The New School

EMPLOYEE HANDBOOK

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BUSINESS EXPENSE POLICY

Purpose

This policy relates to business expenses incurred by employees on behalf of The New School (“the university”). It promotes the proper stewardship of funds by providing guidelines for the appropriate and legal uses of these funds in support of the university's mission. This policy is consistent with Generally Accepted Accounting Principles (GAAP), Board of Trustees mandates, funder requirements, federal, state and local rules, and regulations governing not-for-profit organizations. This policy and its administration may be revised periodically to reflect changes in these mandates and other factors.

Scope

This policy applies to all employees of The New School.

Responsibilities

Purchaser

Incurs expense on behalf of university

Purchaser has the responsibility to ensure that:

- Appropriate approvals have been acquired, or the individual has the appropriate authority, to initiate the expenditure.
- The expenditure is:
    - An allowable business expense

- Not personal in nature
- In furtherance of the university's mission
- Within planned budgetary constraints
- In compliance with any funding designations and guidelines
- In compliance with appropriate university policies
- In compliance with operating department policies
- Supported by appropriate documentation, such as a receipt, written quote or other similar documentation
- The expense is the most reasonable, least-cost option that fulfills the business purpose

Delegate

Prepares reports and required documentation for approval

The Delegate may or may not be the same as the Purchaser. The Delegate has the responsibility to:

- Process the expenditure in compliance with appropriate university, regulatory and departmental policies and procedures
- Record expenditures consistently and in accordance with university's chart of accounts
- Prepare all forms, reports and supporting documentation per university policy

Approver

Approves expense and accounting for expense

Approvers are university employees with the authority to sign off on expense reports and may include Senior Vice Presidents, Vice Presidents, Deans and Budget Directors. Approvers have the responsibility to ensure that:

- All processing and review steps, as stated above, have been followed.
- Tax issues have been properly addressed (see the "Taxes" section of this document)

- To the best of their knowledge there is no conflict of interest with individuals involved in the transaction
- The transaction is in compliance with applicable policies and procedures
- The expense is reasonable and in line with the university's mission
- Review and monitor budget

Note: The Purchaser and the Approver of a transaction must be different individuals, in order to ensure separation of duties.

Supplemental Approver

The Supplemental Approver approves unusual transactions, which require approval over and above customary approval. These approvers are typically the Dean or Vice President of the department or an appropriate representative of Finance and Business. Supplemental approval must be requested **prior** to the expense.

Accounts Payable

Processes, records, reimburses and accounts for expense payments

The responsibility of Accounts Payable is the following:

- Process all approved expense reports and prepare and issue the payment to the employee, generally within 10 days (delays may occur if expense reports do not adhere to policy and procedures)
- Review and archive all documentation related to the expense report
- Perform audits of expense reports
- Assist Purchasers, Delegates and Approvers with policy and procedure questions
- Review requests for exception or adjustment to policy
- Communicate approvals or denials to the departments

Policy

This policy applies to all business expenses incurred by university employees. Due to budgetary constraints or funder restrictions, some university departments may institute more restrictive guidelines. In cases where there is a discrepancy between this policy and a department, granting agency, or donor policy, the more restrictive policy will apply.

The below sections are intended to cover the university's policy and procedures for the most typical business expenses and is not intended to be exhaustive. In the event that an expense is not specifically covered in the policy, Finance and Business will make a determination based on reasonable interpretation of the guidelines and regulatory requirements.

1. **General Policy and Compliance Matters (https://app.getguru.com/card/iR8zXE5T/Business-Expense-Policy-01-General-Policy-and-Compliance-Matters)**
2. **Per Diems (https://app.getguru.com/card/TE5xAp6c/Business-Expense-Policy-02-Per-Diems)**
3. **Business Travel (https://app.getguru.com/card/c98B6nki/Business-Expense-Policy-03-Business-Travel)** (Transportation & Lodging)
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6. **Business Entertainment Expenses (https://app.getguru.com/card/in869eET/Business-Expense-Policy-06-Business-Entertainment-Expenses)**

7. **Funding Staff Gatherings** (https://app.getguru.com/card/iqB6L5KT/Business-Expense-Policy-07-Funding-Staff-Gatherings-Draft-) Expense-Policy-07-Funding-Staff-Gatherings-Draft-)
8. **Gifts** (https://app.getguru.com/card/i48Bz6RT/Business-Expense-Policy-08-Gifts)
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10. **Other Business Expenses** (https://app.getguru.com/card/cp8Bzz7i/Business-Expense-Policy-10-Other-Business-Expenses)
11. **Non-Reimbursable Expenses** (https://app.getguru.com/card/igjxB6ET/Business-Expense-Policy-11-NonReimbursable-Expenses)

Contact the **Office of Finance & Business (F&B)** (https://app.getguru.com/card/cnAyLe9i/Office-of-Finance-Business-FB-Overview) with any questions about this policy.

Related Topics

- **Credit Card Policy** (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy)
- **Wireless & Cellular Device Policy** (https://app.getguru.com/card/c54MobRi/Wireless-Cellular-Device-Policy)

Return to **University Policies** (https://app.getguru.com/card/cXzR7xRi/University-Policies-Index) .

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Contact the **Office of Finance & Business (F&B)** (https://app.getguru.com/card/cnAyLe9i/Office-of-Finance-Business-FB-Overview) with any questions about this policy.

Related Topics

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Return to **University Policies** (https://app.getguru.com/card/cXzR7xRi/University-Policies-Index) .

BUSINESS EXPENSE POLICY - 01. GENERAL POLICY AND COMPLIANCE MATTERS

Accountable Plan

Establishing and maintaining an "accountable plan" under IRS guidelines, for business expenses, is beneficial to everyone. Amounts paid to an employee under the university's accountable plan are generally excluded from the employee's taxable income and are therefore exempt from payroll taxes and income taxes. However, amounts paid under a nonaccountable plan (or one that is improperly maintained) will result in additional income on the employee's W-2 form and additional payroll taxes will be withheld. The university adheres to Internal Revenue Service (IRS) regulations surrounding **Accountable Plans (https://www.irsvideos.gov/Governments/Employers/WhatyouneedtoknowaboutAccountablePlans)** , ensuring expenses are actual, reasonable, substantiated, and accounted for appropriately and in a timely manner. These regulations require that the following standards be met when documenting and recording expenses:

1) Documentation of a Business Connection or Purpose

A business purpose must be documented and be specific, addressing the questions of who, what, where, when, and why. For example, "Professor Smith traveled to Boston, Massachusetts, on July 31, 20XX, to speak at an Accounts Payable Network conference" is an appropriately documented business purpose. "Travel to Boston for conference" is not.

2) Adequate Accounting of Expenses Within a Reasonable Period of Time

The determination of a reasonable period of time depends upon the facts and circumstances, but is generally held to be no later than thirty days after the date of the expense, except at fiscal year-end when expenses should be reported immediately.

Expense reports submitted more than thirty days after the date of the expense (if travel related, then after the return date of the trip), or outside the closing schedule at year-end, require supplemental approval (see **Responsibilities (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)**). Supporting

documentation must be provided to describe the circumstances leading to the late submission in order to evaluate whether the expense reimbursement is taxable. Any expense that is not reconciled within sixty days after it is incurred may become taxable to the employee. In this case the responsible Officer or Dean will be notified.

3) Return of any Excess Reimbursement, Allowance, or Advance Within a Reasonable Period of Time

Cash advances are meant to cover expenses that cannot be charged to the corporate card and can be obtained through the corporate card with prior arrangements with the Travel, Expense and Credit Card Program Manager.

If an employee does not have a corporate card, one should **be requested (https://app.getguru.com/card/TLxX8n6c/University-Credit-Card-Application)** at least fifteen days before it is needed.

Failure to account for an advance or to return excess reimbursements within sixty days from incurring the expense or return from the trip will result in a written notification from Accounts Payable to the department head, suspension of advance privileges, and under IRS regulations, will become taxable to the employee.

Segregating Unallowable or Excessive Expenses

Federal guidelines prohibit certain expenses from being charged to federal grants and contracts (see **OMB Circular A-21 (https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/circulars/A21/a21_2004.pdf)** , downloads PDF). These include expenditures for alcohol, entertainment, flowers or gifts, or excessive costs, such as first class travel and excessive lodging or meals costs. These unallowable costs must be identified and segregated on all expense reports.

All purchases or vendor contracts for sponsored projects must be made with vendors in good standing with the federal government and not with any vendor currently either debarred or suspended from doing business with the Federal government. During annual contract renewals, vendors' debarment and suspension status should be checked using the **System of Award Management** **(https://www.dol.gov/agencies/ofccp/debarred-list)** . All reviews should be made in coordination with the university's Grants Manager.

The university deems certain expenses unallowable, which include, but are not limited to, expenses that are personal, unauthorized, unreasonable, or not aligned with the university's mission (see **Non-Reimbursable Expenses** **(https://app.getguru.com/card/igjxB6ET/Business-Expense-Policy-11-NonReimbursable-Expenses)** for listing of common examples). All unallowable or excessive expenses charged to or paid by the university are considered excess reimbursements and are the responsibility of the payee (see above ***3. Return of Any Excess Reimbursement...***).

Proper Documentation

The Purchaser and Delegate (see **Responsibilities** **(https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)**) are responsible for providing sufficient documented evidence to substantiate and support the business purpose of all expenses. Documentation should be in the form of invoices or receipts including the name of the vendor, location, date, dollar amount, description of goods or services purchased, and proof of payment.

If the receipt does not include this information, a copy of a credit or debit card statement identifying the date, location, and amount of the expense may be submitted along with a description of the purchase. Private or unrelated information should be redacted from these statements. Documentation (proof of payment) demonstrating that payment was tendered must be provided and identify the means by which payment was tendered. This is often part of the

receipt. Examples of this may include notation of “cash tendered”, “paid”, a zero balance due or a debit or credit card payment.

While receipts are strongly encouraged for all purchases, purchases on the university credit card in amounts less than $25 do not require receipts. All purchases made with sponsored project and faculty research funds, regardless of dollar amount, require receipts.

In rare instances when receipts are lost or cannot be obtained the Purchaser must provide other documentation that supports the validity of the expenses. Attach a signed memorandum indicating what the expense is and the extenuating circumstances for not submitting a receipt.

Partially Covered or Shared Expenses

If expenses are partially covered by another organization, contract, or funding source, the expense report must include the name of the organization that is partially covering the expense and the amounts to be paid by the university and the other funding source.

Business expenses shared by groups of employees should be paid by the most senior employee, who is to submit a single expense report, including names and amounts paid on behalf of the group.

Tips

Tips are allowed up to a “reasonable” limit (up to twenty percent of the total expense) on purchases upon which the inclusion of a tip is customary. Tip amount may be set at the traveler’s discretion as long as it does not exceed twenty percent.

Taxes

Business and travel expenses are often subject to taxes, which vary by country, state, and locality. The university is exempt from New York State and City taxes. Therefore, employees incurring expenses on behalf of the university should not pay New York sales tax. The tax exemption can be achieved by either:

- Using the university's preferred vendors who recognize the university's tax exempt status (highlighted in the **MyNewSource Marketplace (https://solutions.sciquest.com/apps/Router/ExternalAuth/NetId?OrgName=NewSchool)**).
- Providing the university's **exemption certificate (https://app.getguru.com/card/c5BMjLGi/Sales-Tax-Exemption-Certificate)** to other vendors. Some vendors will only require that the exemption certificate be provided upon the initial purchase, while others may require that it be provided upon each subsequent purchase.

Taxes paid which could have been avoided are unallowable expenses and may be charged back to the purchaser. The exemption certificates should only be used for university expenses and must never be used for personal expenses. Using the university's tax exemption certificate to avoid the payment of taxes on personal purchases constitutes fraud.

Methods of Payment

Corporate cards (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy) and purchase requisitions are acceptable payment methods for business and travel expenses. Personal funds should only be used in the rare instance when these payment methods are not possible.

Approval and Submission of Expenses

All expense reports (reconciliation of credit card transactions and reimbursement for expenses) for university employees (including student employees) should be submitted through **MyDay (Workday)** **(https://app.getguru.com/card/Tgja7xyc/Expense-Reports)** . Workday is the online expense management tool and the online travel booking solution (**Concur Travel** **(https://app.getguru.com/card/cr4BLL7i/Concur)**) for The New School. This paperless solution allows users to book all travel and complete expense reports online. Item details can be uploaded to expense reports and automatic payment capability enables quick payments for reimbursements. If an employee has a corporate card, these charges are automatically uploaded to the system, where they await the employee's settlement.

Once an expense report is submitted through Workday, it is automatically routed to the correct approver. The submitter will receive email notifications regarding the report's status as the report moves to processing.

Return to **Business Expense Policy** **(https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)** .

BUSINESS EXPENSE POLICY - 02. PER DIEMS

The university does not authorize per diems unless they are for sponsored projects and then only if allowed by the funder and included in the project budget.

Return to **Business Expense Policy** **(https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)** .

BUSINESS EXPENSE POLICY - 03. BUSINESS TRAVEL

Travel arrangements for transportation and lodging should be made using **Concur (https://app.getguru.com/card/cr4BLL7i/Concur)** or the university's travel management company and paid for with a **corporate card (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy)** or through direct billing to the university. When booking transportation, the traveler should select a mode of transportation that is cost- effective. If an employee takes an indirect route for other than a university business purpose, the university will cover the travel costs up to either the actual cost of the trip, or the costs that would have been incurred by traveling the direct route by the most economical means (as documented by a fare price quote), whichever is less.

Travel arrangements should not be influenced by travel reward programs (e.g. frequent flyer miles, hotel reward programs, etc.) or other personal considerations. Per **IRS regulations (https://www.irs.gov/publications/p463)** , the university will pay actual travel costs, and will not reimburse for the value of frequent flier miles or redemptions from other travel reward programs.

The cost incurred for any changes to travel arrangements will only be paid by the university if there is an authorized and documented business purpose. Costs of non-business related changes to travel plans are considered personal expenses and are the responsibility of the traveler.

A note on Commuting Expense Reimbursement:

Commuting expenses are not reimbursable as per the **University Business Expense Policy (https://app.getguru.com/card/igjxB6ET/Business-Expense-Policy-11-NonReimbursable-Expenses)** . Only employees recruited into a position designated as **fully remote (https://app.getguru.com/card/c76rByAi/Work-Modality-for-Administrative-Staff-Positions)**

at the time of hiring, where the job description explicitly states there is no expectation for on-campus presence, will be compensated for travel to and from the NYC campus.

In all cases where the university reimburses or pays for an employee's travel expenses to and from the NYC campus, the reimbursement or payment is considered compensation subject to all applicable taxes and withholdings.

Continue reading for requirements related to:

- **Air Transportation** (https://app.getguru.com/card/i7j9K4rT/Air-Transportation)
- **Ground Transportation** (https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)
- **Lodging** (https://app.getguru.com/card/iajXrbXT/Lodging)

Air Transportation Including International Travel

When making business travel reservations, employees should choose economy class and purchase the lowest possible airfare available. Any other class of ticket will be considered an upgrade and not an allowable expense. For those that choose to upgrade at their own expense, the economy fare price quote should be attached to the expense report. Other upgrades such as those for early boarding or extra leg room are not allowable expenses. Luggage charges are permitted as long as they are reasonable, based on the circumstances of the trip and airline policies.

Travelers are required to use **Concur** (https://app.getguru.com/card/cr4BLL7i/Concur) for travel reservations. All multi-leg, group requests, or complicated itineraries should be booked directly with the university's travel management company. Travel requests partially paid with university credit cards and with personal cards (for personal costs such as upgrades, fares for nonemployees, itinerary charges, and other travel expenses not covered by the university) should also be made directly with the university's travel management company.

If plans change and an airline ticket cannot be used, travelers should immediately cancel all reservations through the travel agency or the airline. If the ticket has value, it must be used for university business.

For federally funded project's, the Fly America Act requires air transportation to, from, between, or within a country other than the U.S. to be performed by a U.S. flag air carrier, if available. When booking on the **Concur Travel** **(https://app.getguru.com/card/cr4BLL7i/Concur)** site, these carriers will display a small American flag icon. This indicates that the carrier and flights are Fly America Act compliant.

Amounts on expense reports must be converted into U.S. dollars for all foreign travel expenses. Using a charge card eliminates the need to calculate foreign currency conversions as the charges are converted to U.S. dollars. The conversion is generally noted on a charge card receipt/statement and should be included in the report. If a charge card is not used, **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** automatically adjusts the foreign currency to US dollars based on the exchange rate of the Transaction Date field and the City field.

If travel exceeds one week, the IRS requires evidence that business activities constitute at least 75 percent of the total time away from home. In the business purpose section of **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** , the traveler should indicate those business activities and if any of the travel was personal in nature.

See **Air Transportation** **(https://app.getguru.com/card/i7j9K4rT/Air-Transportation)** for additional information.

Ground Transportation

Rail or Bus

Rail or bus tickets should be purchased at the lowest available rate. Amtrak rail tickets should be purchased through **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** .

Rental Cars

Whenever possible, the use of rental vehicles should be booked using university discounted pricing through **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** . Rental vehicles should only be utilized when less expensive transportation is unavailable. Employees should use the university's preferred **car rental agency** **(http://www.avis.com)** . Individual travelers may rent up to a full size vehicle. Larger vehicles may be rented in exceptional cases (for example several travelers in one car or equipment being transported), and with the business purpose for the larger size vehicle documented on the expense report. All authorized drivers must be listed on the car rental contract at the time of rental.

Allowable costs associated with rental cars include the daily rental fee, mileage fee, tolls, gas, and authorized insurance charges. Unallowable costs include, but are not limited to, vehicle repairs, parking tickets, and fines for traffic violations.

When using the university's preferred car rental agency in the Continental U.S., Loss Damage Waiver (LDW) and/or liability insurance should not be purchased, as the university has negotiated a separate agreement with the agency.

If the university's preferred **car rental agency** **(http://www.avis.com)** is not available, other agencies may be used. Liability insurance and/or LDW must be purchased when renting from these agencies, both internationally and domestically. In such cases, the university's auto policy will not cover damages associated with rented vehicles.

See **Ground Transportation** **(https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)** for additional information and rental instructions.

Car Service and Taxis

Car service and taxis are acceptable for airport transfers. They are also permitted (with prior approval by a supervisor) for employees who work non-scheduled work hours past 8:30 pm or in other special circumstances. For example, if an employee's normal work schedule is from 9:00 am to 5:00 pm and her supervisor asked her to work past 8:30 pm, it is permitted for the employee to take a taxi or car service. Documentation to support the decision to use a taxi or car service must be attached to expense reports. Employees should use the university's preferred car service vendor and the **car service requisition process (https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)** .

See **Ground Transportation (https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)** for additional information.

Personal Vehicles

Business travel by personal automobile is covered at the **federal standard mileage rate (https://www.irs.gov/newsroom/irs-issues-standard-mileage-rates-for-2023-business-use-increases-3-cents-per-mile)** for actual mileage incurred, or the actual cost of fuel required for a business trip. If the mileage rate method is selected, documentation of mileage should be made using MyDay Expense under Expense Item of Personal Mileage.. If the fuel cost method is used, an itemized receipt is required to back up the expense. Parking fees and toll expenses are allowable under both methods when supported by receipts. Cost of oil, repairs, towing, insurance, accidents, traffic violations, or similar expenses are not allowable.

When using personal vehicles it is the traveler's responsibility to carry adequate insurance coverage for themselves, their vehicles, and any passengers.

In the event of an accident, drivers should immediately contact their insurance company (the university does not have primary insurance coverage on liability claims), the local authorities (as

required), and their immediate supervisor.

Other Forms of Ground Transportation

Employees should use complimentary ground transport or shuttles whenever available. However, the university will pay for bus, subway, other mass transportation, shuttle, or taxi service, plus reasonable tips (as previously defined) between hotels, railroad stations, airports, restaurants, workplaces, or meetings, but not for commuting. Whenever possible, university **corporate cards (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy)** should be used for these expenses.

Lodging

Employees are expected to stay in a standard room at a hotel, or other similar accommodation, that is on or close to the location of business. Lodging must be booked through **Concur (https://app.getguru.com/card/cr4BLL7i/Concur)** . When necessary, employees are responsible for canceling hotel room reservations. The cancellation number should be requested and recorded in case of billing disputes.

Costs that are charged to the room are deemed valid and allowable if they are related or necessary to university business (such as telephone, internet, fax, copying, printing and postage, and other similar expenses).

The university requires itemized receipts and proof of payment for all lodging. The final hotel folio, which should reflect all charges made to the room, must be submitted with the expense report.

If staying in a private residence, the university will pay for a token, non-cash gift of appreciation for the host (gift cards not allowed). Please consider that the gift may be taxable to the recipient. Supplemental approval and a memorandum detailing the value of the gift and the reason for it should be submitted with the expense report.

See **Lodging** (https://app.getguru.com/card/iajXrbXT/Lodging) for recommended hotels in the area.

Return to **Business Expense Policy** (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy) .

Related Links

- **Passport Requirements** (https://app.getguru.com/card/igjyRdbT/Passport-Requirements)
- **Concur** (https://app.getguru.com/card/cr4BLL7i/Concur)

BUSINESS EXPENSE POLICY - 04. BUSINESS MEALS

Finance > Finance Policies > Business Expense Policy

For purposes of the university's expense policy, a 'business meal' includes at least one external party in attendance. Therefore, for example, the university will not cover the cost of a meal incurred by two staff members while discussing university business. In rare instances when on-campus meetings, without an external party, have to be scheduled during meal times and a meal break cannot reasonably be included or if a meeting has to be scheduled outside of work hours, the university will cover the cost of appropriate refreshments, with supplemental approval. The university will pay for approved, necessary, and reasonable business meals that are hosted by, and paid for by, a university employee and may include guests, business colleagues, donors, or prospective students. Examples include fundraising, recruitment, and recognition of a speaker.

Except where otherwise noted in the per diem section, the university will cover the actual and reasonable cost of a business meal. Costs exceeding a reasonable threshold will be the

responsibility of the employee. Payment for business meals in which a spouse and/or dependent is required to attend requires supplemental approval. The cost of alcoholic beverages may not be charged to publicly funded projects.

For each business meal, the business justification and guest list is required with the submission of expense reports.

Return to **Business Expense Policy** (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy) .

BUSINESS EXPENSE POLICY - 05. MEETINGS AND CONFERENCES

Meeting and Conference Fees

Meeting and conference fees are allowable expenses. Conference fees should be paid via a university **corporate card** (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy) or through Purchasing. However, in rare instances when an employee's personal funds are used, reimbursement will only be made after the conference, as confirmation of attendance is required for reimbursement. The conference flyer or other literature describing the conference such as a registration form, agenda, or receipt for the conference fees must be submitted with the expense report. The documentation must also include the dates and location of the conference, the total amount of the conference fees, and proof of payment.

Meeting and Conference Meals

Employees are expected to take advantage of complimentary meals offered at meetings, conferences, seminars, or other business events. The university will only pay for meals not provided at the business event.

Return to **Business Expense Policy** (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy) .

BUSINESS EXPENSE POLICY - 06. BUSINESS ENTERTAINMENT EXPENSES

Business entertainment includes events that are held with guests, business colleagues, donors, students, employees, and/or prospective employees that are directly related to a university business purpose. Entertainment expenses may not be charged to sponsored projects. Payment of entertainment expenses in excess of $500 requires supplemental approval. The business justification and guest list are required with the submission of expense reports for all business entertain expenses.

The following should be considered before incurring any business entertainment expense:

- The “front page test” – will it seem appropriate to others (such as donors or taxpayers) that the university, a tax-exempt non-profit organization, pays for this event?
- Budgetary constraints
- Fair and consistent application across employees

See also **Funding Employee Gatherings** (https://app.getguru.com/card/iqB6L5KT/Business-Expense-Policy-07-Funding-Employee-Gatherings-) .

Celebration of Business-Related Accomplishments

These events celebrate business related accomplishments by an employee or group of employees. Departments may consider group celebrations for such occasions, as long as expenses are within reason and subject to budgetary constraints. Departmental funds may be expended for food, drinks and activities depending upon the nature of the event.

Allowable entertainment expenses for business related occasions include welcoming a new hire to the university, retirement, event or performance opening, and recognition of a departmental business achievement or goal.

Celebration of Personal Occasions

The university strongly suggests that employees consider funding the celebration of personal occasions with their own contributions. In some instances, departments may choose to celebrate personal occasions as a group, such as the departmental celebration of a holiday or collective celebrations of birthdays. University funds may not be used to cover the cost of celebrating individual personal occasions such as showers for the birth or adoption of a baby, engagements, weddings, or anniversaries, individual birthday celebrations or other individual achievements.

Return to ***Business Expense Policy*** **(https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)** .

BUSINESS EXPENSE POLICY - 07. FUNDING EMPLOYEE GATHERINGS

The university encourages its colleges and administrative units to bring employees together regularly—both virtually and in person—to build morale, enhance the sense of community, celebrate holidays and/or accomplishments. Although many of these gatherings will not involve expenses, there may be times when food or refreshments are provided to employees whether on or off campus.

The purpose of this policy is to set forth the budget parameters for employee gatherings, **including occasional events or functions both on- and off-site. This policy** formalizes practices and are expected to be covered within existing spending authority. This policy does not cover meals served during a regular meeting (see **Business Expense Policy: Business Meals (https://app.getguru.com/card/ce8B64gi/Business-Expense-Policy-04-Business-Meals)**) and/or to discuss business.

Definitions

- **Employee Gathering** is defined as an event or function of employees hosted by a college or administrative unit. This policy does not apply to University-wide programming such as the University Block Party or HR-sponsored employee events.

Budget Parameters

The university will cover the cost of the **food and refreshments** for these gatherings as follows:

- Up to a maximum of $25 per employee of the college or unit in attendance at the gathering, whether it is on or off campus, including facility costs, if applicable.
- Up to a maximum of 2 gatherings per fiscal year per college, department or administrative unit.

- Allotment for a college, department, or administrative unit applies to the employee working in the unit. It does not include employees from other units unless it is an interdepartmental business collaboration.
- Allotment may not be combined or repurposed in any other way (such as used for gifts, gift cards, etc.).
- Expense submission for each gathering should include a short memo describing the purpose of the gathering and the names of the attendees.

Additional guidance

- Costs beyond $25 per person or not otherwise in accordance with this policy must be reimbursed by the individual employee in a leadership position (VP, dean, etc.) with budgetary authority for the college, department or administrative unit.
- The university does not pay for **gifts** **(https://app.getguru.com/card/i48Bz6RT/Business-Expense-Policy-08-Gifts)** to its employees.
- The university will not cover costs over $25 per person in attendance that works in the college, department or administrative unit hosting the gathering.
- Incidental costs incurred by employees in order to participate in such events (such as transportation to and from the event or childcare) will not be paid by the university.
- The university will not pay the expenses associated with celebrating occasions that are inherently personal in nature (births, weddings, birthdays, etc.).

Any exceptions to this policy will be approved in advance by the EVP for Business and Operations or the EVP for Academic Affairs and Provost and only in the event of University-wide programming to meet organizational business goals.

Return to **Business Expense Policy** **(https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)**

Related Links

- **Business Expense Policy - 4. Business Meals (https://app.getguru.com/card/ce8B64gi/Business-Expense-Policy-04-Business-Meals)**
- **Business Expense Policy - 5. Meetings and Conferences (https://app.getguru.com/card/cr8BRKbi/Business-Expense-Policy-05-Meetings-and-Conferences)**
- **How To Access My New Source? (https://app.getguru.com/card/ikRLeEbT/How-To-Access-My-New-Source)**
- **Credit Card Policy (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy)**

BUSINESS EXPENSE POLICY - 08. GIFTS

The university may approve using university funds for "de minimus gifts" to employees in the event of the death of an employee or an employee's immediate family member, the serious illness or hospitalization of an employee, or the retirement of an employee. **The university does not pay for gifts given for other occasions**.

De minimus gifts are non-cash and valued at $100 or less. Common examples of de minimus gifts include flowers or fruit baskets. Under no circumstances are university funds to be used for the purchase of gift cards or stored value cards of any kind.

Gifts given to an employee with a fair market value of $100 or less for a calendar year are considered non- taxable. In very rare instances, a gift to an employee may have a value greater than the $100 threshold, however, **any gift valued in excess of the $100 threshold must be reported as income to the recipient.** The university is required to include the taxable amount in

the employee's W2 and to deduct withholding taxes from his/her paycheck. Gifts exceeding the respective threshold require a formal written exception request approved by a Vice President or Dean prior to incurring the expense and submitted to Accountspayablehelp@newschool.edu for documentation and evaluation.

The university suggests that departments first consider funding these with their own contributions. Gifts should be purchased using the university approved **payment methods (https://app.getguru.com/card/iR8zXE5T/Business-Expense-Policy-01-General-Policy-and-Compliance-Matters)** .

Return to **Business Expense Policy (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)**

BUSINESS EXPENSE POLICY - 09. DONATIONS AND CONTRIBUTIONS

The use of university funds for donations or contributions, such as those to charities, not-for- profit organizations, or individuals, is not permitted.

Return to **Business Expense Policy (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)** .

BUSINESS EXPENSE POLICY - 10. OTHER BUSINESS EXPENSES

The reasonable purchase of goods and services necessary to university business should be made using the approved purchasing mechanisms or vendors the university pays directly.

Independent Contractors and Consultants

The university allows departments to engage the services of independent contractors or consultants when the needed skills or expertise are not readily available within the university. The classification and reporting of payments to individuals who provide services to the university as independent contractors and consultants are subject to specific federal regulations. The tax and other requirements appropriate to their designation differ from those applied to individuals classified as employees.

Incorrect classification of a service provider as an independent contractor may subject the university to significant tax penalties and other risks. Under no circumstances are employees' personal funds or university credit cards to be used for payments of independent contractors and consultants. All such payments are required to go through proper university channels, be preapproved by IC Compliance with payments processed through Accounts Payable (refer to university's **Independent Contractor policy (https://app.getguru.com/card/c489ggri/Policy-for-Classifying-Workers)**).

Guest Speakers, Artists, and Honorariums

University funds may be used for an **honorarium (https://app.getguru.com/card/i58XGn4T/Honoraria)** for guest speakers or artists as a gesture of appreciation. The university requires that such expenses be reasonable and made under conditions that do not create a significant likelihood for the gesture to be deemed as a "disguised" payment.

Honorariums are considered taxable income to the individual receiving the benefit. All honorariums should be paid using a university issued check from Accounts Payable.

Furniture and Equipment

All purchases of furniture and equipment become the property of the university and departments are responsible for tracking and safeguarding these assets. Purchases of all furniture and equipment must be made through university preferred vendors. Refer to the Purchasing website for policy, procedures and listing of preferred vendors.

Furniture and equipment purchases on sponsored projects are subject to funders' terms and conditions.

Home Office Costs

University funds may be used for home office costs incurred by certain individuals who are authorized to work from home. Home office equipment purchases must follow general equipment purchase guidelines, be necessary to meet official job duties, and be preapproved by a Dean or Vice President.

Appropriate justification and substantiation of home office expenses is required before university funds can be used.

Employee Recruitment

Recruitment expenses such as moving allowances, search firms, job postings, and advertising expenses are managed through the Human Resources department (HR). Contact HR or refer to their website for additional information.

Publications, Subscriptions, Memberships and Dues

Membership or professional dues or fees can only be considered business expenses when obtained and primarily used for university purposes. A subscription can also only be considered a business expense when it is specifically related to the subscriber's job function.

Telecommunication Devices and Charges

When appropriate, The New School provides employees with wireless devices to help employees carry out their job responsibilities and advance the mission of the university. All such devices should be obtained through the Purchasing department. Refer to the **Wireless & Cellular Device Policy** **(https://app.getguru.com/card/c54MobRi/Wireless-Cellular-Device-Policy)** for additional information.

Return to **Business Expense Policy** **(https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)** .

IDENTITY THEFT PREVENTION PROGRAM

Introduction

The New School (the "University") has developed this **Identity Theft Prevention Program** (the "Program") pursuant to the Federal Trade Commission's "Red Flags Rule," which implements Section 114 of the **Fair and Accurate Credit Transactions Act of 2003** **(https://www.ftc.gov/legal-library/browse/statutes/fair-accurate-credit-transactions-act-2003)** . The Program is designed to detect, prevent, and mitigate identity theft in connection with

the opening of a covered account, or an existing covered account offered or maintained by the University. This Program establishes procedures to:

1. Identify relevant Red Flags for Covered Accounts it offers or maintains and incorporate those Red Flags into the Program;
2. Detect and record Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flag that has been detected to prevent and mitigate identify theft; and
4. Ensure the Program is updated periodically to reflect changes in identity theft risks to students and employees or to the safety and soundness of the University in its role as creditor.

The Program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Definitions

Covered Accounts: (i) an account the University offers or maintains primarily for personal, family or household purposes, that involves or is designed to permit multiple payments or transactions; or (ii) any other account that the University offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the University from identity theft.

The University has identified the following Covered Accounts:

- University Administered Covered Accounts – Students:
  - Federal Perkins Loan Program
  - Deferred Tuition Payments
  - Student Accounts
  - Monthly Payment Plans
- University Administered Covered Accounts – Employees:
  - Mortgages

- Service Provider Covered Accounts:
    - Campus Partners – Collection of Perkins and Institutional Loans

Identity Theft: A fraud committed or attempted using the identifying information of another person without authority.

Red Flag: A pattern, practice, or specific activity that indicates the possible existence of identity theft.

Identification of Red Flags

The following Red Flags are potential indicators of fraud. Any time a Red Flag, or a situation closely resembling a Red Flag is apparent, it should be investigated:

A. Notifications and Warnings from Credit Reporting Agencies

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;
- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

B. Suspicious Documents

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (example: an address not matching an address on a credit report);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (example: an invalid phone number or fictitious billing address);
- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so; and
- A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Requests

- A request related to transactions involving a Covered Account is made from a non-University issued email account; and
- A request is made to mail something to an address not listed on file.

E. Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the University that a customer is not receiving mail sent by the University;

- Notice to the University that an account has unauthorized activity;
- Breach in the University's computer system security; and
- Unauthorized access to or use of customer account information.

F. Alerts from Others

- Notice to the University from a customer, identity theft victim, law enforcement or other person regarding possible identify theft in connection with Covered Accounts.

Detection of Red Flags

New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new account, University personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Independently contact the customer.

Existing Accounts

In order to detect any of the Red Flags identified above for an existing account, University personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- Verify the validity of requests to change billing addresses; and

- Verify changes in banking information given for billing and payment purposes.

Responding to Red Flags and Mitigating Identity Theft

In the event University personnel detect any identified Red Flags, such personnel shall take all appropriate steps to respond and mitigate identity theft depending on the nature and degree of risk posed by the Red Flag, including but not limited to the following examples:

- Deny access to the Covered Account until other information is available to eliminate the Red Flag;
- Continue to monitor a Covered Account for evidence of identity theft;
- Contact the customer;
- Change any appropriate passwords, security codes or other security devices that permit access to a Covered Account;
- Do not open a new account;
- Reopen a Covered Account with a new number;
- Close an existing Covered Account;
- Notify the University's Security Department and/or law enforcement;
- Determine that no response is warranted under the particular circumstances.

Service Provider Arrangements

In the event the University engages a service provider to perform an activity in connection with one or more accounts, the University will take appropriate steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. Such steps may include the following:

1. Review a copy of the service provider's identity theft policies and procedures;
2. Require, by contract, that service providers have such policies and procedures in place; and

3. Require, by contract, that service providers review the University's Program and report any Red Flags to the Program Administrator.

Program Administration and Maintenance

The Vice President and Treasurer shall be designated to serve as the Program's Administrator. The Program Administrator is responsible for developing, implementing and updating the Program. The Program Administrator will be responsible for Program administration, ensuring appropriate training of University staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for identifying, preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

The Program will be periodically reviewed and updated to reflect changes in identity theft risks and technological changes. The Program Administrator will consider the University's experiences with identity theft; changes in identity theft methods; changes in identity theft detection, mitigation and prevention methods; changes in types of accounts the University maintains; changes in the University's business arrangements with other entities; and any changes in legal requirements in the area of identity theft.

After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Program will be updated.

Staff Training

University staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and responsive steps to be taken when a Red Flag is detected.

This Program has been developed by the following offices at the University: **General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** , **Finance and Business (https://app.getguru.com/card/cnAyLe9i/Office-of-Finance-Business-FB-Overview)** , **Information Technology (https://app.getguru.com/card/cExLGagi/Information-Technology-IT-Overview)** and Enrollment Management.

IDENTITY THEFT PREVENTION PROGRAM

Finance > Risk Management

Introduction

The New School (the "University") has developed this **Identity Theft Prevention Program** (the "Program") pursuant to the Federal Trade Commission's "Red Flags Rule," which implements Section 114 of the **Fair and Accurate Credit Transactions Act of 2003 (https://www.ftc.gov/legal-library/browse/statutes/fair-accurate-credit-transactions-act-2003)** . The Program is designed to detect, prevent, and mitigate identity theft in connection with the opening of a covered account, or an existing covered account offered or maintained by the University. This Program establishes procedures to:

1. Identify relevant Red Flags for Covered Accounts it offers or maintains and incorporate those Red Flags into the Program;
2. Detect and record Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flag that has been detected to prevent and mitigate identify theft; and
4. Ensure the Program is updated periodically to reflect changes in identity theft risks to students and employees or to the safety and soundness of the University in its role as creditor.

The Program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Definitions

Covered Accounts: (i) an account the University offers or maintains primarily for personal, family or household purposes, that involves or is designed to permit multiple payments or transactions; or (ii) any other account that the University offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the University from identity theft.

The University has identified the following Covered Accounts:

- University Administered Covered Accounts – Students:
  - Federal Perkins Loan Program
  - Deferred Tuition Payments
  - Student Accounts
  - Monthly Payment Plans
- University Administered Covered Accounts – Employees:
  - Mortgages
- Service Provider Covered Accounts:
  - Campus Partners – Collection of Perkins and Institutional Loans

Identity Theft: A fraud committed or attempted using the identifying information of another person without authority.

Red Flag: A pattern, practice, or specific activity that indicates the possible existence of identity theft.

Identification of Red Flags

The following Red Flags are potential indicators of fraud. Any time a Red Flag, or a situation closely resembling a Red Flag is apparent, it should be investigated:

A. Notifications and Warnings from Credit Reporting Agencies

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;
- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

B. Suspicious Documents

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (example: an address not matching an address on a credit report);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (example: an invalid phone number or fictitious billing address);

- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so; and
- A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Requests

- A request related to transactions involving a Covered Account is made from a non-University issued email account; and
- A request is made to mail something to an address not listed on file.

E. Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the University that a customer is not receiving mail sent by the University;
- Notice to the University that an account has unauthorized activity;
- Breach in the University's computer system security; and
- Unauthorized access to or use of customer account information.

F. Alerts from Others

- Notice to the University from a customer, identity theft victim, law enforcement or other person regarding possible identify theft in connection with Covered Accounts.

Detection of Red Flags

New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new account, University personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Independently contact the customer.

Existing Accounts

In order to detect any of the Red Flags identified above for an existing account, University personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

Responding to Red Flags and Mitigating Identity Theft

In the event University personnel detect any identified Red Flags, such personnel shall take all appropriate steps to respond and mitigate identity theft depending on the nature and degree of risk posed by the Red Flag, including but not limited to the following examples:

- Deny access to the Covered Account until other information is available to eliminate the Red Flag;

- Continue to monitor a Covered Account for evidence of identity theft;
- Contact the customer;
- Change any appropriate passwords, security codes or other security devices that permit access to a Covered Account;
- Do not open a new account;
- Reopen a Covered Account with a new number;
- Close an existing Covered Account;
- Notify the University's Security Department and/or law enforcement;
- Determine that no response is warranted under the particular circumstances.

