Residence

Life, 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 themselves or others (by evidencing a likelihood of harm to themselves or others), or is substantially disrupting the learning or working environment of others, the student may not be removed from the residence hall while their 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 may either 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 if they are disproportionate to the violation, 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 ten calendar days from the date of receipt of the appeal, and it should be mailed by regular mail or hand-delivered to the resident'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 email address. The Appeal Officer's determination shall be final and not subject to further appeal.

APPENDIX E

CUNY BOARD OF TRUSTEES BYLAWS

Section 15.3. STUDENT DISCIPLINARY PROCEDURES.

Complaint Procedures:

- a. Any charge, accusation, or allegation which is to be presented against a student, and, which if proved, may subject a student to disciplinary action, must be submitted in writing in complete detail to the office of the dean of students promptly by the individual, organization or department making the charge.
- b. The chief student affairs officer of the college or his or her designee will conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The chief student affairs officer or his or her designee will advise the student of the charge(s) against him or her, consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. Following this preliminary investigation, which shall be concluded within thirty (30) calendar days of the filing of the complaint, the chief student affairs officer or designee shall take one of the following actions:
 - i. Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary actions. The individuals involved shall be notified that the complaint has been dismissed;
 - ii. Refer the matter to conciliation. If a matter is referred to conciliation the accused student shall receive a copy of the notice required pursuant to section 15.3.e. of this bylaw; or
 - iii. Prefer formal disciplinary charges.

Conciliation Conference:

The conciliation conference shall be conducted by the counselor in the office of the dean of students or a qualified staff or faculty member designated by the chief student affairs officer. The following procedures shall be in effect at this conference:

- i. An effort will be made to resolve the matter by mutual agreement.
- ii. If an agreement is reached, the counselor shall report his/her recommendation to the chief student affairs officer for approval and, if approved, the complainant shall be notified.
- iii. If no agreement is reached, or if the student fails to appear, the counselor shall refer the matter back to the chief student affairs officer who will prefer disciplinary charges.
- iv. The counselor is precluded from testifying in a college hearing regarding information received during the conciliation conference.

Notice of Hearing and Charges:

Notice of the charge(s) and of the time and place of the hearing shall be personally delivered or sent by the chief student affairs officer of the college to the student at the address appearing on the records of the college, by registered or certified mail and by regular mail. The hearing shall be scheduled within a reasonable time following the filing of the charges or the conciliation conference. Notice of at least five

business days shall be given to the student in advance of the hearing unless the student consents to an earlier hearing.

The notice shall contain the following:

- i. A complete and itemized statement of the charge(s) being brought against the student including the rule, bylaw or regulation he/she is charged with violating, and the possible penalties for such violation.
- ii. A statement that the student has the following rights:
 - a. to present his/her side of the story;
 - b. to present witnesses and evidence on his/her behalf;
 - c. to cross-examine witnesses presenting evidence against the student;
 - d. to remain silent without assumption of guilt; and
 - e. to be represented by legal counsel or an advisor at the student's expense.

A warning that anything the student says may be used against him/her at a non-college hearing.

Faculty-Student Disciplinary Committee Procedures:

The following procedures shall apply at the hearing before the faculty-student disciplinary committee:

- i. The chairperson shall preside at the hearing. The chairperson shall inform the student of the charges, the hearing procedures and his or her rights.
- ii. After informing the student of the charges, the hearing procedures, and his or her rights, the chairperson shall ask the student charged to plead guilty or not guilty. If the student pleads guilty, the student shall be given an opportunity to explain his/her actions before the committee. If the student pleads not guilty, the college shall present its case. At the conclusion of the college's case, the student may move to dismiss the charges. If the motion is denied by the committee the student shall be given an opportunity to present his or her defense.
- iii. Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent thereto, the chairperson may only rule on the sufficiency of the evidence and may exclude irrelevant, immaterial or unduly repetitive evidence. However, if either party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude all persons who are to appear as witnesses, except the accused student.
- iv. The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, a tape recording or the equivalent. A disciplined student is entitled upon request to a copy of such a transcript, tape or equivalent without cost.
- v. The student is entitled to a closed hearing but has the right to request an open public hearing. However, the chairperson has the right to hold a closed hearing when an open public hearing would adversely affect and be disruptive of the committee's normal operations.
- vi. The college bears the burden of proving the charge(s) by a preponderance of the evidence.
- vii. The role of the faculty-student disciplinary committee is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a

determination as to guilt or innocence. In the event the student is found guilty, the committee shall then determine the penalty to be imposed.

- viii. At the end of the fact-finding phase of the hearing, the student may introduce additional records, such as character references. The college may introduce a copy of the student's previous disciplinary record, where applicable, provided the student was shown a copy of the record prior to the commencement of the hearing. The disciplinary record shall be submitted to the committee in a sealed envelope and shall not be opened until after the committee has made its findings of fact. In the event the student has been determined to be guilty of the charge or charges the records and documents introduced by the student and the college shall be opened and used by the committee for dispositional purposes, i.e., to determine an appropriate penalty if the charges are sustained.
- ix. The committee shall deliberate in closed session. The committee's decision shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.
- x. The student shall be sent a copy of the faculty-student disciplinary committee's decision within five days of the conclusion of the hearing. The decision shall be final subject to the student's right of appeal.
- xi. Where a student is represented by legal counsel the president of the college may request that a lawyer from the general counsel's office appear at the hearing to present the college's case.

Section 15.4. APPEALS.

An appeal from the decision of the faculty-student disciplinary committee may be made to the president who may confirm or decrease the penalty but not increase it. His/her decision shall be final except in the case of dismissals or suspension for more than one term. An appeal from a decision of dismissal or suspension for more than one term may be made to the appropriate committee of the board. Any appeal under this section shall be made in writing within fifteen days after the delivery of the decision appealed from. This requirement may be waived in a particular case for good cause by the president or board committees as the case may be. If the president is a party to the dispute, his/her functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor.

Section 15.5. COMMITTEE STRUCTURE.

- a. Each faculty-student disciplinary committee shall consist of two faculty members and two student members and a chairperson. A quorum shall consist of the chair and any two members. Hearings shall be scheduled at a convenient time and efforts shall be made to insure full student and faculty representation.
- b. The president shall select in consultation with the head of the appropriate campus governance body or where the president is the head of the governance body, its executive committee, and three (3) members of the instructional staff of that college to receive training and to serve in rotation as chair of the disciplinary committee. If none of the chairpersons appointed from the campus can serve, the president, at his/her discretion, may request that a chairperson be selected by lottery from the entire group of chairpersons appointed by other colleges. The chairperson shall preside at all meetings of the faculty-student disciplinary meetings and decide and make all

rulings for the committee. He/she shall not be a voting member of the committee but shall vote in the event of a tie.

- c. The faculty members shall be selected by lot from a panel of six elected annually by the appropriate faculty body from among the persons having faculty rank or faculty status. The student members shall be selected by lot from a panel of six elected annually in an election in which all students registered at the college shall be eligible to vote. In the event that the student or faculty panel or both are not elected, or if more panel members are needed, the president shall have the duty to select the panel or panels which have not been elected. No individuals on the panel shall serve on the panel for more than two consecutive years.
- d. In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a student or faculty seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the faculty or student panel by lottery.
- e. Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.

Section 15.6. SUSPENSION OR DISMISSAL.

The board reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or unit of the university in the use of its facilities or in the achievement of its purposes as an educational institution.

The chancellor or chancellor's designee, a president or any dean may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in bylaw section 15.3. to take place within not more than seven (7) school days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation or theory of the matter. When a student's presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter.

APPENDIX F

THE CITY UNIVERSITY OF NEW YORK 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 (including 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 others and/or are reporting violence or harassment will not be subject to discipline under the circumstances described below.

I. 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 invoke 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.

II. 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 units 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.

III. 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 6/30/2014, 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.

APPENDIX G

Henderson Rules

The tradition of the University as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedoms: the rights of professors to teach, of scholars to engage in the advancement of knowledge, of students to learn and to express their views, free from external pressures or interference. These freedoms can flourish only in an atmosphere of mutual respect, civility, and trust among teachers and students, only when members of the University community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

With respect to enforcement of these rules and regulations we note that the Bylaws of the Board of Higher Education provide that:

“THE PRESIDENT”

The president, with respect to his/her education unit, shall:

- A. Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his/her jurisdiction;
- B. Be the advisor and executive agent of the Board of his/her respective College Committee and as such shall have the immediate supervision with full discretionary power in carrying into effect the Bylaws, resolutions, and policies of the Board, the lawful resolutions of any of its committees and the policies, programs and lawful resolutions of the several facilities;
- C. Exercise general superintendence over the concerns, officers, employees, and students of his/her educational unit.

