

The Office of Compliance and Diversity

BMCC is committed to ensuring a discriminatory free environment, where all individuals are treated fairly and with respect. The Office of Compliance & Diversity is dedicated to promoting an open and inclusive environment, addressing complaints of unlawful discrimination or harassment, creating programs which promote diversity, and ensuring that the college complies with all applicable policies and laws.

Who can file a complaint?

- Individuals who can file a complaint include, but are not limited to, students, faculty, staff, and applicants for employment.
- If you feel you have been discriminated against or witnessed discrimination or harassment, please contact the Office of Compliance and Diversity.

Where do I file a complaint?

- To file a complaint of unlawful discrimination or harassment (including sexual harassment) please contact:

<p>Odelia Levy, Esq. Chief Diversity Officer Title IX & Title 504 Coordinator 199 Chambers Street – Room S701k OLevy@bmcc.cuny.edu or 212-220-1236</p>	<p>Theresa Wade, Esq. Deputy Director of Diversity & Title IX Compliance 199 Chambers Street – Room S701j TWade@bmcc.cuny.edu or 212-220-1273</p>
<p>You can also contact Public Safety at 212-220-8080 or speak to a Public Safety officer. Public Safety is located at 199 Chambers Street, Room S211 and officers are present in all campus buildings.</p> <p>Public Safety is available whenever the building is open.</p>	

What if I'm not sure whether I want to file a complaint?

- The Office of Diversity and Compliance responds to complaints or concerns about unlawful harassment and discrimination on the basis of a protected characteristic. If you believe you have been discriminated against or have observed discrimination or harassment, you may contact the Office of Diversity and Compliance for a consultation to discuss your options.
- At the consultation, you may seek assistance, learn about how to file an internal complaint, and learn about interim safety measures and accommodations.

What if I need assistance requesting a disability related accommodation?

- Please contact the Office of Accessibility (for students) at 212-220-8180 or Human Resources (for employees) at 212-220-8300

I have questions. How can I learn more about the process?

- Please contact Odelia Levy at OLevy@bmcc.cuny.edu or 212-220-1236 or Theresa Wade at TWade@bmcc.cuny.edu or 212-220-1273.



For CUNY students who experience Sexual Violence, including sexual assault, domestic, dating or, intimate partner violence, stalking or voyeurism.

All students have the right to:

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

This Student Bill of Rights was established by the "Enough is Enough" Law, New York State Education Law Article 129-B, effective October 7, 2015.

For more information about preventing and addressing Sexual Violence at CUNY see <http://www1.cuny.edu/sites/title-ix/campus-websites>.

Information about filing a report, seeking a response, and options for confidential disclosure is available on CUNY's Title IX web page.

Questions about CUNY's Sexual Misconduct policy and procedures may be directed to your campus Title IX Coordinator.



NOTICE OF NON-DISCRIMINATION

It is the policy of The City University of New York—applicable to all colleges and units— to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without discriminating on the basis of actual or perceived **race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, pregnancy, status as a victim of domestic violence/stalking/sex offenses, unemployment status, caregiver or familial status, prior record of arrest or conviction**, or any other legally prohibited basis in accordance with federal, state and city laws. This policy is set forth in CUNY's Policy on Equal Opportunity and Non-Discrimination.

CUNY's Policy on Sexual Misconduct prohibits all forms of sexual misconduct, including sexual harassment, gender harassment and sexual violence. Inquiries concerning sexual misconduct or sex discrimination may be made to the individuals specified in that Policy or may be referred to the U.S. Department of Education, Office for Civil Rights.

It is also the University's policy to provide reasonable accommodations and academic adjustments, when appropriate, to individuals with disabilities, individuals observing religious practices, individuals who have pregnancy or childbirth-related medical conditions and victims of domestic violence/stalking/sex offenses. The process for addressing these issues is set forth in CUNY's Procedures for Implementing Reasonable Accommodations and Academic Adjustments.

Retaliation for reporting or opposing discrimination, cooperating with an investigation of a discrimination complaint, or requesting an accommodation or academic adjustment is also **prohibited**.