Service Provider Arrangements

In the event the University engages a service provider to perform an activity in connection with one or more accounts, the University will take appropriate steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. Such steps may include the following:

1. Review a copy of the service provider's identity theft policies and procedures;
2. Require, by contract, that service providers have such policies and procedures in place; and
3. Require, by contract, that service providers review the University's Program and report any Red Flags to the Program Administrator.

Program Administration and Maintenance

The Vice President and Treasurer shall be designated to serve as the Program's Administrator. The Program Administrator is responsible for developing, implementing and updating the Program. The Program Administrator will be responsible for Program administration, ensuring appropriate training of University staff on the Program, for reviewing any staff reports regarding the detection

of Red Flags and the steps for identifying, preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

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BUSINESS EXPENSE POLICY - 03. BUSINESS TRAVEL

Travel arrangements for transportation and lodging should be made using **Concur (https://app.getguru.com/card/cr4BLL7i/Concur)** or the university's travel management company and paid for with a **corporate card (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy)** or through direct billing to the university. When booking transportation, the traveler should select a mode of transportation that is cost- effective. If an employee takes an indirect route for other than a university business purpose, the university will cover the travel costs up to either the actual cost of the trip, or the costs that would have been incurred by traveling the direct route by the most economical means (as documented by a fare price quote), whichever is less.

Travel arrangements should not be influenced by travel reward programs (e.g. frequent flyer miles, hotel reward programs, etc.) or other personal considerations. Per **IRS regulations (https://www.irs.gov/publications/p463)** , the university will pay actual travel costs, and will not reimburse for the value of frequent flier miles or redemptions from other travel reward programs.

The cost incurred for any changes to travel arrangements will only be paid by the university if there is an authorized and documented business purpose. Costs of non-business related changes to travel plans are considered personal expenses and are the responsibility of the traveler.

A note on Commuting Expense Reimbursement:

Commuting expenses are not reimbursable as per the **University Business Expense Policy (https://app.getguru.com/card/igjxB6ET/Business-Expense-Policy-11-NonReimbursable-Expenses)** . Only employees recruited into a position designated as **fully remote (https://app.getguru.com/card/c76rByAi/Work-Modality-for-Administrative-Staff-Positions)**

at the time of hiring, where the job description explicitly states there is no expectation for on-campus presence, will be compensated for travel to and from the NYC campus.

In all cases where the university reimburses or pays for an employee's travel expenses to and from the NYC campus, the reimbursement or payment is considered compensation subject to all applicable taxes and withholdings.

Continue reading for requirements related to:

- **Air Transportation** (https://app.getguru.com/card/i7j9K4rT/Air-Transportation)
- **Ground Transportation** (https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)
- **Lodging** (https://app.getguru.com/card/iajXrbXT/Lodging)

Air Transportation Including International Travel

When making business travel reservations, employees should choose economy class and purchase the lowest possible airfare available. Any other class of ticket will be considered an upgrade and not an allowable expense. For those that choose to upgrade at their own expense, the economy fare price quote should be attached to the expense report. Other upgrades such as those for early boarding or extra leg room are not allowable expenses. Luggage charges are permitted as long as they are reasonable, based on the circumstances of the trip and airline policies.

Travelers are required to use **Concur** (https://app.getguru.com/card/cr4BLL7i/Concur) for travel reservations. All multi-leg, group requests, or complicated itineraries should be booked directly with the university's travel management company. Travel requests partially paid with university credit cards and with personal cards (for personal costs such as upgrades, fares for nonemployees, itinerary charges, and other travel expenses not covered by the university) should also be made directly with the university's travel management company.

If plans change and an airline ticket cannot be used, travelers should immediately cancel all reservations through the travel agency or the airline. If the ticket has value, it must be used for university business.

For federally funded project's, the Fly America Act requires air transportation to, from, between, or within a country other than the U.S. to be performed by a U.S. flag air carrier, if available. When booking on the **Concur Travel** **(https://app.getguru.com/card/cr4BLL7i/Concur)** site, these carriers will display a small American flag icon. This indicates that the carrier and flights are Fly America Act compliant.

Amounts on expense reports must be converted into U.S. dollars for all foreign travel expenses. Using a charge card eliminates the need to calculate foreign currency conversions as the charges are converted to U.S. dollars. The conversion is generally noted on a charge card receipt/statement and should be included in the report. If a charge card is not used, **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** automatically adjusts the foreign currency to US dollars based on the exchange rate of the Transaction Date field and the City field.

If travel exceeds one week, the IRS requires evidence that business activities constitute at least 75 percent of the total time away from home. In the business purpose section of **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** , the traveler should indicate those business activities and if any of the travel was personal in nature.

See **Air Transportation** **(https://app.getguru.com/card/i7j9K4rT/Air-Transportation)** for additional information.

Ground Transportation

Rail or Bus

Rail or bus tickets should be purchased at the lowest available rate. Amtrak rail tickets should be purchased through **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** .

Rental Cars

Whenever possible, the use of rental vehicles should be booked using university discounted pricing through **Concur** **(https://app.getguru.com/card/cr4BLL7i/Concur)** . Rental vehicles should only be utilized when less expensive transportation is unavailable. Employees should use the university's preferred **car rental agency** **(http://www.avis.com)** . Individual travelers may rent up to a full size vehicle. Larger vehicles may be rented in exceptional cases (for example several travelers in one car or equipment being transported), and with the business purpose for the larger size vehicle documented on the expense report. All authorized drivers must be listed on the car rental contract at the time of rental.

Allowable costs associated with rental cars include the daily rental fee, mileage fee, tolls, gas, and authorized insurance charges. Unallowable costs include, but are not limited to, vehicle repairs, parking tickets, and fines for traffic violations.

When using the university's preferred car rental agency in the Continental U.S., Loss Damage Waiver (LDW) and/or liability insurance should not be purchased, as the university has negotiated a separate agreement with the agency.

If the university's preferred **car rental agency** **(http://www.avis.com)** is not available, other agencies may be used. Liability insurance and/or LDW must be purchased when renting from these agencies, both internationally and domestically. In such cases, the university's auto policy will not cover damages associated with rented vehicles.

See **Ground Transportation** **(https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)** for additional information and rental instructions.

Car Service and Taxis

Car service and taxis are acceptable for airport transfers. They are also permitted (with prior approval by a supervisor) for employees who work non-scheduled work hours past 8:30 pm or in other special circumstances. For example, if an employee's normal work schedule is from 9:00 am to 5:00 pm and her supervisor asked her to work past 8:30 pm, it is permitted for the employee to take a taxi or car service. Documentation to support the decision to use a taxi or car service must be attached to expense reports. Employees should use the university's preferred car service vendor and the **car service requisition process (https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)** .

See **Ground Transportation (https://app.getguru.com/card/TMxqGrXc/Ground-Transportation)** for additional information.

Personal Vehicles

Business travel by personal automobile is covered at the **federal standard mileage rate (https://www.irs.gov/newsroom/irs-issues-standard-mileage-rates-for-2023-business-use-increases-3-cents-per-mile)** for actual mileage incurred, or the actual cost of fuel required for a business trip. If the mileage rate method is selected, documentation of mileage should be made using MyDay Expense under Expense Item of Personal Mileage.. If the fuel cost method is used, an itemized receipt is required to back up the expense. Parking fees and toll expenses are allowable under both methods when supported by receipts. Cost of oil, repairs, towing, insurance, accidents, traffic violations, or similar expenses are not allowable.

When using personal vehicles it is the traveler's responsibility to carry adequate insurance coverage for themselves, their vehicles, and any passengers.

In the event of an accident, drivers should immediately contact their insurance company (the university does not have primary insurance coverage on liability claims), the local authorities (as

required), and their immediate supervisor.

Other Forms of Ground Transportation

Employees should use complimentary ground transport or shuttles whenever available. However, the university will pay for bus, subway, other mass transportation, shuttle, or taxi service, plus reasonable tips (as previously defined) between hotels, railroad stations, airports, restaurants, workplaces, or meetings, but not for commuting. Whenever possible, university **corporate cards (https://app.getguru.com/card/Tbedpgzc/Credit-Card-Policy)** should be used for these expenses.

Lodging

Employees are expected to stay in a standard room at a hotel, or other similar accommodation, that is on or close to the location of business. Lodging must be booked through **Concur (https://app.getguru.com/card/cr4BLL7i/Concur)** . When necessary, employees are responsible for canceling hotel room reservations. The cancellation number should be requested and recorded in case of billing disputes.

Costs that are charged to the room are deemed valid and allowable if they are related or necessary to university business (such as telephone, internet, fax, copying, printing and postage, and other similar expenses).

The university requires itemized receipts and proof of payment for all lodging. The final hotel folio, which should reflect all charges made to the room, must be submitted with the expense report.

If staying in a private residence, the university will pay for a token, non-cash gift of appreciation for the host (gift cards not allowed). Please consider that the gift may be taxable to the recipient. Supplemental approval and a memorandum detailing the value of the gift and the reason for it should be submitted with the expense report.

See **Lodging** (https://app.getguru.com/card/iajXrbXT/Lodging) for recommended hotels in the area.

Return to **Business Expense Policy** (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy) .

Related Links

- **Passport Requirements** (https://app.getguru.com/card/igjyRdbT/Passport-Requirements)
- **Concur** (https://app.getguru.com/card/cr4BLL7i/Concur)

VISA SPONSORSHIP FOR FOREIGN NATIONALS POLICY

General Counsel > Policies

The New School, from time to time, may seek Foreign Nationals to work within the university. The University will only sponsor visas for Foreign Nationals in full-time faculty positions. For more information, please contact the **Office of General Counsel** (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC) and/or the **Office of International Student Services** (https://www.newschool.edu/international-students-scholars) .

INTELLECTUAL PROPERTY RIGHTS

General Counsel > Policies > Intellectual Property Rights

Introduction

The New School (the "university") seeks to encourage creativity and invention among its faculty members and students. In doing so, the University affirms its traditional commitment to the personal ownership by its faculty members and students of Intellectual Property Rights in works they create. This Policy governs the Intellectual Property Rights of the University, faculty members and students in the work product, ideas and inventions (regardless of the medium) created in connection with activities associated with the University (the "Work" or "Works").

Purpose

The University supports the Intellectual Property Rights of its faculty and students in materials which they create or otherwise author related to academic work, including, but not limited to art objects, lecturer notes, lecture transcripts and tapes (audio or video), works of original authorship (including both literary and artistic works, and including documentations of these such as photographs or art works), software, compilations of information such as databases, and any other research, scholarly or creative work and its derivatives, in any medium, except as otherwise set forth in this Policy.

Definitions

Intellectual Property Rights: The term "Intellectual Property Rights," as used in this Policy, refers to copyrights, rights in trademarks and service marks, patents, moral rights, and other intangible proprietary rights.

Works: The term "Works," as used in this Policy, does not include any Works created by faculty or students outside the scope of their activities in connection with the University, except to the extent that such activities fall within one of the limited Exceptions set forth below or the policy

concerning disclosure of faculty-student agreements.

Faculty-Administrators: The University recognizes that individuals may have dual roles at the University and that faculty members may also act in an administrative capacity ("Faculty-Administrators").

Scope

This Policy does not apply to Works created by (i) staff members or (ii) administrative personnel or Faculty-Administrators acting within the scope of their administrative duties because such Works are governed by the "work for hire" doctrine or are otherwise the property of the University. Works by Faculty-Administrators acting within the scope of their faculty duties are subject to this Policy.

Policy

i. General Rule

Faculty members and students will own all Intellectual Property Rights in Works they create in connection with activities associated with the University, subject only to the limited **Exceptions (https://app.getguru.com/card/cExk8joi/Intellectual-Property-Rights-Exceptions)** to the **General Rule** (Section I) and the **University's Minimum Rights** (Section IV). If more than one person contributes to a Work, then the contributions of each contributor shall be acknowledged and each contributor shall be treated as having Intellectual Property Rights in the Work under this Policy.

II. No Limitation on Fair Use

Nothing in this Policy shall limit the rights of faculty members, students, or the University to make a "fair use" of copyrighted Works as that term is defined in the **Copyright Act**

(https://www.copyright.gov/title17/) .

III. Distribution of Royalties Derived from Commercialization

Royalty income and other non-equity revenue derived from the licensing of Intellectual Property Rights under any of the **Exceptions** **(https://app.getguru.com/card/cExk8joi/Intellectual-Property-Rights-Exceptions)** will be distributed as follows, unless the University and the creator have agreed in writing upon an alternative distribution arrangement.

The University will be reimbursed for any out-of-pocket expenses incurred in obtaining and maintaining intellectual property protection for a Work, and in evaluating and marketing such Work. The remaining net income will be distributed as follows:

- 50% to the creator(s) (any portion of such revenue payable to student and faculty participants will be divided among them in accordance with the degree to which each contributed)
- 20% to the University
- 10% to the creator's department or equivalent unit
- 10% to the creator's school
- 10% to faculty development programs or student scholarships

IV. Minimum Rights of the University Through a Non-Exclusive License

In keeping with the long-standing traditions of academic institutions, the University shall receive a non-exclusive, royalty-free, worldwide license to use the Works for archival, reference, research, classroom, and other educational purposes (the "License"). With regard to tangible works of fine art or applied art, this License will attach only to stored images of such Work (e.g., slides, videos, digitized images) and does not give the University a right to the tangible works themselves. With regard to literary, artistic and musical Works, this License will only attach to brief excerpts of such Works for purposes of education. If the University wishes to acquire rights to use the Work or a reproduction or image of the Work for advertising, promotional or fund-raising purposes, the

University will negotiate directly with the creator in order to obtain permission.

This License includes a right in the University to offer any course, or to develop and offer derivative courses of instruction, in both conventional and nonconventional settings (including courses intended for use in Internet distance education projects). The License shall continue to be available to the University even if the faculty member should leave the University. The University may, at its discretion, alter, add to, or otherwise change course materials in keeping with the educational purposes of the License. If they wish to do so, faculty members may also make necessary changes to maintain the accuracy and currency of their course materials.

This License to the University is not intended to inhibit the faculty member or student's ownership or use of the Work and the Intellectual Property Rights therein. The University will make reasonable efforts to display indicia of the authorship of a Work. This License shall be presumed to arise automatically and no additional formality shall be required, and shall be in addition to any interests received by the University in **Royalties** (Section III).

V. Agreements Between Faculty and Students

From time to time, current faculty members may wish to enter into agreements with current students relating to the creation of Works (and commercialization thereof) outside of the scope of their activities with the University. Except to the extent that such Works fall within one of the **Exceptions (https://app.getguru.com/card/cExk8joi/Intellectual-Property-Rights-Exceptions)** , the University will have no stake in any Intellectual Property Rights therein. However, the faculty members are required to disclose the existence and general nature of such agreements to the Provost in order for the University to safeguard against any impropriety or unfairness or the appearance thereof.

VI. Exceptions

See **Exceptions** **(https://app.getguru.com/card/cExk8joi/Intellectual-Property-Rights-Exceptions) Exceptions)** .

Additional Information

Conflict Resolution

Administration of this Policy shall be the responsibility of the **Office of the General Counsel** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** . Questions should be directed to the Office of the General Counsel regarding the application, interpretation or implementation of the Policy, or regarding any disagreement among creators concerning assignment or apportionment of Intellectual Property Rights or sharing of royalties. Disagreement with any determination made by the Office of the General Counsel may be directed to the **Provost** **(mailto:provost@newschool.edu)** for a final determination.

Changes to This Policy

The University reserves the right to change this Policy from time to time. **The Board of Trustees** **(https://app.getguru.com/card/TkAeeBzc/University-Leadership)** has sole authority to approve changes to this Policy.

Contact

Please contact the **Office of the General Counsel** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** with any questions regarding this policy.

RETENTION OF UNIVERSITY RECORDS POLICY

Introduction

The New School ("University") is required to retain various types of records for specific periods of time, and has designated official repositories for their maintenance. These records must be managed according to this Policy and the outlined procedures and guidelines.

Definitions

These definitions apply to these terms as they are used in this Policy.

Active Record: An original record currently used by the department that generated it. Records remain active for varying numbers of years, depending on the purpose for which they were created. Active Records may be retained in the originating department or at an offsite storage company. Active Records include records in all formats, including but not limited to: paper, fiche, digitized or scanned documents, electronic documents, and all other formats.

Archival Record: A record that is inactive; not required to be retained in the department in which it originated or was received; and has permanent or historic value. Archival records are retained and preserved indefinitely-generally in offsite storage.

Confidential Records: Records that are of a private, proprietary or otherwise sensitive nature. The following types of records are absolutely confidential: (a) individual education records of living students or living former students, as defined by the **Family Educational Rights and Privacy Act of 1974 (FERPA)** **(https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html)** , as amended, unless the student or former student grants access in writing or unless one of the exceptions contained within FERPA applies; (b) individual employment records of living current or former faculty members,

administrators or other staff members, including records which concern hiring, appointment, promotion, tenure, salary, performance, termination or other circumstances of employment, unless the faculty member, administrator, or staff member grants access in writing; (c) records that include "protected health information" as the same is defined by the **Health Insurance Portability and Accountability Act of 1996 (HIPAA)** **(https://www.cdc.gov/phlp/publications/topic/hipaa.html)** , 42 U.S.C. 1171 et seq. and regulations promulgated thereunder; (d) records that include "nonpublic personal information" protected under the safeguarding rules of the **Gramm-Leach-Bliley Act of 2000 (GLBA)** **(https://www.congress.gov/bill/106th-congress/senate-bill/900)** ; (e) other records where usage might constitute an invasion of privacy; (f) records the use of which has been restricted by contract; and (g) any other records with specific regulatory confidentiality requirements. The following types of records generally will be treated as confidential: (a) administrative records of the University for twenty-five years from date of their creation, with certain exceptions, such as those which must be open in conformance with law; (b) records of a sitting administration; and (c) records the disclosure of which might expose the University to legal liability.

Departmental Records Manager: The individual designated by the administrative head in each department to oversee the management of records within that department who is responsible for: 1) designating which official University Records are archival; and 2) effecting the transfer of Archival Records from the office in which they originated or were received to storage at such times and in the manner and form prescribed by the storage facility and subject to the appropriate retention and disposition schedules that are outlined in this document.

Electronic Record: Any record that is created, received or stored on a University local workstation or central server, i.e. a non-tangible electronic format. Examples include but are not limited to: electronic mail (email), PDFs, word processing documents, spreadsheets, scanned or imaged documents, databases, website content, social media content, or files maintained on a computer hard drive or external storage medium (including disks and thumb drives). The same retention

standards that apply to tangible University Records also apply to Electronic Records, and the retention periods outlined in the **Record Retention Tables (https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables)** apply equally to University Records in all formats. See **Guidelines for Managing Electronic Records (https://app.getguru.com/card/iaj9qnET/Guidelines-for-Managing-Electronic-Records)** for additional guidance.

Inactive Record: An original University Record that is not an Active Record but still must be maintained pursuant to the **Record Retention Tables (https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables)** set forth below. Inactive University Records are typically maintained at the University's preferred offsite storage vendor or at other locations on campus.

Official Repository: The department designated as having responsibility for retention and timely destruction of particular types of official University records.

Personal Information: Records that include an individual's name together with that individual's Social Security Number; drivers' license number or state identification card number; financial account number, or credit or debit card number, with or without any required security code, access code, personal identification number or password that would permit access to an individual's financial account; or biometric indicator. Personal Information is highly sensitive, and must be safeguarded and secured at all times.

University Record: The original or official copy of any record including Electronic Records. Official repositories for these records are identified in **Record Retention Tables (https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables)** of this document. The definition does not apply to Instant Messaging (IM) which should not be used for conducting University business.

Purpose

In order to operate efficiently throughout the university, The New School requires consistent treatment of records. Maintenance, retention, and disposal procedures for University Records (see the "Definitions" above) must be followed systematically by and is the responsibility of staff in designated official repositories. Failure to properly maintain University Records may expose the university and individuals to legal risks.

In addition, duplicate or multiple copies of these records, retained in locations other than Official Repositories (see the “Definitions” above), must also be disposed of when they are outdated and no longer useful.

This Policy is intended to ensure that the University:

- preserves its history;
- meets legal standards;
- optimizes the use of space;
- minimizes the cost of record retention; and
- disposes of outdated and useless records.

Policy

Electronic Records

Responsibilities for Managing Electronic Records

Maintenance and disposal of electronic records is the responsibility of the Departmental Records Manager or e-mail user, depending on the category of the Electronic Record and must be in accordance with the **Guidelines for Managing Records (https://app.getguru.com/card/cRzqXgKi/Guidelines-for-Managing-Records)** and also in

compliance with **Record Retention Tables (https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables)** . Failure to properly maintain electronic records may expose the University and individuals to legal risks.

Work-related email is a University record, and must be treated as such. Each e-mail user must take responsibility for retaining, disposing or archiving University records in accordance with the appropriate retention period specified in this Policy based on the content of the email. Email that does not meet the definition of University record, e.g., personal or junk email, should be deleted immediately from the system and not be commingled with work-related messages.

The University servers are not intended for long-term record retention. Information Technology (IT) performs backups on a regular schedule of the email and electronic files stored on central servers for disaster recovery. These backups are to be used for system restoration purposes only. IT administrators are not the legal custodians of messages or records which may be included in such backups.

When email is used as a transport mechanism for other records types, it is possible, based on the content, for the retention and disposition period of the email and transported record(s) to differ. In this case, the longest retention period shall apply.

See **Guidelines for Managing Electronic Records (https://app.getguru.com/card/iaj9qnET/Guidelines-for-Managing-Electronic-Records)** for additional recommendations.

Litigation Holds

Responsibilities for Preserving Documents Relevant to Active Litigation

When litigation against the University or its employees is filed or threatened, the law imposes a duty upon the University to preserve all documents and records that pertain to the issues. As soon as **University Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-**

Counsel-OGC) is made aware of pending or threatened litigation, a litigation hold directive will be issued to the legal custodian. The litigation hold directive overrides any record retention schedule that may have otherwise called for the transfer, disposal or destruction of the relevant documents, until the hold has been cleared by University Counsel.

If a litigation hold is placed with respect to certain documents, there is a legal duty to maintain these documents in their original form and they should not be destroyed or altered until the lawsuit is resolved. The documents may be scanned into electronic form, but the original paper documents should not be destroyed after scanning and should be maintained for the pendency of the lawsuit. Once the litigation is resolved and the litigation hold is lifted, after the documents have been scanned, the paper documents may be shredded.

Email and computer accounts of separated employees that have been placed on a litigation hold by University Counsel will be maintained by IT until the hold is released.

No employee who has been notified by University Counsel of a litigation hold may alter or delete any record that falls within the scope of that hold.

Violation of the hold may subject the individual to disciplinary action, up to and including termination, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

See Exhibit A – "Notification to Hold/Preserve Document."

Procedure

Responsibilities for Managing Official University Records

Departments and units that maintain University records are called "official repositories." These specific departments are responsible for establishing appropriate record retention management

practices. Each department's administrative manager must designate a Departmental Records Manager to:

- implement the department's and/or office's record management practices;
- ensure that these management practices are consistent with this Policy;
- educate staff within the administrative unit in understanding sound record management practices;
- preserve Inactive Records (see the "Definitions" above) of historic value, and transfer those records to storage;
- ensure that access to Confidential Records is restricted. Long term restrictions on access to selected archival records should be negotiated at the time of their transfer to storage; and
- destroy Inactive Records that have no archival value upon passage of the applicable retention period.

If you have any questions about your responsibilities, contact the Records Manager (see "Additional Information" below), who will work closely with you to ensure understanding of this Policy and implementation of these responsibilities. Additionally, please refer to the **Guidelines for Managing Records** **(https://app.getguru.com/card/cRzqXgKi/Guidelines-for-Managing-Records)** as well as the **Guidelines for Managing Electronic Records** **(https://app.getguru.com/card/iaj9qnET/Guidelines-for-Managing-Electronic-Records)** .

Preserving or Disposing of Official University Records

When the prescribed retention period (see **Record Retention Tables** **(https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables)** , which follow) for official University Records has passed, a determination of whether to preserve or dispose of the documents must be made. To decide if the record is of historic value to the University, consult the Departmental Records Manager (see the "Definitions" above) who has the authority to designate which records are stored permanently.

Option A

Archival Records

If you have determined that the records are archival, they may be transferred to permanent storage, call the Departmental Records Manager to:

1. Review records to be sent to permanent archival storage.
2. Request archival boxes (1 full file drawer = 2 boxes).
3. Request all relevant forms.
4. Schedule a time for boxes to be picked up.

Option B

Non-archival Records

If you have determined that it is appropriate to dispose of the records, destroy them in one of the following ways:

1. Recycle non-confidential paper records that do not contain Personal Information.
2. Shred or otherwise render unreadable Confidential Records or records that contain Personal Information.
3. Erase or destroy electronically stored data or Electronic Records. Contact the **Office of Information Technology** **(https://app.getguru.com/card/cExLGagi/Information-Technology-IT-Overview)** to ensure that Electronic Records are properly destroyed.

Caution: Periodically review records generated and maintained in University information systems or equipment (including mainframe, mini, and micro computing/storage systems) to ensure that these requirements are met.

Records Retention

Record Retention Tables **(https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables) Tables)** list the official repositories for University records as well as how long these records must be retained.

Record retention periods may be increased by government regulation, judicial or administrative consent order, private or governmental contract, pending litigation or audit requirements. Such modifications supersede the requirements listed in this Policy. Suspension of record destruction required by any of these reasons will be accomplished by a notice sent out to affected departments by the **Office of General Counsel** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** , **Human Resources** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** , **Office of Finance & Business (F&B)** **(https://app.getguru.com/card/cnAyLe9i/Office-of-Finance-Business-FB-Overview)** , the Division of Financial Affairs, or the Office of Sponsored Programs.

Note: No document list can be exhaustive. Questions regarding the retention period for any specific document or class of documents not included in these tables should be addressed to the **Office of the General Counsel (OGC)** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** .

Caution: Departments and units that are not official repositories and that retain duplicate or multiple copies of these University records should dispose of them when they are no longer useful.

Additional Information

Additional Records Information

- **Record Retention Tables** **(https://app.getguru.com/card/ikRE5obT/Record-Retention-Tables) Tables)**
- **Guidelines for Managing Electronic Records (https://app.getguru.com/card/iaj9qnET/Guidelines-for-Managing-Electronic-Records)**
- **Guidelines for Managing Records (https://app.getguru.com/card/cRzqXgKi/Guidelines-for-Managing-Records)**
- Exhibit A – "Notification to Hold/Preserve Document"

Contacts

Direct any questions about this Policy to your department's administrative manager. If you have questions about specific issues, call the following offices:

Subject	Contact
Electronic Media Storage	**Information Technology**
Micrographic Preservation	University Library Department of Preservation and Conservation
Records Management & Permanent	Designated Official Repository & the Departmental Records Manager
Storage of Inactive Records	Who?
Policy Clarification or Exceptions	**Office of the General Counsel (OGC)**

BENEFITS OVERVIEW

Human Resources > Benefits and Time Off

The New School offers the below benefit plans and programs to its employees. Click the options to find detailed information, including eligibility requirements, cost of coverage, and the enrollment process. If you need additional assistance, contact the Benefits staff at **benefitshelp@newschool.edu** **(http://http)** or call 212.229.5671 x4942.

Orientation Presentation Materials:

- **Benefits Orientation Powerpoint 01-01-2024.pdf** **(https://content.api.getguru.com/files/view/14f913a8-dddd-4b0c-bcce-cbffcf7dbfbf)**
- **1205P Benefits Orientation Powerpoint 01.01.2024.pdf** **(https://content.api.getguru.com/files/view/5573a6d1-8383-44e4-b345-ba4956733295)**

Refer to **Benefits - Terminology (Glossary)** **(https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary)** for definitions of acronyms used in this section.

Elected Benefit Options

The below benefits are generally available to eligible employees on the first of the month following one full month of employment (after one year of employment for part-time faculty) or during open enrollment.

Enrollment in "elected benefits" may be made during **new hire eligibility** **(https://app.getguru.com/card/TXAXyA6c/Benefits-New-Hire-Enrollment)** , a **change in employment status** **(https://app.getguru.com/card/izAoygyT/Benefits-Change-in-Enrollment-Eligibility)** that results in eligibility, or during the university's annual **Open Enrollment** **(https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview)**

period.

Changes may be made to elections once per year during Open Enrollment or mid-year due to **change in status (https://app.getguru.com/card/i9AaLgjT/Benefits-Change-in-Status-Qualifying-Life-Event)** (qualifying life event), except as specified below.

Please note: *Not all benefit options are available to all employees. Use the links provided to review each benefit option for eligibility details.*

Additional medical coverage and support information:

- **Aetna Tools and Resources (https://app.getguru.com/card/TXneEk6c/Aetna-Tools-and-Resources)**
- **Cost of Coverage (https://app.getguru.com/card/irAK4qzT/Cost-of-Coverage)**
- **Healthcare Coverage and Medicare (https://app.getguru.com/card/ixde6LLT/Healthcare-Coverage-and-Medicare)**
- **Medigap Reimbursement Plan (https://app.getguru.com/card/iL55M9KT/Medigap-Reimbursement-Plan)**
- **COBRA and Conversion Privileges (https://app.getguru.com/card/id886XzT/COBRA-and-Conversion-Privileges)**
- **Healthcare Coverage for New School Students Who are also Employees (https://app.getguru.com/card/cRAqpRki/Healthcare-Coverage-for-New-School-Students-Who-Are-Also-Employees)**

Time Off

There are numerous methods for employees to take **time off (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** from work:

Holidays and Breaks • **Floating Holidays** • **Holidays** • **Religious Holidays** • **Summer Flex**	**Medical Leaves of Absence** • **Family and Medical Leave Act (FMLA)** • **Paid Family Leave (PFL)** • **Long-Term Disability** • **Short-Term Disability** • **Sick Leave**
Vacation • **Vacation**	**Non-Medical Leaves of Absence** • **Bereavement Leave** • **Jury Duty Leave** • **Military Service Leave**

See also **Changes of Schedule** **(https://app.getguru.com/card/Tp8jde8c/Changes-of-Schedule)** and **Special Leave Bank** **(https://app.getguru.com/card/cjAzXGAi/Special-Leave-Bank)** .

Additional Benefits

The below benefits are not "elected" and may be utilized at anytime once eligible:

- **Workplace Accommodations** **(https://app.getguru.com/card/Tk88jjzc/Workplace-Accommodations)** : Reasonable accommodations are available to applicants and employees with disabilities to enable them to apply for or perform their job.
- **Employee Assistance Program** **(https://app.getguru.com/card/cy88BKdi/Employee-Assistance-Program)** : Counselling, consultations, and other resources available through Aetna Resources for Living.

- **Student Loan Debt (Savi)** (https://app.getguru.com/card/c5ARjj9i/Student-Loan-Debt-Savi) Debt-Savi) : Savi from TIAA helps employees find relief from student loan debt.
- **Tuition Waiver** (https://app.getguru.com/card/cL55MrXi/-Tuition-Waiver-Overview) : New School education for eligible employees and family members.
- **Workers' Compensation** (https://app.getguru.com/card/cM55799i/Workers-Compensation) : Insurance coverage for employees who are injured or become ill as a direct result of their job with The New School.

Enrollment and Modifications

Below you will find information on enrolling in benefit plans, viewing current elections, and modifying your choices.

- **New Hire Enrollment** (https://app.getguru.com/card/TXAXyA6c/Benefits-New-Hire-Enrollment) : New employees may enroll in benefits plans within 31 days of their eligibility or wait for **Open Enrollment** (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview) .
- **Change in Employment Status** (https://app.getguru.com/card/izAoygyT/Benefits-Change-in-Enrollment-Eligibility) : Employees who's employment status has changed may enroll in benefits plans within 31 days of their eligibility or wait for **Open Enrollment** (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview) .
- **Open Enrollment** (https://app.getguru.com/card/TXAXyA6c/Benefits-New-Hire-Enrollment) : Once per year, employees may enroll or modify their "elected" benefits. Some plans must be re-enrolled each year during this period.
- **View Current Elections** (https://app.getguru.com/card/cbAby7Ai/Benefits-View-Current-Elections) : View current benefit plan coverage, including per-paycheck contributions.

- **Change in Status** (https://app.getguru.com/card/i9AaLgjT/Benefits-Change-in-Status-Qualifying-Life-Event) Qualifying-Life-Event) : Make changes to your "elected" benefit plans anytime during the year due to a change in status (i.e. qualifying life event).

COBRA AND CONVERSION PRIVILEGES

Human Resources > Benefits and Time Off > Benefits > COBRA, Medicare and Medigap Coverage

Purpose and Policy

The **Consolidated Omnibus Budget Reconciliation Act of 1985**, commonly referred to as "COBRA", provides you with a temporary extension of **health care and dental care** (https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview) coverage, and **health care flexible spending account** (https://app.getguru.com/card/iqAKBMzT/Health-Care-Flexible-Spending-Account) coverage in the case that your coverage is lost due to one of the following qualifying events:

- a reduction in hours
- employment ends for any reason other than gross misconduct

Eligibility

Employee eligibility?

COBRA continuation coverage is available to a covered spouse/or covered dependent child(ren) due to one of the following qualifying events:

- The covered employee's employment ends for any reason other than gross misconduct or the employee's coverage is lost due to a reduction in hours
- Death of the covered employee
- Divorce of the covered employee and spouse or end of a domestic partnership*
- Employee becomes eligible for Medicare (Part A, Part B, or both)

COBRA continuation is also available to a covered dependent child who is no longer considered a "dependent child" due to reaching the plan's maximum dependent age or if the child is no longer a full-time student.

*Under federal COBRA law, a domestic partner is not considered a qualified beneficiary and, therefore, does not have the right to elect COBRA continuation coverage on their own. As such, domestic partners are not eligible for coverage continuation under COBRA.

* In the case of a qualifying life event or a dependent ceasing to be a dependent child it is the responsibility of the employee or spouse to notify the New School **Benefits Department (mailto:BenefitsHelp@newschool.edu)** within 60 days of the occurrence of the event. Notification must be provided in writing.

Procedure

You will receive a letter from **EBPA** in Exeter. NH, our COBRA administrator, which provides you with information on your rights under COBRA, the cost of coverage, and an election form. The letter and election form will be sent to you within 2 weeks of the date Human Resources notifies EBPA of your termination of employment. You will then have 60 days from the date on the letter, or the date your coverage ends, whichever is later, to elect COBRA continuation coverage. COBRA continuation coverage will be effective the first of the month following the date your coverage as an employee ends.

See **Benefits - Termination of Employment (https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)** for an overview of benefits after termination or retirement.

Return to *** Medical, Vision, and Dental Insurance Overview (https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** .

Related Links

- **Benefits - Overview (https://app.getguru.com/card/i584jrpT/Benefits-Overview)** - summary of available university benefits
- **Benefits - Terminology (Glossary) (https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary)**
- **Medigap Reimbursement Plan (https://app.getguru.com/card/iL55M9KT/Medigap-Reimbursement-Plan)**
- **Healthcare Coverage and Medicare (https://app.getguru.com/card/ixde6LLT/Healthcare-Coverage-and-Medicare)**

MEDIGAP REIMBURSEMENT PLAN

Human Resources > Benefits and Time Off > Benefits > COBRA, Medicare and Medigap Coverage

Introduction

Medigap is a medical insurance policy sold by individual insurance companies to fill the gaps (such as deductibles and coinsurance) in the Medicare Program which is composed of Parts A, B, and D.

Purpose

The New School Medigap Reimbursement Plan provides for the reimbursement of the cost for medical insurance that supplements Medicare Part A and B which is purchased on a individual basis, through an association (i.e., AARP), or through a spouse's retiree health care plan. This reimbursement plan includes the reimbursement of Medicare Part D premiums. This program is offered in lieu of a group retiree health care plan to eligible faculty and staff upon their **retirement from The New School (https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)** .

Eligibility

1. Individual must be classified as Full-Time Faculty, Non-Union Full-Time Administrative Staff or SHENS-UAW, local 7902 (full-time and part-time employee) at the date of retirement from the University.
2. Individual must have completed at least 10 years of service as a Full-Time Faculty or Non-Union Full-Time Administrative Staff Member. Service need not be consecutive, but any full-time service completed prior to a three-year break in service will not be taken into consideration.
3. Individual must retire from the University on or after the attainment of age 65.
4. Individual must begin participation in the Program immediately following retirement from the University. This requirement is waived if:
    1. the retired individual is residing outside the U.S. and is not able to furnish necessary documentation noted in the Procedure Section, #4 & #5, until his/her return to the U.S., or
    2. the retired individual elects to continue working for the university in a part-time position; however a Faculty member who assumes a Part-Time Faculty position may not elect to receive this benefit if he/she is receiving the Medicare, Part B reimbursement which is

available to Part-Time Faculty members.

Policy Benefit

1. The reimbursement is limited to the actual monthly, quarterly, or annual amount paid for the Medigap coverage, subject to the maximum reimbursement amount of $1,500/per Fiscal Year (July 1 through June 30).
2. Reimbursement is for the retired faculty or staff member's Medigap Insurance premium only. The cost of coverage for a spouse and/or child is not covered under this program.

Plan Year

July 1 to June 30.

Procedure

1. Reimbursements can be requested on a quarterly, semi-annual, or annual basis.
2. Reimbursement payments are subject to proper and timely submission of the claims for reimbursement.
3. Request for reimbursement must be received by the filing deadline set each year by the Office of Human Resources in conjunction with the Office of Finance and Business Fiscal Year End Processing Schedule.
4. Plan Participant must provide a copy of the Invoice from the Medigap Insurance provider which shows the following:
    1. That the coverage is for the New School Retiree
    2. The coverage period
    3. The premium amount
5. Plan Participant must provide proof of payment, such as
    1. A cancelled check

2. Bank statement
3. Credit Card statement
4. Statement from the Medigap Insurance provider

6. It is the Participant's responsibility to notify the Office of Human Resources of any change in mailing address.
7. A Plan Participant's benefits will terminate upon his/her death. However, payment will be made to the Estate of the deceased Plan Participant for premiums paid in the current or prior Fiscal Year that have not been previously reimbursed to the Plan Participant. An original, certified copy of the Plan Participant's Death Certificate must be provided along with the information noted in #3 and #4 (above) and must be provided with the normal filing deadline set by the Office of Human Resources for the Fiscal Year.

See **Benefits - Termination of Employment (https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)** for an overview of benefits after termination or retirement.

Return to *** Medical, Vision, and Dental Insurance Overview (https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** .

Related Links

- **Benefits - Overview (https://app.getguru.com/card/i584jrpT/Benefits-Overview)** - summary of available university benefits
- **Benefits - Terminology (Glossary) (https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary)**
- **Healthcare Coverage and Medicare (https://app.getguru.com/card/ixde6LLT/Healthcare-Coverage-and-Medicare)**

- **COBRA and Conversion Privileges** (https://app.getguru.com/card/id886XzT/COBRA-and-Conversion-Privileges) and-Conversion-Privileges)

WORKERS' COMPENSATION

Human Resources > Benefits and Time Off > Benefits > Other Benefits

Purpose

Workers' Compensation is insurance that provides cash benefits and/or coverage for medical care provided to employees who are injured or become ill as a direct result of their job with The New School.

Eligibility

The below populations are eligible for this benefit:

- Full-time faculty members
- Full-time administrative staff
- Part-time administrative staff who are scheduled to work 20 hours or more per week
- Part-time faculty members

Policy

Download the above notice **here** (https://drive.google.com/file/d/1ggtAgfXb9P-Tmo-YHkp4_uikdGRjfVZJ/view?usp=sharing) .