Rules

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he/she interfere with the institution’s educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution’s instructional, personal, administrative, recreational, and community services.
2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/ College when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
3. Unauthorized occupancy of University/College facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/ college equipment and/or supplies.
4. Theft from, or damage to University/College premises or property, or theft of or damage to property of any person on University/College premises is prohibited.
5. Each member of the academic community or an invited guest has the right to advocate his/her position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.
6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/College, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of their rights or interferes with the institution’s

educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

7. Disorderly or indecent conduct on University/College- owned or controlled property is prohibited.
8. No individual shall have in his/her possession a rifle, shotgun, or firearm or knowingly have in his/her possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/College without the written authorization of such educational institution. Nor shall any individual have in his/her possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/College.
9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University employees in the workplace, or the performance by University employees in the workplace of any work while under the influence of an unlawfully obtained controlled substance, is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
11. The unlawful possession, use, or distribution of alcohol by students or employees on University/College premises or as part of any University/College activities is prohibited.

Penalties

1. Any student engaging any manner in conduct prohibited under substantive Rules 1-9 shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, and/or arrest by the civil authorities.
2. Any tenured or non-tenured faculty member, or other member of the instruction staff or member of the classified staff engaging in any manner of conduct prohibited under substance rules I-II shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of The City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and for engaging in any manner in conduct prohibited under substantive rule IO, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. A tenured or non-tenured faculty member or other member of the instructional staff, or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules I-II shall be entitled to be treated in accordance with applicable provisions of the Education Law or the Civil Service Law or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.
3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under substantive Rules I-II shall be subject to ejection, and/or arrest by the civil authorities.
4. Any organization which authorized the conduct prohibited under substantive rules I-II shall have its permission to operate on campus rescinded.

Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

Appendix

Sanctions defined:

- A. **Admonition**
An oral statement to the offender that he/she has violated University rules.
- B. **Warning**
Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may cause far more severe disciplinary action.
- C. **Censure**
Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any University regulation within a period stated in the letter of reprimand.
- D. **Disciplinary Probation**
Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.
- E. **Restitution**
Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.
- F. **Suspension**
Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.
- G. **Expulsion**
Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.
- H. **Complaint to Civil Authorities**
- I. **Ejection**

APPENDIX H

The City University of New York Medical Withdrawal and Re-entry Policy and Procedures Governing Student Behavior that Presents a Direct Threat of Harm to Self or Others or Substantially Disrupts the Learning or Working Environment of Others

I. Introduction

The City University of New York (“CUNY”) is committed to the academic success and personal growth of its students. As part of that commitment, CUNY and its constituent campuses are responsible for providing a safe learning and working environment for students, faculty, staff and other members of the University 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, the safety and security of the campus community, including the individual student, is paramount. This policy does not replace or supersede reasonable and appropriate security and health and safety measures, such as calling 911 or taking other immediate action in case of imminent threat to life or limb.

In addition to taking action to protect the security and safety of the campus community, a college may address the student’s conduct to determine if action under this policy or under the student disciplinary process is appropriate. When a student’s conduct that directly threatens or substantially disrupts the learning or working environment of others appears to relate to a medical condition, the campus may, at its option, address the student’s conduct either in accordance with this policy, or through the student disciplinary process. If the student’s conduct constitutes a threat solely to him or herself, it should be addressed under this policy rather than the disciplinary process.

II. Policy

- A. As an alternative to disciplinary action that may be taken under Article XV of CUNY’s Bylaws, a college of CUNY may bring a proceeding to require a student to withdraw from the University, or, under some circumstances, the student’s home college and/or from residence in a college residence hall under this withdrawal policy and procedures when the student’s behavior evidences a direct threat of harm to others, or when the student’s behavior substantially disrupts the learning or working environment of others. A direct threat means a significant risk of harm to health or safety.
- B. A student who threatens to commit or attempts to commit suicide (“suicidal student”), and who does not otherwise threaten direct harm to others or substantially disrupt the learning or working environment of others, shall not be subject to disciplinary action for that threat or attempt under Article XV of the CUNY’s Bylaws. If a college determines that withdrawal of the suicidal

student or retention of the student subject to specified conditions is appropriate because the student's behavior threatens direct harm to him or herself, the procedures outlined below with respect to suicidal students shall apply instead of disciplinary procedures.

- C. A student who withdraws or is withdrawn from the University, a college or college residence hall pursuant to this policy may apply for re-entry to the University, a college and/or to a college residence hall. The application for re-entry shall be made to the student's home college's Chief Student Affairs Officer, who shall determine whether the student still presents a direct threat of harm to him or herself or others or still presents a significant risk to substantially disrupt the learning or working environment of others. If the Chief Student Affairs Officer or designee determines, based on the assessment of a qualified, licensed mental health professional, that there is not a significant risk that the behavior that required withdrawal will be repeated, he or she shall approve the student's application for re-entry.

III. Procedures

A. Emergency Interim Removal

1. If a student'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 Chief Student Affairs Officer or designee (if such Officer is not immediately available) may direct an emergency interim removal of the student that restricts the student's access to the College's campus or residence hall, as appropriate, for an interim period before a final determination of the matter. The Chief Student Affairs Officer or designee shall consult with the University's Office of the General Counsel prior to making any such direction.

The fact that a student has threatened to commit suicide or attempted suicide, by itself, does not allow the Chief Student Affairs Officer or designee to direct an emergency interim removal. In all cases involving such suicidal students, the Chief Student Affairs Officer or designee must attempt to have the student individually assessed by a mental health professional as outlined below in A.3. before deciding whether to direct an emergency interim removal.

2. Except as permitted in III A. 1. above, before determining whether to require an emergency interim removal, the Chief Student Affairs Officer or designee shall take the following steps:

- a. exercise all reasonable efforts to meet with the student; and
 - b. in that meeting, offer the student the opportunity to be evaluated at the college's expense by a qualified, licensed mental health professional, who may be an employee of a college of CUNY or CUNY or on retainer to a college of CUNY or CUNY. Whenever possible, that professional shall have had no prior contact with the student. The professional shall assess whether the student's behavior presents an immediate, severe and direct threat to him or herself or others or presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others, and, if so, whether the student's behavior may be the result of a medical issue. That professional shall present his or her findings to the Chief Student Affairs Officer or designee, who shall determine based on those findings and other evidence available whether emergency interim removal under these procedures is appropriate.
 - c. If the student refuses to meet, and/or refuses to undergo such assessment or to keep a scheduled appointment, the Chief Student Affairs Officer or designee may require emergency interim removal without a meeting and/or mental health assessment if he or she reasonably concludes on the basis of the available evidence that the student's behavior evidences an immediate, severe and direct threat of harm to the student or others or is substantially disrupting the working or learning environment of others and presents a significant risk to continue that substantial disruption. The Chief Student Affairs Officer or designee shall consult with the University's Office of the General Counsel before making such a determination.
3. The emergency interim removal from the College and/or residence hall shall remain in effect until a final decision has been made pursuant to the procedures below, unless, before a final decision is made, the Chief Student Affairs Officer or designee determines that the reasons for imposing the interim removal no longer exist.

B. Withdrawal after Emergency Interim Removal

1. If a student has been subjected to an emergency interim removal from the college and/or residence hall, the college shall request retention with conditions or voluntary withdrawal within 7 calendar days of such removal. Should the request for retention with conditions or voluntary withdrawal request be refused, the College shall determine within 7 calendar days of such refusal whether to take further action

against the student, including whether to initiate involuntary withdrawal proceedings or, disciplinary proceedings under Article XV of the CUNY Bylaws (for non-suicidal students), and shall send notice of either such proceeding in accordance with the notice requirements of the applicable procedure within that 7-day period. For students who have been subjected to an emergency interim removal without having undergone the assessment procedures outlined in III A. 3 above, the College shall follow the assessment procedures outlined below in B.2. a. prior to determining its course of action.

2. In cases where the student has been subjected to an emergency interim removal without assessment, the procedure for determining whether withdrawal is appropriate is as follows:
 - a. The Chief Student Affairs Officer or designee shall exercise best efforts to meet with the student to discuss the student's behavior and to hear the student's explanation of the alleged behavior. If, after hearing the explanation, the Officer or designee still wishes to consider the possibility of the student's withdrawal, he or she shall offer the student an opportunity to be evaluated, at the college's expense, by a qualified, licensed mental health professional, who may be an employee of a college of CUNY or CUNY, or on retainer to a college of CUNY or CUNY. Whenever possible, that professional shall have had no prior contact with the student. The professional shall make findings concerning whether the student's behavior presents a direct threat of harm to him or herself or others or presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others and if so, whether the student's behavior may be the result of a medical issue. The professional shall report such findings to the Chief Student Affairs Officer, who shall, based on those findings, and after consultation with the University's Office of the General Counsel, determine the appropriate action, including whether to request that the student withdraw from the University, the college and/or the college residence hall or whether to request that the student agree to specified conditions in lieu of withdrawal.
 - b. If the student refuses to undergo the requested assessment, or fails to keep the scheduled appointment, and the Chief Student Affairs Officer reasonably concludes on the basis of the available evidence that the student's behavior presents a direct threat of harm to him or herself or others or substantially

disrupts the learning or working environment of others and presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others, the Chief Student Affairs Officer may request that the student voluntarily withdraw from the University, the college and/or the college residence hall. The Chief Student Affairs Officer shall consult with the University's Office of the General Counsel before making any such request.