To access CUNY's Policy and Procedures on Equal Opportunity and Non-Discrimination, Policy on Sexual Misconduct, and Procedures for Implementing Reasonable Accommodations and Academic Adjustments, please visit these links:

<http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/hr/policies-and-procedures/CUNYPolicy-Equal-Opportunity-and-Non-Discrimination-010115-procedures.pdf>

<http://policy.cuny.edu/wp-content/uploads/sites/6/page-assets/general-policy/EDITED-CUNY-Policy-on-Sexual-Misconduct-2018-with-links-8.2.2018.pdf>

<http://www2.cuny.edu/about/administration/offices/legal-affairs/policies-procedures/reasonable-accommodations-and-academic-adjustments/>

The following people have been designated at the Borough of Manhattan Community College to handle inquiries and complaints relating to CUNY's Policy on Equal Opportunity and Non-Discrimination and Policy on Sexual Misconduct and to ensure compliance with CUNY's Procedures for Implementing Reasonable Accommodations and Academic Adjustments:

<p>Odelia Levy, Esq. Chief Diversity Officer Title IX & Title 504 Coordinator OLEvy@bmcc.cuny.edu or 212-220-1236</p>	<p>Theresa Wade, Esq. Deputy Director of Diversity & Title IX Compliance TWade@bmcc.cuny.edu or 212-220-1273</p>
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The following federal, state, and local agencies enforce laws against discrimination:

- New York City Commission on Human Rights,
<http://www1.nyc.gov/site/cchr/index.page>
- New York State Division on Human Rights,
<http://www.dhr.ny.gov>
- U.S. Equal Employment Opportunity Commission,
<http://www.eeoc.gov>
- United States Department of Justice,
<http://www.justice.gov/>
- United States Department of Education, Office for Civil Rights
<http://www2.ed.gov/ocr>



SEXUAL HARASSMENT & SEXUAL VIOLENCE

Anyone – of any gender, gender identity, sexual orientation, religious affiliation, citizenship status, race, class or educational level – can suffer from sexual harassment, including sexual violence. We want to make sure you understand your rights, CUNY's policies, and other issues related to sexual harassment, gender harassment and sexual violence.

Sexual harassment is unwelcome conduct of a sexual nature. It can take many forms including: verbal, written, physical (including unwanted touching and sexual violence), online/virtual, in-person, explicit or implicit. Stalking is also a form of sexual harassment.

On every CUNY campus there is a person who has special training in helping students or employees who are facing issues related to sexual harassment and sexual violence. We urge you to contact this person (who is known as the "Title IX Coordinator") for guidance or information. At BMCC, please contact the Title IX Coordinator, **Odella Levy** at 212-220-1236 or OLEvy@bmcc.cuny.edu or Deputy Director **Theresa Wade** at 212-220-1273 or TWade@bmcc.cuny.edu.

If you need immediate assistance, please contact Public Safety at 212-220-8080.

YOU HAVE THE RIGHT TO:

- Make an internal report to the campus or choose not to report
- Make a report to law enforcement or choose not to report
- Receive assistance and resources from BMCC (including accommodations and interim safety measures)
- Be protected from retaliation

IF YOU WERE RECENTLY SEXUALLY ASSAULTED:

- Get to a safe place
- If the incident occurred on-campus, call Public Safety or 911.
 - **Public Safety's emergency number is: 212-220-8080 or extension 8080.**
- If the incident occurred off-campus, call 911 or go to the local NYPD precinct. Contacting the police does not require you to file charges.
- Seek medical attention as soon as possible. Campus Public Safety or the police can help you get medical care or you can go on your own (or with a friend) to an emergency room. www.svfreenyc.org/survivors_emergency.html
- Preserve evidence. You do not need to decide immediately whether to take action against the person who assaulted you. But if you might want to do this, it is important to preserve evidence of the assault. Go to an emergency room and ask for a SAFE or rape exam. (Do not bathe or brush your teeth prior to going.) For a list of hospitals in New York City with this service, go to: www.svfreenyc.org/survivors_emergency.html. Retain the clothing you were wearing in a paper (not plastic) bag. If the assault took place in your home, do not rearrange furniture and/or clean up.

Title IX: *Title IX of the Education Amendments of 1972 ("Title IX") is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities at universities receiving federal funds. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion.*

YOU ARE NOT ALONE – WHO TO TALK TO

STUDENTS

CUNY's goal is to maintain a safe environment free of sexual harassment, gender-based harassment and sexual violence (which may include stalking and dating, domestic and intimate partner violence). To further that goal, most employees of CUNY and its colleges are either required or encouraged to report incidents of sexual harassment, gender-based harassment or sexual violence when they become aware of those incidents. There are other employees specifically trained to offer support to victims of sexual harassment, gender-based harassment or sexual violence who may be consulted and who will keep information confidential, except in cases of immediate risk of harm to the community.

Before you speak to a college or CUNY employee about sexual harassment, gender-based harassment or sexual violence, you should be aware of that employee's obligations under Title IX and/or CUNY policy.

