University-wide Changes to the Title IX Policy

Dear Baruch Community,

The City University of New York (CUNY) has adopted a revised policy on sexual misconduct, which became effective August 14, 2020. The policy prohibits sexual misconduct—defined as conduct that includes dating violence, domestic violence, sexual assault, sexual harassment, stalking, and voyeurism—“that occurs on CUNY property and conduct that occurs off CUNY property but has a reasonable connection to CUNY.” CUNY’s full revised policy can be reviewed here.

Below are some frequently asked questions about CUNY’s new policy.

Why was the policy revised?
On May 6, 2020, the U.S. Department of Education announced new regulations defining the obligations of universities and colleges to address sexual misconduct pursuant to federal law commonly referred to as Title IX.

What are the consequences of the new regulations?
Sexual misconduct that rises to the level of “Title IX” violation as defined by the U.S. Department of Education must be treated under a set of defined procedures.

How does the revised CUNY policy respond to these regulations?
CUNY has defined sexual misconduct governed by the policy under the new Title IX regulations as “Title IX Sexual Harassment” (found on page 7 of the revised policy) and has created a set of procedures that comply with these federal regulations.

What if the sexual misconduct does not rise to the level of Title IX sexual harassment as defined by the new regulations?
Sexual harassment that does not meet the definition set forth under the federal Title IX regulations but was prohibited under CUNY’s previous policy of sexual misconduct will continue to be prohibited. Students, staff, and visitors are protected under the revised policy for sexual harassment that occurs on or off CUNY property as long as it has a reasonable connection to CUNY. A separate set of procedures, somewhat similar to the ones under the previous CUNY policy, will continue to be used for dealing with these complaints.

I was a “responsible employee” under the previous policy. Am I still required to report any complaints that I hear regarding sexual misconduct to the Title IX coordinator?
If you are considered to be a responsible employee, you are still required to report allegations of sexual misconduct, including all relevant details you learn, to Baruch’s Title IX Coordinator Mona Jha. The role of “responsible employees” and more will be addressed in upcoming messages to the College community.

Contact Information.
The Title IX Office remains open. Please email your questions and concerns to me at Mona.Jha@baruch.cuny.edu.

Sincerely,
Mona Jha, Esq.
Chief Diversity Officer, Title IX Coordinator, and Section 504/ADA Coordinator.