Procedure

You must notify your supervisor and contact the **Security Office** to file an Incident Report about the injury and the way in which it occurred as soon as possible. Failure to file an Incident Report in writing within 30 days after the incident may cause you to lose the right to Workers' Compensation benefits. The Incident Report forms are available at all security guard desks or through the Office of Facilities Management. Employees who qualify for Workers' Compensation benefits will receive pay continuation according to the requirements of the state law and our insurance plan.

Related Topics

- **Short-Term Disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**

WORKPLACE ACCOMMODATIONS

Human Resources > Benefits and Time Off > Benefits > Other Benefits

Purpose and Policy

The New School complies with all applicable laws that prohibit employment discrimination, including those that prohibit discrimination on the basis of disability. These laws also require that The New School provide qualified applicants and employees with a disability reasonable accommodations to enable them to apply for a job and/or to perform their job.

Human Resources manages all accommodation requests for university employees. All inquiries regarding disabilities and requests for accommodations should be directed to the **Benefits Office** at 212-229-5671 X 4942 or **benefitshelp@newschool.edu**

(mailto:benefitshelp@newschool.edu) .

Types of Accommodations

It's important to note that having a medical condition alone is not enough to make an employee eligible for a particular accommodation. Once the **Office of Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** is notified of a faculty or staff member's request for an accommodation, we engage in a collaborative and interactive process with both the employee and the supervisor or department chair to determine what accommodations are reasonable considering the essential functions of the job, the employee's needs, and the particular work environment.

Examples of reasonable accommodations may include but are not limited to:

- Making programs and activities readily accessible to and usable by individuals with mobility or other disabilities
- Modifying equipment or devices to allow people with disabilities to use them, such as providing amplification for a telephone
- Modifying a work schedule
- Restructuring job responsibilities or reallocating non-essential (marginal) job functions
- Providing printed materials in an alternative format that is accessible to individuals with visual impairments

Ergonomic Assessment

Ergonomic Assessment adjustments may or may not be part of a reasonable accommodation. Faculty and staff may request an ergonomic assessment regardless of disability. For ergonomic requests, faculty and staff should submit a note from their physician to

benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu) . The note must include diagnosis or symptoms and request for equipment or evaluation.

Eligibility and Procedure

1. Employees or applicants who request accommodations for a disability must submit the following documents to Human Resources at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** :
    1. **Reasonable Accommodation Request Form for Employees (https://drive.google.com/file/d/1USY2YxIskBsGQ-WtbyxVZKSdr7jmrmbN/view?usp=sharing)** (Google Drive); **and**
    2. **Medical Inquiry Form In Response to Accommodation Request (https://drive.google.com/file/d/1GFzATtyFGjZnU7YWTV9sN1PlnU4pS2hg/view?usp=sharing)** (Google Drive), which must be completed by a certified and/or licensed health care provider who is qualified in the area of the employee's disability.
2. Documentation of impairment alone may not be sufficient to require that the employee or applicant be provided a reasonable accommodation(s). It must be demonstrated that the impairment meets the definition of a disability according to applicable law.
3. The Benefits Office will review the documentation and, where applicable, engage in an interactive process (described below) with the employee or applicant to determine the appropriate accommodation(s), if any.
4. Only the Benefits Office, and not any other employee or supervisor, may respond to a request for an accommodation. All accommodation requests must be presented to – and approved by - the Benefits Office, not your supervisor.
5. Human Resources will provide an employee with written confirmation of approved (or denied) accommodation(s). All documentation pertaining to a disability will be maintained in a confidential file separate from the employee's personnel file. The University will keep

accommodation requests confidential and will disclose information about the individual's accommodations only to those with a "need to know." (e.g. an employee's immediate supervisor).

Interactive Process

Upon receiving a request for accommodation, the New School Benefits team will engage with faculty and staff in what is known as the "interactive process and cooperative dialogue." The purpose of the interactive process and cooperative dialogue is to enable the team to understand the needs of the faculty or staff member and, based on the circumstances, to identify any reasonable accommodations. If necessary, the Benefits team may consult with a supervisor or department chair during this process (disability will not be disclosed to the supervisor or department chair).

At the conclusion of the interactive process and cooperative dialogue and upon reaching a final determination, the Benefits team will provide the requestor with a written final determination identifying any accommodation granted or denied. A copy of the approved accommodation plan will also be provided to the employee's supervisor or department chair. Faculty and staff or their supervisor or department chair can contact the Office of Human Resources at any time to request a revision to the accommodation plan to reflect changes in job description, medical condition, etc.

Related Topics

- **Short-Term Disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- The Americans with Disabilities Act (ADA) **website** **(https://www.ada.gov/)**

BENEFITS - NEW HIRE ENROLLMENT

Employees are eligible for enrollment for benefits on their "benefits-effective date," which differs by employment type.

- New **full-time faculty members, full-time staff, and regular part-time administrative staff** (scheduled to work 20 hours or more per week) become eligible for most benefits on the first of the month following one full month of employment (the "benefits-effective date").
- A key criterion is that part-time faculty members must teach at the university for at least one academic year before becoming eligible for healthcare and/or dental care coverage. For full eligibility language, please read Article XXIX in the Collective Bargaining Agreement

Employees will receive an invitation via their New School email account to attend an upcoming Benefits Q&A Session. You can view the benefits orientation presentation materials **Benefits Orientation Powerpoint 01-01-2024.pdf (https://content.api.getguru.com/files/view/14f913a8-dddd-4b0c-bcce-cbffcf7dbfbf)**

1205P Benefits Orientation Powerpoint 01.01.2024.pdf (https://content.api.getguru.com/files/view/5573a6d1-8383-44e4-b345-ba4956733295) at any time to review your plan options. Employees must **complete their benefits enrollment within 31 days of their benefits-effective date**. An "action" (i.e. to-do) will be scheduled for the employee in **MyDay (http://myday.newschool.edu)** . Follow the prompts to complete the *Change in Benefits Eligibility* event.

If you do not enroll in the **Health Care or Dental Care insurance (https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** plans or set up a **Flexible Spending Account (https://app.getguru.com/card/iq84jqpT/-**

Flex-Spending-Overview) within 31 days of your benefits-effective date, you cannot be enrolled in these plans for the current calendar year. Your next opportunity to enroll will be during the fall **Open Enrollment (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview)** period for coverage effective on January 1 of the following year. You may enroll in other benefit plans as noted in the specific benefit's description.

Return to **Benefits - Overview (https://app.getguru.com/card/i584jrpT/Benefits-Overview)** .

Related Links

- **Benefits - Terminology (Glossary) (https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary)**
- **Benefits - Change in Employment Status (https://app.getguru.com/card/izAoygyT/Benefits-Change-in-Enrollment-Eligibility)**
- **Benefits - Open Enrollment Overview (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview)**
- **Benefits - View Current Elections (https://app.getguru.com/card/cbAby7Ai/Benefits-View-Current-Elections)**
- **Benefits - Change in Status (https://app.getguru.com/card/i9AaLgjT/Benefits-Change-in-Status-Qualifying-Life-Event)**

BENEFITS OVERVIEW

Human Resources > Benefits and Time Off > PTF Benefits

The New School offers the below benefit plans and programs to its employees. Click the options to find detailed information, including eligibility requirements, cost of coverage, and the enrollment process. If you need additional assistance, contact the Benefits staff at

benefitshelp@newschool.edu (http://http) or call 212.229.5671 x4942.

Orientation Presentation Materials:

- **Benefits Orientation Powerpoint 01-01-2024.pdf** (https://content.api.getguru.com/files/view/14f913a8-dddd-4b0c-bcce-cbffcf7dbfbf)
- **1205P Benefits Orientation Powerpoint 01.01.2024.pdf** (https://content.api.getguru.com/files/view/5573a6d1-8383-44e4-b345-ba4956733295)

Refer to **Benefits - Terminology (Glossary)** (https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary) for definitions of acronyms used in this section.

Elected Benefit Options

The below benefits are generally available to eligible employees on the first of the month following one full month of employment (after one year of employment for part-time faculty) or during open enrollment.

Enrollment in "elected benefits" may be made during **new hire eligibility** (https://app.getguru.com/card/TXAXyA6c/Benefits-New-Hire-Enrollment) , a **change in employment status** (https://app.getguru.com/card/izAoygyT/Benefits-Change-in-Enrollment-Eligibility) that results in eligibility, or during the university's annual **Open Enrollment** (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview) period.

Changes may be made to elections once per year during Open Enrollment or mid-year due to **change in status** (https://app.getguru.com/card/i9AaLgjT/Benefits-Change-in-Status-

Qualifying-Life-Event) (qualifying life event), except as specified below.

Please note: *Not all benefit options are available to all employees. Use the links provided to review each benefit option for eligibility details.*

Additional medical coverage and support information:

- **Aetna Tools and Resources (https://app.getguru.com/card/TXneEk6c/Aetna-Tools-and-Resources)**
- **Cost of Coverage (https://app.getguru.com/card/irAK4qzT/Cost-of-Coverage)**
- **Healthcare Coverage and Medicare (https://app.getguru.com/card/ixde6LLT/Healthcare-Coverage-and-Medicare)**
- **Medigap Reimbursement Plan (https://app.getguru.com/card/iL55M9KT/Medigap-Reimbursement-Plan)**
- **COBRA and Conversion Privileges (https://app.getguru.com/card/id886XzT/COBRA-and-Conversion-Privileges)**
- **Healthcare Coverage for New School Students Who are also Employees (https://app.getguru.com/card/cRAqpRki/Healthcare-Coverage-for-New-School-Students-Who-Are-Also-Employees)**

Time Off

There are numerous methods for employees to take **time off (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** from work:

Holidays and Breaks • **Floating Holidays** • **Holidays** • **Religious Holidays** • **Summer Flex**	**Medical Leaves of Absence** • **Family and Medical Leave Act (FMLA)** • **Paid Family Leave (PFL)** • **Long-Term Disability** • **Short-Term Disability** • **Sick Leave**
Vacation • **Vacation**	**Non-Medical Leaves of Absence** • **Bereavement Leave** • **Jury Duty Leave** • **Military Service Leave**

See also **Changes of Schedule** **(https://app.getguru.com/card/Tp8jde8c/Changes-of-Schedule)** and **Special Leave Bank** **(https://app.getguru.com/card/cjAzXGAi/Special-Leave-Bank)** .

Additional Benefits

The below benefits are not "elected" and may be utilized at anytime once eligible:

- **Workplace Accommodations** **(https://app.getguru.com/card/Tk88jjzc/Workplace-Accommodations)** : Reasonable accommodations are available to applicants and employees with disabilities to enable them to apply for or perform their job.
- **Employee Assistance Program** **(https://app.getguru.com/card/cy88BKdi/Employee-Assistance-Program)** : Counselling, consultations, and other resources available through Aetna Resources for Living.

- **Student Loan Debt (Savi)** (https://app.getguru.com/card/c5ARjj9i/Student-Loan-Debt-Savi) Debt-Savi) : Savi from TIAA helps employees find relief from student loan debt.
- **Tuition Waiver** (https://app.getguru.com/card/cL55MrXi/-Tuition-Waiver-Overview) : New School education for eligible employees and family members.
- **Workers' Compensation** (https://app.getguru.com/card/cM55799i/Workers-Compensation) : Insurance coverage for employees who are injured or become ill as a direct result of their job with The New School.

Enrollment and Modifications

Below you will find information on enrolling in benefit plans, viewing current elections, and modifying your choices.

- **New Hire Enrollment** (https://app.getguru.com/card/TXAXyA6c/Benefits-New-Hire-Enrollment) : New employees may enroll in benefits plans within 31 days of their eligibility or wait for **Open Enrollment** (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview) .
- **Change in Employment Status** (https://app.getguru.com/card/izAoygyT/Benefits-Change-in-Enrollment-Eligibility) : Employees who's employment status has changed may enroll in benefits plans within 31 days of their eligibility or wait for **Open Enrollment** (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview) .
- **Open Enrollment** (https://app.getguru.com/card/TXAXyA6c/Benefits-New-Hire-Enrollment) : Once per year, employees may enroll or modify their "elected" benefits. Some plans must be re-enrolled each year during this period.
- **View Current Elections** (https://app.getguru.com/card/cbAby7Ai/Benefits-View-Current-Elections) : View current benefit plan coverage, including per-paycheck contributions.

- **Change in Status** (https://app.getguru.com/card/i9AaLgjT/Benefits-Change-in-Status-Qualifying-Life-Event) **Qualifying-Life-Event)** : Make changes to your "elected" benefit plans anytime during the year due to a change in status (i.e. qualifying life event).

MEDIGAP REIMBURSEMENT PLAN

Human Resources > Benefits and Time Off > PTF Benefits

Introduction

Medigap is a medical insurance policy sold by individual insurance companies to fill the gaps (such as deductibles and coinsurance) in the Medicare Program which is composed of Parts A, B, and D.

Purpose

The New School Medigap Reimbursement Plan provides for the reimbursement of the cost for medical insurance that supplements Medicare Part A and B which is purchased on a individual basis, through an association (i.e., AARP), or through a spouse's retiree health care plan. This reimbursement plan includes the reimbursement of Medicare Part D premiums. This program is offered in lieu of a group retiree health care plan to eligible faculty and staff upon their **retirement from The New School** (https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment) .

Eligibility

1. Individual must be classified as Full-Time Faculty, Non-Union Full-Time Administrative Staff or SHENS-UAW, local 7902 (full-time and part-time employee) at the date of retirement from

the University.

2. Individual must have completed at least 10 years of service as a Full-Time Faculty or Non-Union Full-Time Administrative Staff Member. Service need not be consecutive, but any full-time service completed prior to a three-year break in service will not be taken into consideration.
3. Individual must retire from the University on or after the attainment of age 65.
4. Individual must begin participation in the Program immediately following retirement from the University. This requirement is waived if:
    1. the retired individual is residing outside the U.S. and is not able to furnish necessary documentation noted in the Procedure Section, #4 & #5, until his/her return to the U.S., or
    2. the retired individual elects to continue working for the university in a part-time position; however a Faculty member who assumes a Part-Time Faculty position may not elect to receive this benefit if he/she is receiving the Medicare, Part B reimbursement which is available to Part-Time Faculty members.

Policy Benefit

1. The reimbursement is limited to the actual monthly, quarterly, or annual amount paid for the Medigap coverage, subject to the maximum reimbursement amount of $1,500/per Fiscal Year (July 1 through June 30).
2. Reimbursement is for the retired faculty or staff member's Medigap Insurance premium only. The cost of coverage for a spouse and/or child is not covered under this program.

Plan Year

July 1 to June 30.

Procedure

1. Reimbursements can be requested on a quarterly, semi-annual, or annual basis.
2. Reimbursement payments are subject to proper and timely submission of the claims for reimbursement.
3. Request for reimbursement must be received by the filing deadline set each year by the Office of Human Resources in conjunction with the Office of Finance and Business Fiscal Year End Processing Schedule.
4. Plan Participant must provide a copy of the Invoice from the Medigap Insurance provider which shows the following:
    1. That the coverage is for the New School Retiree
    2. The coverage period
    3. The premium amount
5. Plan Participant must provide proof of payment, such as
    1. A cancelled check
    2. Bank statement
    3. Credit Card statement
    4. Statement from the Medigap Insurance provider
6. It is the Participant's responsibility to notify the Office of Human Resources of any change in mailing address.
7. A Plan Participant's benefits will terminate upon his/her death. However, payment will be made to the Estate of the deceased Plan Participant for premiums paid in the current or prior Fiscal Year that have not been previously reimbursed to the Plan Participant. An original, certified copy of the Plan Participant's Death Certificate must be provided along with the information noted in #3 and #4 (above) and must be provided with the normal filing deadline set by the Office of Human Resources for the Fiscal Year.

See **Benefits - Termination of Employment (https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)** for an overview of benefits after termination or retirement.

Return to *** Medical, Vision, and Dental Insurance Overview (https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** .

Related Links

- **Benefits - Overview (https://app.getguru.com/card/i584jrpT/Benefits-Overview)** - summary of available university benefits
- **Benefits - Terminology (Glossary) (https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary)**
- **Healthcare Coverage and Medicare (https://app.getguru.com/card/ixde6LLT/Healthcare-Coverage-and-Medicare)**
- **COBRA and Conversion Privileges (https://app.getguru.com/card/id886XzT/COBRA-and-Conversion-Privileges)**

WORKERS' COMPENSATION

Human Resources > Benefits and Time Off > PTF Benefits

Purpose

Workers' Compensation is insurance that provides cash benefits and/or coverage for medical care provided to employees who are injured or become ill as a direct result of their job with The New School.

Eligibility

The below populations are eligible for this benefit:

- Full-time faculty members

- Full-time administrative staff
- Part-time administrative staff who are scheduled to work 20 hours or more per week
- Part-time faculty members

Policy

Download the above notice **here** **(https://drive.google.com/file/d/1ggtAgfXb9P-Tmo-YHkp4_uikdGRjfVZJ/view?usp=sharing)** .

Procedure

You must notify your supervisor and contact the **Security Office** to file an Incident Report about the injury and the way in which it occurred as soon as possible. Failure to file an Incident Report in writing within 30 days after the incident may cause you to lose the right to Workers' Compensation benefits. The Incident Report forms are available at all security guard desks or through the Office of Facilities Management. Employees who qualify for Workers' Compensation benefits will receive pay continuation according to the requirements of the state law and our insurance plan.

Related Topics

- **Short-Term Disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**

WORKPLACE ACCOMMODATIONS

Purpose and Policy

The New School complies with all applicable laws that prohibit employment discrimination, including those that prohibit discrimination on the basis of disability. These laws also require that The New School provide qualified applicants and employees with a disability reasonable accommodations to enable them to apply for a job and/or to perform their job.

Human Resources manages all accommodation requests for university employees. All inquiries regarding disabilities and requests for accommodations should be directed to the **Benefits Office** at 212-229-5671 X 4942 or **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** .

Types of Accommodations

It's important to note that having a medical condition alone is not enough to make an employee eligible for a particular accommodation. Once the **Office of Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** is notified of a faculty or staff member's request for an accommodation, we engage in a collaborative and interactive process with both the employee and the supervisor or department chair to determine what accommodations are reasonable considering the essential functions of the job, the employee's needs, and the particular work environment.

Examples of reasonable accommodations may include but are not limited to:

- Making programs and activities readily accessible to and usable by individuals with mobility or other disabilities

- Modifying equipment or devices to allow people with disabilities to use them, such as providing amplification for a telephone
- Modifying a work schedule
- Restructuring job responsibilities or reallocating non-essential (marginal) job functions
- Providing printed materials in an alternative format that is accessible to individuals with visual impairments

Ergonomic Assessment

Ergonomic Assessment adjustments may or may not be part of a reasonable accommodation. Faculty and staff may request an ergonomic assessment regardless of disability. For ergonomic requests, faculty and staff should submit a note from their physician to **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** . The note must include diagnosis or symptoms and request for equipment or evaluation.

Eligibility and Procedure

1. Employees or applicants who request accommodations for a disability must submit the following documents to Human Resources at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** :
    1. **Reasonable Accommodation Request Form for Employees (https://drive.google.com/file/d/1USY2YxIskBsGQ-WtbyxVZKSdr7jmrmbN/view?usp=sharing)** (Google Drive); **and**
    2. **Medical Inquiry Form In Response to Accommodation Request (https://drive.google.com/file/d/1GFzATtyFGjZnU7YWTV9sN1PlnU4pS2hg/view?usp=sharing)** (Google Drive), which must be completed by a certified and/or licensed health care provider who is qualified in the area of the employee's disability.

2. Documentation of impairment alone may not be sufficient to require that the employee or applicant be provided a reasonable accommodation(s). It must be demonstrated that the impairment meets the definition of a disability according to applicable law.
3. The Benefits Office will review the documentation and, where applicable, engage in an interactive process (described below) with the employee or applicant to determine the appropriate accommodation(s), if any.
4. Only the Benefits Office, and not any other employee or supervisor, may respond to a request for an accommodation. All accommodation requests must be presented to – and approved by - the Benefits Office, not your supervisor.
5. Human Resources will provide an employee with written confirmation of approved (or denied) accommodation(s). All documentation pertaining to a disability will be maintained in a confidential file separate from the employee's personnel file. The University will keep accommodation requests confidential and will disclose information about the individual's accommodations only to those with a "need to know." (e.g. an employee's immediate supervisor).

Interactive Process

Upon receiving a request for accommodation, the New School Benefits team will engage with faculty and staff in what is known as the "interactive process and cooperative dialogue." The purpose of the interactive process and cooperative dialogue is to enable the team to understand the needs of the faculty or staff member and, based on the circumstances, to identify any reasonable accommodations. If necessary, the Benefits team may consult with a supervisor or department chair during this process (disability will not be disclosed to the supervisor or department chair).

At the conclusion of the interactive process and cooperative dialogue and upon reaching a final determination, the Benefits team will provide the requestor with a written final determination

identifying any accommodation granted or denied. A copy of the approved accommodation plan will also be provided to the employee's supervisor or department chair. Faculty and staff or their supervisor or department chair can contact the Office of Human Resources at any time to request a revision to the accommodation plan to reflect changes in job description, medical condition, etc.

Related Topics

- **Short-Term Disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- The Americans with Disabilities Act (ADA) **website** **(https://www.ada.gov/)**

BENEFITS - NEW HIRE ENROLLMENT

Human Resources > Benefits and Time Off > PTF Benefits > Manage Benefits

Employees are eligible for enrollment for benefits on their "benefits-effective date," which differs by employment type.

- New **full-time faculty members, full-time staff, and regular part-time administrative staff** (scheduled to work 20 hours or more per week) become eligible for most benefits on the first of the month following one full month of employment (the "benefits-effective date").
- A key criterion is that part-time faculty members must teach at the university for at least one academic year before becoming eligible for healthcare and/or dental care coverage. For full eligibility language, please read Article XXIX in the Collective Bargaining Agreement

Employees will receive an invitation via their New School email account to attend an upcoming Benefits Q&A Session. You can view the benefits orientation presentation materials **Benefits**

Orientation Powerpoint 01-01-2024.pdf

(https://content.api.getguru.com/files/view/14f913a8-dddd-4b0c-bcce-cbffcf7dbfbf)

(https://content.api.getguru.com/files/view/14f913a8-dddd-4b0c-bcce-cbffcf7dbfbf)

1205P Benefits Orientation Powerpoint 01.01.2024.pdf

(https://content.api.getguru.com/files/view/5573a6d1-8383-44e4-b345-ba4956733295) at any time to review your plan options. Employees must **complete their benefits enrollment within 31 days of their benefits-effective date**. An "action" (i.e. to-do) will be scheduled for the employee in **MyDay** **(http://myday.newschool.edu)** . Follow the prompts to complete the *Change in Benefits Eligibility* event.

If you do not enroll in the **Health Care or Dental Care insurance** **(https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** plans or set up a **Flexible Spending Account** **(https://app.getguru.com/card/iq84jqpT/-Flex-Spending-Overview)** within 31 days of your benefits-effective date, you cannot be enrolled in these plans for the current calendar year. Your next opportunity to enroll will be during the fall **Open Enrollment** **(https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview)** period for coverage effective on January 1 of the following year. You may enroll in other benefit plans as noted in the specific benefit's description.

Return to **Benefits - Overview** **(https://app.getguru.com/card/i584jrpT/Benefits-Overview)** .

Related Links

- **Benefits - Terminology (Glossary)**
  (https://app.getguru.com/card/TjA98dGc/Benefits-Terminology-Glossary)
- **Benefits - Change in Employment Status**
  (https://app.getguru.com/card/izAoygyT/Benefits-Change-in-Enrollment-Eligibility)

- **Benefits - Open Enrollment Overview (https://app.getguru.com/card/TnAnL4Rc/Benefits-Open-Enrollment-Overview)**
- **Benefits - View Current Elections (https://app.getguru.com/card/cbAby7Ai/Benefits-View-Current-Elections)**
- **Benefits - Change in Status (https://app.getguru.com/card/i9AaLgjT/Benefits-Change-in-Status-Qualifying-Life-Event)**

HOLIDAYS

The New School recognizes certain days during the year as paid holidays (i.e. days off from work) for employees. Employees must be actively employed with the University preceding and the day following these holidays. Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- President’s Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- Winter Break (the period between Christmas Eve and New Year's)

When a holiday falls on a Saturday, it shall be celebrated on the previous Friday; when it falls on Sunday, it shall be celebrated the following Monday.

Logging Holidays in MyDay

Full-Time Faculty and Staff

Paid holidays are automatically listed in MyDay for full-time faculty and staff.

Part-Time Staff

Part-time non-union administrative hourly staff, 1205 professional hourly, and SHENS-UAW hourly employees are also paid for university holidays if they fall on a day when the employee would regularly work. These employees should **review their work schedule (https://app.getguru.com/card/TeAKoBxc/View-Work-Schedule)** in MyDay and, if scheduled to work on one of the holidays listed above, submit those hours as Holiday time. See **Enter Holiday in MyDay (https://app.getguru.com/card/ikA8M9ET/Enter-Holiday-in-MyDay)** for instructions.

Other Holiday Policies

1. **Floating Holidays (https://app.getguru.com/card/Td8A4oac/Floating-Holidays)**
2. **Religious Holidays (https://app.getguru.com/card/cy8ApGai/Religious-Holidays)**
3. **Summer Flex (https://app.getguru.com/card/iEg6ERpT/Summer-Flex)**

Additional Information

For questions regarding university holidays, contact the Benefits team at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** . Contact **MyDayTicket@newschool.edu (mailto:MyDayTicket@newschool.edu)** for help with MyDay (Workday).

For additional information on the types of available time off or how to request a day off, review our **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary) .

JURY DUTY

Human Resources > Benefits and Time Off > PTF Benefits > Time Off & Leave

If you receive a notice of jury duty, you must notify your supervisor and provide a copy of the jury duty notification as soon as possible so that proper coverage may be arranged for your absence. Each day that you are serving jury duty, you must inform your supervisor as to the status of your service and expected return-to-work date. If you are released from jury duty early in the day, then you are expected to return to work.

If you are called for jury duty, you will continue to receive your base normal pay for your first two (2) weeks of jury service. Employees will be compensated for base wages only, for time spent on jury duty, up to two weeks. Compensation will be made in accordance with federal and state wage and hour laws. For jury duty lasting longer than two weeks, you must contact Human Resources for further discussion.

Please **Request Time Off** (https://app.getguru.com/card/inA8qdjT/Request-Time-Off) in MyDay and select **Jury Duty**. This will route to your manager for approval. A copy of your Jury Summons or other paperwork may be requested.

Return to **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary) .

PAID FAMILY LEAVE (PFL)

Human Resources > Benefits and Time Off > PTF Benefits > Time Off & Leave

New York State's Paid Family Leave (PFL) allows eligible employees to take up to 12 weeks of leave. General program information is available on the **New York State Paid Family Leave website (https://paidfamilyleave.ny.gov/)** .

Eligibility

The below populations are eligible for this benefit:

- Full-time faculty members
- Full-time administrative staff
- Part-time administrative staff
- Part-time faculty members
- SENS-UAW Academic Student Workers

Covered employees become eligible to take Paid Family Leave for a qualifying event once they have met the minimum time-worked requirements:

- **Full-time employees:** Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.
- **Part-time employees:** Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which do not need to be consecutive. Employees with irregular schedules should look at their average schedule to determine if they work, on average, fewer than 20 hours per week.

Covered Reasons & Amount of Leave

Paid Family Leave entitles an eligible employee to take up to 12 weeks of paid job-protected leave for the following reasons:

- To **bond with a child** during the first 12 months following the birth, adoption, or foster care placement of a child, or
- To participate in **providing care**, including physical or psychological care, for a family member (child, spouse, domestic partner, parent, grandchild, grandparent, or parent of a spouse or domestic partner, sibling) with a **serious health condition** **(https://app.getguru.com/card/cjRbBxqi/Family-and-Medical-Leave-Act-FMLA-5-Terminology)** , or
- For **qualifying exigencies**, as interpreted by the **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** , arising out of the fact that a spouse, domestic partner, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

Please read the **New York State Paid Family Leave Statement** **(https://drive.google.com/file/d/1zqmlFdsG6DtJbQBEjSI1dxi7dL95cFyJ/view?usp=share_link)** for more details.

Contributions & Pay

This is an employee-paid benefit. The 2025 payroll contribution is 0.388 percent of an employee's wages each pay period and is capped at an annual maximum of $354.53. This deduction may fluctuate from pay period to pay period, depending on gross wages.

For part-time faculty and Student Academic Workers (SENS-UAW), the university will subsidize 50 percent of the employee's contribution rate. In addition, we will impute income for NYPFL employer-paid premiums and report the payment of such premiums on behalf of the employee in Box 14 of the employee's W-2 form.

PFL is paid at 67 percent of the employee's average weekly wage, not to exceed 67 percent of the State Average Weekly Wage (SAWW), which is set annually by the New York State Department of

Labor. For 2025, the SAWW is $1,757.19, so the maximum weekly PFL benefit someone may receive is $1,177.32.

Opting Out of Paid Family Leave (PFL)

Only those part-time faculty members who meet one of the following conditions may opt out of PFL:

- They work less than 20 hours per week and fewer than 175 days in a consecutive 52-week period.
- They work 20 or more hours a week but for fewer than 26 consecutive weeks in a 52-week period.

If you think you will meet one of these criteria, you may request to opt out. You will not be automatically excluded from the program. To request exclusion, you must submit the **Employee Opt-Out of Paid Family Leave Benefits Form (https://www.wcb.ny.gov/content/main/forms/PFLWaiver.pdf)** to **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** for approval. The deductions will stop only after approval.

Procedure for Requesting Paid Family Leave

All employees needing leave should notify Human Resources **at least 30 days in advance** if the reason for PFL is foreseeable — for example, an expected birth or planned medical treatment for a serious health condition. If 30 days' notice is not practicable, then notice must be given as soon as reasonably possible. Part-time faculty must also alert their college through the notification process or absence form along with your Absence Plan for plan approval.

Procedure

1. Contact the *Benefits Office* at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** or by calling 212-229-5671 x4942 and request a copy of the **Request for Paid Family Leave Form**.
    1. A request should also be submitted in MyDay (Workday) by following the procedures to **Request Leave of Absence (https://app.getguru.com/card/cyA8qxRi/Request-Leave-of-Absence)** .
2. Submit completed form and proof of claim documentation to **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** .
3. Benefits will finish the "employer" section of the form and submit paperwork to the university's carrier, The Standard, for review and approval.
4. Once approved, PFL wages will be paid by The Standard by check sent on a weekly basis to the mailing address listed on the form.

Return to *** Time Off Summary (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

RELIGIOUS HOLIDAYS

An employee may take time for religious holidays not included in the official **University schedule (https://app.getguru.com/card/cq8ApE7i/Holidays)** with his/her supervisor's permission. Such time off may be covered by a **floating holiday (https://app.getguru.com/card/Td8A4oac/Floating-Holidays)** or **vacation time**

(https://app.getguru.com/card/T58444gc/Vacation) , if an employee is eligible, or taken without pay.

Return to *** Time Off Summary** **(https://app.getguru.com/card/cpAMzb9i/-Time-Off-Summary)** .

Related Topics

- **Holidays** **(https://app.getguru.com/card/cq8ApE7i/Holidays)**
- **Floating Holiday** **(https://app.getguru.com/card/Td8A4oac/Floating-Holidays)**

SHORT-TERM DISABILITY

Human Resources > Benefits and Time Off > PTF Benefits > Time Off & Leave

Purpose

If you are absent from work for more than seven consecutive calendar days due to a medical condition, including pregnancy, you may qualify for short-term disability benefits. Short-term disability benefits provide wage replacement for up to 26 weeks if you cannot work due to a qualified medical condition.

Eligibility

The below populations are eligible for this benefit:

- Full-time faculty members
- Full-time administrative staff
- Part-time administrative staff who are scheduled to work 20 hours or more per week
- Part-time faculty members

Policy

During your **first year of employment**, you are eligible to receive your pre-disability (full) pay for the duration of a disability up to a maximum of four weeks with certification by your physician and the approval of the short-term disability carrier. If the disability lasts longer than four weeks, you may qualify for a benefit paid directly by the short-term disability carrier, which is equal to the New York State disability benefit amount of 50 percent of your weekly pay up to a maximum of $170 per week.

If you have **one or more years of service**, you are eligible to receive your pre-disability (full) pay for the duration of a disability up to a maximum of 26 weeks with certification by your physician and the approval of the short-term disability carrier.

Your wage replacement amount will not exceed your base rate of pay. Any payments received directly from the short-term disability carrier will be offset against your university paid wage replacement.

A short-term disability leave will run concurrently with leave qualified under the **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** if eligible.

If you do not return from an approved short-term disability leave or if you do not return upon the expiration of the maximum allowable, approved short-term disability period, your employment with The New School may be terminated.

Procedure

Contact the **Benefits Department** **(mailto:benefitshelp@newschool.edu)** to apply for Short-Term Disability.

Forms?

Related Topics

- **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**

SICK TIME

Human Resources > Benefits and Time Off > PTF Benefits > Time Off & Leave

The University recognizes that, at times, employees may be unable to work due to personal illness or injury, as well as the illness or injury of a family member. Effective April 1, 2014, the University began accruing *NYC Safe and Sick Time* pursuant to **New York City's Earned Safe and Sick Time Act** (" **Paid NYC Safe and Sick Leave Law** **(https://www1.nyc.gov/site/dca/workers/workersrights/paid-sick-leave-law-for-workers.page)** ").

An overview of the NYC Paid Safe and Sick Time Law may be found **online** **(https://www.ny.gov/new-york-paid-sick-leave/new-york-paid-sick-leave#amount-of-leave)** or via **Paid Sick Leave -English.pdf** **(https://content.api.getguru.com/files/view/18f24b17-4548-4e39-ad3e-3ada41a935f3)** (click to download PDF in English; other languages available for download **here** **(https://www1.nyc.gov/site/dca/about/paid-sick-leave-what-employees-need-to-know.page)**).

Employees must document all used *NYC Safe and Sick Time* and other personal illness time off using The New School's **Workday system** **(https://app.getguru.com/card/inA8qdjT/Request-**

Time-Off) .

Eligibility

All New School employees who work in New York State are covered by the New York Safe & Sick Time policy. Click on the drop-downs below to review additional details for specific employee groups.

Additional Information for Student Workers

Per Article XXI of the Collective Bargaining Agreement, Academic Student Workers are entitled to take Paid NYC Safe and Sick. New procedures are now in place for tracking the use of Safe and Sick Leave. Review the **Safe and Sick and Emergency Instance Time Off guide (https://drive.google.com/file/d/1cM3uSyHCRsyFouJUJyazxtaMrS61_YyG/view?usp=drive_link)** for information on eligibility and accruals as well as the updated process for requesting and tracking time off.

Please note: Under the provisions of the Paid NYC Safe and Sick Leave Law, students working in **Federal Work Study (https://app.getguru.com/card/ibpKqgXT/Federal-Work-Study-FWS)** positions are specifically excluded from eligibility for Safe and Sick Time.

Additional Information for Part-Time Faculty

Employees who bargain collectively through a union must refer to their respective **collective bargaining agreements (https://www.newschool.edu/human-resources/labor-relations)** regarding any sick time benefits. According to Article XX(A) of the collective bargaining agreement between ACT-UAW Local 7902, Article XXIX of the AFL-CIO Local 802 collective bargaining agreement and The New School, faculty members are entitled to take Safe and Sick or **Emergency Instance (https://app.getguru.com/card/iA9gpGyT/Emergency-Instance)** time off.

Accrual Rates for *NYC Safe and Sick Time*

Pursuant to the **Paid NYC Safe and Sick Leave Law (https://www1.nyc.gov/site/dca/workers/workersrights/paid-sick-leave-law-for-workers.page)** , employees accrue *NYC Safe and Sick Time* at a rate of one hour for every 30 hours worked, up to a maximum of 56 hours of *NYC Safe and Sick Time* per fiscal year (July 1 – June 30). All employees who work more than 80 hours in each year except student workers being paid via Federal Work Study funds will accrue *NYC Safe and Sick Time* based one hour for every 30 hours worked up to the statutory maximum.

Any accrued but unused safe/sick time will be carried forward from year to year; however, covered employees may not use more than 56 hours of safe/sick time in any given fiscal year (though an employee may be eligible for additional paid medical leave under other university policies).

Eligible employees who are rehired by the university within 6 months of termination may use any accrued but unused safe/sick time from their prior position but are subject to the 56 hour maximum per fiscal year.

Unused NYC Safe & Sick Time

At the end of a fiscal year, any unused *NYC Safe and Sick Time* for that year will carry over to the new fiscal year; however, employees cannot use more than 56 hours of *NYC Safe and Sick Time* in a fiscal year and no more than 56 hours can be accrued at any time. This means that if in September the employee needs to use *NYC Safe and Sick Time*, even if they have 21 hours carryover from the year before and a new accrual of 56 hours becomes effective July 1, they may only use 56 hours of *NYC Safe and Sick Time* in that fiscal year.

Upon termination of employment for any reason and whether voluntary or involuntary, employees will not be paid for any unused accrued *NYC Safe and Sick Time*. However, when there is a separation

from employment and the employee is rehired by the University within 6 months of separation, previously accrued unused *NYC Safe and Sick Time* will be reinstated to the rehired employee.

The New School does not pay out unused safe/sick time under this or any other policy at termination, resignation, retirement, or other separation from employment.

Email **benefitshelp@newschool.edu** **(mailto:BenefitsHelp@newschool.edu)** for *NYC Safe and Sick* time off accrual details.

Acceptable Reasons to Use *NYC Safe and Sick Time*

Employees will be allowed to use all, or any portion, of their paid safe/sick time for:

1. The employee's mental or physical illness, injury or health condition, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time that such employee requests leave;
2. The employee's diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for medical diagnosis, preventive care or elective surgery, including organ donations;
3. To care for employee's family member because of the family member's mental or physical illness, injury or health condition, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time that such employee requests leave;
4. To care for the employee's family member because of the family member's diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for medical diagnosis, preventive care or elective surgery, including organ donations;
5. When a public official orders the closure of an employee's child's school or child care provider due to a public health emergency;
6. When a public official orders the closure of the employee's place of business due to a public health emergency; or

7. An absence from work due to any of the following reasons when the employee or the employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking or human trafficking ("safe time"):
    1. to obtain services from a domestic violence shelter, rape crisis center, or other services program;
    2. to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
    3. to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding;
    4. to file a complaint or domestic incident report with law enforcement;
    5. to meet with a district attorney's office;
    6. to enroll children in a new school; or
    7. to take any other actions necessary to ensure the health or safety of the employee or employee's family member or to protect those who associate or work with the employee.

Family Members

Family member is defined as a spouse, registered domestic partner, son or daughter (biological, adopted, foster, stepchild, legal ward, grandchild, or child of a person standing in loco parentis), sibling (including step-siblings, half-siblings, and siblings-in-law), parent, parent of a spouse, spouse of a child, and spouse of siblings, and any other individual whose close association with the faculty member is the equivalent of a family relationship.

Using NYC Safe and Sick Time

Employees must notify their supervisors, college, and Human Resources if they intend to use NYC Safe and Sick Time, and must document all used NYC Safe and Sick Time and other personal illness time off using The New School's **Workday system**

(https://app.getguru.com/card/inA8qdjT/Request-Time-Off) . NYC Safe and Sick Time may be taken in increments of .25 hours (15 minutes).

New employees may begin to use accrued time upon hire.

General Instructions for all Employees

1. Employees must follow the department's/program's established call-in procedure or scheduling procedure for approved absences.
2. When safe or sick leave is foreseeable, Employees must provide **7 calendar days' advance written notice** of their intention to take safe or sick leave to their supervisor and submit their time off via Myday for supervisor's approval.
    1. If safe or sick leave is unforeseeable, the employee shall provide written notice of the use of the leave to their supervisor as soon as reasonably practicable. Failure to provide the required timely notice may result in a denial of the leave, unless unusual circumstances justify the failure to comply.
3. Employees must record all sick time by **entering the time off request (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** in MyDay.