The three categories of employees are:

- 1) "Confidential" employees: have an obligation to keep information about the incident confidential.
 - At BMCC, confidential employees are in the **BMCC Counseling Center** (212-220-8140) or **Women's Resource Center** (212-220-8165);
- 2) "Responsible" employees: are required to report the incident(s) to the Title IX Coordinator; and
- 3) All other employees: are strongly encouraged but not required to report the incident(s).

EMPLOYEES

If you are a CUNY employee, and wish to speak to someone on a confidential basis, free confidential support services are available through CUNY's Work/Life Program, which is administered by an outside company (Deer Oaks). The helpline number is 855-492-3633. Confidential community counseling resources are also available throughout New York City.

ANY QUESTIONS?

If you have any questions about how confidentiality works at BMCC, please contact the Office of Compliance and Diversity at 212-220-1236 or OLevy@bmcc.cuny.edu

We encourage you to report all allegations of sexual harassment and sexual misconduct. For more information please see the CUNY Sexual Misconduct Policy.

<http://policy.cuny.edu/wp-content/uploads/sites/6/page-assets/general-policy/EDITED-CUNY-Policy-on-Sexual-Misconduct-2018-with-links-8.2.2018.pdf>

Retaliation is strictly prohibited.

CAMPUS RESOURCES

RESPIRE ROOMS AND CUNY LACTATION POLICY

- Employees and students who are nursing may access BMCC's respite rooms to express breastmilk on campus. Respite rooms are available at Chambers Street, Murray Street and Fiterman Hall.
 - **Students:** please contact the Women's Resource Center at 212-220-8165 for information about the respite room locations.
 - **Employees:** please contact your supervisor or the Office of Compliance and Diversity at 212-220-1236 for further information.
- The CUNY Lactation Policy can be found on the BMCC website. <https://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/hr/policies-and-procedures/Lactation-Room-Policy-03.18.19.pdf>

DO YOU HAVE A PREFERRED NAME AND/OR PREFERRED GENDER IDENTITY?

- Employees and students can select their preferred name (first and/or middle) as well as preferred gender identity.
- A preferred name is not a legal name, but it is how the individual requests to be addressed.
- No documentation is needed to update a preferred name or preferred gender identity.
- Students should contact the Information Desk (Panther Station) at 212-220-7230 or Student Affairs at 212-220-8130
- Employees should contact Human Resources 212-220-8300.
- You can also request a new BMCC ID card and/or email address reflecting the updated information.

RESTROOMS AND LOCKER ROOMS

- In compliance with the law and CUNY policy, discrimination based on gender identity and gender expression is prohibited.
- Individuals have the right to use the bathroom or locker room consistent with their gender identity. Gender identity is fluid and is defined by the individual.
- Single occupancy/gender neutral bathroom facilities are also available on 3 South, 4 North and the lower level of Theater 1 in the Chambers Street building, and on the 3rd floor of the Murray Street building.
 - Everyone is welcome to use these facilities.

TO REQUEST AN ACCOMMODATION

Students: Office of Accessibility

199 Chambers Street, N360
 212-220-8180
<http://www.bmcc.cuny.edu/accessibility>

Employees: Human Resources

199 Chambers Street, S717
 212-220-8300
<http://www.bmcc.cuny.edu/hr/>

- BMCC is committed to providing reasonable accommodations and academic adjustments in connection with disability, pregnancy/childbirth, religious practice, and status as a victim of domestic violence, sex offense or stalking.
- Please contact the appropriate office above to formally request an accommodation.
- Informal accommodation requests can also be made with an instructor/professor or supervisor.
- If any questions arise, please contact the Office of Compliance and Diversity at 212-220-1236

<http://www2.cuny.edu/about/administration/offices/legal-affairs/policies-procedures/reasonable-accommodations-and-academic-adjustments/>



CONTACT INFORMATION

WHO TO CONTACT AT BMCC – TO FILE A COMPLAINT
(private but not confidential)

<p>Chief Diversity Officer / Title IX Coordinator Odelia Levy, Esq. 199 Chambers Street, Room: S701k 212-220-1236 OLEvy@bmcc.cuny.edu Office of Compliance & Diversity</p>	<p>Vice President for Student Affairs Marva Craig 199 Chambers Street, Room: S350c 212-220-8132 MCraig@bmcc.cuny.edu Office of Student Affairs</p>
<p>Deputy Director of Diversity & Title IX Compliance Theresa Wade, Esq. 199 Chambers Street, Room: S701j 212-220-1273 TWade@bmcc.cuny.edu Office of Compliance & Diversity</p>	<p>Director of Public Safety Michael Korn 199 Chambers Street, Room: S215e 212-220-8135 MKorn@bmcc.cuny.edu Office of Public Safety</p>