- c. If the student agrees to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs officer or designee shall (i) discuss with the student the procedures for and consequences of voluntary withdrawal or the specified conditions, as applicable; (ii) discuss the circumstances with the student's parents or legal guardians as permissible by law and as appropriate; (iii) consult with the student's academic advisor or department, as appropriate; (iv) consult with the residence hall director, as appropriate; (v) refer the student to appropriate resources for treatment; and (vi) advise the student concerning the process for applying for readmission, as well as on conditions for readmission, if applicable and appropriate.
- d. If the student does not agree to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs Officer shall determine, in consultation with the University's Office of the General Counsel, whether to take further action against the student, including whether to initiate involuntary withdrawal proceedings, or, in the case of non-suicidal students, whether to initiate disciplinary proceedings under Article XV of the CUNY Bylaws.

C. Withdrawal of Students Without Emergency Interim Removal

1. Non-Suicidal Students

a. Voluntary Withdrawal or Retention with Conditions

- (1) In situations where a student's behavior evidences a direct threat of harm to himself or others or substantially disrupts the learning or working environment of others and presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others and the Chief Student Affairs Officer reasonably believes that the student's behavior may be connected to a

medical issue, the Chief Student Affairs Officer may request that the student or designee voluntarily withdraw or agree to retention under conditions.

- (2) If the student agrees to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs officer or designee shall (i) discuss with the student the procedures for and consequences of voluntary withdrawal or the specified conditions, as applicable; (ii) discuss the circumstances with the student's parents or legal guardians as permissible by law and as appropriate; (iii) consult with the student's academic advisor or department, as appropriate; (iv) consult with the residence hall director, as appropriate; (v) refer the student to appropriate resources for treatment; and (vi) advise the student concerning the process for applying for readmission, as well as on conditions for readmission, if applicable and appropriate.

b. Involuntary Withdrawal

- (1) If the student does not agree to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs Officer shall determine, in consultation with the University's Office of the General Counsel, whether to take further action against the student, including whether to initiate involuntary withdrawal proceedings or disciplinary proceedings under Article XV of the CUNY Bylaws.

- (2) Before initiating involuntary withdrawal proceedings under this procedure, the Chief Student Affairs Officer shall follow the assessment procedures outlined above in B.2.

2. Suicidal Students

- a. The College shall follow the assessment and other procedures outlined above in B.2 a.-d. in order to determine the appropriate course of action.

D. Involuntary Withdrawal Procedures

1. The following shall be the procedures for involuntary withdrawal:
 - a. Notice of the involuntary withdrawal hearing and the time and place of the hearing shall be personally delivered or sent by the Chief Student Affairs Officer of the college to the student at the address appearing on the records of the college, by overnight or certified mail, by regular mail, and, for students who have a college e-mail address, to that e-mail address. Notice of at least five business days shall be given to the student in advance of the hearing unless the student consents to an earlier hearing.
 - b. The notice shall contain (i) a statement of the reasons involuntary withdrawal is sought (ii) the type of withdrawal sought (from the University, the college and/or from the college residence hall); and (iii) a statement that the student has a right to present his or her side of the story, to present witnesses and evidence on his or her behalf, to cross-examine witnesses presenting evidence against the student, to remain silent without assumption of guilt, and to be represented by legal counsel or an advisor at the student's expense.
 - c. CUNY shall constitute a Health Review Panel, comprised of qualified, licensed mental health professionals employed by a college of CUNY or by CUNY, or on retainer to a college of CUNY or CUNY. CUNY's Vice-Chancellor of Student Affairs shall appoint the members of the Health Review Panel. Members of the Health Review Panel, in committees constituted separately for each hearing ("Health Review Committee"), shall be responsible for adjudicating all involuntary withdrawal hearings held according to these procedures. For each involuntary withdrawal hearing, the Vice-Chancellor of Student Affairs or his designee shall constitute a three-person Health Review Committee from the Health Review Panel to adjudicate at that hearing. No member of the Health Review Committee shall have had prior contact with the student. All decisions of the Health Review Committee shall be made by majority vote.
 - d. The hearing shall be closed, unless the student requests an open hearing. However, the Health Review Committee may overrule a request for an open hearing if it determines that an open hearing would be inappropriate or disruptive in light of the nature of the evidence to be presented.

- e. After the evidence is presented at the hearing, the Health Review Committee shall determine whether the College has proved, by a preponderance of the evidence, that the student's behavior presents a direct threat of harm to him or herself or others, or has substantially disrupted the learning or working environment of others and presents a significant risk of threatening further substantial disruption of the learning or working environment of others, and if so, what the appropriate remedy should be. The Health Review Committee may also set reasonable and appropriate conditions on re-entry. The decision of the Health Review Committee shall be made within five business days from the close of the hearing.

Appeals

An appeal from the decision of the Health Review Committee may be made to the President of the college or the President's designee within thirty calendar days after the delivery of the decision appealed from. The President or designee shall make his or her determination on the appeal within fifteen business days from receipt of the appeal. The President's decision may be appealed to the Chancellor of the University or his or her designee within thirty calendar days after the delivery of the President's decision on appeal. The Chancellor or designee's decision shall be made within fifteen business days from receipt of the appeal. The Chancellor (or designee's) decision shall be final. The bases overturning a decision of the Health Review Committee at both levels of review are limited to the following: (i) clearly erroneous factual findings; (ii) procedural irregularities; (iii) newly available evidence that would have affected the outcome; (iv) sanctions and/or conditions on readmission were unreasonable or inappropriate.

Re-entry

A student who is withdrawn from the University, a student's home college and/or a college residence hall under this policy may be considered for re-entry.

A student wishing to be considered for re-entry should contact his or her home college's Chief Student Affairs Officer and provide appropriate documentation of behavioral change and resolution of the initial behavioral problem, including compliance with any conditions that may have been set for readmission.

A student may apply for re-entry to the University, a college and/or a college residence hall no more than one time per term.

In assessing an application for re-entry, the Chief Student Affairs Officer or designee shall: (i) in cases in which he or she determines that an additional mental health assessment is necessary, refer the student for assessment to a qualified, licensed mental health professional, at the college's expense; (ii) receive, investigate, and examine appropriate relevant documentation, including assessments made by college-referred mental health professionals, and, if applicable, licensed treating mental health professionals; (iii) consult with the Health Review Committee, in cases in which the student's withdrawal was adjudicated by such a Committee; (iv) contact the student's parents or legal guardians as permissible by law, if appropriate; (v) provide an opportunity for the student to meet with the Chief Student Affairs Officer or designee to discuss re-entry.

If the Chief Student Affairs Officer or designee determines, based on the evidence presented, that there is not a significant risk that the behavior that required withdrawal will be repeated, he or she shall approve the student's application for re-entry. In such cases, the Chief Student Affairs Officer or designee shall initiate the re-entry process, provide the student with written conditions for continued attendance, and inform any relevant administrators of the student's re-entry.

If the Chief Student Affairs Officer or designee determines that the application for re-entry should be denied, he or she shall provide the student with a written explanation of the reasons for the denial and specify when the next request for re-entry may be considered.

A student may appeal the Chief Student Affairs Officer or designee's denial of re-entry to the college President or designee within thirty calendar days after the delivery of the decision denying re-entry. The President or designee shall make his or her determination on the appeal within thirty calendar days from receipt of the appeal. The President's decision may be appealed to the Chancellor of the University or his or her designee within thirty calendar days after the delivery of the President's decision on appeal. The Chancellor or designee's decision shall be made within thirty calendar days from receipt of the appeal. The Chancellor (or designee's) decision shall be final. The basis for overturning a decision on

appeal at either level shall be limited to a determination that the decision on re-entry was clearly erroneous.

Effect on Academic Status

In the event of a withdrawal pursuant to this policy, a notation of withdrawal shall appear on the student's transcript for all classes taken during that semester. The Chief Student Affairs Officer at a student's home college may grant a student request that, in lieu of withdrawal, a notation of incomplete shall appear on his or her transcript for classes taken during that semester, subject to faculty approval for each such class.

Effect on Housing Status

If the student has been living in a college residence hall and will not be permitted to continue to do so, the student's contract will be canceled and fees refunded on a prorated basis.