Additional Instructions for Part-Time Faculty

Per Article IX, Sections F-H of the CBA, part-time faculty will notify their Chair, Program Director or other appropriate supervisor of any upcoming absence from a scheduled class session, and confirm an **Absence Plan (https://app.getguru.com/card/Tyxan4Bc/Creating-an-Absence-Plan)** , which is subject to final approval by their academic Chair, Program Director or School/College Dean. Once their academic leadership has been notified, they should proceed with **entering their time off election (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** in MyDay. For additional information and step-by-step instructions to request sick time or emergency instance leave, please review the **Part-Time Faculty Time Off Checklist (https://app.getguru.com/card/ibMb7EyT/Time-Off-Checklist-for-PTF)** .

Please note: In the event that a PTF was absent from teaching and neglected to make a NYC Safe and Sick or Emergency Instance election by the last business day of the semester, the university reserves the right to make a default election to Emergency Instance.

If an employee's general health is causing frequent or regular absences, they should be directed to contact Human Resources at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** .

Documentation

For absences of three or more consecutive days, employees may be required to provide supporting documentation for their usage of NYC Safe and Sick time under the New York Paid Sick Leave Laws. Reasonable documentation may include a written note from a victim services organization, attorney, member of a clergy, or medical provider, and a police or court record. Fraudulent use of safe/sick time or failure to provide requested documentation may be the basis for disciplinary action, up to and including termination of employment.

Absences of three or more consecutive days should be reported to Human Resources, and supporting documentation will be requested. The existence of an illness or injury for yourself or an eligible family member may support continued use of leave under the FMLA, Short-term disability, or NYPFL, if applicable.

The university will not require the disclosure of details relating to an employee's or his, her, or their family member's medical condition or require the disclosure of details relating to an employee's or his, her or their family member's status as a victim of domestic violence, family offenses, sexual offenses, stalking, or human trafficking as a condition of providing sick leave or safe leave. This information is considered confidential and will not be disclosed, except by the affected employee, with the written permission of the affected employee or as required by law.

Anti-Retaliation

A covered employee cannot be retaliated against for requesting or using sick leave in accordance with this Policy. Retaliation includes any threat, intimidation, discipline, discharge, demotion, suspension, harassment, discrimination, or reduction in hours or pay, or any other adverse employment action against an employee who exercises or attempts to exercise any right provided under applicable law or this Policy.

Additional Leave for Personal Illness for Non-Union Administrative Staff

This policy does not eliminate or change the **vacation (https://app.getguru.com/card/T58444gc/Vacation)** or **floating holiday (https://app.getguru.com/card/Td8A4oac/Floating-Holidays)** policies for staff. If necessary, staff may use vacation and/or floating holidays if *NYC Safe and Sick Time* has been exhausted. However, if *NYC Safe and Sick Time* is exhausted, please notify Human Resources, as **short-term disability (https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)** and/or **Family and Medical Leave Act (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** rules may apply. The University may require documentation from a licensed health care provider if an employee uses more than 3 days (21 hours for full-time staff, or a pro-rated number of hours for part-time staff) of consecutive workdays as *NYC Safe and Sick Time*.

For non-union administrative staff of The New School, in addition to the *NYC Safe and Sick Time* described above, there is no set number of leave days available for personal illness. Individuals who are out sick are paid for the day. However, these days must be used for the employee's personal illness only, and cannot be applied to care for family members. An employee absent because of personal illness must notify his/her supervisor and/or department head as close as possible to his

or her scheduled start time. Employees recording this type of sick time should use the **time off entry type** **(https://app.getguru.com/card/cbMzqnMi/MyDay-Time-Off-Leave-Guide)** "Sick" when requesting time off in MyDay.

Responsibilities

Supervisors and employees are responsible for the appropriate use of *NYC Safe and Sick Time* and leave days due to personal illness.

Supervisors throughout the divisions and departments/programs are responsible for monitoring *NYC Safe and Sick Time* and leave for personal illness following general university guidelines. They must contact the **Human Resources office** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** immediately where there are instances of three or more consecutive days of absence, or a pattern of abuse, and a doctor's note submitted directly to Human Resources may be required in such instances. Supervisors must review and approve employees' *NYC Safe and Sick Time* in MyDay before submitting to Human Resources and/or Payroll in a timely fashion.

Employees are responsible for following established division and department/program scheduling and call-in procedures. Exempt employees must document all used *NYC Safe and Sick Time* and other personal illness time off using The New School's **Workday system** **(https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** . Non-exempt employees who normally complete time sheets must document all used Sick Time on their time sheets or time entries in Workday.

For additional information, please call the Benefits Help Line at 212-229-5671 X4942 or send an e-mail to **benefitshelp@newschool.edu** **(mailto:benefitshelp@newschool.edu)** . Click to read more about the city's **Paid Safe and Sick Leave Law** **(https://www1.nyc.gov/site/dca/workers/workersrights/paid-sick-leave-law-for-**

workers.page) and download summaries for employees.

Related Topics

- **Family and Medical Leave Act** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- **Short-Term Disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Military Service Leave** **(https://app.getguru.com/card/T584dXnc/Military-Service-Leave)**
- **Paid Family Leave (PFL)** **(https://app.getguru.com/card/iBgpB7zT/Paid-Family-Leave-PFL)**
- **Bereavement Leave** **(https://app.getguru.com/card/Tj8exGdc/Bereavement-Leave)**
- **Jury Duty Leave** **(https://app.getguru.com/card/in8zxyoT/Jury-Duty)**
- **Changes of Schedule** **(https://app.getguru.com/card/Tp8jde8c/Changes-of-Schedule)**

FLOATING HOLIDAYS

Human Resources > Benefits and Time Off > Time Off > Holidays and Breaks

In addition to the **University holidays** **(https://app.getguru.com/card/cq8ApE7i/Holidays)** , full-time administrative employees are entitled to four floating holidays each year. Floating holidays are typically accrued at the beginning of each quarter. New employees who are hired before the 15th of the second month of the quarter will accrue a floating holiday for that quarter. New employees who are hired on or after the 15th of the second month of the quarter will not accrue a floating holiday for that quarter. Part-time administrative employees who are scheduled to work 20 or more hours per week will receive pro-rated floating holidays. Floating holidays may

be scheduled in advance and may be enjoyed any time during the year consistent with the needs of the department. If desired, these holidays may be used for religious observances or may be taken in conjunction with other holidays and vacation time.

Floating holidays must be used within the fiscal year (July 1 – June 30). Floating holiday time not used may not be carried forward into subsequent years.

Related Topics

- **Holidays** (https://app.getguru.com/card/cq8ApE7i/Holidays)
- **Religious Holidays** (https://app.getguru.com/card/cy8ApGai/Religious-Holidays)
- **Request Time Off** (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)

Return to **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary) .

HOLIDAYS

Human Resources > Benefits and Time Off > Time Off > Holidays and Breaks

The New School recognizes certain days during the year as paid holidays (i.e. days off from work) for employees. Employees must be actively employed with the University preceding and the day following these holidays. Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- President’s Day
- Memorial Day
- Juneteenth

- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- Winter Break (the period between Christmas Eve and New Year's)

When a holiday falls on a Saturday, it shall be celebrated on the previous Friday; when it falls on Sunday, it shall be celebrated the following Monday.

Logging Holidays in MyDay

Full-Time Faculty and Staff

Paid holidays are automatically listed in MyDay for full-time faculty and staff.

Part-Time Staff

Part-time non-union administrative hourly staff, 1205 professional hourly, and SHENS-UAW hourly employees are also paid for university holidays if they fall on a day when the employee would regularly work. These employees should **review their work schedule (https://app.getguru.com/card/TeAKoBxc/View-Work-Schedule)** in MyDay and, if scheduled to work on one of the holidays listed above, submit those hours as Holiday time. See **Enter Holiday in MyDay (https://app.getguru.com/card/ikA8M9ET/Enter-Holiday-in-MyDay)** for instructions.

Other Holiday Policies

1. **Floating Holidays (https://app.getguru.com/card/Td8A4oac/Floating-Holidays)**
2. **Religious Holidays (https://app.getguru.com/card/cy8ApGai/Religious-Holidays)**

3. **Summer Flex** (https://app.getguru.com/card/iEg6ERpT/Summer-Flex)

Additional Information

For questions regarding university holidays, contact the Benefits team at **benefitshelp@newschool.edu** (mailto:benefitshelp@newschool.edu) . Contact **MyDayTicket@newschool.edu** (mailto:MyDayTicket@newschool.edu) for help with MyDay (Workday).

For additional information on the types of available time off or how to request a day off, review our **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary) .

RELIGIOUS HOLIDAYS

Human Resources > Benefits and Time Off > Time Off > Holidays and Breaks

An employee may take time for religious holidays not included in the official **University schedule** (https://app.getguru.com/card/cq8ApE7i/Holidays) with his/her supervisor's permission. Such time off may be covered by a **floating holiday** (https://app.getguru.com/card/Td8A4oac/Floating-Holidays) or **vacation time** (https://app.getguru.com/card/T58444gc/Vacation) , if an employee is eligible, or taken without pay.

Return to *** Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/-Time-Off-Summary) .

Related Topics

- **Holidays** (https://app.getguru.com/card/cq8ApE7i/Holidays)

- **Floating Holiday** (https://app.getguru.com/card/Td8A4oac/Floating-Holidays)

SUMMER FLEX

Human Resources > Benefits and Time Off > Time Off > Holidays and Breaks

During each summer, the university offers employees the opportunity to reduce their schedules, where possible.

Duration

The flexible work weeks will be in effect from **June 9 through August 1, 2025** (8 weeks).

Schedule Options

Scheduling is not limited to summer Fridays to provide greater flexibility. Options for reduced schedules include:

- Work regular full-time hours in a compressed work week of four days
- Change your regular schedule by starting your day earlier or ending your day later
- Shorten your regular work day by supplementing with accrued **vacation** (https://app.getguru.com/card/T58444gc/Vacation) , which must be used by August 31st

All arrangements must meet the needs of your office and be approved by your supervisor.

Eligibility

Eligible employees will receive an email from HR each spring to confirm the summer flex schedule dates. To find out if you are eligible for summer flexible work weeks, contact your designated Strategic HR Partner on the **Shared Services HR Team.** (https://app.getguru.com/card/T8dzGxqc/Shared-Services-HR-Team)

Office Hours

The university will remain open throughout the summer, and we expect all offices to operate during regular working hours, Monday through Friday, with the exception of university **holidays (https://app.getguru.com/card/cq8ApE7i/Holidays)** .

Summer Flex Schedule FAQs

Is the summer flex schedule limited to summer Fridays?

We are offering several options to allow employees to tailor their schedules to meet their individual needs. To provide greater flexibility, you can modify your schedule for these weeks using any of the following options:

- Work regular full-time hours in a compressed work week of four days
- Change your regular schedule by starting your day earlier or ending your day later
- Shorten your regular work day by supplementing with accrued vacation, which must be used by August 31st

As a reminder, all arrangements must meet the needs of your office and be approved by your supervisor.

How many hours will I be expected to work each week?

Employees are expected to work a full 35-hour week for each week during the summertime flex period, *except* during holiday weeks. In a 4-day work week of 35 hours, each day will include 8.75 hours of work. *Lunch breaks are not to be included in the daily total computation of hours.*

What happens during holiday weeks?

For those holiday weeks such as the week of July 4th, employees are expected to work at least 26.25 hours (representing three days of 8.75 hours each).

How can I document my summer schedule and share with my supervisor?

We have created a **form** **(https://docs.google.com/document/d/1ILJEIC2lQS7j4nDkl8mvA5FrgQW4KtzzquyFAzZ9OAs/edit?usp=sharing)** for employees and their supervisors to complete when requesting and/or approving summer flex schedules. Please make a copy of the form in order to complete it and share with your supervisor.

Return to *** Time Off Summary** **(https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

Related Topics

- **Flexible and Telework Arrangements Policy** **(https://app.getguru.com/card/c9p7gqGi/Flexible-and-Telework-Arrangements-Policy)**

FAMILY AND MEDICAL LEAVE ACT (FMLA)

Human Resources > Benefits and Time Off > Time Off > Medical Leaves of Absence

Purpose

The New School will comply with the **Family and Medical Leave Act (FMLA)** implementing Regulations as revised effective October 28, 2009. The FMLA poster provided by the **U.S. Department of Labor (DOL)** **(https://www.dol.gov/agencies/whd/fmla)** is available below.

DOL_-_FMLA_Notification_Poster.pdf **(https://content.api.getguru.com/files/view/f6ddc18e-539d-4952-973e-17ccd4418f1f)** (displayed below)

DOL_-_FMLA_Notification_Poster_-_Spanish.pdf **(https://content.api.getguru.com/files/view/9363e142-0d5b-4584-b9a7-526b36661a7d)**

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Under this policy, The New School will grant **up to 12 weeks of job-protected leave** (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The **leave may be paid, unpaid or a combination** of paid and unpaid, depending upon the circumstances of the leave and as specified in this policy.

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must be a **full-time or part-time administrative staff** member or **full-time faculty**. Part-time faculty are not eligible for FMLA.
2. The employee must have **worked for The New School for 12 months or 52 weeks.** The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the University's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
3. The employee must have **worked at least 1,250 hours during the 12-month period immediately before the commencement of leave.** The university counts paid and unpaid

leave hours as hours worked for determining whether 1,250 hours have been worked.

4. The employee must **work in a worksite where 50 or more employees are employed by The New School within 75 miles** of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below. See **FMLA - Terminology (https://app.getguru.com/card/cjRbBxqi/Family-and-Medical-Leave-Act-FMLA-5-Terminology)** for definitions.

Type of Leave	Maximum Amount of Leave
1) For incapacity due to **pregnancy or prenatal medical care**.	12 weeks/12-month period
2) To care for the employee's child after **birth or placement for adoption or foster care**.	12 weeks/12-month period FMLA leave for birth, placement for adoption, or placement for foster care must be taken within 12 months of the FMLA event.
3) For an **employee's serious health condition** that prevents the employee from performing their job. **Certification** of **serious health condition** required.	12 weeks/12-month period The FMLA period runs concurrently with an approved **short-term disability** period.

4) To care for a **spouse, child, or parent with a serious health condition.** **Certification** of **serious health condition** required.	12 weeks/12-month period
5) **Qualifying exigency leave** for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on **covered active duty** or called to covered active duty. **Certification** of **qualifying exigency** required.	12 weeks/12-month period The leave may commence as soon as the individual receives the call-up notice.
6) **Military caregiver leave** (also known as **Covered Service Member** Leave) to care for an **injured or ill** son, daughter, parent or next of kin* who is a covered service member or veteran. **Certification** of "**serious illness or injury**" required.	26 weeks/12-month period

**Next of kin* is defined as the closest blood relative of the injured or recovering service member.

Amount of Leave

The maximum amount of leave for each circumstance is indicated in the above table. The first 40 hours of an approved unpaid Family and Medical Leave (FMLA) will be paid out as New York City Sick Leave per the **Paid NYC Safe and Sick Leave Law (https://app.getguru.com/card/TM5xa4ac/Sick-Leave)** .

The New School will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, The New School will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for *Military Caregiver Leave* (#6 above) during a single 12-month period. The New School will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a married couple, or two people who are in a qualified domestic partner relationship, both work for The New School and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a **serious health condition** **(https://app.getguru.com/card/cjRbBxqi/Family-and-Medical-Leave-Act-FMLA-5-Terminology)** , the couple, as defined above, may only take a combined total of 12 weeks of leave. If each wishes to take leave to care for a covered injured or ill service member, they may only take a combined total of 26 weeks of leave.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave by contacting the University's **Benefits Office** at **benefitshelp@newschool.edu** **(mailto:benefitshelp@newschool.edu)** or by calling 212-229-5671 x4942. A request should also be submitted in MyDay (Workday) by following the procedures to **Request Leave of Absence** **(https://app.getguru.com/card/cyA8qxRi/Request-Leave-of-Absence)** .

When the need for the leave is foreseeable, the employee must provide the University with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in

advance, the employee must provide notice of the need for the leave either the same day or the next business day after they become aware of it. When the need for FMLA leave is not foreseeable, the employee must comply with The New School's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Certification of condition or situation may be required. See **FMLA - Certification and Recertification of Eligibility** **(https://app.getguru.com/card/cKMgGRqi/Family-and-Medical-Leave-Act-FMLA-2-Certification-and-Recertification-of-Eligibility)** for information and copies of required forms. Employees must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay.

Employees may take consecutive leave of 12 or 26 weeks as outlined above, or may use the leave intermittently. See **FMLA - Intermittent Leave or a Reduced Work Schedule** **(https://app.getguru.com/card/TE5Gnjzc/Family-and-Medical-Leave-Act-FMLA-3-Intermittent-Leave-or-a-Reduced-Work-Schedule)** for additional information. FMLA leave is unpaid - see **FMLA - Use of Paid and Unpaid Leave** **(https://app.getguru.com/card/iq8pbLjT/Family-and-Medical-Leave-Act-FMLA-6-Use-of-Paid-and-Unpaid-Leave)** for details.

Additional FMLA Information

1. **Benefits During Leave** **(https://app.getguru.com/card/iopLjznT/Family-and-Medical-Leave-Act-FMLA-1-Benefits-During-Leave)**
2. **Certification and Recertification of Eligibility** **(https://app.getguru.com/card/cKMgGRqi/Family-and-Medical-Leave-Act-FMLA-2-Certification-and-Recertification-of-Eligibility)**

3. **Intermittent Leave or a Reduced Work Schedule (https://app.getguru.com/card/TE5Gnjzc/Family-and-Medical-Leave-Act-FMLA-3-Intermittent-Leave-or-a-Reduced-Work-Schedule)** **(https://app.getguru.com/card/TE5Gnjzc/Family-and-Medical-Leave-Act-FMLA-3-Intermittent-Leave-or-a-Reduced-Work-Schedule)**
4. **Returning to Work (https://app.getguru.com/card/ijAjdonT/Family-and-Medical-Leave-Act-FMLA-4-Returning-to-Work)**
5. **Terminology (https://app.getguru.com/card/cjRbBxqi/Family-and-Medical-Leave-Act-FMLA-5-Terminology)**
6. **Use of Paid and Unpaid Leave (https://app.getguru.com/card/iq8pbLjT/Family-and-Medical-Leave-Act-FMLA-6-Use-of-Paid-and-Unpaid-Leave)**

Please contact the University's ***Benefits Office*** **(mailto:benefitshelp@newschool.edu)** *if you have any questions, concerns, or disputes with this policy.*

Return to **Time Off Summary (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

Related Topics

- **Paid Family Leave (PFL) (https://app.getguru.com/card/iBgpB7zT/Paid-Family-Leave-PFL)**
- **Short-Term Disability (https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability (https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Sick Leave (https://app.getguru.com/card/TM5xa4ac/Sick-Leave)**

FAMILY AND MEDICAL LEAVE ACT (FMLA) - 1. BENEFITS DURING LEAVE

While an employee is on leave, The New School will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Healthcare

Under current policy, the employee pays whatever portion of the health care premium that the employee paid just prior to being on leave. However, if the premiums are raised or lowered the employee will be required to pay the new premium rates. While on **paid leave (https://app.getguru.com/card/iq8pbLjT/Family-and-Medical-Leave-Act-FMLA-6-Use-of-Paid-and-Unpaid-Leave)** , the University will continue to make payroll deductions to collect the employee's share of the premium. While on **unpaid leave (https://app.getguru.com/card/iq8pbLjT/Family-and-Medical-Leave-Act-FMLA-6-Use-of-Paid-and-Unpaid-Leave)** , the employee must continue to make this payment, either in person or by mail. The payment must be received in the Human Resources Department by the date indicated on the notification. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The New School will provide 15 days notification prior to the employee's loss of coverage.

Other Benefits

If the employee contributes to other benefit plans, such as life insurance or flexible spending accounts, The New School will continue making payroll deductions while the employee is on **paid leave (https://app.getguru.com/card/iq8pbLjT/Family-and-Medical-Leave-Act-FMLA-6-Use-of-Paid-and-Unpaid-Leave)** . While the employee is on **unpaid leave**

(https://app.getguru.com/card/iq8pbLjT/Family-and-Medical-Leave-Act-FMLA-6-Use-of-Paid-and-Unpaid-Leave) , the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the University may discontinue coverage during the leave.

Return to **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** .

FAMILY AND MEDICAL LEAVE ACT (FMLA) - 2. CERTIFICATION AND RECERTIFICATION OF ELIGIBILITY

Human Resources > Benefits and Time Off > Time Off > Medical Leaves of Absence

Certification for the Employee's Serious Health Condition

The New School will require certification for the employee's **serious health condition** **(https://app.getguru.com/card/cjRbBxqi/FMLA-Terminology)** . The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave. Medical certification will be provided using the below form.

DOL_-_Certification_of_Health_Care_Provider_for_Employeeas_Serious_Health_Condition.pdf **(https://content.api.getguru.com/files/view/36ad5f7a-87fd-4d90-aff4-0e9b776fb456)**

The New School may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The New School will not use the employee's direct supervisor for this

contact. Before The New School makes this direct contact with the health care provider, the employee will be a given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, The New School will obtain the employee's permission for clarification of individually identifiable health information.

The New School has the right to ask for a second opinion if it has reason to doubt the certification. The New School will pay for the employee to get a certification from a second doctor, which The New School will select. The New School may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, The New School will require the opinion of a third doctor. The New School and the employee will mutually select the third doctor, and The New School will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification for the Family Member's Serious Health Condition

The New School will require certification for the family member's **serious health condition (https://app.getguru.com/card/cjRbBxqi/FMLA-Terminology)** . The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the below form.

DOL_-_Certification_of_Health_Care_Provider_for_Family_Memberas_Serious_Health_Condition.pdf (https://content.api.getguru.com/files/view/9bc10b32-800c-491d-8e06-aad63403edfb)

The New School may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The New School will not use the employee's direct supervisor for this contact. Before The New School makes this direct contact with the health care provider, the employee will be a given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, The New School will obtain the employee's family member's permission for clarification of individually identifiable health information.

The New School has the right to ask for a second opinion if it has reason to doubt the certification. The New School will pay for the employee's family member to get a certification from a second doctor, which The New School will select. The New School may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, The New School will require the opinion of a third doctor. The New School and the employee will mutually select the third doctor, and The New School will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification of Qualifying Exigency for Military Family Leave

The New School will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave. This certification will be provided using the below form.

DOL_-_Certification_of_Qualifying_Exigency_for_Military_Family_Leave.pdf
(https://content.api.getguru.com/files/view/07e495b5-53b0-4501-b668-93bf2dc6f212)

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

The New School will require certification for the **serious injury or illness** **(https://app.getguru.com/card/cjRbBxqi/FMLA-Terminology)** of the **covered service member** **(https://app.getguru.com/card/cjRbBxqi/FMLA-Terminology)** . The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave. This certification will be provided using the below form.

DOL_-_Certification_for_Serious_Injury_or_Illness_of_Covered_Service_member.pdf **(https://content.api.getguru.com/files/view/909a6dc8-46ef-4ca1-8b6c-2aa6fc5330bc)**

Recertification

The New School may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the University receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, The New School may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The New School may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

Return to **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** .

FAMILY AND MEDICAL LEAVE ACT (FMLA) - 3. INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE

The employee may take **FMLA** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) over a 12-month period.

The New School may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, The New School and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach an agreement with The New School before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the requested leave schedule qualifies under FMLA.

Return to **Family and Medical Leave Act (FMLA)**
(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)
(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) .

FAMILY AND MEDICAL LEAVE ACT (FMLA) - 4. RETURNING TO WORK

On a basis that does not discriminate against employees on FMLA leave, The New School may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

An employee who takes leave under this policy may be asked to provide a **Fitness for Duty (FFD) clearance** from a health care provider. This must be provided at least **two weeks before the scheduled date of return.** Facilities Department employees who are covered by the 32BJ/RAB contract must provide a fitness-for-duty certification from their doctor at least one week prior to the employees' scheduled date of return. If receipt of certification is not timely, the employee's return to work may be delayed. This requirement will be included in the University's response to the employee's FMLA request.

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The New School may choose to exempt certain key persons from this requirement and not return them to the same or similar position.

The New School has recently purchased lactation spaces for nursing parents to comfortably and conveniently pump while at work. Please review the **Caregivers Support Map** **(https://app.getguru.com/card/cyBn5nai/Caregivers-Support-Map)** for more information

pertaining to the use of these spaces. The New School's **Employee Assistance Program (https://app.getguru.com/card/cy88BKdi/Employee-Assistance-Program)** also offers support, guidance, and resources on child care.

Return to **Family and Medical Leave Act (FMLA) (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** .

FAMILY AND MEDICAL LEAVE ACT (FMLA) - 5. TERMINOLOGY

Serious Health Condition

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider, which includes:
    1. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
        1. treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or

2. one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or

2. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
3. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
5. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Employees with questions about what illnesses are covered under this **FMLA policy (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** or under The New School's **sick leave policy (https://app.getguru.com/card/TM5xa4ac/Sick-Leave)** are encouraged to consult with the Benefits staff in the Human Resource Department.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, The New School may designate all or some portion of the earlier related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

Covered Active Duty

“Covered active duty” means:

1. In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

Qualifying Exigency Leave

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty. Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor. This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

The qualifying exigency must be one of the following:

1. Short-notice deployment
2. Military events and activities
3. Child care and school activities
4. Financial and legal arrangements
5. Counseling
6. Rest and recuperation
7. Post-deployment activities
8. Additional activities that arise out of active duty, provided that the University and employee agree, including agreement on timing and duration of the leave

Covered Service Member

“Covered service member” means:

1. A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Serious Injury or Illness

The term “serious injury or illness”:

1. In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
2. In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Chief Legal and Human Resources Officer) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Return to **Family and Medical Leave Act (FMLA)**

(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)

(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) .

FAMILY AND MEDICAL LEAVE ACT (FMLA) - 6. USE OF PAID AND UNPAID LEAVE

Human Resources > Benefits and Time Off > Time Off > Medical Leaves of Absence

All Staff

FMLA **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** leave is **unpaid**. However, other types of leaves, such as **disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)** , **paid family leave** **(https://app.getguru.com/card/iBgpB7zT/Paid-Family-Leave-PFL)** , and **workers' compensation leave** **(https://app.getguru.com/card/cM55799i/Workers-Compensation)** (to the extent that it qualifies) **may provide income replacement** and will run concurrently with FMLA and be designated as FMLA leave.

Administrative Staff

An employee who is taking FMLA leave may use accrued vacation days and/or accrued floating holidays during all or a portion of their unpaid leave. Otherwise, the employee may choose not to use accrued time, and the leave will be unpaid.

Union Staff

Union employees who are taking FMLA leave for their own personal illness may be required to use all or a portion of their accrued leave, may have the option to use their accrued leave, or may be able to take the FMLA leave as unpaid, depending on the collective bargaining agreement between the employee's respective union and the University and practices and procedures thereunder and the reason for the leave (i.e., a workers compensation injury or an injury covered by New York State Short Term Disability). Union employees should see the leave of absence policy for an illness, injury or disability (for their union) for more details.

Union employees who are taking FMLA leave to care for a family member with a serious health condition or are using military FMLA leave for a qualifying exigency or FMLA military caregiver leave may use accrued leave other than sick leave, or the employee may choose to not use that accrued leave, and the leave will be unpaid. The employee may not use sick leave that is designated under the relevant collective bargaining agreement as leave to be used solely for the purpose of an employee's personal illness. Local 1205 union employees may receive regular pay for all or part of the leave under Article X, Section D (1) of their union contract, if it applies.

The employee’s leave under the FMLA will run concurrently with leave provided for under the union contract.

Return to **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** .

LONG-TERM DISABILITY

Purpose

The New School provides a **Long-Term Disability (LTD)** Plan through the **Standard Life Insurance Company of New York**. This benefit is paid for entirely by the university.

Eligibility

Full-time faculty members and full-time and regular part-time administrative staff (scheduled to work 20 hours or more per week), including Union Local 1205 Employees.

Coverage under the LTD Plan begins the first of the month following **three months of continuous employment** dated from the day the employee began working in a position eligible for LTD benefits.

Policy

If you are disabled for six months, you may be eligible for Long-Term Disability (LTD) benefits. At the expiration of the 6-month period, your employment will end and you will be offered **COBRA (https://app.getguru.com/card/id886XzT/COBRA-and-Conversion-Privileges)** in order to continue health care coverage at your own cost. Detailed plan information may be found in the attached *Certificate and Summary Plan Description (SPD)*.

LTD_Certificate_and_SPD_7.2015.pdf
(https://content.api.getguru.com/files/view/d5d768af-13da-46ee-abf7-22717c6df2e6)

The Standard will initiate your LTD eligibility review based on your short-term disability claim and contact you and the New School for additional information. However, if you will not be cleared to return to work upon exhausting the 26 weeks of short-term disability, you can inquire about Long-Term Disability benefits with our carrier, The Standard.

Approval of benefits is subject to the long-term disability carrier's approval. If you are approved for benefits you may receive 60% of your pre-disability earnings, not to exceed a benefit of $15,000

per month ($7,500 per month for 1205 employees), less the sum of benefits from other sources including, but not limited to, Social Security benefits, **Workers' Compensation (https://app.getguru.com/card/cM55799i/Workers-Compensation)** benefits, and Unemployment benefits. Long-Term Disability benefits generally end upon attaining age 65 (later in limited instances), or until you are no longer disabled, if sooner.

An approved long-term disability claim will lead to termination of employment and benefits.

The LTD benefit durations are as follows:

Age When Disability Starts	Age or Duration Maximum
59 or younger	Age 65
60–64	5 years
65–68	Age 70
69 or older	1 year

Related Topics

- **Short-Term Disability (https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Family and Medical Leave Act (FMLA) (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- **Sick Leave (https://app.getguru.com/card/TM5xa4ac/Sick-Time)**

PAID FAMILY LEAVE (PFL)

New York State's Paid Family Leave (PFL) allows eligible employees to take up to 12 weeks of leave. General program information is available on the **New York State Paid Family Leave website (https://paidfamilyleave.ny.gov/)** .

Eligibility

The below populations are eligible for this benefit:

- Full-time faculty members
- Full-time administrative staff
- Part-time administrative staff
- Part-time faculty members
- SENS-UAW Academic Student Workers

Covered employees become eligible to take Paid Family Leave for a qualifying event once they have met the minimum time-worked requirements:

- **Full-time employees:** Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.
- **Part-time employees:** Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which do not need to be consecutive. Employees with irregular schedules should look at their average schedule to determine if they work, on average, fewer than 20 hours per week.

Covered Reasons & Amount of Leave

Paid Family Leave entitles an eligible employee to take up to 12 weeks of paid job-protected leave for the following reasons:

- To **bond with a child** during the first 12 months following the birth, adoption, or foster care placement of a child, or
- To participate in **providing care**, including physical or psychological care, for a family member (child, spouse, domestic partner, parent, grandchild, grandparent, or parent of a spouse or domestic partner, sibling) with a **serious health condition** **(https://app.getguru.com/card/cjRbBxqi/Family-and-Medical-Leave-Act-FMLA-5-Terminology)** , or
- For **qualifying exigencies**, as interpreted by the **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** , arising out of the fact that a spouse, domestic partner, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

Please read the **New York State Paid Family Leave Statement** **(https://drive.google.com/file/d/1zqmlFdsG6DtJbQBEjSI1dxi7dL95cFyJ/view?usp=share_link)** for more details.

Contributions & Pay

This is an employee-paid benefit. The 2025 payroll contribution is 0.388 percent of an employee's wages each pay period and is capped at an annual maximum of $354.53. This deduction may fluctuate from pay period to pay period, depending on gross wages.

For part-time faculty and Student Academic Workers (SENS-UAW), the university will subsidize 50 percent of the employee's contribution rate. In addition, we will impute income for NYPFL employer-paid premiums and report the payment of such premiums on behalf of the employee in Box 14 of the employee's W-2 form.

PFL is paid at 67 percent of the employee's average weekly wage, not to exceed 67 percent of the State Average Weekly Wage (SAWW), which is set annually by the New York State Department of

Labor. For 2025, the SAWW is $1,757.19, so the maximum weekly PFL benefit someone may receive is $1,177.32.

Opting Out of Paid Family Leave (PFL)

Only those part-time faculty members who meet one of the following conditions may opt out of PFL:

- They work less than 20 hours per week and fewer than 175 days in a consecutive 52-week period.
- They work 20 or more hours a week but for fewer than 26 consecutive weeks in a 52-week period.

If you think you will meet one of these criteria, you may request to opt out. You will not be automatically excluded from the program. To request exclusion, you must submit the **Employee Opt-Out of Paid Family Leave Benefits Form (https://www.wcb.ny.gov/content/main/forms/PFLWaiver.pdf)** to **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** for approval. The deductions will stop only after approval.

Procedure for Requesting Paid Family Leave

All employees needing leave should notify Human Resources **at least 30 days in advance** if the reason for PFL is foreseeable — for example, an expected birth or planned medical treatment for a serious health condition. If 30 days' notice is not practicable, then notice must be given as soon as reasonably possible. Part-time faculty must also alert their college through the notification process or absence form along with your Absence Plan for plan approval.

Procedure

1. Contact the *Benefits Office* at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** or by calling 212-229-5671 x4942 and request a copy of the **Request for Paid Family Leave Form**.
    1. A request should also be submitted in MyDay (Workday) by following the procedures to **Request Leave of Absence (https://app.getguru.com/card/cyA8qxRi/Request-Leave-of-Absence)** .
2. Submit completed form and proof of claim documentation to **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** .
3. Benefits will finish the "employer" section of the form and submit paperwork to the university's carrier, The Standard, for review and approval.
4. Once approved, PFL wages will be paid by The Standard by check sent on a weekly basis to the mailing address listed on the form.

Return to *** Time Off Summary (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

SHORT-TERM DISABILITY

Purpose

If you are absent from work for more than seven consecutive calendar days due to a medical condition, including pregnancy, you may qualify for short-term disability benefits. Short-term disability benefits provide wage replacement for up to 26 weeks if you cannot work due to a

qualified medical condition.

Eligibility

The below populations are eligible for this benefit:

- Full-time faculty members
- Full-time administrative staff
- Part-time administrative staff who are scheduled to work 20 hours or more per week
- Part-time faculty members

Policy

During your **first year of employment**, you are eligible to receive your pre-disability (full) pay for the duration of a disability up to a maximum of four weeks with certification by your physician and the approval of the short-term disability carrier. If the disability lasts longer than four weeks, you may qualify for a benefit paid directly by the short-term disability carrier, which is equal to the New York State disability benefit amount of 50 percent of your weekly pay up to a maximum of $170 per week.

If you have **one or more years of service**, you are eligible to receive your pre-disability (full) pay for the duration of a disability up to a maximum of 26 weeks with certification by your physician and the approval of the short-term disability carrier.

Your wage replacement amount will not exceed your base rate of pay. Any payments received directly from the short-term disability carrier will be offset against your university paid wage replacement.

A short-term disability leave will run concurrently with leave qualified under the **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) Medical-Leave-Act-FMLA)** if eligible.

If you do not return from an approved short-term disability leave or if you do not return upon the expiration of the maximum allowable, approved short-term disability period, your employment with The New School may be terminated.

Procedure

Contact the **Benefits Department** **(mailto:benefitshelp@newschool.edu)** to apply for Short-Term Disability.

Forms?

Related Topics

- **Family and Medical Leave Act (FMLA)** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**

SICK TIME

Human Resources > Benefits and Time Off > Time Off > Medical Leaves of Absence

The University recognizes that, at times, employees may be unable to work due to personal illness or injury, as well as the illness or injury of a family member. Effective April 1, 2014, the University began accruing *NYC Safe and Sick Time* pursuant to **New York City's Earned Safe and Sick Time Act** (“

Paid NYC Safe and Sick Leave Law

(https://www1.nyc.gov/site/dca/workers/workersrights/paid-sick-leave-law-for-workers.page) ").

An overview of the NYC Paid Safe and Sick Time Law may be found **online (https://www.ny.gov/new-york-paid-sick-leave/new-york-paid-sick-leave#amount-of-leave)** or via **Paid Sick Leave -English.pdf (https://content.api.getguru.com/files/view/18f24b17-4548-4e39-ad3e-3ada41a935f3)** (click to download PDF in English; other languages available for download **here (https://www1.nyc.gov/site/dca/about/paid-sick-leave-what-employees-need-to-know.page)**).

Employees must document all used *NYC Safe and Sick Time* and other personal illness time off using The New School's **Workday system (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** .

Eligibility

All New School employees who work in New York State are covered by the New York Safe & Sick Time policy. Click on the drop-downs below to review additional details for specific employee groups.

Additional Information for Student Workers

Per Article XXI of the Collective Bargaining Agreement, Academic Student Workers are entitled to take Paid NYC Safe and Sick. New procedures are now in place for tracking the use of Safe and Sick Leave. Review the **Safe and Sick and Emergency Instance Time Off guide (https://drive.google.com/file/d/1cM3uSyHCRsyFouJUJyazxtaMrS61_YyG/view?usp=drive_link)** for information on eligibility and accruals as well as the updated process for requesting and tracking time off.

Please note: Under the provisions of the Paid NYC Safe and Sick Leave Law, students working in **Federal Work Study** (https://app.getguru.com/card/ibpKqgXT/Federal-Work-Study-FWS) positions are specifically excluded from eligibility for Safe and Sick Time.

Additional Information for Part-Time Faculty

Employees who bargain collectively through a union must refer to their respective **collective bargaining agreements** (https://www.newschool.edu/human-resources/labor-relations) regarding any sick time benefits. According to Article XX(A) of the collective bargaining agreement between ACT-UAW Local 7902, Article XXIX of the AFL-CIO Local 802 collective bargaining agreement and The New School, faculty members are entitled to take Safe and Sick or **Emergency Instance** (https://app.getguru.com/card/iA9gpGyT/Emergency-Instance) time off.

Accrual Rates for *NYC Safe and Sick Time*

Pursuant to the **Paid NYC Safe and Sick Leave Law** (https://www1.nyc.gov/site/dca/workers/workersrights/paid-sick-leave-law-for-workers.page) , employees accrue *NYC Safe and Sick Time* at a rate of one hour for every 30 hours worked, up to a maximum of 56 hours of *NYC Safe and Sick Time* per fiscal year (July 1 – June 30). All employees who work more than 80 hours in each year except student workers being paid via Federal Work Study funds will accrue *NYC Safe and Sick Time* based one hour for every 30 hours worked up to the statutory maximum.

Any accrued but unused safe/sick time will be carried forward from year to year; however, covered employees may not use more than 56 hours of safe/sick time in any given fiscal year (though an employee may be eligible for additional paid medical leave under other university policies).

Eligible employees who are rehired by the university within 6 months of termination may use any accrued but unused safe/sick time from their prior position but are subject to the 56 hour maximum per fiscal year.

Unused NYC Safe & Sick Time

At the end of a fiscal year, any unused *NYC Safe and Sick Time* for that year will carry over to the new fiscal year; however, employees cannot use more than 56 hours of *NYC Safe and Sick Time* in a fiscal year and no more than 56 hours can be accrued at any time. This means that if in September the employee needs to use *NYC Safe and Sick Time*, even if they have 21 hours carryover from the year before and a new accrual of 56 hours becomes effective July 1, they may only use 56 hours of *NYC Safe and Sick Time* in that fiscal year.

Upon termination of employment for any reason and whether voluntary or involuntary, employees will not be paid for any unused accrued *NYC Safe and Sick Time*. However, when there is a separation from employment and the employee is rehired by the University within 6 months of separation, previously accrued unused *NYC Safe and Sick Time* will be reinstated to the rehired employee.