CONFIDENTIAL BMCC CAMPUS RESOURCES - STUDENTS

<p>BMCC Women’s Resource Center 199 Chambers Street, S340 212-220-8165 wrc@bmcc.cuny.edu Web: http://www.bmcc.cuny.edu/womencenter/</p>	<p>BMCC Counseling Center 199 Chambers Street, S343 212-220-8140 Web: http://www.bmcc.cuny.edu/counseling/</p>
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CONFIDENTIAL RESOURCES - EMPLOYEES

<p>DEER OAKS (855) 492-3633 Email: eap@deeroaks.com Web: www.deeroakseap.com</p>
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TO REQUEST AN ACCOMMODATION

<p>Students: Office of Accessibility 199 Chambers Street, N360 212-220-8180 Web: http://www.bmcc.cuny.edu/accessibility</p>	<p>Employees: Human Resources 199 Chambers Street, S717 212-220-8300 Web: http://www.bmcc.cuny.edu/hr/</p>
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EXTERNAL RESOURCES

SERVICES AND HOTLINES

CUNY Central Public Safety	646-664-2911 (24 hours)
NYPD Sex Crimes Hotline	212-267-RAPE (24 hours)
Safe Horizon Crisis Hotline	(212) 577-7777
Domestic Violence Hotline	(800) 621-4673
Crime Victims Hotline	(866) 689- 4357
Rape, Sexual Assault & Incest Hotline	(212) 227-3000
Samaritans Suicide Hotline	(212) 673-3000
Gay and Lesbian National Hotline	(888) 843-4564
New York Hotline	(212) 989-0999
NY LGBT Anti-Violence Project Hotline	(212) 714-1141
National Domestic Violence Hotline	(800) 799-7233 TTY (800)787-3224
YouthLine	(800) 246-4646
NY State Coalition Against Sexual Assault	(English) (800) 942-6906 TTY (866) 604-5350 (Spanish) (800) 942-6908 TTY (800) 780-7660
NYC Alliance Against Sexual Assault	(212) 229-0345 32 Broadway, Ste. 1101, NY, NY 10004 http://www.svfreencyc.org
Sanctuary for Families	212-349-6009 ext. 230 or ext. 412 Campusadvocates@sfnyc.org *
RAINN: Rape, Abuse & Incest National Network Online Hotline	(800) 656-HOPE (4673) http://www.rainn.org/
LifeNet (NYC Dept. of Mental Health)	(English) (212) 982-5284 (Spanish) (877) 298-3373 (Mandarin & Cantonese) (877) 990-8585
Family Justice Center for Manhattan	(212) 602-2800 80 Centre Street, 5 th Fl., NY, NY 10013 http://www1.nyc.gov/site/ocdv/programs/family-justice-centers.page

*The Campus Advocates Project can assist with external legal advice & representation.

EXTERNAL RESOURCES

HOSPITAL RESOURCES

Mt. Sinai Hospital, Sexual Assault and Violence Prevention(SAVI)	Manhattan (212) 423-2140 Queens (718) 736-1288
St. Vincent Hospital, Rape Crisis Center	(212) 604-8068
Bellevue Hospital, Center-Rape Crisis Center	(212) 562-3435/3755
New York Presbyterian Hospital, Domestic & Other Emergencies (DOVE)	(212) 305-9060

SAFE CENTERS – SEXUAL ASSAULT FORENSIC EXAMINER (SAFE) PROGRAM

Manhattan SAFE Centers	
Beth Israel-Petrie Campus (CHP)	1st Ave & E 16th St.
Harlem Hospital (HHC)	506 Lenox Ave
Metropolitan Hospital Center (HHC)	1901 1st Ave
Roosevelt Hospital (CHP)	1000 10th Av
St. Luke's Hospital (CHP)	Amsterdam Ave & W 113th St

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

Bronx SAFE Centers	
Jacobi Hospital (HHC)	Eastchester Rd & Pelham Pkwy S
Lincoln Medical & Mental Health Center (HHC)	234 E 149th St.
North Central Bronx (HHC)	E 210 th Street & Kossuth Avenue

Queens SAFE Centers	
Elmhurst Hospital (HHC)	Centers
Queens Hospital Center	82-68 164th St

Staten Island SAFE Center	
Richmond University Medical Center (IN)	355 Bard Ave