Confidentiality

The results of examinations by mental health professionals to whom students are referred for assessment at any stage in the withdrawal or readmission process shall be confidential student records, except that if the results indicate that the student presents an imminent, severe, and direct threat of harm to him or herself or others, those results may be shared with the appropriate individuals in order to attempt to prevent the occurrence of such harm. The results of these examinations shall be admissible in involuntary withdrawal hearings but shall not be admissible in disciplinary hearings, unless the student places his or her health, including mental health, at issue in a disciplinary hearing.

APPENDIX I

SEXUAL HARASSMENT GUIDELINES

Policy Statement

It is the policy of The City University of New York to promote a cooperative work and academic environment in which there exists mutual respect for all University students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the University's non-discrimination policy. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated within the University.

The University, through its colleges, will disseminate this policy and take other steps to educate the University community about sexual harassment. The University will establish procedures to ensure that investigations of allegations of sexual harassment are conducted in a manner that is prompt, fair, thorough, and as confidential as possible under the circumstances, and that appropriate corrective and/or disciplinary action is taken as warranted by the circumstances when sexual harassment is determined to have occurred. Members of the University community who believe them to be aggrieved under this policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the college to investigate the allegations.

A. Prohibited Conduct

It is a violation of University policy for any member of the University community to engage in sexual harassment or to retaliate against any member of the University community for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

B. 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; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or abusive work or academic environment.

The City University of New York

Policy Against Sexual Harassment

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.

C. Examples of Sexual Harassment

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment include, but are not limited to, the following:

- requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations);
- submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the target does find, and a reasonable person would find, that an intimidating, hostile or abusive work or academic environment has been created. Examples of this kind of sexual harassment include, but are not limited to, the following:

- sexual comments, teasing, or jokes;
 - sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;
 - graphic or sexually suggestive comments about an individual's attire or body;
- inquiries or discussions about sexual activities;
 - pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- sexually suggestive letters or other written materials;
 - sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling;
 - coerced sexual intercourse or sexual assault.

D. Consensual Relationships

Amorous, dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor, or other member of the University community and any person for whom he or she has a professional responsibility. These dangers can include: that a student or employee may feel coerced into an unwanted relationship because he or she fears that refusal to enter into the relationship will adversely affect his or her education or employment; that conflicts of interest may arise when a faculty member, supervisor, or other member of the University community is required to evaluate the work or make personnel or academic decisions with respect to an individual with whom he or she is having a romantic relationship; that students or employees may perceive that a fellow student or co-worker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty members, supervisors, and other members of the University community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

For purposes of this section, an individual has "professional responsibility" for another individual at the University if he or she performs functions including, but not limited to, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits such as promotions, financial aid awards or other remuneration, or that may impact upon other academic or employment opportunities.

E. Academic Freedom

This policy shall not be interpreted so as to constitute interference with academic freedom.

F. False and Malicious Accusations

Members of the University community who make false and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

G. Procedures

The University has developed procedures to implement this policy. The President of each constituent college of the University, the Senior Vice Chancellor at the Central Office, and the Dean of the Law School shall have ultimate responsibility for overseeing compliance with this policy at his or her respective unit of the University. In addition, each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility shall be required to report any complaint of sexual harassment to the individual or individuals designated in the procedures. All members of the University community are required to cooperate in any investigation of a sexual harassment complaint.

H. Enforcement

There is a range of corrective actions and penalties available to the University for violations of this policy. Students, faculty, or staff who are found, following applicable disciplinary proceedings, to have violated this Policy are subject to various penalties, including termination of employment and/or student expulsion from the University.

Effective October 1, 1995

(Revised January 1, 2005)

APPENDIX J

FILE SHARING AND COPYRIGHTED MATERIAL

Peer-to-peer (P2P) file-sharing programs have become a popular way to exchange music, movies, games and software over the Internet. Academic applications of these programs are also expanding. If you use P2P programs, we want you to be aware of certain personal risks.

P2P file-sharing programs are not illegal. However, they can be used for illegal copying or distributing of music, movie, software and other files. Most material is copyrighted; downloading or distributing such material without permission of the copyright holder is a violation of U.S. copyright law. If you use a P2P program to download, trade or share files without appropriate permission, you may be liable for money damages and even jail time. In addition, this kind of use is in violation of CUNY's policy on Use of CUNY Computer Resources and may subject you to disciplinary action.

The risk of suit is real. Automated scanning software helps copyright holders identify infringements. On September 8, 2003 the Recording Industry Association of America (RIAA), the trade group that represents the U.S. recording industry, filed lawsuits against 216 individuals who distributed substantial amounts of copyrighted music on P2P networks. The RIAA has announced that this is the first wave of what could be thousands of civil lawsuits against individuals.

As the Internet Service Provider to the University community, CUNY is required by law to respond when notified of infringing material located on CUNY networks. If CUNY failed to act, it could share liability as the owner of the network. CUNY will therefore notify the alleged infringer and may terminate network access until the problem is corrected. CUNY may also be required to identify individuals who have violated copyright laws.

You should also be aware that P2P file sharing may decrease computer security and make it vulnerable to hacking or computer viruses. Furthermore, P2P activity on CUNY networks consumes a disproportionate amount of network resources. In an environment where we share network resources, this is unfair, and may mean that instructional, research and administrative activities are compromised.

There is much debate about copyright law in the digital age. If you don't like the law regarding P2P file-sharing, learn more about it and become involved in trying to change it. In the meantime, protect yourself by acting responsibly and respecting the intellectual property rights of others.

Office of the General Counsel and Vice Chancellor for Legal Affairs
Frederick P. Schaffer, Vice Chancellor

October 20, 2003
File Sharing and Copyrighted Material

APPENDIX K

The City University of New York

Policy on Acceptable Use of Computer Resources

Introduction

CUNY's computer resources are dedicated to the support of the university's mission of education, research and public service. In furtherance of this mission, CUNY respects, upholds and endeavors to safeguard the principles of academic freedom, freedom of expression and freedom of inquiry.

CUNY recognizes that there is a concern among the university community that because information created, used, transmitted or stored in electronic form is by its nature susceptible to disclosure, invasion, loss, and similar risks, electronic communications and transactions will be particularly vulnerable to infringements of academic freedom. CUNY's commitment to the principles of academic freedom and freedom of expression includes electronic information. Therefore, whenever possible, CUNY will resolve doubts about the need to access CUNY computer resources in favor of a user's privacy interest.

However, the use of CUNY computer resources, including for electronic transactions and communications, like the use of other university-provided resources and activities, is subject to the requirements of legal and ethical behavior. This policy is intended to support the free exchange of ideas among members of the CUNY community and between the CUNY community and other communities, while recognizing the responsibilities and limitations associated with such exchange.

Applicability

This policy applies to all users of CUNY computer resources, whether affiliated with CUNY or not, and whether accessing those resources on a CUNY campus or remotely.

This policy supersedes the CUNY policy titled "CUNY Computer User Responsibilities" and any college policies that are inconsistent with this policy.

Definitions

"CUNY Computer resources" refers to all computer and information technology hardware, software, data, access and other resources owned, operated, or contracted by CUNY. This includes, but is not limited to, personal computers, handheld devices, workstations, mainframes, minicomputers, servers, network facilities, databases, memory, and associated peripherals and software, and the applications they support, such as e-mail and access to the internet.

“E-mail” includes point-to-point messages, postings to newsgroups and lists, and other electronic messages involving computers and computer networks.

Rules for Use of CUNY Computer Resources

1. Authorization. Users may not access a CUNY computer resource without authorization or use it for purposes beyond the scope of authorization. This includes attempting to circumvent CUNY computer resource system protection facilities by hacking, cracking or similar activities, accessing or using another person’s computer account, and allowing another person to access or use the user’s account. This provision shall not prevent a user from authorizing a colleague or clerical assistant to access information under the user’s account on the user’s behalf while away from a CUNY campus or because of a disability. CUNY computer resources may not be used to gain unauthorized access to another computer system within or outside of CUNY. Users are responsible for all actions performed from their computer account that they permitted or failed to prevent by taking ordinary security precautions.

2. Purpose. Use of CUNY computer resources is limited to activities relating to the performance by CUNY employees of their duties and responsibilities. For example, use of CUNY computer resources for private commercial or not-for-profit business purposes, for private advertising of products or services, or for any activity meant solely to foster personal gain, is prohibited. Similarly, use of CUNY computer resources for partisan political activity is also prohibited.

Except with respect to CUNY employees other than faculty, where a supervisor has prohibited it in writing, incidental personal use of computer resources is permitted so long as such use does not interfere with CUNY operations, does not compromise the functioning of CUNY computer resources, does not interfere with the user’s employment or other obligations to CUNY, and is otherwise in compliance with this policy.