The New School does not pay out unused safe/sick time under this or any other policy at termination, resignation, retirement, or other separation from employment.

Email **benefitshelp@newschool.edu** **(mailto:BenefitsHelp@newschool.edu)** for *NYC Safe and Sick* time off accrual details.

Acceptable Reasons to Use *NYC Safe and Sick Time*

Employees will be allowed to use all, or any portion, of their paid safe/sick time for:

1. The employee's mental or physical illness, injury or health condition, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time

that such employee requests leave;

2. The employee's diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for medical diagnosis, preventive care or elective surgery, including organ donations;
3. To care for employee's family member because of the family member's mental or physical illness, injury or health condition, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time that such employee requests leave;
4. To care for the employee's family member because of the family member's diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for medical diagnosis, preventive care or elective surgery, including organ donations;
5. When a public official orders the closure of an employee's child's school or child care provider due to a public health emergency;
6. When a public official orders the closure of the employee's place of business due to a public health emergency; or
7. An absence from work due to any of the following reasons when the employee or the employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking or human trafficking ("safe time"):
    1. to obtain services from a domestic violence shelter, rape crisis center, or other services program;
    2. to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
    3. to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding;
    4. to file a complaint or domestic incident report with law enforcement;
    5. to meet with a district attorney's office;
    6. to enroll children in a new school; or

7. to take any other actions necessary to ensure the health or safety of the employee or employee's family member or to protect those who associate or work with the employee.

Family Members

Family member is defined as a spouse, registered domestic partner, son or daughter (biological, adopted, foster, stepchild, legal ward, grandchild, or child of a person standing in loco parentis), sibling (including step-siblings, half-siblings, and siblings-in-law), parent, parent of a spouse, spouse of a child, and spouse of siblings, and any other individual whose close association with the faculty member is the equivalent of a family relationship.

Using NYC Safe and Sick Time

Employees must notify their supervisors, college, and Human Resources if they intend to use NYC Safe and Sick Time, and must document all used NYC Safe and Sick Time and other personal illness time off using The New School's **Workday system (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** . NYC Safe and Sick Time may be taken in increments of .25 hours (15 minutes).

New employees may begin to use accrued time upon hire.

General Instructions for all Employees

1. Employees must follow the department's/program's established call-in procedure or scheduling procedure for approved absences.
2. When safe or sick leave is foreseeable, Employees must provide **7 calendar days' advance written notice** of their intention to take safe or sick leave to their supervisor and submit their time off via Myday for supervisor's approval.
    1. If safe or sick leave is unforeseeable, the employee shall provide written notice of the use of the leave to their supervisor as soon as reasonably practicable. Failure to provide the

required timely notice may result in a denial of the leave, unless unusual circumstances justify the failure to comply.

3. Employees must record all sick time by **entering the time off request (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** in MyDay.

Additional Instructions for Part-Time Faculty

Per Article IX, Sections F-H of the CBA, part-time faculty will notify their Chair, Program Director or other appropriate supervisor of any upcoming absence from a scheduled class session, and confirm an **Absence Plan (https://app.getguru.com/card/Tyxan4Bc/Creating-an-Absence-Plan)** , which is subject to final approval by their academic Chair, Program Director or School/College Dean. Once their academic leadership has been notified, they should proceed with **entering their time off election (https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** in MyDay. For additional information and step-by-step instructions to request sick time or emergency instance leave, please review the **Part-Time Faculty Time Off Checklist (https://app.getguru.com/card/ibMb7EyT/Time-Off-Checklist-for-PTF)** .

Please note: In the event that a PTF was absent from teaching and neglected to make a NYC Safe and Sick or Emergency Instance election by the last business day of the semester, the university reserves the right to make a default election to Emergency Instance.

If an employee's general health is causing frequent or regular absences, they should be directed to contact Human Resources at **benefitshelp@newschool.edu (mailto:benefitshelp@newschool.edu)** .

Documentation

For absences of three or more consecutive days, employees may be required to provide supporting documentation for their usage of NYC Safe and Sick time under the New York Paid Sick Leave Laws. Reasonable documentation may include a written note from a victim services organization,

attorney, member of a clergy, or medical provider, and a police or court record. Fraudulent use of safe/sick time or failure to provide requested documentation may be the basis for disciplinary action, up to and including termination of employment.

Absences of three or more consecutive days should be reported to Human Resources, and supporting documentation will be requested. The existence of an illness or injury for yourself or an eligible family member may support continued use of leave under the FMLA, Short-term disability, or NYPFL, if applicable.

The university will not require the disclosure of details relating to an employee's or his, her, or their family member's medical condition or require the disclosure of details relating to an employee's or his, her or their family member's status as a victim of domestic violence, family offenses, sexual offenses, stalking, or human trafficking as a condition of providing sick leave or safe leave. This information is considered confidential and will not be disclosed, except by the affected employee, with the written permission of the affected employee or as required by law.

Anti-Retaliation

A covered employee cannot be retaliated against for requesting or using sick leave in accordance with this Policy. Retaliation includes any threat, intimidation, discipline, discharge, demotion, suspension, harassment, discrimination, or reduction in hours or pay, or any other adverse employment action against an employee who exercises or attempts to exercise any right provided under applicable law or this Policy.

Additional Leave for Personal Illness for Non-Union Administrative Staff

This policy does not eliminate or change the **vacation (https://app.getguru.com/card/T58444gc/Vacation)** (https://app.getguru.com/card/T58444gc/Vacation) or **floating holiday (https://app.getguru.com/card/Td8A4oac/Floating-Holidays)** policies for staff. If necessary, staff may use vacation and/or floating holidays if *NYC Safe and Sick Time* has been exhausted. However, if *NYC Safe and Sick Time* is exhausted, please notify Human Resources, as **short-term disability (https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)** and/or **Family and Medical Leave Act (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** rules may apply. The University may require documentation from a licensed health care provider if an employee uses more than 3 days (21 hours for full-time staff, or a pro-rated number of hours for part-time staff) of consecutive workdays as *NYC Safe and Sick Time*.

For non-union administrative staff of The New School, in addition to the *NYC Safe and Sick Time* described above, there is no set number of leave days available for personal illness. Individuals who are out sick are paid for the day. However, these days must be used for the employee's personal illness only, and cannot be applied to care for family members. An employee absent because of personal illness must notify his/her supervisor and/or department head as close as possible to his or her scheduled start time. Employees recording this type of sick time should use the **time off entry type (https://app.getguru.com/card/cbMzqnMi/MyDay-Time-Off-Leave-Guide)** "Sick" when requesting time off in MyDay.

Responsibilities

Supervisors and employees are responsible for the appropriate use of *NYC Safe and Sick Time* and leave days due to personal illness.

Supervisors throughout the divisions and departments/programs are responsible for monitoring *NYC Safe and Sick Time* and leave for personal illness following general university guidelines. They must

contact the **Human Resources office** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** immediately where there are instances of three or more consecutive days of absence, or a pattern of abuse, and a doctor's note submitted directly to Human Resources may be required in such instances. Supervisors must review and approve employees' *NYC Safe and Sick Time* in MyDay before submitting to Human Resources and/or Payroll in a timely fashion.

Employees are responsible for following established division and department/program scheduling and call-in procedures. Exempt employees must document all used *NYC Safe and Sick Time* and other personal illness time off using The New School's **Workday system** **(https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** . Non-exempt employees who normally complete time sheets must document all used Sick Time on their time sheets or time entries in Workday.

For additional information, please call the Benefits Help Line at 212-229-5671 X4942 or send an e-mail to **benefitshelp@newschool.edu** **(mailto:benefitshelp@newschool.edu)** . Click to read more about the city's **Paid Safe and Sick Leave Law** **(https://www1.nyc.gov/site/dca/workers/workersrights/paid-sick-leave-law-for-workers.page)** and download summaries for employees.

Related Topics

- **Family and Medical Leave Act** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)**
- **Short-Term Disability** **(https://app.getguru.com/card/TGajdg6c/ShortTerm-Disability)**
- **Long-Term Disability** **(https://app.getguru.com/card/cep7bGRi/LongTerm-Disability)**
- **Military Service Leave** **(https://app.getguru.com/card/T584dXnc/Military-Service-Leave)**

- **Paid Family Leave (PFL)** (https://app.getguru.com/card/iBgpB7zT/Paid-Family-Leave-PFL) Leave-PFL)
- **Bereavement Leave** (https://app.getguru.com/card/Tj8exGdc/Bereavement-Leave)
- **Jury Duty Leave** (https://app.getguru.com/card/in8zxyoT/Jury-Duty)
- **Changes of Schedule** (https://app.getguru.com/card/Tp8jde8c/Changes-of-Schedule)

BEREAVEMENT LEAVE

Human Resources > Benefits and Time Off > Time Off > Non-Medical Leaves of Absence

If a member of your immediate family dies, you are allowed five (5) days paid absence. Members of the immediate family are mother, father, sister, brother, spouse, domestic partner, child, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandmother, and grandfather. If you wish to take time off due to the death of someone other than a member of your immediate family, you can take accumulated **vacation** (https://app.getguru.com/card/T58444gc/Vacation) days or time off without pay, with supervisory approval.

Always consult your manager or Human Resources if you need to take leave from work as paperwork may be requested. Leave may be initiated in MyDay by following the instructions in **Request Leave of Absence** (https://app.getguru.com/card/cyA8qxRi/Request-Leave-of-Absence) .

Return to **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/-Time-Off-Summary) .

JURY DUTY

Human Resources > Benefits and Time Off > Time Off > Non-Medical Leaves of Absence

If you receive a notice of jury duty, you must notify your supervisor and provide a copy of the jury duty notification as soon as possible so that proper coverage may be arranged for your absence. Each day that you are serving jury duty, you must inform your supervisor as to the status of your service and expected return-to-work date. If you are released from jury duty early in the day, then you are expected to return to work.

If you are called for jury duty, you will continue to receive your base normal pay for your first two (2) weeks of jury service. Employees will be compensated for base wages only, for time spent on jury duty, up to two weeks. Compensation will be made in accordance with federal and state wage and hour laws. For jury duty lasting longer than two weeks, you must contact Human Resources for further discussion.

Please **Request Time Off** **(https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** in MyDay and select **Jury Duty**. This will route to your manager for approval. A copy of your Jury Summons or other paperwork may be requested.

Return to **Time Off Summary** **(https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

MILITARY SERVICE LEAVE

Human Resources > Benefits and Time Off > Time Off > Non-Medical Leaves of Absence

The New School will grant military leaves of absence as required by law and by the needs of employees who are members of the military service. Any full-time employee who is called to active military duty will be granted a military leave of absence. The duration of the leave will be the term of enlistment plus any additional time may be required by the government. It will include a reasonable allowance of time for travel and adjustment.

Reenlistment or any other voluntary extension of the tour of duty may affect the leave of absence. On return from military leave of absence, the employee will be reinstated as required by law, subject to these conditions:

- The employee must apply for reinstatement within the time required by law;
- If the employee's former job is not available, the University will provide a job of similar status, seniority, and pay.

Adjustments and exceptions to this policy may be made as circumstances require. The University makes it a policy not to discriminate in anyway against employees who are members of the military. The employee's job will not be in jeopardy if a military leave of absence is requested or taken.

Please contact **Human Resources** **(mailto:benefitshelp@newschool.edu)** and your supervisor if you have been called for service. Military leave may be requested in MyDay by following the instructions to **Request Leave of Absence** **(https://app.getguru.com/card/cyA8qxRi/Request-Leave-of-Absence)** and selecting **Extended Military** from the options. Documentation may be requested.

How to apply for reinstatement? What about part-time employees?

Return to **Time Off Summary** **(https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

CHANGES OF SCHEDULE

Human Resources > Benefits and Time Off > Time Off > Vacation and Other

Under the NYC's Temporary Schedule Change Law effective July 18,2018, covered employees have a right to temporary changes to their work schedule for certain "personal events." Details of the

law may be found **online** (https://www1.nyc.gov/site/dca/workers/workersrights/temporary-schedule-change-law-employees.page) or in **Temporary Schedule Change -Overview.pdf** (https://content.api.getguru.com/files/view/46f9468a-a379-41c3-97a3-23b73fd87e42) (click to download PDF).

Please consult your supervisor or **Human Resources** (mailto:benefitshelp@newschool.edu) if you need a temporary change of schedule.

Return to **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/-Time-Off-Summary) .

SPECIAL LEAVE BANK

Human Resources > Benefits and Time Off > Time Off > Vacation and Other

If administrative employees have any excess **vacation days** (https://app.getguru.com/card/T58444gc/Vacation) above the 15 days allowable on the cutoff date, those days will be placed in a **special "leave" bank** to be used by the employee if and when the employee has an event that qualifies under the **Family Medical Leave Act (FMLA) or New York State Paid Family Leave** (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) . Events include (but are not limited to) birth or adoption of a child, care for a parent, and child or spouse with a serious health condition. The employee can receive pay by using these days during an otherwise unpaid FMLA or NYPFL period. Administrative employees must apply for and be approved for FMLA or NYPFL in order to use days in the special leave bank. Review the **FMLA Policy and Paid Family Leave** (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) for more information.

Note that circumstances that may not be explicitly spelled out in the FMLA policy, may in fact be eligible for special leave bank days, so the employee should consult with a member of the Benefits Office of **Human Resources** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** .

Special leave bank hours do not expire, they rollover to the next vacation calendar year. The maximum balance for the special leave bank will be 22 days (pro-rated for part-time employees). You can verify your special leave balance in the **Time Off and Leave** **(https://app.getguru.com/card/TdA85a6c/View-Time-Off-Balance)** section in your WorkDay profile.

For further questions pertaining to this policy, please contact **benefitshelp@newschool.edu** **(mailto:benefitshelp@newschool.edu)** .

Return to **Time Off Summary** **(https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)** .

VACATION

Human Resources > Benefits and Time Off > Time Off > Vacation and Other

Purpose

This policy establishes vacation eligibility and other related procedures as they affect administrative staff.

Eligibility

This is applicable only to non-union administrators of the university. Vacation eligibility, accruals, and procedures for union employees are set forth in their respective **collective bargaining agreements (https://www.newschool.edu/human-resources/labor-relations/)** .

Part-time employees who work under 1,000 hours per calendar year, temporary and student employees are not eligible for vacation.

Policy

The University grants vacation with pay to administrative employees each year to afford them the opportunity for rest and relaxation. As a practical matter, vacation generally should be scheduled to accommodate both the needs of the employee and the department.

Vacation Year

The vacation year begins on July 1st and ends the following June 30th.

Vacation Accrual and Eligibility

A full-time member of the administrative staff shall earn vacation at the rate of 5.93 hours per pay period (or 22 days per calendar year). A part-time employee working on a continuing basis for at least 1,000 hours per year shall earn vacation in a ratio of hours equivalent to a percent of full-time employment.

Individuals begin accruing vacation on their start date with the university. If an employee's first pay cycle covers only a portion of a full pay period, the vacation accrual will reflect the proportion of the accrual for the full pay period. However, vacation should not be taken during the first six

months of employment.

Although employees are encouraged to take vacation on concurrent days, individual days may be scheduled with the supervisor's approval.

Scheduling of Vacations

Vacation may be taken throughout the year by most employees (schedules permitting). Supervisory staff should balance the desires of employees in regard to vacation scheduling with the needs of the University and the ability of other employees to accomplish the resulting extra work. However, they also should make every effort to ensure that each employee has the opportunity to schedule and take vacation.

Vacation requests must be submitted to and approved by the employee's supervisor prior to taking vacation.

Vacation Accrual Carry Over

Vacation leave is among The New School's most generous benefits, designed to give hard-working administrative employees a well-deserved break. The maximum number of vacation days you may roll over to the following vacation year is 15 days. Beginning in 2019, the cutoff date will be August 31 of each year.

Part-time administrators' vacation carry over will be pro-rated.

Vacation Carryover for Approved Family Medical Leave

In addition to the carryover outlined in the section prior to this one, if administrative employees have any excess vacation days above the 15 days allowable on the cutoff date, those days will be

placed in a **special "leave" bank** (https://app.getguru.com/card/cjAzXGAi/Special-Leave-Bank) to be used by the employee if and when the employee has an event that qualifies under the **Family and Medical Leave Act (FMLA)** (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) . Events include (but are not limited to) birth or adoption of a child and care for a parent, child or spouse with a serious health condition. The maximum balance for the special leave bank will be 22 days (pro-rated for part-time employees). The employee can receive pay by using these days during an otherwise unpaid FMLA period.

Administrative employees must apply for and be approved for FMLA in order to use days in the special leave bank. Note that circumstances that may not be explicitly spelled out in the **FMLA policy** (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) , may in fact be eligible for special leave bank days, so the employee should consult with a member of the **Benefits Office** (mailto:BenefitsHelp@newschool.edu) .

Work in Lieu of Vacation (Payout)

Since the purpose of the university's vacation policy is to allow an opportunity for rest and relaxation, there is no provision for pay in lieu of earned vacation except at termination from employment, and then only to a maximum of 15 days (the carryover amount). There will also be no waivers of the annual cutoff dates end carryover policy, so all administrative employees are encouraged to speak with their supervisors and plan their vacation time to avoid the loss of any earned time.

Procedure

Please consult your supervisor and refer to **Scheduling of Vacations** (above) for guidelines on vacation time. Vacation also should not be taken during the first six months of employment.

Initiate your request for vacation time off in **MyDay (Workday)** **(https://app.getguru.com/card/cyAd7GEi/MyDay-Overview)** following the procedure for **Request Time Off** **(https://app.getguru.com/card/inA8qdjT/Request-Time-Off)** . Your supervisor must approve the request prior to your taking vacation days.

Additional Vacation Information

1. **Effects on Vacation** **(https://app.getguru.com/card/TGqxxy5c/Vacation-1-Effects-on-Vacation)** (*Holidays, Leaves of Absence, Transfer of Position or Employee Status*)
2. **Vacation Pay Upon Termination of Employment** **(https://app.getguru.com/card/Tq844kMc/Vacation-2-Vacation-Pay-Upon-Termination-of-Employment)**
3. **Special Leave Bank Days Upon Rehire** **(https://app.getguru.com/card/Tn8zzkxc/Vacation-3-Special-Leave-Bank-Days-Upon-Rehire)**

Related Topics

- **Holidays** **(https://app.getguru.com/card/cq8ApE7i/Holidays)**
- **Floating Holidays** **(https://app.getguru.com/card/Td8A4oac/Floating-Holidays)**
- **Religious Holidays** **(https://app.getguru.com/card/cy8ApGai/Religious-Holidays)**
- **Summer Flex** **(https://app.getguru.com/card/iEg6ERpT/Summer-Flex)**

Return to **Time Off Summary** **(https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary) Summary)** .

PTO

VACATION - 1. EFFECTS ON VACATION

Human Resources > Benefits and Time Off > Time Off > Vacation and Other

Holidays

Holidays **(https://app.getguru.com/card/cq8ApE7i/Holidays)** falling during an employee's vacation will not count as vacation time used.

Military, Maternity or Other Leaves of Absence

Vacation benefits continue to accrue during paid **leaves of absence** **(https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA)** . However, they do not accrue during any unpaid leaves of absence.

Internal Transfers and Transfer of Employee Status

Employees who change positions, including from clerical union to administrative positions, or transfer from one department to another within the university, bring their accumulated vacation with them to their new positions or departments.

Should an employee change from a full-time administrative staff member to faculty status, he/she will be paid out any unused vacation time accrued during their administrative status (excluding

days in the special “leave” bank for FMLA). The payout will not exceed the allowable maximum accrual of 15 days. Vacation payout will occur only after submission of all quarterly Administrative Leave Forms (for time prior to January 2016) and MyDay time submissions (for time from January 2016 onward) to Human Resources and will be paid out in the pay period following the change in status.

Should an employee change from a union-clerical status to a non-union administrative position or vice versa, he/she will not be paid out any unused vacation time (excluding days in the special leave bank for FMLA). Vacation **accrual rates (https://app.getguru.com/card/T58444gc/Vacation)** may adjust depending union and non-union guidelines.

Return to **Vacation (https://app.getguru.com/card/T58444gc/Vacation)** policy.

VACATION - 2. VACATION PAY UPON TERMINATION OF EMPLOYMENT

Human Resources > Benefits and Time Off > Time Off > Vacation and Other

Upon termination of employment, an employee will be paid for any unused vacation days which they have accumulated up to the allowable maximum. The maximum number of vacation days that you are eligible to receive payment for is 15 days. There is no payout for days in the special leave bank for FMLA.

In order to ensure prompt payment, please be sure that your Time Off has been submitted and approved by your Manager in MyDay. This payment will be made according to your current payment elections (i.e. direct deposit, check, pay card) following issuance of your last regular paycheck.

Professional courtesy suggests resignation notification of at least 4 weeks by the departing employee.

Return to **Vacation** **(https://app.getguru.com/card/T58444gc/Vacation)** policy or view **Benefits - Termination of Employment** **(https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)** .

VACATION - 3. SPECIAL LEAVE BANK DAYS UPON REHIRE

Human Resources > Benefits and Time Off > Time Off > Vacation and Other

Administrative employees that are rehired as a full-time or part-time (more than 1000 hours per calendar year) administrative employee within one year of termination will be given back the special leave bank days that they had in their bank at the time of termination.

Return to **Vacation** **(https://app.getguru.com/card/T58444gc/Vacation)** policy.

COMPENSATION STUDY FAQS

Human Resources > Hiring & Recruitment

Beginning in Fall 2023, The New School partnered with Mercer to conduct a comprehensive compensation study for non-union administrative staff. This initiative reflects The New School's commitment to building a compensation system that is equitable, competitive, transparent, and fiscally responsible. Below, you'll find frequently asked questions about the study. For more information see **Administrative Staff Compensation Study.** **(https://app.getguru.com/card/To9RdLMc/Administrative-Staff-Compensation-Study)**

Why did we conduct the study?

Periodic compensation studies are common and best practice. The New School conducted the Pay Equity Analysis and Market Salary Study to compare our current compensation structure to the market and determine our competitive positioning. The findings from both studies informed a more competitive and suitable compensation structure.

What are Anchor Positions, and how were ours determined?

Anchor, or Benchmarked, Positions are roles that are common or customarily found within a specific industry (ie. higher education). They typically have similarly structured responsibilities, skills, and qualifications. Examples of Anchor Positions in higher ed may include: Data Analyst, Head of Payroll, Registrar, etc.

While grant-funded positions were not benchmarked, they will continue to be reviewed and aligned to the new compensation structure and titling.

How was our peer group determined?

Several factors were considered when determining our peer group for market comparison, including public vs. private institutions, geography, and Carnegie classification. Universities that were selected as part of our peer group are private (not-for-profit) institutions, within New York/New Jersey/New England metropolitan areas, nationally ranked Masters and Doctoral universities, with ½ - 2x our revenue and endowment, and with at least ½ of our Total Enrollment/FTEs.

What was our previous compensation structure? Why are we changing it?

Our previous structure consisted of 7 broad **salary bands (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** . Our new structure will have more traditional grades, with 9 smaller range spreads and more consistent midpoint progressions. This change will provide our university with better market alignment, eliminate unused grades, and create opportunities for more pay advancement and progression within each range.

What actions has the university taken as a result of the study?

Human Resources identified and adjusted specific positions in January 2025 that were associated with low variance to market as part of Phase 1 of our new structure implementation. The university has redesigned its compensation framework to align with traditional job grades, which will facilitate more horizontal and vertical career growth, along with an update to the **salary ranges (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** .

In Phase 2, Human Resources collaborated with departmental leadership to retitle specific positions. This initiative aims to clarify the roles and ensure that our titling parameters are applied consistently across the university. These changes will enable our university to better align with industry best practices.

Phase 3 of the implementation of our new administrative compensation structure will involve updates to MyDay, ensuring that all employee profiles are aligned with the newly established compensation bands. Effective August 25, 2025, all administrative staff members will have their compensation grades reassigned and visibly reflected in their MyDay profiles, in accordance with the revised compensation framework.

Does this study mean I will get a salary increase?

This study does not guarantee that all staff members will receive a salary increase. However, some staff members received a salary market adjustment during Phase 2 of the study. HR worked closely with Department Leadership, Strategic HR partners, and the Provost's Office to identify and notify these staff members during Phase 2 of implementation. Though it will not impact pay, reassigned **salary bands** **(https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** will be visible in the Compensation Tab of **MyDay profiles** **(https://app.getguru.com/card/TnApML6c/MyDay-Worker-Profile-Navigation)** effective August 25th 2025.

Why are some position titles being changed? How will I know if my position title will change?

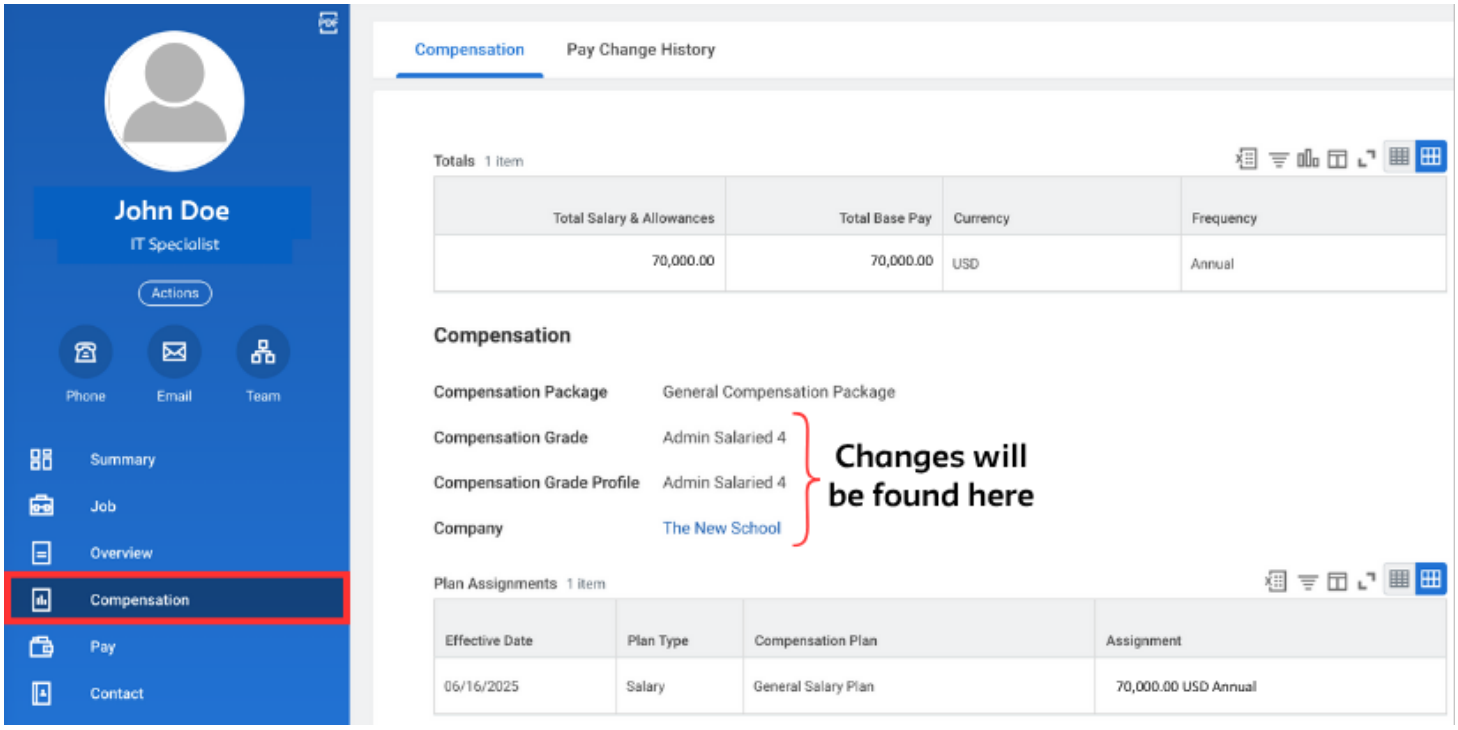
Human Resources will work with departmental leadership to retitle specific positions. These new titles will distinguish those who are directing functions or programs versus those directing teams (Director, Function vs. Program Director). This change will ensure our titling parameters are consistently applied across the university and align with best practices. HR will be working closely with Department Leadership, Strategic HR partners, and the Provost's Office to identify and notify impacted staff members during Phase 2 of implementation.

How were new salary bands determined?

Our new compensation structure and refreshed **salary bands** **(https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** reflect data obtained from the market salary study. Positions are aligned to the new compensation based on scope of work, span of control, and industry best practices.

Where can I find changes to my compensation grade in MyDay?

Starting August 25th 2025, changes to the compensation grades can be found in the **Compensation Tab** **(https://app.getguru.com/card/T77jK5Lc/View-Compensation-Hourly-Rate)** of your **MyDay Profile** **(https://app.getguru.com/card/TnApML6c/MyDay-Worker-Profile-Navigation)** . These updates do not impact pay.



Will this study impact the performance review process and merit increases? Am I still eligible to receive a merit increase if my position is re-aligned within the new compensation framework?

The compensation study is separate from our pay-for-performance model and will not change the current performance review process. Staff members who received a market salary adjustment during Phase 2 of the study will still be eligible for merit increases pending their performance management review and other qualifying factors. Information regarding the performance management review process can be found **here** **(https://app.getguru.com/card/c54eeb9i/Performance-Management-Overview)** .

Related Topics

- **Administrative Staff Compensation Study (https://app.getguru.com/card/To9RdLMc/Administrative-Staff-Compensation-Study)**
- **Administrative Salary Bands (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)**
- *Salary Administration Policy - Update Coming Soon!*
- **Payroll Schedules Overview (https://app.getguru.com/card/cgj9RMei/Payroll-Schedules-Overview)**
- **MyDay Payroll & Compensation Guide (https://app.getguru.com/card/iqqo74pT/MyDay-Payroll-Compensation-Guide)**

USE OF EXTERNAL SEARCH FIRMS

In some cases, departments may consider engaging an external search firm to fill an open position. Human Resources will consider approving the use of a search firm for executive or officer-level positions only. Human Resources (HR) maintains a list of pre-vetted firms that have been successfully utilized in previous searches. When needed, HR can also support vetting new firms that meet the university's standards.

When submitting a request to use a search firm, department leaders or hiring managers must work with their Strategic Human Resources Partner (SHRP) to provide a current **job description (https://app.getguru.com/card/ikBGzanT/Job-Descriptions)** and **recruitment plan, (https://app.getguru.com/card/cKnK5zbi/Recruitment-Plan)** including the following information:

- A list of proposed **search committee** (https://app.getguru.com/card/ckBGzoKi/Search-Committee) members and a defined committee charge.
- A description detailing the ideal competencies and the hard and soft skills you seek in a successful candidate.
- A primary contact for questions regarding the search and the cost center to be used.

The SHRP will work with departmental leadership to support the **engagement process** (https://app.getguru.com/card/c489ggri/Service-Provider-Policy) with the search firm and provide guidance on negotiating and submitting the finalized contract on behalf of The New School. Once a search firm has been approved and contracted, an HR Liaison will be assigned to guide the search firm and departmental relationship throughout the search process.

Criteria for Vetting a New Search Firm

When evaluating a new search firm, HR will consider the following factors:

- The firm's proposal, including cost and search methodology
- Industry knowledge and specialization
- Demonstrated success in previous searches
- Responsiveness and professionalism
- Strength and relevance of their candidate network
- Proven ability to source and build a strong, diverse candidate pool aligned with The New School's hiring goals
- Alignment with The New School's commitment to Equity, Inclusion, and Social Justice (EISJ), including demonstrated strategies for inclusive outreach and equitable candidate evaluation practices

Additional Search & Hiring Information

- **Position Approval** (https://app.getguru.com/card/cqB69pGi/Position-Approval)
- **Posting A Position** (https://app.getguru.com/card/iA5Kd44T/Posting-A-Position)
- **Candidate Search** (https://app.getguru.com/card/in6p7XjT/The-Candidate-Search)
- **Candidate Selection** (https://app.getguru.com/card/TrBRAp6c/Candidate-Selection)
- **Candidate Offer** (https://app.getguru.com/card/cMnMx77i/Candidate-Offer)

Return to the Search and Hiring Guidelines (https://app.getguru.com/card/cKnEdp7i/Search-and-Hiring-Guidelines) .

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- **Candidate Search** (https://app.getguru.com/card/in6p7XjT/The-Candidate-Search)
- **Candidate Selection** (https://app.getguru.com/card/TrBRAp6c/Candidate-Selection)
- **Candidate Offer** (https://app.getguru.com/card/cMnMx77i/Candidate-Offer)

Return to the Search and Hiring Guidelines (https://app.getguru.com/card/cKnEdp7i/Search-and-Hiring-Guidelines) .

EMPLOYEE CODE OF CONDUCT

Introduction

As an institution of higher learning, The New School affirms certain basic principles and values that are, in the fullest and best sense of the word educational. The New School is also a community and in that regard, upholds certain basic principles and standards of behavior that underlie its educational purpose. These include the recognition and preservation of basic human dignity, the freedom of expression, equal opportunity, and civil discourse, a sustained atmosphere of safety, respect for policies, rules, regulations, and standards set forth by the university, its Academic Divisions, and the Federal, State, and City Governments.

Purpose

The **Employee Code of Conduct** is designed to protect and promote these principles and standards of behavior that are in keeping with our educational mission. Formal disciplinary proceedings and penalties have a role subordinate to informal conversation and discussion, constructive advice and counsel, and supportive guidance. The Employee Code of Conduct supports an environment where sensitivity, tolerance, and respect are sustained for members of the University community and its

neighbors.

Policy

A. General Violations

The following actions are considered violations of the **Employee Code of Conduct** and are subject to disciplinary action, including but not limited to suspension/termination of employment, by the university.

1. **Fraud:** Knowingly furnishing false information to the University administration, faculty, staff, or students.
2. **Forgery:** Forgery, alteration or misuse of University documents, records or identification.
3. **Harassing Conduct:** Physical, verbal, or written harassment or abuse of any person, or any other conduct which threatens or endangers the physical, emotional health, or safety of any person on university-owned or controlled property or at University sponsored functions.
4. **Theft or Damage to Property:** Theft or damage to property of the university, or that of a member of the University community or campus visitor, while on University property or at University sponsored activities.
5. **Disorderly Conduct:** Disorderly conduct including, but not limited to, public intoxication, lewd, indecent or obscene behavior on university-owned or controlled property or at University sponsored functions; conduct that is unreasonable in the time, place, or manner in which it occurs; and/or obstruction or disruption of University sponsored activities.
6. **University Facilities:** Unauthorized entry or use of University facilities.
7. **Keys or Access Cards:** Unauthorized possession, duplication or use of keys or access cards to University facilities.
8. **Weapons:** Possession, display, use or distribution of any weapon such as a firearm, knife, etc., or any item used as a weapon or of such a nature that it is intended for use as a weapon,

except with expressed University authorization, on university-owned or controlled property or at University sponsored functions.

9. **Compliance:** Failure to comply with directions of University officials acting in the performance of their duties.
10. **University Identification:** Misuse or transfer of University identification documents. This includes but is not limited to, the transfer of University identification documents to gain entry to University buildings, and/or to procure any University services.
11. **Conduct:** Conduct which adversely affects the employee's suitability as a member of the University community or which is inconsistent with the mission of the university.
12. **Gambling:** Gambling in any form anywhere on campus.

B. Academic Dishonesty

1. **Definition**

   Academic Dishonesty is any act, which allows a member of the University to gain an unfair advantage over others. This includes, but is not limited to, copying, plagiarism, collaboration, alteration of records, use of restricted aids, unauthorized use of proprietary material, bribery, and lying.

2. **Divisional Responsibility for Academic Dishonesty**
   1. The academic division in where an employee works has primary responsibility for the adjudication of all infractions involving Academic Dishonesty, with the assistance of Human Resources.
   2. It is the responsibility of the employee to become familiar with the Academic Dishonesty policy in effect in the division in which he/she is enrolled.

C. Rights Reserved by The New School

1. The New School reserves the right to enter offices without a search warrant for the purpose of maintaining safety and security standards, to enforce health regulations, to follow through with disciplinary action, and to respond to emergency situations. Desks, lockers and file cabinets are the property of the University and are subject to search by University officials at any time.
2. The New School holds employees financially responsible for all losses and damages to University property.

Violations

A breach/violation in the **Employee Code of Conduct** may lead to disciplinary actions as outlined in the **Employee Discipline Policy (https://app.getguru.com/card/cr4Kdrbi/Employee-Discipline-Policy)** , including but not limited to suspension/termination of employment, by the university.

Additional Information

Where should people go for questions or assistance related to this policy?

EMPLOYEE DISCIPLINE POLICY

Human Resources > HR Policies > Code of Conduct

Introduction

While all employees should recognize that their employment relationship with the University is terminable "at will" by either the University or individual employees, the University encourages open, honest communications between supervisors and their subordinates relating to job

performance and related discipline.

Purpose

Identifying employee performance problems and/or inappropriate behavior, and the appropriate and most effective means of resolving them, can be complex and require a variety of considerations. Disciplinary actions are usually corrective and progressive in nature, however, serious misconduct and work performance problems, or violation of laws and/or University policies, procedures, and practices may warrant disciplinary action, including termination, outside of the corrective, progressive approach that is outlined below. These procedures serve as a guide for supervisors to help ensure that a fair approach is taken in dealing with employees with continuing and/or serious performance problems. In most instances, disciplinary actions should not come as a surprise to the employee, but should occur after other informal remedial and/or corrective measures such as ongoing performance feedback, coaching, counseling, training, etc., have not been successful.

Scope

This is applicable only to administrators of the university.

Full-time faculty members should refer to the **Full-Time Faculty Handbook (https://app.getguru.com/card/cnqR5B5i/FullTime-Faculty-Handbook-12-University-Faculty-Discipline-Policy)** for information.

Definitions

Insubordination: Refusal to follow specific directives and otherwise submit to authority

Serious Misconduct: Conduct by an individual, while engaged in University business or on University premises, that includes, but is not limited to: violation of laws, and/or University policies, procedures, and practices; theft; assault or fighting; insubordination; dishonesty or other unethical conduct; safety violations; harassment; possession/concealment of weapons; possession, use, sale, or purchase of illegal drugs or illegal intoxicants; falsification or improper alteration of records, including time cards/records; damage or destruction of University property; being intoxicated and disclosure or misuse of confidential information

Unit: A department, college, school, program, division, or other entity of the University that is responsible for an individual's employment

Policy

There are three types of disciplinary action that may be taken:

1. Warning
2. Suspension
3. Termination

In determining the proper course of disciplinary action, however, the supervisor and/or Human Resources may repeat, modify, or omit a level of discipline based upon the facts of the specific case. For example, in the case of serious misconduct, a suspension or termination of employment of the first offense may be warranted.

Note: Although the university's philosophy on improving performance and behavior is a corrective and progressive approach, there are situations when this approach is not appropriate. Some examples of this type of situation include, but are not limited to employees who fail to meet performance expectations in positions that require them to: 1) regularly and reliably exercise a high level of judgment and discretion; 2) consistently demonstrate effective supervision, management, and leadership; and, 3) productively participate in a confidential capacity as part of

the management team, where the actions and inactions of such individuals may seriously impair the ability of a unit, college, division, or the University to carry out its mission. In these cases, as early as possible, the affected employee should be given a clear understanding of how his/her performance is not meeting expectations or the standards of the job. The supervisor should thoroughly discuss the concerns with the employee and allow him/her an opportunity to present his/her understanding of the situation. If a mutually agreeable resolution to the situation cannot be found, the University reserves the right to terminate the employee's employment. Appropriate notice or pay in lieu of notice will be arranged.

Caution: Before imposing discipline, supervisors are expected to consult with **Human Resources** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** .

