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To: John Jay College Community
From: Gabriela Leal, Interim Director of the Office of Compliance & Diversity
Re: New Sexual Misconduct Policy and Resources for Reporting Sexual Harassment, Sexual Assault, Stalking, or Domestic and Dating/Intimate Partner Violence

Dear John Jay College Community:

As President Mason [shared last week](#), CUNY, including John Jay College, has a new [policy](#) on sexual misconduct (PSM). The PSM went into effect on August 14, 2020, in order to comply with Title IX regulations issued by the federal government earlier this year. Title IX is a federal law that prohibits sex discrimination (including sexual misconduct) in education institutions.

The most important thing for you to know is that John Jay's commitment to ensuring that all members of the community are able work and learn in an environment free from discrimination and harassment has not changed.

Even in this time of distance learning, this office remains open and dedicated to addressing all allegations of sexual harassment and discrimination; dating, intimate partner and domestic violence; sexual assault; stalking; and retaliation for reporting or participating in an investigation involving any of these offenses. In addition, this office will continue to address reported incidents of harassment and discrimination of any kind (which are covered under [CUNY's Equal Opportunity and Non-Discrimination Policy](#)). While there have been some changes from our previous sexual misconduct policy, the College will continue to address all conduct that was reportable and actionable under the previous sexual misconduct policy.

Key Changes:

The main difference in the new PSM is that allegations of sexual misconduct must now be classified as either "Title IX Sexual Harassment" or "Non-Title-IX Sexual Misconduct." Depending on the classification, the investigatory process, decision making process and appeal rights will differ in certain ways. For example, in "Title IX Sexual Harassment" matters, the College's Title IX Office collects and summarizes evidence, then provides this information to a

separate Adjudicatory Committee. The Committee makes factual findings based on the evidence and determines if there was any wrongdoing. In “Non-Title-IX Sexual Misconduct” matters, the College’s Title IX Office collects and analyzes evidence and makes factual findings regarding the evidence. The matter then goes to the College President, who will authorize any corrective actions or discipline warranted by the facts. (For students, the matter may still then be referred to the Adjudicatory Committee.)

While all members of our community are encouraged to report acts of sexual misconduct, another change in the PSM relates to who is designated as a “**Responsible Employee**” at John Jay. These employees are required to report to the Title IX Coordinator any potential instance of discrimination, sexual harassment, gender-based harassment, sexual violence, domestic violence, intimate partner violence and stalking that they become aware of. On the other hand, *Confidential Employees* will not make a report regarding sexual misconduct unless there is an emergency or they have permission to do so. Please refer to [Q&A #5](#) for additional information on Responsible Employees.

Upcoming PSM Training & Open Session on Thursday, September 10:

Students, faculty, and staff, will have opportunities to join trainings about the PSM throughout the upcoming year, but we have also created an opportunity for those who are interested to learn more and ask questions now. Please join the Office of Compliance and Diversity, the Office of Legal Counsel, and the Office of Student Affairs from 1:40 p.m. – 2:55 p.m. on Thursday, September 10 for a virtual Q & A session to get more information about our new sexual misconduct policy.

Link to join the PSM Training & Open Session at 1:40 p.m. on September 10:

<https://jjay-cuny.zoom.us/j/92794056312>

Meeting ID: 927 9405 6312

Where to get help:

The following contacts are available to discuss your rights and the resources available to you as well as help you explore the different options for reporting sexual misconduct, harassment or discrimination of any kind:

1. Gabriela Leal, Title IX Coordinator, (646)557-4674, glead@jjay.cuny.edu.
2. Diego Redondo, Director of Public Safety & Risk Management, (212)-237-8524, dredondo@jjay.cuny.edu.
3. Students may also contact: Michael Martinez-Sachs, Dean of Students, (212)-237-8211; msachs@jjay.cuny.edu
4. Employees may also contact: Paul Wyatt, Director of Performance Development Office of Human Resources, pawyatt@jjay.cuny.edu.

Should any person wish to speak confidentially, they may do so through the following resources:

Students may contact Women's Center Counselor and Gender-Based Violence Prevention and Response Advocate, Jessica Greenfield, jgreenfield@jjay.cuny.edu.

Employees can access supportive confidential resources, including private counseling from CUNY's employee assistance program, CCA@YourService. To access the program, call the toll-free Helpline at 800-833-8707 or log on to the website, www.myccaonline.com and use the company code: CUNY.

More information:

For more information about the PSM, please review [CUNY's Sexual Misconduct Policy Implementation Memorandum](#), the [PSM](#), or refer to this [Q & A document](#).

You may also visit our [website](#) for additional information and upcoming trainings. If you have questions, or wish to discuss or report sexual misconduct, I encourage you to contact me at gleal@jjay.cuny.edu or 646-557-4674.

Have a safe and healthy semester.