3. Compliance with Law. CUNY computer resources may not be used for any purpose or in any manner that violates CUNY rules, regulations or policies, or federal, state or local law. Users who engage in electronic communications with persons in other states or countries or on other systems or networks may also be subject to the laws of those other states and countries, and the rules and policies of those other systems and networks. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular use.

Examples of applicable federal and state laws include the laws of libel, obscenity and child pornography, as well as the following:

Family Educational Rights and Privacy Act

Electronic Communications Privacy Act

Computer Fraud and Abuse Act

New York State Freedom of Information Law

New York State Law with respect to the confidentiality of library records

Examples of applicable CUNY rules and policies include the following:

Sexual Harassment Policy

Policy on Maintenance of Public Order

Web Site Privacy Policy

Gramm-Leach-Bliley Information Security Program

University Policy on Academic Integrity

Information Security policies

4. Licenses and Intellectual Property. Users of CUNY computer resources may use only legally obtained, licensed data or software and must comply with applicable licenses or other contracts, as well as copyright, trademark and other intellectual property laws.

Much of what appears on the internet and/or is distributed via electronic communication is protected by copyright law, regardless of whether the copyright is expressly noted. Users of CUNY computer resources should generally assume that material is copyrighted unless they know otherwise, and not copy, download or distribute copyrighted material without permission unless the use does not exceed fair use as defined by the federal Copyright Act of 1976. Protected material may include, among other things, text, photographs, audio, video, graphic illustrations, and computer software.

5. False Identity and Harassment. Users of CUNY computer resources may not employ a false identity, mask the identity of an account or computer, or use computer resources to engage in abuse of others, such as sending harassing, obscene, threatening, abusive, deceptive, or anonymous messages within or outside CUNY.

6. Confidentiality. Users of CUNY computer resources may not invade the privacy of others by, among other things, viewing, copying, modifying or destroying data or programs belonging to or containing personal or confidential information about others, without explicit permission to do so. CUNY employees must take precautions to protect the confidentiality of personal or confidential information encountered in the performance of their duties or otherwise.

7. Integrity of Computer Resources. Users may not install, use or develop programs intended to infiltrate or damage a computer resource, or which could reasonably be expected to cause, directly or indirectly, excessive strain on any computing facility. This includes, but is not limited

to, programs known as computer viruses, Trojan horses, and worms. Users should consult with the IT director at their college before installing any programs that they are not sure are safe.

8. Disruptive Activities. CUNY computer resources must not be used in a manner that could reasonably be expected to cause or does cause, directly or indirectly, unwarranted or unsolicited interference with the activity of other users. This provision explicitly prohibits chain letters, virus hoaxes or other intentional e-mail transmissions that disrupt normal e-mail service. Also prohibited are spamming, junk mail or other unsolicited mail that is not related to CUNY business and is sent without a reasonable expectation that the recipient would welcome receiving it, as well as the inclusion on e-mail lists of individuals who have not requested membership on the lists, other than the inclusion of members of the CUNY community on lists related to CUNY business. CUNY has the right to require users of CUNY computer resources to limit or refrain from other specific uses if, in the opinion of the IT director at the user's college, such use interferes with efficient operations of the system, subject to appeal to the President or, in the case of central office staff, to the Chancellor.

9. CUNY Names and Trademarks. CUNY names, trademarks and logos belong to the university and are protected by law. Users of CUNY computer resources may not state or imply that they speak on behalf of CUNY or use a CUNY name, trademark or logo without authorization to do so. Affiliation with CUNY does not, by itself, imply authorization to speak on behalf of CUNY.

10. Security. CUNY employs various measures to protect the security of its computer resources and of users' accounts. However, CUNY cannot guarantee such security. Users are responsible for engaging in safe computing practices such as guarding and not sharing their passwords, changing passwords regularly, logging out of systems at the end of use, and protecting private information, as well as for following CUNY's Information Security policies and procedures. Users must report incidents of Information Security policy non-compliance or other security incidents to CUNY's Chief Information Officer and Chief Information Security Officer, and the IT director at the affected user's college.

11. Filtering. CUNY reserves the right to install spam, virus and spy ware filters and similar devices if necessary in the judgment of CUNY's Office of Information Technology or a college IT director to protect the security and integrity of CUNY computer resources. Notwithstanding the foregoing, CUNY will not install filters that restrict access to e-mail, instant messaging, chat rooms or websites based solely on content.

12. Confidential Research Information. Principal investigators and others who use CUNY computer resources to store or transmit research information that is required by law or regulation to be held confidential or for which a promise of confidentiality has been given, are responsible for taking steps to protect confidential research information from unauthorized access or modification. In general, this means storing the information on a computer that provides strong access controls (passwords) and encrypting files, documents, and messages for protection against inadvertent or unauthorized disclosure while in storage or in transit over data networks. Robust encryption is strongly recommended for information stored electronically on all computers,

especially portable devices such as notebook computers, Personal Digital Assistants (PDAs), and portable data storage (e.g., memory sticks) that are vulnerable to theft or loss, as well as for information transmitted over public networks. Software and protocols used should be reviewed and approved by CUNY's Office of Information Technology.

13. CUNY Access to Computer Resources.

CUNY does not routinely monitor, inspect, or disclose individual usage of its computer resources without the user's consent. In most instances, if the university needs information located in a CUNY computer resource, it will simply request it from the author or custodian. However, CUNY IT professionals and staff do regularly monitor general usage patterns as part of normal system operations and maintenance and might, in connection with these duties, observe the contents of web sites, e-mail or other electronic communications. Except as provided in this policy or by law, these individuals are not permitted to seek out contents or transactional information, or disclose or otherwise use what they have observed. Nevertheless, because of the inherent vulnerability of computer technology to unauthorized intrusions, users have no guarantee of privacy during any use of CUNY computer resources or in any data in them, whether or not a password or other entry identification or encryption is used. Users may expect that the privacy of their electronic communications and of any materials contained in computer storage in any CUNY electronic device dedicated to their use will not be intruded upon by CUNY except as outlined in this policy.

CUNY may specifically monitor or inspect the activity and accounts of individual users of CUNY computer resources, including individual login sessions, e-mail and other communications, without notice, in the following circumstances:

- a. when the user has voluntarily made them accessible to the public, as by posting to Usenet or a web page;
- b. when it is reasonably necessary to do so to protect the integrity, security, or functionality of CUNY or other computer resources, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
- c. when it is reasonably necessary to diagnose and resolve technical problems involving system hardware, software, or communications, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
- d. when it is reasonably necessary to protect CUNY from liability, or when failure to act might result in significant bodily harm, significant property loss or damage, or loss of significant evidence, as determined by the college president or a vice president designated by the president, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a CUNY

faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;

e. when there is a reasonable basis to believe that CUNY policy or federal, state or local law has been or is being violated, as determined by the college president or a vice president designated by the president, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;

f. when an account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns, as determined by the college president or a vice president designated by the president and the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee, the Office of General Counsel, and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable; or

g. as otherwise required by law.

In those situations in which the Chair of the University Faculty Senate is to be consulted prior to monitoring or inspecting an account or activity, the following procedures shall apply: (i) the college president shall report the completion of the monitoring or inspection to the Chair and the CUNY employee affected, who shall also be told the reason for the monitoring or inspection, except where specifically forbidden by law; and (ii) if the monitoring or inspection of an account or activity requires physical entry into a faculty member's office, the faculty member shall be advised prior thereto and shall be permitted to be present to observe, except where specifically forbidden by law.

A CUNY employee may apply to the General Counsel for an exemption from some or all of the circumstances under which CUNY may inspect and monitor computer resource activity and accounts, pursuant to subparagraphs (a)-(f) above, with respect to a CUNY computer resource used solely for the collection, examination, analysis, transmission or storage of confidential research data. In considering such application, the General Counsel shall have the right to require the employee to affirm in writing that the computer resource will be used solely for the confidential research. Any application for exemption should be made prior to using the computer resource for the confidential research.

CUNY, in its discretion, may disclose the results of any general or individual monitoring or inspection to appropriate CUNY personnel or agents, or law enforcement or other agencies. The results may be used in college disciplinary proceedings, discovery

proceedings in legal actions, or otherwise as is necessary to protect the interests of the University.

In addition, users should be aware that CUNY may be required to disclose to the public under the New York State Freedom of Information Law communications made by means of CUNY computer resources in conjunction with University business.

Any disclosures of activity of accounts of individual users to persons or entities outside of CUNY, whether discretionary or required by law, shall be approved by the General Counsel and shall be conducted in accordance with any applicable law. Except where specifically forbidden by law, CUNY employees subject to such disclosures shall be informed promptly after the disclosure of the actions taken and the reasons for them.