Disciplinary Actions

Warning

Initial disciplinary actions can be oral or written, depending upon the severity of the situation. The supervisor should meet with the employee to discuss the performance problem and/or inappropriate behavior and outline the steps necessary to correct it. The supervisor may make notes of this initial discussion and retain them for future reference.

If performance or behavioral problems continue, or if the severity of the initial offense warrants, the supervisor should meet with the employee and give a formal written warning to document the discussion. The written warning should include a description of the problem and the specific steps necessary to successfully correct it, the timeline for improvement, and a scheduled time to meet to review the employee's subsequent performance. The warning should also indicate that unless the unacceptable performance or behavior is corrected and the acceptable behavior maintained as discussed, further disciplinary action, including termination, may occur.

If there is no change or improvement in performance or behavior, further disciplinary action may include a second written warning, a final warning, a suspension, or termination, depending on the actual situation. Determination of which action is appropriate should be made after consultation with Human Resources. Written warnings should make clear to the staff that absent compliance and appropriate corrective action, further disciplinary measures, which may include termination, will follow.

Prior to issuance, all written warnings should be reviewed by **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** . The original is given to the employee and a copy is retained in the employee's HR personnel file.

Suspension

Suspension may be appropriate as a form of discipline. It may also be invoked to facilitate investigative actions.

Disciplinary suspensions are used to address serious misconduct/violations of procedures, practices, or laws. They also may be used when oral and written warnings have not corrected deficient work performance or behavior or when the performance/behavior warrants a more severe discipline in the first instance. Supervisors must discuss with Human Resources plans to suspend employees.

- Disciplinary suspensions of non-exempt employees: These suspensions are unpaid and, generally, range from one to three consecutive workdays in duration. In cases of severe infractions, longer suspensions may be given and scheduled at the discretion of the department.
- Disciplinary suspension of exempt employees: In accordance with the **Fair Labor Standards Act (https://www.dol.gov/agencies/whd/flsa)** , no exempt employee may be subject to a suspension without pay unless it is in increments of one or more full work days.

Investigatory suspensions may be used in situations where actions of an employee are being investigated. The employee is placed on a suspension, with or without pay, depending upon the circumstances of the case, while the investigation is being conducted. Based on the outcome of the investigation, the employee may be issued a disciplinary suspension, reinstated either with or without the imposition of a lesser disciplinary action, or terminated.

Prior to issuance of suspension, the department head and Human Resources must review all suspensions. Following the investigation and discussion with the employee, the individual should receive a letter documenting the reason for the suspension, whether the suspension is with or without pay, and the period of suspension. A copy of the letter is retained in the employee's HR personnel file. For more information, please contact **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** .

Termination

An employee's employment may be terminated for performance deficiencies that are not corrected, or for serious misconduct. Prior to initiating such action, the supervisor and/or unit head must consult with **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** . Supervisors must request the return of all University property, including keys, ID cards, procurement cards, parking permits, computer equipment, etc. For more information, please refer to **Exiting Procedures (https://app.getguru.com/card/Tz849R5c/Exiting-Procedures)** .

Responsibilities

The major responsibilities each party has in connection with the *Employee Discipline Policy* (Excluding Academic and Bargaining Unit Staff), are as follows:

Human Resources Representative: Consult with the **VP of Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** and the Supervisor and/or Unit Head to ensure that disciplinary procedures are conducted in accordance with this policy. Review all suspensions before their issuance.

Employee: Read and understand **Disciplinary Actions** (outlined above). When grieving a disciplinary action, do so in accordance with the **Employee Grievance Policy (https://app.getguru.com/card/TBxboppc/Employee-Grievance-Policy)** .

Supervisor: Before invoking the terms of this policy, meet with the employee to discuss performance problems and/or inappropriate behavior and outline the steps necessary to correct them. Before invoking disciplinary procedures, consult with **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** . Issue verbal or written warnings and carry out disciplinary procedures fairly, and in accordance with this policy. Prior to issuance, have all written warnings reviewed by Human Resources. Give originals of all warnings to the employee. Retain a copy of all warnings. In cases of termination, request the return of all University property, including keys, ID cards, computer equipment, procurement cards, etc.

Additional Information

If an employee feels that discipline has been unduly imposed, s/he may contact **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** for assistance in trying to resolve the problem informally. Employees have the right to file a formal grievance whenever they believe they have been treated in a manner inconsistent with this policy. See **Employee Grievance Policy (https://app.getguru.com/card/TBxboppc/Employee-Grievance-Policy)** for additional information.

Please see the **Full-Time Faculty Handbook (https://app.getguru.com/card/cnqR5B5i/FullTime-Faculty-Handbook-12-University-Faculty-Discipline-Policy)** for disciplinary procedures related to full-time faculty.

EMPLOYEE GRIEVANCE POLICY

Human Resources > HR Policies > Code of Conduct

Purpose

If an employee feels that discipline has been unduly imposed, s/he may contact **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** for assistance in trying to resolve the problem informally. Employees have the right to file a formal grievance whenever they believe they have been treated in a manner inconsistent with the **Employee Discipline Policy (https://app.getguru.com/card/cr4Kdrbi/Employee-Discipline-Policy)** .

Scope

This policy applies to regular full-time and part-time, administrative staff.

Note: Employees represented by a collective bargaining unit are not covered by this Policy and should consult the current contract language. Full time faculty should consult the **Full-Time Faculty Handbook (https://app.getguru.com/card/iqqnEnXT/FullTime-Faculty-Handbook-13-Faculty-Grievance-Policy)** .

Procedure

The **Grievance Procedure** is designed to supplement the informal departmental means of resolving employees' problems or complaints, unrelated to any complaint of employment discrimination. It may be used whenever an employee's efforts to solve the problem through discussion with the immediate supervisor have been unsuccessful. Human Resources is available to assist employees in the informal resolution of their grievances.

The following steps comprise the grievance procedure.

Step 1: Department Head

The employee should present the problem or complaint in writing to the department head. This should be done as promptly as possible--generally no more than one week after the incident or action under question. Upon receipt of the written statement, the department head shall promptly meet with the employee and any others concerned and shall reply in writing to the employee giving his or her decision, and the reason for it, within one week of the meeting.

Step 2: Director, Senior VP, Dean

If the department head's decision does not resolve the problem to the employee's satisfaction, the employee should refer the problem to the dean, senior vice president/vice president or director concerned within one week of having received the department head's response under *Step 1*. The employee should send the dean, senior vice president/vice president or director a copy of the complaint and the response from Step 1 along with a letter explaining his or her reasons for dissatisfaction with the department head's reply.

The dean, senior vice president/vice president or director shall promptly meet with the employee and any others concerned (the grievant may invite someone to accompany him/her to this meeting), and shall reply in writing generally within two weeks of the meeting with the employee.

In cases where the dean, senior vice president/vice president or director finds the need for a longer inquiry, he or she shall advise the grievant within two weeks as to when the decision will be rendered.

Step 3: Review Committee

If the employee feels the problem has not been satisfactorily resolved at *Step 2* and desires further appeal, he/she may refer the grievance to the **Review Committee**. That Committee includes the Chief Operating Officer, or his/her designee, who chairs the Committee and the Chief Legal and Human Resources Officer or a representative. The employee's Chief or Provost, or their designee, will serve as the third member of the committee. To request review under *Step 3*, the employee should, within two weeks of his or her receipt of the response under *Step 2*, provide the Chief Operating Officer with copies of the 1st and 2nd step statements and responses along with an explanation of his or her reasons for dissatisfaction with the decision received at the second step.

The committee will schedule a meeting at which the employee may present his or her case. The employee may invite someone to accompany him/her to this meeting. The Department head and/or supervisor will present the management case.

A decision will be issued in writing generally within three weeks of the meeting. In cases where the need for a longer inquiry is necessary, the grievant will be advised as to when a decision can be expected. The decision of the Review Committee completes the final appeal step and is binding upon all parties within the university.

Additional Information

Throughout the process Human Resources will counsel employees regarding the grievance procedure and provide assistance in preparing the written statements.

WORKPLACE VIOLENCE POLICY

The University prohibits threats, menacing conduct or acts of violence on its premises by its employees, former employees, customers, vendors, visitors or any other individuals. Moreover, the University prohibits any of such acts or conduct off University premises while on University business. The University further prohibits all individuals (except law enforcement officers) from bringing any weapons, including, but not limited to, firearms, knives or explosives onto its premises.

Threats are generally considered to be any expression of an intent either immediately or subsequently to inflict harm, loss or pain to a person and/or his or her property rights or to injure a person or his or her property by the commission of some unlawful act. Menacing conduct is a disposition to inflict injury or to place another in fear of future injury.

Employees will be held accountable for their statements, acts and conduct. For example, an employee's undisclosed intent not to carry out a threat or a threat made in jest will not be considered as an excuse for engaging in such prohibited behavior.

The possession or control of weapons on University premises will subject an employee to immediate termination of employment, while non-employees (other than law enforcement officers) will be required to immediately leave the university's premises.

Employees who learn that a co-worker or other individual on University premises is in possession of a weapon have an obligation to immediately report such to management. In addition, any other acts or conduct that violate this policy must also be reported, including, for example, threats or acts of violence, aggressive or menacing behavior, threatening or offensive comments, etc. Employee reports made pursuant to this policy will be investigated as appropriate and, to the extent possible, maintained in confidence.

The University will take prompt, appropriate remedial action against those who violate this policy. Remedial action may include up to immediate termination of employment and notification of law enforcement personnel.

Retaliation against an employee reporting potential violations of this policy is prohibited and such conduct is also a violation of this policy which will subject the "retaliator" to disciplinary action, up to and including termination of employment.

Related Topics

- **Employee Code of Conduct** **(https://app.getguru.com/card/cr4Kdjbi/Employee-Code-of-Conduct)**
- **Employee Discipline Policy** **(https://app.getguru.com/card/cr4Kdrbi/Employee-Discipline-Policy)**

CONFLICTS OF INTEREST POLICY

Introduction

The New School is committed to maintaining high standards of honesty and integrity in all of its dealings both within the University community and with individuals and organizations outside of the University community. Underlying this commitment is the responsibility of members of the University community whenever they are acting on behalf of the University, or whenever the interests of the University are involved, to act always in the interests of the institution and not for themselves, members of their families, or business associates. The University is entitled to expect that the independent, unbiased judgment of its members is unimpaired by actual, potential or apparent financial or other personal interests. In keeping with this commitment, the Board of

Trustees of The New School publishes this **Policy on Conflicts of Interest** and reaffirms its responsibility to protect the institution's integrity and well-being in serving the public trust.

I. Purpose

This Policy reflects the fundamental principle that the interests of the University must be superior to the personal interests of those who work for the University or serve it in a volunteer capacity. When those interests conflict, the University's interests must be paramount.

Individuals serving the University as employees, or in a managerial, fiduciary or advisory capacity, are or may be involved in the affairs of other organizations. In the case of Trustees of the University and members of Boards of Governors and Advisory Boards or Committees, individuals are selected to serve the University because of these associations and because they bring to the University background, experience and expertise which is of great value to the University.

Notwithstanding this expectation, it is recognized that those individuals involved in the governance of the University may not always be entirely free from at least perceived conflicts of interest. Although most such potential conflicts will be deemed to be inconsequential, and often, if not inconsequential, will be determined to be appropriate because they serve the best interests of the University, all individuals must assume the responsibility to ensure that notification of such conflicts are provided in the manner prescribed in **Section V.**, and that the Board of Trustees and the President are made aware of situations that involve personal, familial or business relationships of the President, Provost, Deans and Officers of the University which could create a conflict of interest.

II. Scope

This Policy applies to all **Trustees, Officers, Deans (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** **(https://app.getguru.com/card/TkAeeBzc/University-Leadership)** and Key Persons, and all members of the **Boards of Governors (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** and **Advisory Boards or Committees (https://app.getguru.com/card/TgAxyLyc/University-Senates-Committees)** in the academic divisions as well as all Faculty and Designated Administrative Employees.

III. Policy

An individual covered by the Policy shall disclose and, unless approved under this Policy, avoid potential, actual and apparent conflicts of interest as defined below. Any transaction, contract or other business or financial relationship between the University and an individual covered by the Policy which presents a conflict of interest or a perceived conflict of interest shall be void unless approved in accordance with this Policy as provided in paragraph **V. Procedures** below. This policy also explicitly prohibits business or financial relationships between the University and its trustees, officers, deans, key persons and/or their family members, and key vendors unless such business or financial relationships have been thoroughly reviewed and considered as discussed below.

IV. Definitions

1. "**Conflict of Interest**": A conflict of interest shall be deemed to exist in any instance where the interests of the University are involved and where the actions, judgment or decisions of an individual covered by the Policy may be, have the potential to be or may appear to be, influenced, directly or indirectly, by his or her personal interest, financial, fiduciary or otherwise in any other person or entity. A conflict of interest shall also be deemed to exist when the interests of the individual's family members are or may be involved.

2. "**Family Members**": Unless otherwise noted in the **Annual Disclosure & Certification Form (https://docs.google.com/forms/d/e/1FAIpQLSd7cnr41NXxR2V3g55PMRynLDyY_O5yte8ojzfPEz6KX0kbNg/viewform?usp=header)** , an individual's family members includes spouse or domestic partner, and any children, grandchildren, siblings, in-laws, or other family members residing in the same household as the person covered by the Policy who such person knows has a conflict of interest or a perceived conflict of interest.
3. "**Business or Financial Relationships**": Unless otherwise noted in the **Annual Disclosure & Certification Form (https://docs.google.com/forms/d/e/1FAIpQLSd7cnr41NXxR2V3g55PMRynLDyY_O5yte8ojzfPEz6KX0kbNg/viewform?usp=header)** , this term includes, but is not limited to, employment and contractual relationships, commitment of resources to a common venture or the existence of a significant interest in another entity with whom the University has a business relationship. A significant interest in another entity includes service as a trustee, director, partner, or management level employee; direct or beneficial ownership of more than 5% of the entity; or a compensation arrangement with such entity that is dependent upon a business or financial relationship with the University.
4. "**Key Person**": Unless otherwise noted in the **Annual Disclosure & Certification Form (https://docs.google.com/forms/d/e/1FAIpQLSd7cnr41NXxR2V3g55PMRynLDyY_O5yte8ojzfPEz6KX0kbNg/viewform?usp=header)** , the term includes anyone who has responsibilities, powers or influence over the University as a whole similar to those of officers, deans or trustees.
5. "**Faculty**": All full-time faculty and academic administrators.
6. "**Designated Administrative Employees**": Any employee assigned to work in the departments listed below has been determined by the **Executive Vice President for Business & Operations (https://app.getguru.com/card/TkAeeBzc/University-**

Leadership) as having responsibilities that triggers the application of this Policy. It also includes any employee whose relationship with any outside organization creates a potential conflict of financial interest to the extent that organization supplies goods or services to the University or becomes a direct competitor of the University.

1. **Finance and Accounting** **(https://app.getguru.com/card/cnAyLe9i/Finance-Office-Overview)**
2. Registrar's Office
3. Development & Alumni Engagement
4. **General Counsel's Office** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)**
5. President's Office
6. Student Housing
7. **Human Resources** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)**
8. **Information Technology** **(https://app.getguru.com/card/cExLGagi/Information-Technology-IT-Overview)**
9. **Payroll** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)**
10. **Purchasing** **(https://app.getguru.com/card/cnAyLe9i/Finance-Office-Overview)**
11. **Campus Safety** **(https://app.getguru.com/card/T94GkrMc/Campus-Safety-Overview)**
12. Student Success, Enrollment Management, and Student Health Services
13. Student Financial Services
14. **University Budget** **(https://app.getguru.com/card/cnAyLe9i/Finance-Office-Overview)** and divisional budget offices
15. Communications and External Affairs
16. Provost's Office

V. Procedure

In the event of a conflict of interest situation or potential conflict of interest situation, an individual covered by the Policy shall disclose to the **General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** or designee such conflict or potential conflict at the earliest practicable time. A conflict of interest situation or potential conflict of interest situation should also be disclosed on the *Annual Certifications* on file with the **Office of General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** and **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** . Regardless of how such a conflict of interest situation or potential conflict of interest situation is revealed, compliance with this Policy can be accomplished only by elimination of the conflict or by approval of the transaction as described below.

Considering Conflicts of Interest

1. **Procedures Applicable to Trustees, Officers, Deans or Executive Directors, Key Persons, Members of the Board of Governors and Advisory Boards or Committees (https://app.getguru.com/card/TbeKG68c/Conflicts-of-Interest-Policy-1-Procedures-Applicable-to-Trustees-Officers-Deans-or-Executive-Directors-Key-Persons-Members-of-the-Board-of-Governors-and-Advisory-Boards-or-Committees)**
2. **Procedures Applicable to Designated Faculty and Designated Administrative Employees (https://app.getguru.com/card/cej47RRi/Conflicts-of-Interest-Policy-2-Procedures-Applicable-to-Designated-Faculty-and-Designated-Administrative-Employees)**
3. **Procedures Applicable to All Individuals Covered by the Policy**

1. Any individual covered by the Policy who discloses a conflict of interest situation or a potential conflict of interest situation is prohibited from influencing the deliberation or voting on the matter giving rise to such conflict or potential In addition, any such individual shall not be present at the portion of any meeting in which the subject is discussed, nor shall that individual participate in any way in the discussion of or decision on the subject, except to answer pertinent questions by or to provide relevant information to the sub-committee or committee, as appropriate, or the President and General Counsel, pursuant to a referral made in accordance with **paragraph 1 (a)** **(https://app.getguru.com/card/TbeKG68c/Conflicts-of-Interest-Policy-1-Procedures-Applicable-to-Trustees-Officers-Deans-or-Executive-Directors-Key-Persons-Members-of-the-Board-of-Governors-and-Advisory-Boards-or-Committees)** or **paragraph 2 (a)** **(https://app.getguru.com/card/cej47RRi/Conflicts-of-Interest-Policy-2-Procedures-Applicable-to-Designated-Faculty-and-Designated-Administrative-Employees)** of this **Section V** above.
2. An annual report of all potential conflicts reviewed by the sub-committee or committee as set forth in **paragraphs 1 (a)** **(https://app.getguru.com/card/TbeKG68c/Conflicts-of-Interest-Policy-1-Procedures-Applicable-to-Trustees-Officers-Deans-or-Executive-Directors-Key-Persons-Members-of-the-Board-of-Governors-and-Advisory-Boards-or-Committees)** or **paragraph 2 (a)** **(https://app.getguru.com/card/cej47RRi/Conflicts-of-Interest-Policy-2-Procedures-Applicable-to-Designated-Faculty-and-Designated-Administrative-Employees)** of this **Section V** shall be submitted to the **Chair of the Audit Committee** **(https://app.getguru.com/card/cr4kbkki/Board-of-Trustees-Committees)** . Copies of Trustee *Annual Disclosure & Certification* forms shall also be submitted to the **Audit Committee Chair** **(https://app.getguru.com/card/cr4kbkki/Board-of-Trustees-Committees)** .

VI. Annual Certification

All newly elected trustees must review the policy and complete a written certification prior to commencing service. All other individuals covered by the Policy shall review the Policy annually and shall complete a written certification in the form annexed hereto that they have read and reviewed the Policy and are in compliance with the Policy and have disclosed information as required through the annexed form. Failure to disclose situations that may constitute a conflict of interest or to timely submit a completed and accurate **Annual Disclosure & Certification form (https://docs.google.com/forms/d/e/1FAIpQLSd7cnr41NXxR2V3g55PMRynLDyY_O5yte8ojzfPEz6KX0kbNg/viewform?usp=header)** each year may, after investigation of any alleged violation of the policy, lead to disciplinary or corrective actions.

Trustees, Officers, Deans, Key Persons, Members of the Board of Governors and similar advisory committees shall file such certification with the **General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** . Faculty and Designated Administrative Employees shall file the certification with **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** .

The General Counsel along with the Vice President of Human Resources, shall have responsibility for administration of this Policy.

CONFLICTS OF INTEREST POLICY - 1. PROCEDURES APPLICABLE TO TRUSTEES, OFFICERS, DEANS OR EXECUTIVE DIRECTORS, KEY PERSONS, MEMBERS OF THE BOARD OF GOVERNORS AND

ADVISORY BOARDS OR COMMITTEES

a. Upon review of the circumstances surrounding the conflict or potential conflict of interest involving a Trustee, Officer, Dean or Designated head of a School or program, Key Person, Member of the Board of Governors or similar advisory committees, the **General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** shall make a recommendation to the **Chair of the Board of Trustees (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** and the **President of the University (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** as to whether the Chair and the President should (i) determine the transaction or situation to be inconsequential and approve it; (ii) determine the transaction or situation to be consequential and avoid it; or (iii) refer the transaction or situation to a sub-committee consisting of **Executive Committee (https://app.getguru.com/card/cr4kbkki/Board-of-Trustees-Committees)** members appointed by the Chair. Upon review of the General Counsel's recommendation, the Chair and the President shall make such determination or referral.

b. Certain circumstances will result in a presumption that the conflict of interest situation or potential conflict of interest situation is inconsequential and should accordingly be approved without the need for review by a sub-committee. For example, such a presumption may be deemed to exist where the University has engaged in a competitive process for the selection of a contract provider. Generally, where there has been a competitive process and where the selected provider is associated with an individual covered by this Policy and where this selected provider has submitted the lowest bid or satisfied other appropriate competitive pricing criteria or standards, the situation may be approved without the need for sub-committee review. Upon such approval by the Chair and President, the conflict of interest situation shall be considered resolved.

c. If the conflict of interest situation has not been resolved in accordance with **paragraph 1(b)** above, and the Chair and the President determine to refer the conflict of interest situation to a sub-committee, the sub-committee need not be convened to review the situation until the potentially conflicted party (associated with a covered individual under the Policy) has been selected in such competitive process. After consideration of any conflict, the sub-committee may approve the conflict of interest situation only upon a clear showing that: (1) other reasonable alternatives were considered and (2) approval of the conflict of interest situation is "*in the best interests of and provides a substantial benefit to the university*." Any conflict of interest situation which is approved by the sub-committee shall be disclosed to the **Executive Committee (https://app.getguru.com/card/cr4kbkki/Board-of-Trustees-Committees)** at its next regularly scheduled meeting.

Return to **Conflicts of Interest Policy (https://app.getguru.com/card/TRzKn76c/Conflicts-of-Interest-Policy)** .

CONFLICTS OF INTEREST POLICY - 2. PROCEDURES APPLICABLE TO DESIGNATED FACULTY AND DESIGNATED ADMINISTRATIVE EMPLOYEES

a. Upon review of the circumstances surrounding the conflict or potential conflict of interest involving a **Designated Faculty (https://app.getguru.com/card/TRzKn76c/Conflicts-of-Interest-Policy)** or **Designated Administrative Employee (https://app.getguru.com/card/TRzKn76c/Conflicts-of-Interest-Policy)** , the **General**

Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC) shall make a recommendation to the **Provost** (https://app.getguru.com/card/TkAeeBzc/University-Leadership) , if the conflict involves a member of the Faculty, or to the **Executive Vice President for Business & Operations** (https://app.getguru.com/card/TkAeeBzc/University-Leadership) , if the conflict involves a Designated Administrative Employee. Such recommendation shall (i) determine the transaction or situation to be inconsequential and approve it; (ii) determine the transaction or situation to be consequential and avoid it; or (iii) refer the conflict of interest situation to the committee described in **paragraph 2(c)** below. Upon review of the General Counsel's recommendation, the Provost or Executive Vice President for Business & Operations, as appropriate, shall make such determination or referral.

b. As described in **1(b) of Section V** (https://app.getguru.com/card/TbeKG68c/Conflicts-of-Interest-Policy-1-Procedures-Applicable-to-Trustees-Officers-Deans-or-Executive-Directors-Key-Persons-Members-of-the-Board-of-Governors-and-Advisory-Boards-or-Committees) , certain circumstances will result in a presumption that the conflict of interest situation or potential conflict of interest situation is inconsequential and should accordingly be approved by the Provost or the Executive Vice President for Business & Operations, as appropriate, without the need for review by the committee. Upon such approval, the conflict of interest situation shall be considered resolved.

c. In the event that the Provost or the Executive Vice President for Business & Operations decides to refer the conflict of interest situation to a committee, the committee shall consist of three members. If the conflict involves a Faculty member, the committee shall consist of a member of the **Office of the Provost** (https://app.getguru.com/card/TkAeeBzc/University-Leadership) and the **Vice President of Human Resources** (https://app.getguru.com/card/TkAeeBzc/University-Leadership) or their designee and a

representative from the **Office of the General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** . If the conflict involves a Designated Administrative Employee, the **Executive Vice President for Business & Operations (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** or their designee, rather than a representative from the Office of the Provost, shall be the third member of the committee. While disclosure of a conflict situation or potential conflict situation is required at the earliest time practicable, once a situation has been identified as an issue for committee review, and a competitive process is involved, the committee need not be convened to review the situation until the potentially conflicted party (associated with a covered individual under the Policy) has been selected after such competitive process. After consideration of the matter, the committee will make a recommendation to the Provost or Executive Vice President for Business & Operations, as appropriate, on whether the conflict should be approved or disapproved. All recommendations to approve a conflict must be based upon a clear showing that: (1) other reasonable alternatives were considered and (2) approval of the conflict of interest situation is "*in the best interests of and provides a substantial benefit to the University*." Any recommendation that a conflict of interest situation be approved must be sent by the Provost or the Executive Vice President for Business & Operations, as appropriate, to the **President (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** and the **General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** for final review and approval.

Return to **Conflicts of Interest Policy (https://app.getguru.com/card/TRzKn76c/Conflicts-of-Interest-Policy)** .

AT WILL EMPLOYMENT

Scope

This Policy is applicable only to administrators of the university.

Policy

The State of New York is an “at will” employment state; this means that no one has a contractual right, express or implied, to remain in The New School’s employ. The New School may terminate an employee’s employment, or an employee may terminate his/her employment, without cause, and with or without notice, at any time for any reason.

Related Topics

- **Equal Employment Opportunity** **(https://app.getguru.com/card/TMxLy4Bc/Equal-Employment-Opportunity)**
- **General Advisory on Full-Time Employment** **(https://app.getguru.com/card/cB5MBj9i/General-Advisory-on-FullTime-Employment)**
- **Outside Work Policy** **(https://app.getguru.com/card/ce8gXX4i/Outside-Work-Policy)**
- **Introductory Period Policy for Administrative Staff** **(https://app.getguru.com/card/igGRzKET/Introductory-Period-Policy-for-Administrative-Staff)**

ATTENDANCE POLICY

Human Resources > HR Policies > Employment Policies

The University expects employees to be at work as scheduled and to avoid unscheduled absences whenever possible. In an effort to provide advice to supervisors regarding absenteeism and to

balance the employee's paid leave protection against the university's right to a reasonable standard of attendance, the following guidelines are provided.

Guidelines

Supervisor's Responsibility

1. **Climate**: Establish a favorable climate for good attendance. The key to the development of a favorable climate is in employees' understanding of why good attendance is important, that is, the ways in which absenteeism interferes with workflow and unfairly imposes on others. Generally, the supervisor who successfully conveys to each employee that his/her work is important and appreciated contributes to motivating good attendance.
2. **Records**: Establish a system for recording attendance to maintain awareness of attendance patterns. A simple chart e.g., the Monthly Leave Report issued by Human Resources can be used to record attendance/absences for each employee. The data should be maintained consistently and accurately. This will enable the supervisor to work with the employee as soon as problematic attendance is identified.
3. **Standards**: Because the needs of each department may vary, there is no set formula for establishing standards of attendance. The total number of days absent is not as significant as the frequency of incidents. However, unscheduled absences averaging one day per month should be considered excessive, except when the average is increased by a lengthy absence associated with a verified extended disability.
4. **Communications**: Standards for attendance and the system for recording attendance should be defined and communicated on a continuing basis to all employees in the department. When frequency of unscheduled absences becomes problematic, the issue should be addressed promptly with the employee, and appropriate action taken. (See policies on **Employee Discipline** **(https://app.getguru.com/card/cr4Kdrbi/Employee-Discipline-**

Policy) and **Medical Leave of Absence** (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) .) Follow-ups should be built into the system to show serious intent. In interviewing job applicants, the supervisor should stress the university's interest in, and the importance of, good attendance.

5. **Health Problems**: If an employee's general health is causing frequent or regular absences, employees should be directed to contact **Human Resources** (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview) . Absences of three or more consecutive days should be reported to Human Resources. If an employee has physical limitations, these must be in writing from a physician and approved by Human Resources. The existence of an illness or injury may support continued use of **sick leave** (https://app.getguru.com/card/TM5xa4ac/Sick-Leave) under the FMLA, a leave without pay to provide time for rehabilitation if sick leave benefits are exhausted, or eligibility for **long-term disability** (https://app.getguru.com/card/cep7bGRi/LongTerm-Disability) . However, if employees continue to be unavailable for work due to frequent and/or extended absences that are not eligible for **Family Medical Leave** (https://app.getguru.com/card/cd4bBybi/Family-and-Medical-Leave-Act-FMLA) , their employment may be terminated. In all cases, supervisors should call the **Human Resources Benefits** (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview) department for guidance.

Related Topics

- **Time Off Summary** (https://app.getguru.com/card/cpAMzb9i/Time-Off-Summary)
- **Managing Hourly Employees Time Off and Leave (Managers Only)** (https://app.getguru.com/card/cbAkAdAi/Manage-Hourly-Employees-Time-Off-and-

Leave)

BACKGROUND INVESTIGATIONS

The New School will conduct background investigations on certain newly hired employees and current employees where this is a condition of continued employment. Background checks may include but are not limited to:

- Education verification
- Employment verification
- Criminal and Civil Records
- Financial information

New employees who will be investigated are:

1. Deans, Officers, Vice Deans, Associate and Assistant Deans, Associate and Assistant Vice Presidents, Deputy Provosts, Vice Provosts, Associate and Assistant Provosts
2. Faculty working on grants as Primary Investigator, Academic Center and Institute Directors (this stipulation must be included in grant forms)
3. All employees in Accounting
4. All employees in Purchasing
5. All employees in Bursar's Office
6. All employees in Human Resources
7. All employees in Payroll
8. Housing Directors and employees who come in contact with resident students
9. All employees in the University Budget office and divisional budget offices
10. Directors of Administration in the divisions
11. Directors of Admissions in the divisions

12. Security Management and security officers (investigations are performed through the Security Department)
13. All University and Division Development Administrators
14. All IT employees who have access to sensitive information or who can unilaterally change informations
15. All Student Financial Services Administrators
16. All employees who are issued University credit cards (at the time of application a release must be completed for the background check)
17. All employees in facilities and maintenance who have authority to commit
18. University funds
19. Assistant General Counsels
20. Director and Assistant Directors of Enrollment Management
21. All Student Health Services employees
22. All other employees entrusted with University assets and those that can commit University funds

Related Topics

- **Minors on Campus Policy (https://app.getguru.com/card/T6jkjbpc/Minors-on-Campus-Policy)**

EMPLOYMENT OF MINORS

Human Resources > HR Policies > Employment Policies

Purpose

It is the policy of The New School to maintain certain personnel and safety practices concerning the employment of minors. New York State and the federal government place many restrictions on the type of work that may be performed by minors and the hours during which they may be employed.

Policy

As a consequence, no one under the age of 18 may be employed in any capacity on either a part-time or a full-time basis. Information regarding the employment of University students may also be obtained from **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** as well as the Student Employment/Financial Aid Office.

Related Topics

- **Minors on Campus Policy (https://app.getguru.com/card/T6jkjbpc/Minors-on-Campus-Policy)**

EMPLOYMENT VERIFICATION

Human Resources > HR Policies > Employment Policies

The university's Office of Human Resources provides employment verification to potential employers, housing authorities, and lending institutions with the written permission of current or former employees. Employment verification includes the following information:

- Dates of employment
- Job title(s)
- Salary information

For your security and privacy, we use a third party service called **The Work Number (https://theworknumber.com/how-it-works) (https://theworknumber.com/how-it-works)** for all employment and income verifications. Please direct all verification requests (from lenders, banks, landlords and social service agencies) to **theworknumber.com (http://theworknumber.com/)** . Our employer ID is 10450309.

For more information on The Work Number's verification process, visit their **Income and Employment Verification (https://theworknumber.com/solutions/products/income-employment-verification)** page.

Employee Login to The Work Number

- Start by going to **https://employees.theworknumber.com (https://employees.theworknumber.com/)**
- Select "Log In" and follow the simple prompts
- Enter the Employer code 10450309
- If this is your first time – pick "Register Now"
- If you are a returning user – enter your username and password
- The screen prompts will walk you through all the steps to help verify your identity

Request an Employment Data Report (EDR)

The Employment Data Report (EDR) is an FCRA regulated document, providing transparency to all the employment history housed by The Work Number. Employees may access this any time free of charge. This is not part of the verification procedure and is only for your private use.

You are entitled under the Fair Credit Reporting Act (FCRA) to receive a free credit report every twelve months, so you can see your personal information and who requested it. to request an EDR:

- Visit: **https://employees.theworknumber.com/employment-data-report (https://employees.theworknumber.com/employment-data-report)**
- Or, you may call the EDR Request Line: 866-604-6570

Questions and Assistance

For assistance contact The Work Number Employee Service Center at:

- 866-604-6572 M-F 8:00 am - 9:00 pm (ET)
- TTY- hearing impaired: 800-424-0253

EQUAL EMPLOYMENT OPPORTUNITY

We are an equal opportunity employer and do not discriminate in hiring or employment on the basis of race, color, creed, religion or belief, national or ethnic origin, citizenship status, marital or domestic partnership status, sexual orientation, sex, gender identity or expression, age, disability, military or veteran status, or any other characteristic protected by federal, state, or local law. The New School recognizes and values the benefits of a diverse workforce.

Related Topics

- **At Will Employment (https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment)**
- **General Advisory on Full-Time Employment (https://app.getguru.com/card/cB5MBj9i/General-Advisory-on-FullTime-Employment)**

FLEXIBLE AND TELEWORK ARRANGEMENTS POLICY

Purpose

The New School recognizes the growing demands placed on employees both personally and professionally, as well as the increasing challenges of commuting to work, and of finding new and better ways to effectively manage people, time, space, and workloads.

Flexible and Telework arrangements can contribute to improving job satisfaction and quality of life by providing employees with greater ability to balance work and personal responsibilities, while also facilitating recruitment and retention of valuable employees, contributing to environmental sustainability, and strengthening the University's position as an employer of choice.

The University permits the use of Flexible and Telework arrangements when they are pre-approved, assist in meeting operational needs and requirements, and are consistent with maintaining a high level of service by the University.

Eligibility

The University will determine whether certain units, and/or positions within such units, are eligible for a Flexible or Telework arrangement. Approval of such arrangements are normally reserved for employees performing at a level that exceeds expectations. The assessment of an employee's performance may, but need not in every instance, correspond to the annual performance rating received by the employee requesting a flexible/telework arrangement.

Flexible and Telework arrangements are approved on a case-by-case basis, and this policy does not guarantee that all requests will be approved. The University reserves the right to revoke approval of such an arrangement and require the employee to revert to normal work hours/locations.

Policy

Flexible and Telework arrangements ("FWA" and "TWA") are work schedules that are different from a normal work schedule and/or location that accommodate the needs of employees and their departments. An employee and supervisor do not need to enter into an FWA arrangement if the employee's adjusted start time is within two hours of the department's regularly scheduled start time.

- An FWA may include working different hours or schedules from the norm (for example, 7:00 am to 3:00 pm instead of 9:00 am to 5:00 pm). A compressed workweek schedule must include four workdays. The University defines a work week as Monday to Sunday. An FWA must still equate to the same standard hours an employee currently works in a workweek.
- A TWA involves telecommuting from a location remote to the office.
- Human Resources is available as a resource to staff and departments in assessing and resolving potential FWA and TWA issues that may arise.

Procedure

An employee seeking an FWA or TWA arrangement must complete the **Flexible Work and Telework Arrangement Request Form**, which can be downloaded **here (https://ww2.newschool.edu/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=17179879399)** , and submit it to their supervisor. Employees seeking a TWA must also complete the **Telecommuting Agreement**, which can be downloaded **here (https://ww2.newschool.edu/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=17179879398)** .

An FWA or TWA may be discontinued at any time if it is determined by the supervisor or department head to no longer meet the operational needs of the department. In the event an FWA or TWA is discontinued, the department will notify the employee, and IT Central, as far in advance of the discontinuation as is feasible under the circumstances.

An employee covered by a collective bargaining agreement shall be eligible for an FWA or TWA only to the extent it is expressly authorized by the collective bargaining agreement between the applicable union and the University.

Special Employee Requirements under FWA/TWAs

An employee with an FWA/TWA may, on occasion, need to work a regular schedule, attend an important meeting at the regular location, or participate in a training session outside of FWA/TWA hours/location. The employee's supervisor will give notice when special meetings or limited-duration alterations in FWA hours are necessary, and it will be the responsibility of the employee to make appropriate arrangements to attend.

Holidays/Paid Leave When the FWA Involves a Compressed Work Schedule

Paid **holidays** **(https://app.getguru.com/card/cq8ApE7i/Holidays)** , **vacation** **(https://app.getguru.com/card/T58444gc/Vacation)** and **sick days** **(https://app.getguru.com/card/TM5xa4ac/Sick-Time)** are based on a workday of 7 hours. When a paid holiday falls on an employee's regularly scheduled workday on a compressed work schedule, the employee will receive 7 hours of holiday pay, and will be required to make up the remaining time with accrued vacation leave.

An employee who takes vacation or sick leave during a compressed work schedule will have their vacation or sick time balance debited by the number of vacation or sick hours used, up to the number of hours in the employee's compressed workday.

Employee Information Security Responsibilities and Technology Requirements

All employees, including those with FWA/TWAs, are responsible for adhering to policies, laws, and regulations on information security and confidentiality. Employees must exercise due care in protecting the University's IT resources—including its data, devices, and systems—irrespective of work location or arrangements.

An employee with an FWA/TWA is responsible for ensuring that all hardware, software, and other equipment used to perform work according to an FWA/TWA are properly configured and maintained and that they are sufficient for the University's business needs, including security and quality of work. TWAs require the use of a university issued laptop or a Virtual Desktop. Both methods require review and approval from IT Central.

Related Topics

- **Changes of Schedule** (https://app.getguru.com/card/Tp8jde8c/Changes-of-Schedule)
- **General Advisory on Full-Time Employment** (https://app.getguru.com/card/cB5MBj9i/General-Advisory-on-FullTime-Employment)
- **Outside Work Policy** (https://app.getguru.com/card/ce8gXX4i/Outside-Work-Policy)
- **At Will Employment** (https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment)

NEPOTISM POLICY

Human Resources > HR Policies > Employment Policies

It is the policy of The New School to base appointments and promotions on qualifications and work performance. In keeping with this policy, members of the same family, including significant others, may be eligible for employment within the same department or area of the university. When members of the same family are recommended to work for the same supervisor, written approval of the arrangement by the appropriate senior officer will be required in advance. In such

cases, however, a supervisor-employee relationship cannot exist at the time of employment or thereafter, nor shall one member of the family relationship assume for the other the role of advocate or judge with respect to conditions of employment, salary, or promotion.

It should be clear that the reasons underlying such a restriction on employment, defined as applying to members of the same family, should apply with equal validity to those whose living arrangements approximate family relationships. Similarly, the university's **Policy on Conflicts of Interest** (https://app.getguru.com/card/TRzKn76c/Conflicts-of-Interest-Policy) indicates that familial and other personal relationships may constitute a conflict of interest which must be properly disclosed.

While general responsibility for assuring adherence to these policies must rest with those responsible for appointments and assignments which is generally the university's academic and administrative department heads, it is generally not recommended to have employees with family relationships work in the same unit.

Return to **University Policies** (https://app.getguru.com/card/cXzR7xRi/Policies-Overview) .