The Office of General Counsel shall issue an annual statement of the instances of account monitoring or inspection that fall within categories (d) through (g) above. The statement shall indicate the number of such instances and the cause and result of each. No personally identifiable data shall be included in this statement.

See CUNY's Web Site Privacy Policy for additional information regarding data collected by CUNY from visitors to the CUNY website at www.cuny.edu.

14. Enforcement. Violation of this policy may result in suspension or termination of an individual's right of access to CUNY computer resources, disciplinary action by appropriate CUNY authorities, referral to law enforcement authorities for criminal prosecution, or other legal action, including action to recover civil damages and penalties.

Violations will normally be handled through the university disciplinary procedures applicable to the relevant user. For example, alleged violations by students will normally be investigated, and any penalties or other discipline will normally be imposed, by the Office of Student Affairs.

CUNY has the right to temporarily suspend computer use privileges and to remove from CUNY computer resources material it believes violates this policy, pending the outcome of an investigation of misuse or finding of violation. This power may be exercised only by the President of each college or the Chancellor.

15. Additional Rules. Additional rules, policies, guidelines and/or restrictions may be in effect for specific computers, systems, or networks, or at specific computer facilities at the discretion of the directors of those facilities. Any such rules which potentially limit the privacy or confidentiality of electronic communications or information contained in or delivered by or over CUNY computer resources will be subject to the substantive and procedural safeguards provided by this policy.

16. Disclaimer. CUNY shall not be responsible for any damages, costs or other liabilities of any nature whatsoever with regard to the use of CUNY computer resources. This includes, but is not

limited to, damages caused by unauthorized access to CUNY computer resources, data loss, or other damages resulting from delays, non-deliveries, or service interruptions, whether or not resulting from circumstances under the CUNY's control.

Users receive and use information obtained through CUNY computer resources at their own risk. CUNY makes no warranties (expressed or implied) with respect to the use of CUNY computer resources. CUNY accepts no responsibility for the content of web pages or graphics that are linked from CUNY web pages, for any advice or information received by a user through use of CUNY computer resources, or for any costs or charges incurred by a user as a result of seeking or accepting such advice or information.

CUNY reserves the right to change this policy and other related policies at any time. CUNY reserves any rights and remedies that it may have under any applicable law, rule or regulation. Nothing contained in this policy will in any way act as a waiver of such rights and remedies.

Last Updated: 2/8/07

CCNY Computer Users - Rules & Responsibilities

City College computing resources must be used in a manner consistent with the University's educational purposes and environment. All users of College-based e-mail accounts and computing hardware, software, and networking appliances (henceforward computing resources) have certain responsibilities to insure the efficient and security of campus-wide users. This policy applies to all users of College computing resources, affiliated or not with the College, and to all users of those resources, on campus or from remote locations. All users are expected to adhere to the rules and regulations set forth in this document, which are subject to revision.

Security

CCNY employs various measures to protect the security of its computing resources. Users should bear in mind that the College cannot guarantee security and confidentiality, and therefore should practice "safe computing." Use of computing resources is not completely private. While the College does not routinely monitor individual usage, normal operations sometimes require the backup and caching of data and communications, the logging of activity, and monitoring of general usage patterns and activities required for optimal service. The College may specifically monitor an individual's computing transactions without notice when:

- the user has voluntarily made them accessible to the public, as by leaving equipment unsecured; posting inappropriately to newsgroups or web pages; or generated disruptive software;
- suspicious activity or circumstances warrant protecting the integrity, security and functioning of the College and/or its computing resources from liability;
- there is reasonable cause to believe the user has violated regulations;
- computing resources appear to be engaged in unusual or excessive activity; or

- it is required or permitted by law.

Rules for Appropriate Usage

Computing resources are not to be used for personal commercial purposes or for personal, financial or other gain. Occasional personal use of College computing resources for other purposes is permitted when it does not consume a significant amount of those resources, does not interfere with the performance of the user's job or responsibilities, and is in compliance with the regulations set forth here. Further limits may be imposed upon personal use in accordance with normal supervisory procedures.

- Every user of the College's computing resources is required to receive authorization from an appropriate college official (administrative faculty or staff). Such authorization allows one to utilize the appropriate computing resources for approved activities. Illegal usage, for example, by theft or misappropriation, of computing resources, is a criminal act subject to prosecution as a misdemeanor or felony. It is also cause for suspension or termination from University status.
- One should take all necessary precautions to protect all computing resources. Each user is responsible for securing and safeguarding his/her designated computing resources. For example, one should change one's password frequently, and not disclose it to anyone to prevent unauthorized use of one's account. Each user will be held responsible for any actions taken by their designated resources.
- Any attempt to circumvent individual computer system protection or general campus-wide computing security may result in actions that violate the user's right to privacy, the property rights of the file owner or a third party (such as a software supplier), and therefore can be grounds for the imposition of severe penalties. Attempts to produce system failures or cause system performance degradation will be dealt with harshly. This includes tampering with equipment, including unauthorized repairs, relocation or removal of computing resources.
- It is illegal without prior authorization to install, transmit, alter, or destroy data, programs or software belonging to others covered under copyright laws. Accordingly, all users are prohibited (1) from installing unlicensed software or peripherals on college equipment, and (2) from removing preinstalled files without proper authorization.
- Student computing resources are issued for the sole purpose of doing assigned class work. Submitting assignments prepared by others or obtained by plagiarism is considered cheating. Students are expected to work on these assignments independently, and evidence of unauthorized group work will be considered cheating and dealt with accordingly.
- Sale of programming assignments shall be deemed to be a violation of Section 213-B of the New York State Education Law.
- Abusive and improper private use includes using CCNY computing resources for profit-making and illegal purposes, as well as sending harassing anonymous or unsolicited messages within CUNY or beyond via network facilities. Use of college

facilities for private purposes is not permitted unless prior authorization and monetary compensation are arranged.

- The Directors of the computer centers have established regulations for the orderly use of facilities. These regulations may include time limits on the use of terminals, priorities on the use of facilities, etc. Abusing computer personnel or users is prohibited by the Disciplinary Regulations. This includes activities such as sending obscene messages as defined by the Ethics Committee, via the electronic mail system and preventing others from using computing facilities.

Penalties

The Senate Executive Committee and the Director of the Computer Services shall form an Ethics Committee, which will in conjunction with the City College Administration and CUNY University Computer Center, investigate reports of violations of computer use rules. This Committee shall recommend appropriate means of enforcing these regulations, make recommendations and adjudicate questions of ethics in particular cases.

Any user found violating any of these regulations is subject to any/or all of the following penalties:

- Immediate suspension of computing resource privileges.
- Academic penalties or disciplinary procedures under CUNY By-Laws, which provide for sanctions including suspensions or dismissal.
- Criminal procedures. Instructors will be immediately informed of the suspension of the computer accounts.

APPENDIX L

FACILITIES FREQUENTLY ASKED QUESTIONS

We have collected the most frequently asked facilities questions for your reference. This information will help you set up your apartment and maintain it throughout the year.

How should I hang pictures on the wall?

The goal is to minimize damage to the walls. We have found best for this purpose are 3M Command Adhesive (TM) products, tacks and picture hanger hooks. Do not use screws, nails (except finish nails), tape, adhesive pads, or putty of any kind.

Why can't I hang anything from or near the sprinklers?

The sprinklers are extremely sensitive and may go off if jostled or tampered with. If this happens, your apartment will flood within seconds. So be respectful of this equipment.

What should I do if my phone doesn't work?

If you think there might be a problem with your phone, first make sure it is plugged into the correct jack. The phone line jack is white and the Ethernet jack is blue. If that doesn't solve the problem, submit a maintenance request.

What should I do if my cable doesn't work?

First check that your cable cord is securely attached to your TV and the wall jack. If that does not correct the problem, please contact our cable service provider Airwave Network at 877-778-WAVE or www.airwave-networks.net/towersCCNY to submit a service request.

What should I do if my apartment has a pest control problem?

Most importantly, clean your apartment, as pests usually result from unsanitary conditions, such as improperly stored food, or organic residue in your garbage can. If the problem persists, submit a work order. The maintenance staff will have our pest control company treat your apartment on their next weekly visit. If possible, capture a sample of the pest to show to the pest control company for accurate identification and treatment.

What should I do if an outlet in the bathroom or kitchen does not work?

This is probably due to water contacting the required GFI outlet. There are two GFI buttons on the outlets in these areas: a test button and a reset button. If an outlet doesn't work, push the reset button. If the outlet still does not work, submit a maintenance request.

What should I do if I lose power in an area of my apartment?

If there is a power outage in the apartment, you should find the breaker box, which is a metal insert in your wall in the kitchen or hallway. There are two columns of switches in the breaker box. Each switch in a column should be facing the same direction. If one switch is out of alignment, flip it back so that it is properly aligned. If all of the switches are aligned correctly, locate the switch that matches the specific area where the power outage exists (e.g. the bathroom or kitchen) and flip that switch to the opposite position and then to the correct position.

Will the maintenance staff change light bulbs for me?

Yes, the maintenance staff will change light bulbs on all apartment fixtures.

What should I do if my toilet is clogged?

If you do not have a plunger, you can check one out from the security desk. Pump the plunger into the toilet to create suction, then release the plunger, and repeat those actions until the obstruction is cleared. If your toilet is overflowing, turn the valve on the lower left-hand side of the wall behind the toilet clockwise until it stops. **Use something to soak up the water before it flows to the apartment below.** See section below on maintenance emergency to determine how to report this problem.

Why does my water need time to warm up?

The hot water circulation system for these buildings is very large. If there is not a lot of usage it can take time to pull the hot water to your apartment.

What is a maintenance emergency?

A maintenance emergency is one in which the safety of a resident is jeopardized or when basic life needs are not provided. In case of a maintenance emergency, the RA will activate the 24-hour on-call system and a staff member will come in to solve the problem.

Situations that would be considered emergencies are:

- ❖ All toilets in unit are clogged
- ❖ Heating doesn't work and temperature outside is under 45 degrees
- ❖ Air conditioning doesn't work and temperature outside is over 95 degrees
- ❖ Unit door will not lock
- ❖ No electricity in unit
- ❖ Flooding
- ❖ Refrigerator/freezer is not cooling food to safe temperatures
- ❖ Broken window (both panes)
- ❖ Inoperable smoke detector

Situations that are not maintenance emergencies, but would be handled as soon as possible the next day include:

- ❖ Clogged toilet in a unit where another toilet works.
- ❖ No hot water
- ❖ Stove doesn't work
- ❖ Heating doesn't work and temperature outside is over 45 degrees
- ❖ Air conditioning doesn't work and temperature outside is under 95 degrees
- ❖ Bedroom door won't lock
- ❖ Clogged shower
- ❖ Electricity out for one or two items
- ❖ Smoke detector low battery indicator is sounding

Situations that are not emergencies and would be dealt with in priority order include:

- ❖ Blinds don't go up/down
- ❖ Water drains slowly
- ❖ Broken towel rack
- ❖ Light bulb needs to be changed

What can I do to avoid being billed for damages when I move out?

There are several steps that you can take to keep your apartment in good condition so that you will be eligible for a security deposit refund at the end of your lease:

- ❖ Clean your apartment at least once a week. Pay special attention to vacuuming the carpets, cleaning the toilets, bathtubs, sinks, tile floors, stovetop, drip pans,

microwave, refrigerator, and countertops. It is wise to set up a cleaning rotation between all residents to ensure a clean apartment at check out.

- ❖ Keep your walls in good condition: hang only one or two pictures per wall using the methods recommended above, do not place furniture directly against the walls, and make sure that your bed sheets and bedspreads do not mark the walls.
- ❖ Put a mattress pad or mattress cover on your mattress to protect it from stains.
- ❖ Prevent damage to the apartment and do not install additional items such as shelves, hooks, over-the-door hooks.

Follow the instructions in your move-out letter to prepare your apartment for move-out. Be sure to coordinate your move-out preparation with your roommates, since common area issues are billed to all residents of the apartment.

APPENDIX M

Appliance Quick Reference Guide

This guide provides you with helpful tips for using your apartment’s appliances safely and efficiently. If you have any other questions about your appliances, you may wish to download the user’s Handbooks from the internet – they are very helpful to have handy!

Appliance	Do	Don't
Stove	Put a protective cover of aluminum foil on your drip pans to make cleaning easier.	Heat oil at a high temperature – it may catch fire.

	Clean the drip pans, hood filter, stovetop, and oven regularly. Purchase and maintain a fire extinguisher in your kitchen.	Use water to attempt to extinguish a kitchen fire. Leave the stove unattended while in use.
Microwave	Clean the microwave regularly. Use microwave-safe dishes.	Put items containing metal or aluminum foil in the microwave.
Refrigerator/Freezer	Clean the refrigerator regularly.	Overload shelves or door storage. Block bottom front vent in freezer.

DAMAGES⁷

Avoiding damage charges.

Please complete the Room Condition Report you receive at check in and submit it to the Management office within three business days of your check in. To complete the form, log onto The Towers Residential Portal and document any damage that currently exists in your unit. Be as specific as possible using numbers, dimensions and descriptions. For example, if your kitchen counter has a scratch in the laminate, you might write “2 inch scratch near sink” in the move in column in the kitchen section next to “counter”. If you have any questions about how to complete the form, please contact your Resident Assistant for help. This Report will be used when you move out so we don’t charge you for any pre-existing damages in your apartment.

If there are any items that need correction in your room, please submit a maintenance ticket requesting the repair. Maintenance tickets can be submitted via www.ccnytowers.com through the Residential Portal. If you have not yet received an email with your username and password, contact the service desk to submit the maintenance ticket.

List of Common Damages.

Following is a list of common damages and the associated charges. The list is necessarily incomplete, as many damages must be handled on a case-by-case basis. All payments are due with the month’s rental installment following notification to you of the charges. No charges will be assessed without fully considering reasonable wear and tear as well as the move in condition described on the Room Condition Report.

Screen Replacement	\$30.00
Screen Re-installation	\$10.00
Smoke Alarm Replacement	\$75.00

⁷ This Appendix is a supplement to detailed information about damages throughout this Manual, and must be used in conjunction with that information.

Smoke Alarm Re-installation	\$25.00
Space Heater Replacement.....	\$50.00
Hollow Door Replacement	\$180.00
Steel Door Replacement	\$400.00
Window Glass Replacement (size varies)	\$170.00
Blinds Replacement	\$25.00
Minor Wall Repair (Includes holes and nicks which can be patched or stains which can be covered. Major repairs or stains will be handled on a case-by-case basis.)	\$45.00
Minor Ceiling Repair (Major repairs or stains will be handled on a case-by-case basis.)	\$90.00
Light Fixture Cover Replacement	\$25.00
Upholstered Furniture Cleaning	\$45.00
Carpet Replacement, per bedroom	\$600.00
Carpet Replacement, common area	\$900.00
Carpet Cleaning, per room	\$50.00
Kitchen/Bathroom Flooring Replacement	\$300.00
Counter Laminate Replacement	\$350.00
Removal of foreign objects From Plumbing	Varies
Garbage/Trash removal (per box/bag)	\$15.00
Door Knob Replacement	\$165.00
Wall plate Replacement	\$10.00
Microwave Replacement	\$255.00
Refrigerator Replacement	\$500.00
Stove Replacement	
\$400.00Refrigerator Shelf Replacement	\$30.00
Ice-Cube Tray.....	\$5.00
Toilet Replacement	\$280.00
Toilet Seat Replacement	\$20.00
Towel Rack Replacement	\$20.00
Toilet Paper Holder	\$20.00
Excessive toilet plunging due to disposal of items (pads, tampons, excessive toilet paper, etc) that should not be flushed.....	\$50.00
Bedroom Cleaning (vacuum carpet, clean out drawers, clean out closet, dust blinds, clean windows, clean window ledges, dust furniture)	\$100.00
Bathroom Cleaning (wipe down fixtures and vanity, damp mop floor, clean tub, clean toilet, wipe down walls, wipe down door)	\$100.00
Living Room Cleaning (vacuum carpet, dust furniture, clean window ledges, clean windows, dust blinds, wipe down baseboard, disinfect furniture)	\$100.00
Kitchen Cleaning (damp mop floor, wipe down all surfaces, wipe down laundry door and washer/dryer, clean out cabinets and drawers)	\$200.00
Appliance Deep Cleaning	\$50.00
Full Kitchen Deep Cleaning (includes kitchen cleaning and deep cleaning of all appliances)	\$240.00
Drip Pan Replacement	\$30.00

Stove Top Burners Replacement.....	\$50.00
Dresser Replacement	\$345.00
Desk Replacement	\$370.00
End Table Replacement	\$150.00
Coffee Table Replacement	\$160.00
Entertainment Center Replacement	\$250.00
Living Room Chair Replacement	\$375.00
Sofa Replacement	\$585.00
Dining Table Replacement	\$275.00
Dining Chair Replacement	\$90.00
Bed Frame/Springs Replacement	\$225.00
Desk Chair Replacement	\$150.00
Mattress Replacement	\$300.00
Pool Stick Replacement.....	\$30.00
Pool Table Felt Replacement.....	\$400.00
Board Game Replacement.....	\$25.00

**Charges are subject to change at any time without notification.*

EMERGENCY PREPAREDNESS⁸

Emergency Preparedness

Although we hope emergencies won't happen, it is best to be prepared. The Towers at CCNY staff will do their best to help you, but you need to do your part as well. Follow the three steps below and you'll be ready!