OUTSIDE WORK POLICY

Purpose

The New School recognizes the value that outside work activities bring to its administrators and to the University. Such activities may enhance the professional abilities of administrators, and bring credit to both them and the University. The New School encourages these activities so long as they do not interfere with the administrator's assigned duties and responsibilities, or create a **conflict of interest** (https://app.getguru.com/card/18154107-8d90-4d29-8720-6b7d92a0a087) .

Policy

Full-time administrators are expected to devote all of their professional time to their full-time positions at the university. Administrative responsibilities generally require complete attention and the flexibility to undertake a variety of tasks (as described earlier in this General Advisory) in pursuit of the university's mission and purposes. Administrators work on a twelve-month schedule, not on academic year schedule, so it is assumed that they will be at the University during most of the summer months.

If there is any question as to whether a particular outside work activity may interfere with an administrator's assigned duties, or create a conflict of interest, the administrator should discuss this with his/her supervisor. Supervisors, in turn, should likewise discuss such matters with, and obtain any needed approval from, their unit leadership. An **online form (https://drive.google.com/file/d/0B0RHdicPqe9dSWt0STJVbzh0RFE/view?resourcekey=0-mJXjziWw0tDQIShzWNVS9Q&usp=sharing)** is available to facilitate this process. Questions concerning the application of this policy may be submitted to Human Resources. The New School will assume no responsibility for outside work activities performed by an administrator, and the administrator should make clear to all involved that their outside work has no official connection with The New School.

Volunteer activities in professional organizations or in organizations related to higher education in general are encouraged. If such activities impinge upon the full-time commitment to the University or create a conflict of interest, the administrator should discuss the activity with their supervisor to decide how they can best be accommodated.

Other volunteer activities, unrelated to University work, which do not impinge upon or create a conflict of interest with the administrator's professional work commitment, are not the concern of this advisory.

Questions about new activities should be forwarded to the Vice President of Human Resources or the Provost. Such questions should be asked prior to agreement on any arrangements that would be an exception to this general advisory.

Related Topics

- **General Advisory on Full-Time Employment (https://app.getguru.com/card/32e7f24d-da1e-474e-9cbc-adc7d4582d82)**
- **University Policy on Outside Employment of Full-Time Faculty Members (https://app.getguru.com/card/e2b423c5-bb4f-4e23-bdb7-fa45c0a78d67)**
- **At Will Employment (https://app.getguru.com/card/ce9ac8da-810e-401d-a6a9-cd30676361bf)**
- **Flexible and Telework Arrangements Policy (https://app.getguru.com/card/b15511c7-9058-4157-aeca-47a2745af109)**

WORK HOURS AND CATEGORIES

Human Resources > HR Policies > Employment Policies

Scope

This applies only to administrative staff.

For more information on faculty ranking, please refer to the **Full Time Faculty Handbook (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** for full time faculty categories, and, the **Collective Bargaining Agreement (https://www.newschool.edu/human-resources/labor-relations)** between The New School and Academics Come Together, ACT-UAW, Local 7902 and The International Union, UAW for part time faculty categories.

Policy

For purposes of **salary administration** **(https://app.getguru.com/card/cL55aeoi/Salary-Administration-Policy)** , eligibility for overtime payments and employee benefits, the University classifies its administrative staff employees as follows:

- **Full-time employees.** Employees hired to work the University's customary, full-time, 35-hour work week on a regular basis. Such employees may be "exempt" or "nonexempt" as defined below. Note: employees scheduled to work a Sunday shift in additional to working four eight-hour days during the work week are considered full-time employees for the purposes of benefit eligibility.
- **Part-time employees.** Employees hired to work less than 35 hours per week. Part-time employees who work under 1,000 hours per calendar year are not eligible to receive benefits.
- **Temporary employees.** In some cases, the University will hire employees to work full-time or part-time with the understanding that their employment will be for a limited period of time. Temporary personnel in either category may be used as needed in, among others, the following situations:
  - Completion of extraordinarily heavy workloads;
  - Replacement of regular employees for limited periods of time;
  - Short-term assignments and projects; and/or
  - Special peak periods of business activity.

Note: Temporary employees may be offered and may accept new temporary assignments with the University without becoming regular employees. Temporary employees may be "exempt" or "nonexempt" as defined below.

Exempt/Nonexempt Status

- **Nonexempt employees.** Employees who are required to be paid overtime at the rate of time and one half their regular rate of pay for all hours worked beyond forty hours in a single workweek, in accordance with applicable federal wage and hour laws.
- **Exempt employees.** Employees who are not required to be paid overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty hours in a workweek. Executives, professional employees, officers, most managers and certain employees in administrative positions are typically exempt. Exempt employees are expected to stay as long as necessary to complete assigned tasks, notwithstanding the absence of any entitlement to overtime pay.

If an employee changes positions during his/her employment as a result of a promotion, transfer, or otherwise, the employee will be informed of any change in his/her exemption status.

Employees should direct any questions regarding their employment classification and exemption status to their supervisor.

Related Topics

- **Salary Administration Policy (https://app.getguru.com/card/cL55aeoi/Salary-Administration-Policy)**
- **General Advisory on Full-Time Employment (https://app.getguru.com/card/cB5MBj9i/General-Advisory-on-FullTime-Employment)**

WORK MODALITY FOR ADMINISTRATIVE STAFF POSITIONS

Administrative Staff Positions are defined as Full-time employees, Part-time employees, and Temporary employees as outlined in **Work Hours and Categories (https://app.getguru.com/card/TKxLRAMc/Work-Hours-and-Categories)** and not intended to include student employees or academic student workers. All administrative staff position **job descriptions (https://app.getguru.com/card/cqB69pGi/Position-Approval)** should identify the position's **work modality.**

Definitions

- **On campus position.** A position work mode in which the employee is expected to work in the University's place(s) of business during regularly scheduled work hours due to the nature of the work being that which is not feasible, or not in the best interest of the organization, to be performed remotely.
- **Remote Position.** A position work mode in which employees work outside the University's place(s) of business (i.e. remotely) with no presence anticipated in the University's place(s) of business. Positions designated as fully remote must be approved by Human Resources and candidates must reside in a state approved by the University.
- **Hybrid Position.** A position work mode in which an employee splits their work schedule between in-person work at their regular work location and at a remote work location. There are two types of hybrid positions:
  - Hybrid A (Fixed Split): Hybrid work mode where employees have regularly scheduled, consistent percentage of time in the University's place(s) of business (e.g. 1-4x/week) and also work some of the time off campus.
  - Hybrid B (Primarily Remote, On-Campus as Needed): Hybrid work mode where employees primarily work beyond the University's place(s) of business, with **occasional presence required** in the University's place(s) of business **with advanced notice**. These employees will also be expected to use their **best judgment** to be on campus when

necessary in order to best fulfill the responsibilities of their job descriptions.

The university may only change the designated work mode of a position through a formal job description review with Human Resources demonstrating a change in the essential function of the role. If it is determined by the department head that a remote or hybrid position is no longer meeting the operational or academic needs of the department, the department head should contact their **Strategic HR Partner** **(https://app.getguru.com/card/T8dzGxqc/Shared-Services-HR-Team)** to discuss.

Considerations for Remote and Hybrid Positions

Supervisors shall clearly define measurable and results-oriented performance requirements and standards for each remote or hybrid employee. Supervisors will regularly monitor the employee's performance in accordance with departmental needs and University policy.

On Campus Work Space

All administrative staff are encouraged to utilize the university's coworking spaces (https://app.getguru.com/card/iaAre9oT/Admin-Hub-Contact-and-Operating-Hours) .

Employees in a remote or hybrid position will generally be assigned to a shared workspace or use one of the university's reservable workstations when working on campus. On campus work space assignments are made by the Director of Space Planning in partnership with the Provost Office (where appropriate) in accordance with the **Work Space Assignment Guidelines (https://app.getguru.com/card/ToBnx78c/Work-Space-Assignment-Guidelines-NYC-Campus)** and may be adjusted based on regular evaluations.

Travel Expense Reimbursement

Remote/hybrid employees will occasionally be asked to come to the office on a day when they were otherwise scheduled to work remotely. Some of these instances include departmental staff meetings, training sessions, planning meetings, etc. Remote/Hybrid employees may be required to attend these events in person.

Employees will generally not be paid for the time spent traveling to campus for these events, nor will they be reimbursed for mileage to and from the telecommuting site to campus subject to applicable laws. All employees, regardless of work mode are invited to participate in the **Qualified Transportation Expense (https://app.getguru.com/card/cKk9zBKi/Qualified-Transportation-Expense-Plan)** (QTE) plan.

Only employees recruited into a position designated as fully remote at the time of hiring, where the job description explicitly states there is no expectation for on-campus presence, will be compensated for travel per the **University Travel Expense policy (https://app.getguru.com/card/c98B6nki/Business-Expense-Policy-03-Business-Travel)** .

In all cases where the university pays for an employee's travel expenses, the reimbursement is considered compensation subject to all applicable taxes and withholdings.

Furniture and Equipment

The employee will establish an appropriate designated work area within their home for work purposes, or, make use of the university's **on-campus coworking spaces, (https://app.getguru.com/card/iaAre9oT/Admin-Hub-Contact-and-Operating-Hours)** which includes reservable workstations, computers, meeting rooms with web conferencing technology, printer/copiers, and office supplies. Employees will not be reimbursed for furniture, supplies, or utilities expenses.

The University will determine, with information supplied by the employee and the Supervisor, the appropriate equipment needs for each remote or hybrid arrangement on a case-by-case basis per the **University Business Expense Policy (https://app.getguru.com/card/cp8Bzz7i/Business-Expense-Policy-10-Other-Business-Expenses)** . The University reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment may include hardware and software such as:

- Laptop and peripherals such as a monitor, mouse, and headphones
- Cisco Jabber for phone service
- Collaboration platforms include Google Workspace and Zoom

Equipment supplied by the University will be maintained by the University. Equipment supplied by the employee, if deemed appropriate by the University, will be maintained by the employee. The University accepts no responsibility for damage or repairs to employee-owned equipment.

An employee in a remote or hybrid position is responsible for ensuring that all hardware, software, and other equipment used to perform work is properly configured and maintained and that they are sufficient for the University's business needs, including security and quality of work. Employees are required to use of a university issued laptop or a Virtual Desktop. Both methods require **review and approval from IT Central (https://app.getguru.com/card/irAe7r4T/Laptop-Choice-Program-Policy)** .

Information Security Responsibilities and Technology Requirements

With the exception of phone calls placed or received on Employee-owned mobile phones, all work performed for the University must occur on equipment supplied by the University. Employees should refer to the **Standard for Handling Institutional Information (https://ispo.newschool.edu/standards/information-handling/)** . In accordance with the University's **Acceptable Use Policy (https://ispo.newschool.edu/policies/acceptable-use/)** ,

equipment supplied by the University is to be used for business purposes only.

Consistent with the University's expectations of information asset security for employees working at the office, remote/hybrid employees will be expected to ensure the security and confidentiality of University materials taken, sent or accessible from their home office. Steps include, but are not limited to, use of locked file cabinets, disk boxes and desks, regular password maintenance, and any other steps appropriate for the job and the environment. Information about The University's stakeholders and students must be kept in strict confidence. Remote/hybrid employees are responsible for adhering to all policies, laws, and regulations related to information security, confidentiality, and proprietary information including the **Information Security Policy (https://ispo.newschool.edu/policies/information-security/)** , the **Privacy & Data Protection Policy (https://ispo.newschool.edu/policies/privacy-data-protection/)** , and the **Student Privacy Notice (https://ispo.newschool.edu/notices/students/)** .

Related Topics

- **General Advisory on Full-Time Employment (https://app.getguru.com/card/cB5MBj9i/General-Advisory-on-FullTime-Employment)**
- **Work Space Assignment Guidelines - NYC Campus (https://app.getguru.com/card/ToBnx78c/Work-Space-Assignment-Guidelines-NYC-Campus)**
- **Business Expense Policy (https://app.getguru.com/card/T68jqopc/Business-Expense-Policy)**

INTRODUCTORY PERIOD POLICY FOR ADMINISTRATIVE STAFF

Purpose

The *Introductory Period* is a 90 day probationary period during which time the covered employee and manager evaluates the suitability of the placement. The probationary period allows an employee time to become proficient in the basic responsibilities of a new position and permits the manager to assess the individual's performance.

Scope

This policy applies to employees hired into non-union administrative staff positions. Administrative staff positions ("covered employees") are defined as Full-time employees, Part-time employees, and Temporary employees as outlined in **Work Hours and Categories (https://app.getguru.com/card/TKxLRAMc/Work-Hours-and-Categories)** .

This Policy does not apply to administrative staff who transfer into a new position, faculty, student employees, academic student workers, or any university employees or positions covered under a collective bargaining agreement ("CBA") or other contract; please refer to the applicable CBA/contract for any provisions on probation. Faculty should consult with the appropriate chairperson or dean and/or refer to the **Faculty Handbook (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** for any applicable policies.

Policy

The *Introductory Period* takes place during the first 90 calendar days of employment following hire into an administrative staff position. Nothing in this Policy, however, shall be construed to affect or

change a covered employee's **at-will status** (https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment) .

During this period, the new employee's performance will be evaluated and their manager will conduct an Introductory Period Performance Review. The **employee** (https://app.getguru.com/card/cygXMpgi/Introductory-Period-Policy-for-Administrative-Staff-1-Guidance-for-Employees) and **manager** (https://app.getguru.com/card/TagRzpxc/Introductory-Period-Policy-for-Administrative-Staff-2-Guidance-for-Managers) will communicate frequently during this time period to ensure that performance expectations are clear and resources are provided to acclimate the employee to their new role. If for any reason, at or before the end of this period, the employee is dissatisfied with the job or if it is determined that they are not suited for the work, they may resign or be separated from employment.

If a position is reclassified, an *Introductory Period* will generally be waived if the incumbent has satisfactorily performed the duties of the position for a period of time equal to, or greater than, the normal probationary period.

Introductory Period Completion

After the successful completion of the *Introductory Period*, employment with the university will be considered **at-will** (https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment) unless otherwise specified in a written agreement. Successfully completing the *Introductory Period* does not imply a guarantee or expectation of continued employment. At-will means that either the employee or the university can terminate the employment relationship at any time, with or without cause or notice, subject to applicable laws and any other agreements in place.

Extending the Introductory Period Beyond 90 Days

On occasion, managers may see a need to request an extension to the introductory period. This should be only used for exceptional circumstances and must be reviewed and approved by Human Resources.

Reasons to Ask for an Extension

- Manager was unable to provide adequate training or onboarding in the first 90 days. This may be because the manager was out on leave, due to vacancies or other unexpected reason out of the managers control.
- Direct supervisor/reporting line changes or is scheduled to change within or immediately following the 90 days.
- Employee has not worked approximately 50% of the introductory period due to medical or other leave of absence.
- Employee is actively involved in an investigative process with HR or the Office of Title IX/EEO.

Process to Request

When an extension is required, managers should reach out to their **Strategic HR Partner (https://app.getguru.com/card/T8dzGxqc/Shared-Services-HR-Team)** or **Kar Estrella (mailto:estrellk@newschool.edu)** to request an extension on or before day 80 of the Introductory Period. To request an extension:

1. Managers should fill out this **request form (https://forms.gle/Bsk5p5ctd2DYegU87)**
2. Once the form has been submitted, managers should submit their request for an extension in writing by emailing their SHRP or Kar Estrella directly.

Procedures

Guidance for Managers (https://app.getguru.com/card/TagRzpxc/Introductory-Period-Policy-for-Administrative-Staff-2-Guidance-for-Managers) Policy-for-Administrative-Staff-2-Guidance-for-Managers)

Guidance for Employees (https://app.getguru.com/card/cygXMpgi/Introductory-Period-Policy-for-Administrative-Staff-1-Guidance-for-Employees)

Additional Information

Policy adopted November 1, 2023.

The Vice President of **Human Resources** (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview) shall have responsibility for administration of this Policy.

UNIVERSITY POLICY ON HARASSMENT, DISCRIMINATION, PROHIBITED RELATIONSHIPS, TITLE IX AND NON-TITLE IX SEXUAL HARASSMENT AND MISCONDUCT (EFFECTIVE 10/5/2023)

Human Resources > HR Policies > Harassment & Discrimination Policy

I. POLICY STATEMENT

The New School is committed to creating and sustaining an environment where students, faculty and staff can study, work and thrive unhampered by discrimination or harassment. The University strives to maintain a welcoming and collegial environment for employees, students, guests and visitors, who are expected to treat each other with respect and professionalism. The University will

not tolerate discrimination or harassment based on an individual's race, creed, color, national origin, sex, gender, gender identity or expression, age, mental or physical disability, ethnicity, sexual orientation, genetic predisposition or carrier status, religion, pregnancy, veteran status, marital or partnership status, caregiver status or any other basis protected by applicable local, state or federal laws. Nor does the University tolerate unprofessional or bullying behavior among members of the campus community.

Discrimination and harassment can be detrimental to the academic, creative and work experience, and have no place in our community. The New School will take all action necessary to prevent, correct and discipline behavior that violates this standard of conduct. Due diligence will be used to ensure that such action is taken as expeditiously as possible. The University will make every effort to provide assistance, resources and support to complainants (the individual making the complaint) of this behavior in a thorough and sensitive manner.

Those members of the University community found responsible for discriminatory, harassing or retaliatory behavior, as described below, will be subject to the full range of institutional disciplinary actions, up to and including termination from the University. Non-members of the community such as guests or visitors, who engage in such behavior on campus, at campus events or within campus programs, may be barred from campus property and/or referred to the institutions or employers with whom they are affiliated. Guests and visitors of the University impacted by discrimination and harassment are protected by these policies and procedures.

A reported violation of any University policy, which is motivated by the actual or perceived membership of an individual in a protected class may be investigated and remedied under this policy. Misconduct related to or coinciding with an investigation into a violation of this policy, may also be investigated under this policy. However, misconduct that does not violate this policy, will be resolved and remedied under the appropriate University policy.

This policy is designed to comply with applicable legal requirements including Title IX of the Education Amendments of 1972, relevant provisions of the Violence Against Women Reauthorization Act of 2013, Title VII of the Civil Rights Act of 1964, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, ADA 504, NY Education Law Article 129 B, other relevant NYS and NYC Human Rights Laws, as well as the 2020 Title IX Final Rule Regulations.

II. SCOPE OF THE POLICY

This policy applies to students, employees, visitors, volunteers, guests, recipients and/or providers of The New School programs or services, participants in internships and field placements, subcontractors and applicants for employment. The policy also pertains to The New School sponsored events that occur off campus, as well as off campus incidents that have a substantial on campus impact or effect on members of the University community. This policy also applies to off campus and online speech or conduct that causes a substantial disruption to University operations and/or its mission or substantially and negatively impacts members of the campus community. The University reserves the right to invoke disciplinary proceedings against a member of the campus community who is charged with violating local, state or federal law for conduct occurring off campus.

Pursuant to NY Education Law Article 129B, this policy also applies to cases involving allegations of sexual assault, dating violence, domestic violence or stalking against students that have a reasonable connection to the University, whether the alleged conduct occurred on campus, off campus or while studying abroad. When such conduct involves students from other institutions, the institutions may work collaboratively, while maintaining compliance with the Family Educational Rights and Privacy Act (FERPA).

See attached policy addendum for jurisdiction of Title IX Sexual Harassment.

III. INDIVIDUAL SPEECH GUIDELINES AND ACADEMIC FREEDOM

The New School is strongly committed to encouraging the free flow of thoughts and ideas essential to higher education (see University Policies on Freedom of Artistic Expression and Free Exchange of Ideas in the Institutional Policies and Procedures Manual). Although The New School does not encourage offensive or insensitive speech, the principles of free speech and academic freedom may limit the University's ability to restrict speech that is academically germane or pedagogically appropriate. However, speech that rises to the level of discrimination and/or harassment, as defined in this policy, may not be protected by academic freedom and/or free speech, and may be considered a violation of this policy.

IV. DISCRIMINATION

Discrimination is any action that deprives or tends to deprive individuals of educational or employment access, benefits or opportunities on the basis of the individual's actual or perceived protected status, as described above, or practice that adversely impacts members of one protected class more than others.

V. DISCRIMINATORY HARASSMENT

Discriminatory harassment is unwelcome conduct that creates an intimidating, hostile or abusive work, academic, student residential or co-curricular environment; alters the conditions of employment or education or unreasonably interferes with an individual's work or academic performance on the basis of the individual's actual or perceived membership in a protected class. Harassment may include, but is not limited to:

- verbal abuse, epithets, slurs or negative stereotyping
- threatening, intimidating or hostile acts

- denigrating jokes
- obscene comments or gestures
- offensive or derogatory displays or circulations (including electronic) in the work, academic or student residential environment
- written or graphic material that disparages or shows hostility or aversion toward an individual or group

Determinations of whether conduct is intimidating, abusive or hostile will be based on objective and subjective factors, including the totality of the circumstances, as well as the nature of the conduct. A reasonable person in the complainant's position is the standard that determines whether the conduct created a hostile environment.

Non-Title IX Sexual Harassment

Non-Title IX Sexual harassment is a form of discrimination that includes harassment on the basis of sex, gender, gender identity or expression, sexual orientation or the status of being transgender. Sexual harassment includes unwelcome conduct of a sexual nature or which is directed at an individual because of that individual's sex, gender, gender identity or expression, sexual orientation or the status of being transgender. It includes visual, verbal, non-verbal or physical conduct and when:

- Submission to such conduct is implicitly or explicitly a term or condition of the individual's academic, co-curricular, student life or employment status or used as a basis for academic, co-curricular, student life or employment decisions affecting the individual ("quid pro quo"), or
- The conduct has the purpose or effect of unreasonably interfering with the individual's academic, social, student residential or work performance by creating a hostile environment, regardless of whether the conduct is directed toward that or any specific individual, or
- Such conduct is intentional, serves no legitimate purpose and involves contact with parts of another person's body and which causes the person to feel degraded or abused or is

committed for the purpose of gratifying the other person's sexual desire.

See policy addendum for the definition of Title IX Sexual Harassment.

Non-Title IX Hostile Environment

A hostile environment occurs when the unwanted and objectionable conduct is based upon the individual's actual or perceived membership in a protected class and limits or denies or unreasonably interferes with an individual's work or academic experience (including student residential, campus life or co-curricular). A single or isolated incident of harassment or discrimination may create a hostile environment.

Examples of conduct that can constitute harassment include:

- Verbal or non-verbal unwelcome sexual advances, innuendos or propositions, racial or sexual epithets, derogatory slurs, offensive or denigrating jokes.
- Derogatory visual posters, cartoons or drawings, suggestive objects or pictures, graphic commentary, leering or obscene gestures.
- Threatening, intimidating or causing physical harm or other conduct that threatens or endangers the health or safety of any person on the basis of their actual or perceived membership in a protected class.
- Bullying, defined as repeated and/or aggressive conduct, including non-verbal conduct and speech, likely to intimidate, humiliate or intentionally hurt, control, silence, exclude, isolate, or diminish another person physically or mentally, regardless of whether that conduct is based on their actual or perceived membership in a protected class.

Prohibited Relationships

The relationship between faculty and students is central to the mission of The New School. Although we do not wish to discourage collegial relationships between faculty and students, given the fundamentally asymmetrical nature and power differential inherent in these relationships, even the appearance of voluntary consent to a romantic, dating or sexual relationship by the student, may be questionable.

These risks are also inherent in romantic, dating or sexual relationships between University staff in unequal positions, like supervisors and subordinates or senior and junior faculty members. The power dynamics of these relationships may also impact other members of the campus community. Personal ties of this nature should not be allowed to interfere with the academic or work environment. In light of the above:

- All romantic, dating or sexual relationships between staff or faculty (those in instructional positions, including Teaching Assistants, Teaching Fellows and Tutors) and students (graduate and/or undergraduate) are prohibited by this policy.
- All employees (faculty and staff) are prohibited from entering into a newly formed (i.e., commencing subsequent to starting employment at The New School) romantic, dating or sexual relationship with any employee for whom they have direct or indirect supervisory or evaluative responsibility.
- All employees (faculty and staff) who have a pre-existing ***1** (i.e., commencing prior to assuming the supervisory or evaluative responsibilities) romantic, dating or sexual relationship with an individual for whom they subsequently assume supervisory or evaluative responsibilities (directly or indirectly) are required to report this relationship immediately to their Chief/Dean. The Chief /Dean in concert with the Chief Legal and Human Resources Officer shall determine whether, in the best interests of the University, a change in supervisory or evaluative responsibilities can be made to accommodate this relationship.
- All employees (faculty and staff) who have a pre-existing (i.e., commencing prior to the student's association with the University) romantic, dating or sexual relationship with any

student (graduate and/or undergraduate) are required to report this relationship immediately to their Chief/Dean. The Chief/Dean in concert with the Chief Legal and Human Resources Officer shall determine whether, in the best interest of the University, a change in responsibilities is necessary to accommodate this relationship.

Failure to abide by any of the requirements described above is a violation of this policy and will result in serious disciplinary sanctions up to and including termination of employment. ***2**

- Notwithstanding the above, collegial, academic and/or professional meetings, interactions and one-on-one discussions occurring on or off campus between faculty, staff and students are an integral and acceptable part of the academic environment of the University. Relationships that fall outside the parameters of professional, collegial or academic interactions can be problematic. Whether a relationship is romantic, dating or sexual will be evaluated on a case by case basis and analyzed through the lens of a reasonable person in the complainant's position. ***3** Examples include, but are not limited to, the following:
- Having lunch or dinner with a student to discuss an academic issue may be appropriate. However, having lunch or dinner with a student in furtherance of an intention to make a sexual overture to or initiate a romantic, dating or sexual relationship with the student is prohibited.
- Meeting with a student in your office to discuss an academic issue may be appropriate. However, arranging with the student to meet you in a restaurant in furtherance of an intention to make a sexual overture to or initiate a romantic, dating or sexual relationship with the student is prohibited.

***1** Any romantic, dating or sexual relationship between an employee (faculty or staff) and an individual for whom the employee has supervisory or evaluative responsibilities that exists prior to the effective date of this policy will be considered a "pre-existing" relationship and should be reported in the manner described above.

***2** Exceptions may be made in cases involving lack of knowledge of the student's status or other extenuating circumstances. The absence of an academic, supervisory or other power relationship will be an important factor in determining the appropriate sanction.

***3** Romantic, dating and sexual relationships may exist on the basis of a single interaction. Physical contact is not a required element of a romantic or dating relationship.

VI. SEXUAL MISCONDUCT

Sexual Assault

Sexual assault is sexual activity, including sexual acts and/or sexual contact, which occurs without affirmative consent ***4** (defined within) to engage in the activity.

Sexual Act

- Contact, however slight, between the penis and vagina or the penis and the anus without affirmative consent, or
- Contact between the mouth and the penis, the mouth and the vagina, the mouth and the anus or genital to genital contact without affirmative consent, or
- Penetration, however slight, of the anal or genital opening of another by hand, finger or any object, with the intent to abuse, humiliate, harass, degrade or gratify the sexual desire of any person and without affirmative consent.

Sexual Contact

- The intentional touching, either directly or through clothing, of the genitals, anus, groin, breast, inner thigh or buttocks of any person without affirmative consent and with the intent to abuse, humiliate, harass, degrade or gratify the sexual desire of any person.

Sexual Exploitation

Sexual exploitation is non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, humiliation, harassment or any illicit purpose. Acts of sexual exploitation may include, but are not limited to:

- Streaming, sharing or distributing images, photography, video or audio recordings of sexual conduct, nudity or state of undress when there is a reasonable expectation of privacy and without the knowledge and affirmative consent of all participants.
- Observing, photographing, videotaping or making any other visual or audio recording of sexual conduct or nudity or state of undress when there is a reasonable expectation of privacy and without the knowledge and affirmative consent of all participants.
- Exposing one's genitals in non-consensual circumstances.
- Inducing incapacitation without the participant's consent for the purpose of sexual activity.
- Knowingly transmitting a sexually transmitted infection or HIV to another person.
- Engaging in forced prostitution related activity involving a member of the campus community.
- Knowingly tampering with birth control or condoms without the consent of the participants.

Affirmative Consent

Affirmative consent to engage in sexual activity is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. ***5** Consent can be given by word or action, as long as those words or actions create clear permission to engage in the sexual activity. Silence or the lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs or alcohol. Consent may be initially given but withdrawn at any time.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness, being asleep, being involuntarily restrained or if the individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of coercion, intimidation, force or threat of harm. An individual under the age of 17 cannot consent to sexual activity in New York. When consent is withdrawn or can no longer be given, sexual activity must stop.

***4** There can be no consent to a prohibited relationship given the fundamentally asymmetrical power differential.

***5** There can be no consent to a prohibited relationship given the fundamentally asymmetrical power differential.

VII. RELATIONSHIP VIOLENCE

Dating Violence

Dating violence is the use of physical violence, coercion, threats, intimidation or other forms of emotional, psychological or sexual abuse directed toward an individual, who is or has been in a social relationship of a romantic or intimate nature with the accused. It includes behaviors that intimidate, manipulate, humiliate, isolate, frighten, coerce, threaten or physically injure the individual. A romantic or intimate relationship may exist whether the relationship is sexual or not. Dating violence can be a single act or a pattern of behavior, depending upon the severity of the conduct. The existence of a dating relationship shall be determined based upon the complainant's statement, as well as such factors as the length of the relationship, the type of the relationship and the frequency of interactions between the parties involved in the relationship.

Domestic Violence

Domestic violence is the use of physical violence, coercion, threats, intimidation or other forms of emotional, psychological or sexual abuse directed toward a current or former spouse, intimate partner, person with whom one shares a child or a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, or anyone protected from the accused's acts under the domestic or family violence laws of New York. To categorize as domestic violence, the relationship between the complainant and the accused must be more than two people living together as roommates and must be the type of relationship as noted above. Domestic violence includes behaviors that intimidate, manipulate, humiliate, isolate, frighten, coerce, threaten or physically injure the individual. Domestic violence can be a single act or a pattern of behavior, depending upon the severity of the conduct.

VIII. STALKING

Stalking is a course of unwanted and repeated conduct directed at an individual or group of individuals, designed for no legitimate purpose and which causes a reasonable person to be in fear for their safety or the safety of others or to suffer substantial emotional distress. Stalking can take many forms and may include conduct where the stalker directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person or interferes with a person's property.

IX. RETALIATION

Retaliation is an intentional adverse action or threatened action taken by an accused individual or allied third party that harms or attempts to harm another individual as reprisal for filing a complaint, supporting a complainant or otherwise participating in a proceeding pursuant to this policy. Retaliation includes intimidating, threatening, disparaging, coercing or in any way

discriminating against an individual as reprisal for the individual's complaint or participation in an investigation or proceeding.

Retaliation is an offense separate and apart from the underlying policy violation and will be considered and acted upon independently. The New School will not tolerate any retaliation against an individual or group for making a complaint of harassment or discrimination in good faith under this policy or for participating in an investigation.

X. INTENT

Failure to recognize that one's behavior is harassing or discriminatory to an individual or group is not an acceptable defense to discrimination, harassment or retaliation. Differences in perception will be resolved based upon the standard of a reasonable person in the complainant's position.

XI. COOPERATION

All members of the University community including students, faculty and staff are expected to assist and cooperate in the application of this policy and in investigations conducted pursuant to this policy. Any person who knowingly misrepresents the truth or whose willful action or inaction obstructs the application of these procedures will be subject to disciplinary action.

XII. REPORTING

Required Reporting for Responsible Employees

All employees of the University, with the exceptions of those designated as confidential resources (Counseling Services, Student Health Services and the Faculty/Staff /Student Ombuds) are considered **Responsible Employees** of the University and are required to report all allegations of

harassment or discrimination for which they have notice. Reports should be made as follows:

- For incidents involving students contact Cassita Charles-Bowie, Student Title IX Investigator, at charlesc@newschool.edu.
- For incidents involving faculty and staff contact Rhonnie Jaus, Vice President for Equal Employment Opportunity, Affirmative Action, Compliance and Title IX Coordinator, at jausr@newschool.edu
- You may utilize the Harassment/Discrimination Reporting Form **here. (https://docs.google.com/forms/d/e/1FAIpQLSdAn8yvtaEWUOI7ybYa1RdBn7adl7sY6M3eYXorMl1p-IxBSw/viewform)**

Student employees (both graduate and undergraduate) are not **Responsible Employees** under this section. However, students employed as Resident Advisors, Resident Housing Directors, Teaching Assistants, Teaching Fellows, Peer Advisors and Orientation Leaders are **Responsible Employees** of the University and required to report as indicated above.

Reports Involving Minors

The New School is committed to the prevention of child abuse. All employees who have reasonable cause to suspect abuse or maltreatment of an individual under the age of 18 are directed to inform Campus Safety, who will report this information to the NY State Child Abuse and Maltreatment Hotline. Reports can also be made directly to the hotline at 800-342-3720. See Policy on Minors on Campus in the Institutional Policies and Procedures Manual.

Confidentiality and Privacy in the Reporting Process

The New School strongly encourages all members of the campus community to report allegations of discrimination or harassment under this policy. However, individuals who do not wish to make a formal report, but wish to speak with someone confidentially, can utilize the confidential on-campus resources of the Student Counseling Services, Student Health Services or the Faculty/Staff

/Student Ombuds. Individuals can also utilize off campus confidential resources listed in the Appendix. Confidential resources will not release information without the express consent of the individual.

Student Amnesty

The health and safety of every student at The New School is of the utmost importance. The New School recognizes that students who have been drinking and/or using drugs (whether voluntary or involuntary) at the time of the violence, including but not limited to dating violence, domestic violence, stalking or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their conduct. The New School strongly encourages students to report dating violence, domestic violence, stalking or sexual assault to University officials. A bystander (witness) acting in good faith or a complainant acting in good faith, who discloses an incident of dating violence, domestic violence, stalking or sexual assault to University officials or law enforcement will not be subject to student conduct action for violations of alcohol or drug use occurring at or near the time of the commission of the dating violence, domestic violence, stalking or sexual assault.

Hate Crimes

The New School is committed to the prevention of hate crimes and strongly encourages all members of the community to report them. A hate crime is defined as an offense that either (a) intentionally selects the person against whom the offense is committed or intended to be committed because of a belief or perception regarding the protected class of the person, regardless of whether the belief or perception is correct, or (b) intentionally commits the act or acts constituting the offense because of a belief or perception regarding the protected class of the person is correct.

XIII. THE REPORTING PROCESS

All students, employees and third parties who believe they have observed or been subjected to discrimination, harassment, including sexual assault, dating violence, domestic violence, stalking or retaliation are strongly encouraged to report this to the University in accordance with the procedures set forth in this policy.

- For complaints involving students contact: Cassita Charles-Bowie, Student Title IX Investigator at Charlesc@newschool.edu.
- For complaints involving faculty/staff or third parties or for any question regarding this policy contact: Rhonnie Jaus, Vice President for Equal Employment Opportunity, Affirmative Action, Compliance and Title IX Coordinator at Jausr@newschool.edu.
- You may report anonymously online to **https://www.pavesuite.com/Newschool/PublicPortal/AcademicMisconductIncident (https://www.pavesuite.com/Newschool/PublicPortal/AcademicMisconductIncident)**
- In case of emergency or if you need immediate assistance contact Campus Safety at 212-229-7001.
- You may utilize the Harassment/Discrimination Reporting Form **here (https://docs.google.com/forms/d/e/1FAIpQLSdAn8yvtaEWUOI7ybYa1RdBn7adl7sY6M3eYXorMl1p-IxBSw/viewform)** .

Notice

Regardless of whether a complainant files a complaint or requests action, if the University has notice of discrimination or harassment, as outlined in this policy, a prompt, thorough and impartial investigation of the allegations will be commenced.

Reports to the Police and Other External Proceedings

A complainant may contact the local or state police directly, whether or not a complaint has been filed with the University. The University can provide assistance in notifying law enforcement. Reports to local police should be made to the precinct of occurrence or to the Special Victims Report Line at 646-610-7272.

The University's investigation is independent of any criminal or civil investigation or proceeding. The University's investigation and related proceedings may be carried out prior to, simultaneously with or subsequent to, any related criminal or civil proceeding and will not be subject to challenge or delay based on the grounds that criminal or civil proceedings involving the same incident have been dismissed, reduced or pending. Short delays in University proceedings may be allowed for law enforcement to conduct their investigation.

Timing of the Investigation

There is no time limit for when a complaint may be brought to the attention of the University. However, significant delays in reporting may impair the University's ability to investigate the allegation.

The University will make every effort to investigate and resolve a case within 120 days from the time notice is received. However, depending upon the complexity of the case and/or the nature of the allegations, as well as other factors, this time period may be extended at the discretion of the University.

XIV. INVESTIGATIONS FOR NON-TITLE IX ALLEGATIONS

Upon receipt of a complaint (or notice) of discrimination, harassment or retaliation, an investigation of the allegations will be commenced. The investigation will be conducted in a

prompt, thorough and impartial manner, and may include:

- Interviews with the complainant and the accused
- Interviews of relevant witnesses
- Consideration of relevant evidence, including information submitted by either party
- If the accused is a member of any bargaining unit, they are entitled to have a union representative accompany them to the interview. The union representative may appear only in an advisory capacity and may not actively participate in the proceedings.
- Either party may be accompanied to the interview by an advisor of choice. ***6*** The advisor of choice may appear only in an advisory capacity and may not actively participate in the proceedings.
- The investigator will make every effort to keep the complainant informed about the status of the investigation.

Interim Measures

At any time during the investigation, the investigator may recommend reasonable interim protections or measures for the parties involved. These measures may include separating the parties, placing limitations or restrictions, no-contact orders, suspension, alternative workplace schedules, student residential housing adjustments, transportation or academic accommodations or adjustments.

These measures are available regardless of whether the complainant pursues a complaint under this policy. Efforts will be made to minimize the burden on the complainant whenever practicable. Upon reasonable request, the accused and/or complainant will be afforded a prompt review of the interim measures, including potential modification. Either party will be permitted to submit evidence in support of such request.

***6** Limitations may be placed on the selection of the advisor of choice due to such factors as the reporting structure of the parties or the nature of the case.

XV. DETERMINATIONS AND RESOLUTIONS FOR NON-TITLE IX CASES

The investigator/s will complete the investigation in a timely fashion and render a determination based upon the preponderance of the evidence. The preponderance of the evidence means that what is sought to be shown, is more likely than not to have occurred. All parties to the investigation (complainant and accused) will receive a written determination of the outcome of the investigation.

In cases involving faculty and staff, the University reserves the right to take summary disciplinary action pursuant to the University Code of Conduct and/or existing University employment procedures, including those contained in applicable Collective Bargaining Agreements, the Institutional Policies and Procedures Manual and the Full-Time Faculty Handbook.

Faculty and staff have the right to appeal outcome determinations pursuant to the guidelines set forth in the Full-Time Faculty Handbook, the Institutional Policies and Procedures Manual or the applicable Collective Bargaining Agreement.

Allegations of non-Title IX offenses against student respondents (individuals who are accused) will be handled under the Student Code of Conduct. Students in those cases have the right to appeal the outcome determinations pursuant to the procedures set forth in the Student Non-Academic Disciplinary Procedures.

XVI. FALSE COMPLAINTS

A complainant who knowingly makes false allegations against a member of the University community in bad faith will be subject to disciplinary action. An inquiry into a false complaint may be resolved through a separate investigation.

XVII. POLICY REVIEW

This policy may be reviewed for possible revision every three years or as otherwise deemed necessary.

XVIII. DISCLOSURE

Notwithstanding the above, the University reserves the right to disclose the outcome of an investigation unless prohibited by law.