Make a Kit

You should have a few emergency supplies stashed away in case of an emergency. If you have a car, you should have two kits, one in your apartment and the other in your automobile. These kits should include: water & food (non-perishable), can-opener, first aid supplies, flashlight/batteries, battery-powered AM/FM radio, corded telephone, and medication or any other special item you can't do without.

If you are evacuated to a campus emergency location, you will only be able to bring minimal belongings, so be sure that you have the following supplies accessible to be quickly packed at all times: clothing, pillow/blanket, towel & soap, toothbrush/toothpaste, shower shoes, medicine, flashlight, padlock, phone card, snacks, something to do (books, games, etc).

Make a Plan

If an emergency occurs, you want to know what your resources are, and have a plan ready. Keep the following issues in mind when drafting your personal emergency plan:

⁸ This section on Emergency Preparedness is supplementary to detailed information about avoiding and responding to emergencies throughout this Manual, and this Appendix needs to be used in conjunction with those details.

- If you had to evacuate campus for a few days, where would you go in the local area?
- Do you have an out-of-state contact to help you communicate to your family members? It may be easier to make a long-distance phone call than to call across town if local circuits are busy.
- Will The Towers staff be able to contact you with updates about the situation? Make sure you keep your emergency contact information up-to-date with the The Towers Management Office.

Be Informed...

... about fire alarm procedures

If the fire alarms sound, you must evacuate the building. Exit your apartment and go to the nearest stairwell – don't use the elevator if the alarms are sounding! Go down to the first floor, exit the building, and proceed to the assembly point listed in the chart below. Find the Resident Life staff member assigned to your assembly point and remain at the assembly point until the Resident Life staff member authorizes you to re-enter the building or directs you to another location.

Interior Assembly Area: CCNY the main theater in Aaron Davis Hall

Exterior Assembly Area: 133rd and St. Nicholas Terrace by the Guard Booth.

... about emergency readiness

You can find more information about emergency readiness at www.ready.gov or www.fema.gov. Help your RA plan a program to prepare residents for what to do in case of emergency. You'll learn a lot in the planning and will help your fellow residents learn too!

APPENDIX N

The Towers at CCNY Residence Hall Association Constitution

The resident students of The Towers at City College of New York establish a Residence Hall Association to provide a representative voice for resident students to further the relationship of residency in The Towers with the social, educational, and cultural mission of our college experience.

Article One: Name

Section One: The name of this organization shall be the Residence Hall Association of CCNY, hereafter referred to as RHA.

Article Two: Purpose and Responsibility

Section One: The purpose of the organization shall be as follows:

- A. To receive and disseminate information from the Towers residence hall at CCNY.
- B. To serve as a forum of exchange for ideas, issues, and opinions of the residence hall community.
- C. To support and encourage positive community growth among the residents.
- D. To be a liaison between the residents of The Towers CCNY and the Capstone Office of Housing and Residence Life.
- E. To sponsor and provide campus programming that promotes the academic, social, and cultural experience of residence hall students.
- F. To uphold and promote CCNY policies applicable to students who reside in The Towers.
- G. To uphold and promote the policies established by the Office of Housing and Residence Life.
- H. To encourage respect for a diversity of religious, cultural, and personal backgrounds, reflecting residence in The Towers as a microcosm of a multicultural society.

Article Three: Membership

Section One: The voting membership of the organization shall be one (1) official representative selected by each floor in accordance with the hall's constitution.

Section Two: Voting members shall not be Resident Assistants during their term of office.

Section Three: All voting members must live in the residence hall or building community they represent.

Section Four: All other students living in the Towers at CCNY are non-voting members of RHA and are encouraged to attend all General Assembly meetings and participate in committees.

Section Five: RHA does not discriminate on the basis of race, sex, religion, color, national origin, physical or mental disability, health impairment, age, status as a Vietnam era veteran, or sexual orientation.

Article Four: Responsibility of Voting Members

Section One: It is the responsibility of all voting members of RHA or designated proxies to attend all RHA General Assembly meetings and all assigned committee meetings.

Section Two: It is also the responsibility of all voting members:

- A. To represent and vote according to the interests of their respective hall.
- B. To act in the best interest of the entire residence hall community.
- C. To review, and, if necessary, propose changes to the minutes of General Assembly meetings.

Section Three: All voting members of RHA must serve on at least one (1) of the standing committees.

Article Five: Executive Board

Section One: The Executive Board shall consist of the three (3) executive officers and ten (10) floor representatives.

Section Two: The Executive Board shall plan each General Assembly meeting.

Section Three: The meetings of the Executive Board shall be held bi-monthly at a specific time set at the beginning of each semester.

Section Four: The Executive Board shall be voting members of RHA.

Section Five: Executive Board members shall not be Resident Assistants during their term of office.

Section Six: Executive Board members shall maintain a cumulative 2.3 GPA during their term of office.

Article Six: Executive Officers and Standing Committee Directors

Section One: The executive officers of this organization shall be:

- A. President
- B. Vice President
- C. National Communications Coordinator (NCC)
- D. Activities Director
- E. National Communications Coordinator (NCC Elect)

Section Two: Elected Positions

- A. All elected officers may only hold one (1) elected RHA position at any time during their time of office.
- B. Elected positions in other on-campus organizations (this includes USG, etc.) will be evaluated by the Executive Board of RHA and the advisor on a case by case basis.

Section Three: The general duties of the executive officers shall be to attend and actively contribute to all RHA Executive Board, General Assembly, and designated committee meetings, if applicable.

Section Four: Succession and Resignation

- A. If the Presidency is vacant, the Vice President shall become President. In the occurrence of a vacated executive office other than the Presidency and NCC an election shall be held for that vacancy as described in the Elections Code.

B. If the NCC position is vacant, the NCC Elect shall serve as the NCC. In the circumstance there is no NCC Elect at the time of the resignation of the NCC, there shall be an election for the vacant executive position as described in the Elections Code.

C. In the event of a vacated office, the Executive Board shall fulfill the duties of that office until the position is filled.

Article Seven: Advisors

Section One: The duties and responsibilities of the advisors shall be:

A. To act as a resource for all committee work.

B. To act as a resource person to RHA.

C. To serve as an ex-officio member of the Executive Board.

Section Two: An Assistant Director of Housing and Residence Life and/or designated Staff Member shall be a permanent advisor to RHA, and serve as its primary advisor.

Section Three: The Director of Housing and Residence Life can remove an advisor at his/her discretion.

Section Four: Upon the resignation of an advisor, the Assistant Director of Housing and Residence Life shall accept letters of intent from any Residence Hall Director, Assistant Residence Hall Director, or Resident Manager and conduct interviews in the usual manner.

Section Five: The number of additional advisors will be at the discretion of the primary advisor.

Article Eight: Resolutions and Motions

Section One: A resolution or motion is passed when the appropriate majority of the voting representatives cast his/her vote in favor of that resolution or motion.

Section Two: The President has the authority to veto a resolution or motion based on constitutionality or legality.

Section Three: If a resolution or motion is not approved by the President, the voting representatives have the power to override the President's decision with a two-thirds (2/3) vote of the voting representatives, except in cases where the motion or resolution has been determined unconstitutional or illegal.

Article Nine: Elections

Section One: The RHA Elections procedures will be stated in the official RHA Elections Code.

Article Ten: Amendments

Section One: Amendments may be proposed in writing by any voting member of the organization as well as any Executive Board member and must be submitted to the President before the Executive Board meeting prior to its presentation at a General Assembly meeting.

Section Two: The amendment will be presented at the next General Assembly meeting.

Section Three: A vote of three-fourths (3/4) of the voting membership is required to amend the Constitution.

Article Eleven: Bylaws

Section One: RHA shall be empowered to adopt such Bylaws and regulations as deemed necessary for carrying out its functions through the procedures established in the Constitution, provided such Bylaws and regulations do not conflict with the Constitution.

Section Two: Amendments to the Bylaws can be made with an affirmative vote of two-thirds (2/3) by the voting membership present at any General Assembly meeting.

Section Three: The Bylaws shall go into effect upon adoption of this document.

Article Twelve: Ratification

Section One: This Constitution shall become effective upon ratification by three fourths ($\frac{3}{4}$) of the voting membership and the approval of the Residence Hall Director and the Vice President of Student Affairs.

Article Thirteen: Parliamentary Procedure

Section One: RHA shall follow the current edition of Robert's Rules of Order Newly Revised, unless they somehow conflict with another section of the governing documents.

APPENDIX O

THE CITY UNIVERSITY OF NEW YORK 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 inappropriate use 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 and from permitting CUNY students to illegally use drugs or alcohol. 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 educate themselves 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.