NEW PROCEDURES FOR TITLE IX SEXUAL HARASSMENT AND MISCONDUCT

Only incidents that fall within the below definition and jurisdiction of Title IX sexual harassment and occur on or after August 14, 2020, the effective date of the regulations, will be handled under the procedures listed below. Alleged misconduct that falls outside the scope of this definition and jurisdiction or prior to the effective date, will be handled under existing University policies and procedures.

JURISDICTION OF TITLE IX SEXUAL HARASSMENT

The jurisdiction for Title IX sexual harassment includes allegations of sexual harassment (as defined below) occurring in the University's education program or activity in the United States,

including any on campus premises, any off campus premises over which the University has substantial control, as well as buildings or property owned or controlled by a recognized student organization. It also includes activity occurring within computer and internet networks, digital platforms and computer hardware or software owned or operated by, or used in the operations of University programs and activities over which the University has substantial control.

DEFINITION OF TITLE IX SEXUAL HARASSMENT

Title IX sexual harassment includes any conduct that satisfies one or more of the following:

- Quid pro quo sexual harassment involving allegations that an employee conditioned educational benefits on participation in unwelcome sexual conduct;
- Unwelcome conduct on the basis of sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies a person equal access to the University's education programs or activities;
- Sexual assault (as defined in the Clery Act) which includes any sex act directed against another person without consent, including where the victim is incapable of giving consent. It includes offenses that meet the following definitions:
    - Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person without consent.
    - Fondling: The touching of the private body parts of another person for the purpose of sexual gratification and without the consent, including instances where the victim is incapable of giving consent because of age or temporary or permanent mental incapacity.
    - Incest: Sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by New York law.
    - Statutory Rape: Sexual intercourse with a person under the age of sexual consent in New York (seventeen)
- Dating Violence, Domestic Violence and Stalking (as defined in the Violence Against Women Act (VAWA) Amendments to the Clery Act). See definitions of these terms in Sections VII and

VIII of above policy.

ACTUAL NOTICE IN TITLE IX SEXUAL HARASSMENT CASES

Upon receipt of actual notice of an allegation of Title IX sexual harassment, the University must respond in a manner that is not deliberately indifferent, meaning not unreasonable under known circumstances. Actual notice is defined as written or oral notice from any source, including anonymous reports or information, provided to the Title IX Coordinator or any University official with authority to institute corrective measures on behalf of the University. Officials with authority to institute corrective measures on behalf of the University include Deans and Department Heads.

Responding in a manner that is not deliberately indifferent includes:

- Promptly contacting the complainant.
- Apprising the complainant of available supportive measures, which may include academic adjustments, support and accommodations, counseling resources, housing resources, work schedule adjustments, increased security and no-contact orders, regardless of whether a formal complaint is filed.
- Providing the complainant with an explanation of the grievance process for Title IX sexual harassment cases and how a formal complaint can be filed.

FORMAL GRIEVANCE PROCESS FOR TITLE IX SEXUAL HARASSMENT CASES

Only a formal complaint signed by the complainant (or other indication that the complainant is the person filing the complaint) or the Title IX Coordinator can initiate the formal grievance process for Title IX sexual harassment cases. The formal complaint must be in writing- including electronic submissions- and allege conduct constituting Title IX sexual harassment under the above definition and jurisdiction by a respondent and request initiation of the Title IX grievance

procedures. At the time of the filing of the formal complaint the complainant must be participating in or attempting to participate in the education programs or activities of the University.

DISMISSAL OF THE FORMAL COMPLAINT IN TITLE IX SEXUAL HARASSMENT

The University must dismiss a formal complaint of Title IX sexual harassment if:

- The alleged conduct does not meet the above definition of Title IX sexual harassment;
- The alleged conduct did not occur in the University's education program or activity, or in the United States.

The University may dismiss a formal complaint of Title IX sexual harassment if:

- The complainant informs the Title IX Coordinator or designee in writing that they wish to withdraw the complaint;
- The respondent is no longer enrolled or employed at the University;
- There are circumstances which prevent the University's ability to gather evidence sufficient to reach a determination.

Written notice of a dismissal of the formal complaint, along with an explanation for the dismissal, must be provided to both parties. Dismissal of the formal complaint is appealable and does not preclude the University from addressing this conduct under another University policy.

NOTICE IN TITLE IX SEXUAL HARASSMENT CASES

- After the filing of a formal complaint, the University will send written notice of the allegation of Title IX sexual harassment to both parties as soon as practicable. The notice must include sufficient details known at the time the notice is issued, such as the identity of the parties involved in the incident, if known, including the complainant, the conduct allegedly

constituting the covered sexual harassment, and the date and location of the alleged incident, if known. The notice must apprise the parties of their right to have an advisor of choice present at the proceedings and the right to inspect and review all the evidence before the conclusion of the investigation.

- The notice must also include a statement that the respondent is presumed not responsible until a determination of responsibility is made at the conclusion of the formal grievance process, and that knowingly making false statements or submitting false information during the grievance procedure is prohibited.

EMERGENCY REMOVALS

During the pendency of the proceedings, the respondent can be removed from an educational program or activity if:

- After conducting an individualized safety and risk analysis, there is a determination that the respondent poses an immediate threat to the physical health or safety of an individual.
- The threat must arise from the allegations of sexual harassment.
- The respondent must have the opportunity to challenge the removal immediately thereafter.
- Employee respondents can be placed on administrative leave.

INFORMAL RESOLUTION FOR TITLE IX SEXUAL HARASSMENT CASES

After a formal complaint is filed, the University can initiate an informal resolution at any time prior to reaching a determination regarding responsibility that does not require a full investigation and adjudication provided that:

- Both parties are given written notice of the allegations and the requirements of the informal resolution process, including the circumstances under which it precludes the parties from

resuming a formal complaint arising from the same allegations;

- Both parties voluntarily agree in writing to participate in the informal resolution process;
- At any time prior to agreeing to the informal resolution, a party has the right to withdraw from the informal resolution process and resume formal grievance proceedings on the formal complaint.
- The University has discretion to utilize various forms of informal resolutions, including mediation and restorative justice.
- Informal resolution is not available in cases where an employee is alleged to have sexually harassed a student.

INVESTIGATION OF TITLE IX SEXUAL HARASSMENT CASES

- The University will conduct an investigation of the allegations, which may include speaking with the parties, other witnesses and considering evidence. The University has the burden of proof and the burden of gathering evidence during the investigation.
- All parties have the opportunity to present evidence and request that witnesses be interviewed.
- The University cannot use privileged records of any witness/party without the consent of the witness/party.
- All parties will be provided with written notice of meeting dates/times, as well as the right to attend meetings with an advisor of choice. The advisor of choice may act only in an advisory capacity at these meetings.
- Prior to the completion of the investigation, the University will send each party and their advisor, if any, all evidence (in hard copy or digital form) directly related to the allegations raised in the formal complaint for inspection and review. The parties will have up to 10 calendar days to submit a written response to this evidence, which the investigator will consider before completing the investigative report.

- The University will send the completed investigative report which fairly summarizes the evidence to each party and their advisor, if any, for review at least 10 calendar days prior to the hearing. If a party wishes to submit a written response to the investigative report, the party must submit the report at least 2 calendar days prior to the scheduled start of the hearing.

HEARINGS IN TITLE IX SEXUAL HARASSMENT CASES

- The University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live/virtual hearing.
- No party can waive the right to a live/virtual hearing. The University can still proceed with the live hearing in the absence of a party and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" of that party. A decision maker cannot draw an inference about the determination of responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination questions.
- The hearing will be conducted live/virtually in real time.
- A decision maker or panel of decision makers will render the decision in the hearing.
- Each party must be accompanied to the hearing by an advisor of choice.
- If either party does not have an advisor of choice, the University will provide one free of charge to the party. There is no requirement that the University provide an attorney or advisor of equal competence, as long as the advisor has received training.
- The advisor can ask the party or witnesses relevant questions on cross examination. Parties are not permitted to ask questions of witnesses or other parties during the hearing.
- The decision maker or hearing officer will determine whether the proposed question is relevant prior to the advisor being permitted to ask the question. The decision maker or hearing officer must explain any decision to exclude a question.

- If a party or witness does not submit to cross examination, the decision maker cannot rely on any statement they have made in determining responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The standard of evidence used at the hearing is preponderance of the evidence (see definition above).
- Complainants cannot be asked questions about their sexual history, unless it goes directly to the issue of consent to the alleged conduct or the identity of the accused.
- Privileged evidence of a party/witness may not be used during the hearing without the consent of the party/witness.
- Both parties will receive a written outcome determination letter of the proceedings that includes findings of fact, conclusions of policy violations, rationale for the decision, as well as any disciplinary sanction or recommendations. The letter will also contain information about how to file an appeal.
- For the range of possible sanctions for student cases see attached appendix. In employee matters disciplinary sanctions range up to and including termination of employment.
- The University will maintain a record of the proceedings.

RIGHT TO APPEAL IN TITLE IX SEXUAL HARASSMENT CASES

Both parties have the right to appeal (1) the determination of responsibility at the hearing, and

(2) dismissals of a formal complaint or any allegations therein, on one of the following grounds:

- A procedural irregularity occurred that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator, decision maker or hearing officer had a conflict of interest or bias against complainants or respondents generally or the individual complainant

or respondent that affected the outcome of the matter.

All appeal requests must be sent in writing to the Appellate Decision Maker within 5 calendar days of being notified of the determination of responsibility or dismissal of the formal complaint. The opposing party will be notified in writing when an appeal is filed. Each party can submit a written statement in support of or challenging the responsibility determination or dismissal of the complaint within 10 calendar days of the notification of the appeal. The Appellate Decision Maker will then issue a written decision on the outcome of the appeal to both parties within 10 business days, which will be final.

If no appeal request is filed within 5 calendar days—the determination of responsibility or dismissal of the complaint will be final.

RETALIATION IN TITLE IX SEXUAL HARASSMENT CASES

Retaliation (as described above in Section IX) is prohibited against any individual for bringing or refusing to bring a complaint of Title IX sexual harassment or for participating in the investigation of such a case.

TIME FRAMES FOR THE TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS

Upon the filing of a formal complaint of Title IX sexual harassment, the University will conclude the grievance process within 120 business days, subject to limited extensions supported by good cause. If good cause is established, written notice of the extension will be provided to the parties. The University has discretion to grant or deny requests for limited extensions. The 120-day period does not include the time allotted for the appeals process.

Engaging in an informal resolution process tolls the time period for completion of the formal grievance process. If either party subsequently withdraws from the informal resolution process, the

grievance process clock restarts from the point when the parties entered the informal resolution process.

XIV. APPENDIX

A. Student Bill of Rights

STUDENT BILL OF RIGHTS:

For sexual assault, dating violence, domestic violence and stalking.

Complainants of the above offenses are entitled to:

1. The right to make a report to the local law enforcement and/or the state police;

2. The right to have disclosures of sexual assault, dating violence, domestic violence and stalking treated seriously;

3. The right to make a decision about whether or not to disclose a crime or violation and participate in the university disciplinary process and/or criminal justice process free from pressure from the university;

4. The right to participate in a process that is fair, impartial and provides adequate notice and meaningful opportunity to be heard;

5. The right to be treated with dignity and to receive from the university courteous, fair and respectful health care and counseling services where available;

6. The right to be free from any suggestion that the reporting individual is at fault when these crimes and violations were committed, or sho uld have acted in a different manner to avoid such crimes or violations;

7. The right to describe the incident to as few university representatives as practicable and not be required to unnecessarily repeat a description of the incident;

8. The right to be protected from retaliation by the university, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the university;

9. The right to at least one level of appeal of a determination;

10. The right to be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the university disciplinary proceedings including all meetings and hearings related to such proceedings;

11. The right to exercise civil rights and the practice of religion without interference by the investigative, criminal justice or disciplinary proceedings of the University.

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Contact info

THE NEW SCHOOL

B. On Campus Resources

For Students

Student Health and Counseling Services

80 Fifth Avenue, 3rd floor, New York, NY 10011

212.229.1671 (Nurse Response will answer the phone after hours)

SHS@newschool.edu

Walk-in Hours for both counseling and medical are available on the SHS website

Student Support and Crisis Management

72 Fifth Avenue, 4th floor, New York, NY 10011

212.229.5900 x3656

studentsupport@newschool.edu (mailto:studentsupport@newschool.edu)

Student Conduct and Community Standards

72 Fifth Avenue, 4th floor, New York, NY 10011

212.229.5900 x3701

studentconduct@newschool.edu (mailto:studentconduct@newschool.edu)

Title IX Investigator for Students

Cassita Charles-Bowie, 79 Fifth Avenue, 5th floor

212.229.5900 x4088

charlesc@newschool.edu (mailto:charlesc@newschool.edu)

titleixcoordinator@newschool.edu (mailto:titleixcoordinator@newschool.edu)

Campus Security Office

68 Fifth Avenue, Mezzanine Level

212.229.7001 (24 hours)

For Employees

Human Resources

Rhonnie Jaus

VP for Equal Employment Opportunity, Affirmative Action, Compliance and Title IX

80 Fifth Avenue, 8th floor

212.229.5671

jausr@newschool.edu (mailto:jausr@newschool.edu)

titleixcoordinator@newschool.edu (mailto:titleixcoordinator@newschool.edu)

Employee Assistance Program

888.238.6232 (24 hours)

Resourcesforliving.com (http://resourcesforliving.com)

HR website (https://www.newschool.edu/human-resources/)

Faculty and Staff Ombuds (https://www.newschool.edu/faculty-staff-ombuds/)

Ann-Lou Shapiro

66 West 12th Street, Room 714

shapiroa@newschool.edu (mailto:shapiroa@newschool.edu)

ombuds@newschool.edu (mailto:ombuds@newschool.edu)

646.830.0530

C. Off Campus Resources

Hospitals and Treatment Centers:

Bellevue Hospital Center—Sexual Assault Response Team

462 First Avenue, CD Building, room CD408 (at East 26th Street)

212.562.3435 or 212.562.3755

Beth Israel Rape Crisis and Domestic Violence Intervention Program

Beth Israel offers a variety of services to survivors of sexual abuse and domestic violence, including medical care, counseling, and information and referral, as well as information, training, and advocacy.

Department of Social Work

317 East 17th Street (between First and Second Avenues)

212.420.5632

Crime Victims Treatment Center (CVTC)

www.cvtcnyc.org (http://www.cvtcnyc.org)

CVTC is the largest and most comprehensive hospital-based victim assistance program in New York State.

Mount Sinai West: 1000 Tenth Ave (between 58th and 59th Streets)

Mount Sinai St. Luke's: 1111 Amsterdam Avenue (between 114th and 115th Streets)

Lenox Health Greenwich Village

32 Seventh Avenue (between 12th and 13th Streets)

New York City Domestic Violence Hotline

dial 311, 24 hours per day, 7 days per week

Additional Resources:

New York State Domestic Violence Hotline

1.800.942.6906

24 hours per day, 7 days per week

New York City Gay and Lesbian Anti-Violence Project

212.714.1141

24 hours per day, 7 days per week

Safe Horizon

866.689.HELP (4357) Crime Victims' Hotline

800.621.HOPE (4673) Domestic Violence Hotline

212.227.3000 Sexual Assault Hotline

www.safehorizon.org (http://www.safehorizon.org)

St. Luke's Roosevelt Crime Victims Treatment Center

www.cvtc-slr.org (http://www.cvtc-slr.org)

Midtown Office

432 West 58th Street, ground floor

New York, NY 10019

212.523.8200

Uptown Office

411 West 114 Street, suite 2C

New York, NY 10025

212.523.4728

Rape, Abuse, and Incest National Network (RAINN (https://www.rainn.org/))

RAINN is a national anti-sexual assault support and advocacy organization. The website includes resources and information on sexual violence, abuse, and assault.

800.656.4673

New York City Alliance Against Sexual Assault

The **alliance website** **(https://www.svfreenyc.org/)** serves as a source for locating hospitals, treatment, prevention, and police intervention. It also contains emergency response information for victims of rape and sexual assault.

D. Medical Care and Evidence Collection

Anyone who believes they have been a victim of sexual misconduct, relationship violence or any other form of violence is strongly encouraged to seek medical attention as soon as possible. In case of sexual assault be mindful of preserving all possible evidence. Do not change clothes, shower, douche, comb your hair, brush your teeth, eat or drink. Place any relevant evidence (i.e. sheets, towels) in a paper bag and bring it with you to the hospital or give it to the police.

If the incident occurred within 96 hours of the hospital examination, a medical professional will administer a sexual assault evidence collection kit at the hospital. Medical care and preventive treatment will also be provided. The following nearby hospitals provide advocates 24 hours per day, 7 days per week, to assist victims of sexual assault:

Lenox Hill Healthplex 30 Seventh Avenue (between 12th and 13th Streets) 646.665.6000

Mount Sinai-Beth Israel Hospital Emergency Room 16th Street (between 1st and 2nd Avenues 212.420.2000

Mount Sinai-Roosevelt Hospital Emergency Department 1000 Tenth Avenue (near 59th street) 212.523.4000

Please note that going to the hospital does not require an individual to make a report to the police. It is the individual's decision to report to the police. To learn more about the evidence collection

procedure please visit (REPLACE LINK!)

https://www.health.ny.gov/professionals/safe/docs/evidence_collection_kit_guidelines.pdf

(https://www.health.ny.gov/professionals/safe/docs/evidence_collection_kit_guidelines.pdf%20%20%20E.%20LEGAL%20OPTIONS%20(NEW%20CARD))

E. Legal Options

Victims of sexual misconduct, relationship violence or any other form of violence are strongly encouraged to report these incidents to the local/state police and/or to campus safety. Reports to the police can be made to the precinct where the incident occurred or to the NYPD Special Victims Report line at 646.610.7272. A report to the police may lead to an arrest and criminal prosecution. Criminal proceedings are independent of campus disciplinary proceedings. The Office of Student Support and Crisis Management, as well as Campus Safety are available to aid in contacting the police.

Individuals may also pursue civil remedies which are independent of the criminal or campus proceedings. Legal assistance may be obtained by contacting the New York City Bar Association at 212.382.6600.

Applicable NYS Laws and Penalties

CRIME	CLASS	MAXIMUM PENALTY
Sexual Misconduct	A misdemeanor	1 year
Rape 3rd Degree	E felony	4 years
Rape 2nd Degree	D felony	7 years
Rape 1st Degree	B felony	25 years

Criminal Sexual Act 3rd Degree	E felony	4 years
Criminal Sexual Act 2nd Degree	D felony	7 years
Criminal Sexual Act 1st Degree	B felony	25 years
Forcible touching	A misdemeanor	1 year
Sex Abuse 3rd Degree	B misdemeanor	3 months
Sex Abuse 2nd Degree	A misdemeanor	1 year
Aggravated Sex Abuse 4th Degree	E felony	4 years
Aggravated Sex Abuse 3rd Degree	D felony	7 years
Aggravated Sex Abuse 2nd Degree	C felony	15 years
Aggravated Sex Abuse 1st Degree	B felony	25 years
Facilitating A Sex Offense with a controlled substance	D felony	7 years

F. Student Disciplinary Sanctions

The New School's student conduct process is founded on educational ideals that reflect the University's mission. The New School is committed to educating students and encouraging respect for all members of our community. The New School has no tolerance for violations of the attached policy. Penalties for those found responsible are noted below:

Offense	Range of Penalties
Sexual Exploitation	From Disciplinary Probation up to Suspension
Stalking	From Disciplinary Probation up to Suspension

Dating/Domestic Violence	From Disciplinary Probation up to Suspension
Non-Consensual/Forced sexual contact without intercourse	From Disciplinary Probation up to Expulsion
Non-Consensual/Forced sexual contact with intercourse	From Suspension up to Expulsion

In cases of repeat offenders, the minimum sanction will be one-year suspension regardless of the violation.

G. Stop Sexual Harassment Act Factsheet (http://chrome-extension/efaidnbmnnnibpcajpcglclefindmkaj/https://www.nyc.gov/assets/doc/downloads/EEO/Stop_Sexual_Harassment_Fact_Sheet.pdf)

STOP SEXUAL HARASSMENT ACT FACTSHEET

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the information sheet requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to $250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at **www.dhr.ny.gov**.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at **www.eeoc.gov**.

@NYCCHR

NYC.gov/HumanRights

NYC Commission on Human Rights

BILL DE BLASIO
Mayor

CARMELYN P. MALALIS
Commissioner/Chair

H. Stop Sexual Harassment Notice

STOP SEXUAL HARASSMENT ACT NOTICE

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To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at **www.eeoc.gov**.

@NYCCHR
NYC.gov/HumanRights

NYC Commission on Human Rights
BILL DE BLASIO, Mayor
CARMELYN P. MALALIS, Chair/Commissioner

AVISO SOBRE LA LEY PARA DETENER EL ACOSO SEXUAL

Todos los empleadores deben proporcionar un aviso por escrito sobre los derechos de los empleados de conformidad con la Ley de Derechos Humanos de la Ciudad de Nueva York mediante un afiche exhibido y una hoja de información distribuida a cada empleado en el momento de la contratación. Este documento cumple con el requisito del afiche.

La Ley de Derechos Humanos de la Ciudad de Nueva York

La Ley de Derechos Humanos de la Ciudad de Nueva York, una de las leyes más rigurosas contra la discriminación del país, protege a todas las personas contra la discriminación debido al género, lo que incluye el acoso sexual en el lugar de trabajo, la vivienda y espacios públicos, como tiendas y restaurantes. Quienes infrinjan esta ley pueden ser responsables de sanciones civiles de hasta $250,000 en el caso de una infracción intencionada. La Comisión también puede evaluar concederle a la víctima una indemnización por daños y perjuicios debido a angustia emocional y otros recursos, exigirle al infractor asistir a una capacitación y ordenar otras medidas, como servicio comunitario.

El acoso sexual según la ley

El acoso sexual, una forma de discriminación en función del género, es el comportamiento físico o verbal no deseado en relación con el género de una persona.

Algunos ejemplos de acoso sexual

- Tocar a los empleados o clientes de manera inapropiada.
- Amenazar o actuar de manera adversa luego de que una persona rechaza una insinuación sexual.
- Hacer comentarios lascivos o sexuales sobre el aspecto, cuerpo o la forma de vestir de una persona.
- Condicionar ascensos u otras oportunidades en función de favores sexuales.
- Mostrar imágenes, dibujos o grafitis pornográficos en computadoras, correos electrónicos, teléfonos celulares, tableros de anuncios, etc.
- Hacer comentarios sexistas o despectivos en función del género.

La ley prohíbe las represalias

Es contrario a la ley que un empleador tome medidas en su contra por oponerse o expresarse en contra del acoso sexual en el lugar de trabajo. La Ley de Derechos Humanos de la Ciudad de Nueva York prohíbe a los empleadores tomar represalias o discriminar "de cualquier forma a una persona" por oponerse a una práctica discriminatoria ilegal. Las represalias pueden manifestarse a través de acciones directas, como descensos o despidos, o a través de comportamientos más sutiles, como un aumento en la carga de trabajo o la transferencia a un lugar menos deseable. La Ley de Derechos Humanos de la Ciudad de Nueva York protege contra las represalias a las personas que creen de buena fe que el comportamiento de su empleador es ilegal, incluso si resultan estar equivocadas.

Denuncie el acoso sexual

Si cree que es víctima de acoso sexual, infórmele lo antes posible a un gerente, al representante de igualdad de oportunidades laborales de su lugar de trabajo o al Departamento de Recursos Humanos.

Denuncie el acoso sexual ante la Comisión de Derechos Humanos de la Ciudad de Nueva York. Llame al 718-722-3131 o visite NYC.gov/HumanRights para saber cómo presentar una queja o denunciar un acto de discriminación. Usted puede presentar una queja de forma anónima.

Recursos del gobierno estatal y federal

El acoso sexual también es ilegal en virtud de la ley estatal y federal.

Para presentar una queja ante la División de Derechos Humanos del Estado de Nueva York, visite el sitio web de la División en **www.dhr.ny.gov**.

Para presentar cargos ante la Comisión para la Igualdad de Oportunidades en el Empleo (EEOC) de los EE. UU., visite el sitio web de la EEOC en **www.eeoc.gov**.

@NYCCHR

NYC.gov/DerechosHumanos

NYC Comisión de Derechos Humanos

BILL DE BLASIO
Alcalde

CARMELYN P. MALALIS
Presidenta/Comisionada

I. Rights for Students in Sexual Assault, Dating Violence, Domestic Violence and Stalking Cases

Pursuant to NYS Ed Law 129 B, students reporting allegations of sexual assault, dating violence, domestic violence or stalking to University personnel shall be apprised of the following rights at the time of their initial disclosure:

- The right to make a report to campus safety, the local or state police or to choose not to report.
- The right to report the incident to the University and be protected by the University from retaliation for reporting.
- The right to receive assistance and resources from the University.
- The right to 24/7 emergency access to the Title IX Coordinator or appropriate designee, who can provide information on options on how to proceed, preserve evidence and obtain a sexual assault exam, as well as the differences between the criminal justice system and University proceedings, confidentiality and other reporting options.

Additional Rights Provided to Students in Sexual Assault, Dating Violence, Domestic Violence and Stalking

- If the accused is an employee, the right to disclose the incident to a confidential or private employee in Human Resources
- The right to receive assistance from an appropriate University employee in initiating legal proceedings in family or civil court
- The right to withdraw a complaint or involvement with University proceedings at any time. The University may still have obligations to proceed.
- The right to a “no contact order” in cases where the accused is a student.

- The right to assistance from campus safety in obtaining an order of protection or restraining order from the courts.
- The right to receive a copy of the order of protection and assistance in understanding it.
- The right to receive assistance from campus safety in effecting an arrest when the order of protection is violated on campus.
- The right to request interim measures when the accused is a student who presents a continuing threat to the health and safety of the community.
- The right to request interim measures when the accused is not a student but is a member of the University community and presents a continuing threat to the health and safety of the community, in accordance with applicable collective bargaining agreements and the policies of the University.
- The right to request student conduct proceedings be filed against an accused student. Both parties have the right to present witnesses and evidence at these proceedings and be accompanied by an advisor of choice to all meetings, who will act in an advisory capacity only. Both parties have the right to review the record and receive notice of the final determination in the case and the right to appeal.
- The right to have all complaints investigated promptly and impartially by individuals who have received annual training.
- Both parties have the right to exclude their own sexual history with persons other than each other from the proceedings. They also have the right to exclude their mental health history from the proceedings. However, past findings of domestic violence, dating violence, sexual assault or stalking may be admissible at the sanction stage
- If a student is found responsible for sexual assault, domestic violence, dating violence or stalking, a sanction of suspension or expulsion will result in a notation on the student's transcript. Students may request removal of a suspension notation no sooner than one year after the conclusion of the suspension, while notations for expulsion may not be removed. Should a student withdraw from the University while such charges are pending and decline to

participate in the disciplinary process, a notation will be added to the student's transcript.

J. Legal Protections and External Remedies for Sexual Harassment

Sexual harassment is prohibited by The New School, as well as by state, federal and local law. In addition to the internal process at The New School, employees may choose to pursue legal remedies with the following governmental entities.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State and protects employees, paid or unpaid interns and non-employees regardless of immigration status against sexual harassment. A complaint alleging a violation of the HRL may be filed either with DHR or in the New York Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual does not file with DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Complaining internally to The New School does not extend the time to file with DHR or in court. The one year or three years commences from the date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR and there is no cost.

DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies, but may include requiring the employer to stop the harassment or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

Contact DHR at NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458 (718)741-8400, (888) 392-3644 or visit **dhr.ny.gov/complaint** **(https://dhr.ny.gov/complaint)** for more information about filing a complaint. The website has a complaint form that can be downloaded. The website also contains contact information for DHR's regional offices.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act. A complaint can be filed with the EEOC within 300 days of the harassment. There is no cost to file a complaint. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. The EEOC will then issue a Right to Sue letter which permits an individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an employee believes they have been a victim of workplace discrimination they can file a "Charge of Discrimination." The EEOC has district and field offices where complaints can be filed. Contact the EEOC at 800-669-4000, (800-669-6820 (TTY)) **www.eeoc.gov** **(http://www.eeoc.gov)** or **info@eeoc.gov** **(mailto:info@eeoc.gov)** . If an administrative complaint is filed with DHR, they can file the complaint with EEOC to preserve the right to proceed in federal court.

Legal Protections

Contact the New York City Commission on Human Rights to file a complaint of harassment. Contact: Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th floor, New York, NY or call 311 or 212- 306-7450 or **www.nyc.gov/html/cchr/html/home/home.shtml**

(http://www.nyc.gov/html/cchr/html/home/home.shtml)

Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Where to Find Support

The following organizations provide resources and services related to sexual harassment and discrimination. This is not a comprehensive list of New York service providers related to sexual harassment and discrimination:

NOW NYC Helpline

NOW NYC offers referrals for callers needing help with employment discrimination, divorce and custody, financial empowerment, intimate partner violence, and sexual assault.

http://nownyc.org/service-fund/get-help/ (https://nownyc.org/womens-justice-now/get-help/)

212.627.9895

A Better Balance

Free, legal helpline offers confidential information about workplace rights, including sexual harassment, pregnancy discrimination, breastfeeding, and work-family issues.

info@abetterbalance.org

212.430.5982

New York State Bar Association

Lawyer Referral and Information Service

www.nysba.org (http://www.nysba.org)

800.342.3661

Law Help NY

Legal information for New Yorkers who cannot afford an attorney

www.LawHelpNY.org (http://www.lawhelpny.org)

Legal Momentum Equality Works Program

Litigation against employers who have maintained or practiced discrimination

www.legalmomentum.org (http://www.legalmomentum.org)

212.925.6635

City Bar Justice Center

http://www.citybarjusticecenter.org (http://www.citybarjusticecenter.org)

212.626.7373 or 7383

Lambda Legal

www.lambdalegal.org (http://www.lambdalegal.org)

866.542.8336

Time's Up Legal Defense Fund

https://nwlc.org/legal-assistance/ (https://nwlc.org/legal-assistance/)

MINORS ON CAMPUS POLICY

Human Resources > HR Policies > Minors on Campus

Purpose

To provide guidelines for appropriate protection and supervision of minors participating in The New School (TNS)-sponsored programs, in programs operated by outside entities held in University facilities, and/or programs housed in University facilities.

Scope

This policy does not apply to general public events where parents/guardians are invited and expected to provide appropriate protection and supervision of minors.

All TNS employees, Authorized Adults and/or Required Reporters are subject to the terms of this policy.

Definitions

1. **Authorized Adult** – An individual, age 18 and older, paid or unpaid, who is authorized to interact with, supervise, chaperone, or otherwise oversee minors in program activities, or recreational and/or residential facilities. Authorized Adults are considered to be Required Reporters as defined by pending New York state law.

2. **The Central Register (aka "Hotline")** – An organizational unit of the New York State's Office of Children and Family Services which operates a statewide toll-free system for receiving reports of suspected child abuse refers such reports for investigation and maintains the reports in the Statewide Central Register of Child Abuse and Maltreatment.
3. **Direct Contact** – Position which exercises direct supervision, guidance, or control of minors.
4. **Minor** – A person under the age of eighteen (18) who is not enrolled in a credit-bearing program at the University.
5. **One-On-One Contact** –Interaction between any Authorized Adult and a minor without at least one other Authorized Adult, Parent or Legal Guardian present.
6. **Programs** – Programs and activities offered by any academic or administrative unit of the University, or by non-University groups using University facilities.
7. **Required Reporters** – Persons who, in the course of their employment, occupation, or practice of their profession come into contact with children and have reasonable cause to suspect, on the basis of their medical, professional or other training and experience, that a child coming before them in their professional or official capacity is a victim of child abuse.
8. **Sponsoring Unit** – The academic or administrative unit of the University that offers a program or gives approval for use of University facilities.
9. **University Facilities** – Facilities owned by, or under the control of, the University.

Policy

See the below sections for related policy details:

1. **Duty to Report Child Assault, Abuse and Neglect (https://app.getguru.com/card/iKxLxogT/Minors-on-Campus-Policy-1-Duty-to-Report-Child-Assault-Abuse-and-Neglect)**
2. **Policy for Programs Involving Minors Operated by any Unit of The New School (https://app.getguru.com/card/c94Gkndi/Minors-on-Campus-Policy-2-Policy-for-**

Programs-Involving-Minors-Operated-by-any-Unit-of-The-New-School)

3. **Policy for Programs Involving Minors Operated by Outside Parties in The New School Facilities** (https://app.getguru.com/card/Tej4gzkc/Minors-on-Campus-Policy-3-Policy-for-Programs-Involving-Minors-Operated-by-Outside-Parties-in-The-New-School-Facilities)

Related Topics

- **Background Investigations** (https://app.getguru.com/card/iKxLRn9T/Background-Investigations)
- **Protecting Youth Training** (https://app.getguru.com/card/TajRbgxc/New-Hire-Checklist-2-Your-First-Week)
- **Employment of Minors** (https://app.getguru.com/card/iaj9qb9T/Employment-of-Minors)

DRESS POLICY

Human Resources > HR Policies > Other Policies

Purpose

The New School is committed to fostering an inclusive, respectful, and professional workplace environment that reflects the diversity and creativity of our community. This dress code policy is intended to balance the need for appropriate workplace attire with the freedom for employees to express their individuality and cultural identity.

We encourage employees to express themselves through their appearance in a manner that is authentic, respectful, and appropriate to their role. This policy is designed to ensure that all

members of our community feel comfortable and empowered, while maintaining standards that support a safe, professional, and welcoming environment.

Employees are expected to maintain a standard of personal hygiene and dress that is clean, neat, and suitable for the responsibilities of their position. Department leaders may establish additional guidelines as necessary, based on the nature of the work performed.

Scope

This policy applies to faculty, staff, temporary workers, and student workers.

Policy

Professional Attire

Employees should dress in a manner that reflects professionalism and awareness of the university setting. Attire should be appropriate to the setting and the duties performed, particularly in roles involving public interaction or representing the university.

Individual Expression and Creativity

The university values personal expression and encourages employees to incorporate elements of their personality, style, and cultural background into their attire. This may include clothing, accessories, hairstyles, or body art (such as tattoos or piercings), provided such expression does not:

- Disrupt the workplace or the operations of the University;
- Pose a safety or health risk; or
- Violate applicable university policies.

Cultural Sensitivity

Employees are expected to be mindful and respectful of the cultural, religious, and personal significance of attire—both their own and that of others. Questions or concerns related to culturally or religiously significant dress should be directed to Human Resources or an employee's supervisor.

Safety and Functionality

Employees must ensure that their clothing and accessories are safe and functional for the tasks they perform. Certain departments—such as The Making Center, academic laboratories, and Campus Safety—may require specific attire or prohibit certain items for health and safety reasons. These departmental requirements take precedence over general guidelines.

In some areas, employees may be required to wear uniforms or personal protective equipment (PPE) in accordance with applicable regulations and operational protocols.

Footwear

Footwear must be professional, practical, and safe. While the university does not maintain a formal footwear policy, employees are expected to avoid shoes that may create safety hazards or cause disruption in the work environment.

Inclusivity Across Gender Identities

The university affirms the right of all employees to wear attire consistent with their gender identity and expression. This policy is inclusive of all gender identities and is intended to ensure a respectful environment free from discrimination or bias.

Prohibited Attire

To maintain a professional and inclusive work environment, the following types of attire are not permitted:

- Clothing containing hate speech or discriminatory images, in violation of any applicable university policy;
- Excessively revealing, sheer, or any clothing that does not maintain a professional appearance;
- Garments that pose a safety hazard or interfere with job performance (e.g., tripping hazards, items that obstruct vision, or tight clothing that limits ease of movement);
- Torn, dirty, or otherwise unclean clothing.

Accommodations

The university will provide reasonable accommodations related to dress for religious, cultural, medical, or disability-related reasons. Employees requiring such accommodations are encouraged to contact the Human Resources - Benefits team.

Enforcement

Supervisors are responsible for addressing concerns related to attire in a respectful, consistent, and equitable manner. Repeated or serious violations of this policy may result in **corrective action in accordance with university procedures (https://app.getguru.com/card/cr4Kdrbi/Employee-Discipline-Policy)** .

Policy Administration

Responsible University Official: Vice President, Human Resources

Responsible Office: Human Resources

Contact Information: hrhelp@newschool.edu

Policy History

Effective Date: May 3, 2024

Last Reviewed Date: August 22, 2025

Next Review Date: 5 years from Last Reviewed date

Revision History:

- August 22, 2025: Guidelines revised to be more inclusive and representative of the culture at The New School.

DRUGS & ALCOHOL-FREE WORKPLACE POLICY

The University is committed to maintaining a safe, healthy and productive workplace for all its employees. The University strictly prohibits the manufacture, distribution, dispensation, possession, sale or use of any illegal drug, or the abuse of alcohol or any legal drug by employees. An employee on the job while under the influence of any drug or alcohol may pose a serious health and safety risk to himself or herself and to others, and may also interfere with productive and efficient school operations.

Therefore, employees are required to report to work free from the influence of any drug or alcohol. In addition, the manufacture, distribution, dispensation, possession, sale, or use of any illegal drug or alcohol, or the misuse of any legal drug in the workplace, in University vehicles or while engaged in University business off University premises is strictly prohibited. Any employee violating this

policy is subject to appropriate disciplinary action, up to and including discharge. In addition, and depending on the circumstances, other action, including notification to appropriate law enforcement agencies, may be taken with respect to any employee violating this policy.

The federal Drug-Free Workplace Act of 1988 requires that any employee who pleads guilty to or is convicted of any drug-related violation in the workplace or while conducting University business off premises must so inform **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** within five (5) days. Any employee who fails to report any such conviction or plea is subject to appropriate disciplinary action, up to and including discharge.

Applicants for employment may be required, as a condition of employment, to submit to an appropriate drug and alcohol test. In addition, the University reserves the right to require employees to undergo appropriate medical tests designed to detect the use of drugs and alcohol where, in the university's view, it has reason to believe that an employee may be under the influence of a drug or alcohol, or otherwise fails to cooperate fully with any investigation relating to this policy, including any refusal to submit to drug or alcohol testing, is subject to appropriate disciplinary action, up to and including discharge.

At its discretion, the University may require employees who violate this policy to complete successfully a drug or alcohol abuse assistance program as a condition of continued employment.

It is the responsibility of each employee to seek assistance before any drug or alcohol problem leads to disciplinary action. Enrollment in or use of a drug assistance program after an employee is found to have violated this policy will not necessarily lessen disciplinary action already imposed or otherwise impact the university's determination as to appropriate disciplinary action.

Below is the contact information for drug and alcohol counseling and support services centers.

- The New School Employee Assistance Program (212) 935-3030

- Alcohol Abuse Advisory and Consultation Center (212) 971-9213
- Alcohol Council of Greater New York (212) 979-6277
- Alcoholic's Anonymous (212) 683-3900
- National Council on Alcoholism (212) 206-6770
- St. Vincent's Alcohol Outpatient Clinic (212) 790-8273
- Beth Israel Hospital Substance Abuse Information Center (212) 420-2012
- Alanon (support group for friends and relatives of alcoholics) (212) 260-0407
- Narcotics Anonymous (212) 601-5817
- Cocaine Hotlines (800) 662-HELP(800) COCAINE

Related Topics

- **The New School Smoke and Electronic Cigarette Use-Free Workplace Policy (https://app.getguru.com/card/ir4kE9zT/The-New-School-Smoke-and-Electronic-Cigarette-UseFree-Workplace-Policy)**
- **Policy on Alcoholic Beverages and Illegal Drugs (https://app.getguru.com/card/id689dLT/Policy-on-Alcoholic-Beverages-and-Illegal-Drugs)**

GUIDELINES FOR AT-HOME ENTERTAINMENT

Purpose

We at The New School recognize two important facts: there are times when a more informal and casual environment is conducive to carrying out the work of the University; and entertainment

space is a scarce commodity in our community. Generally, University events should be held on campus or in a restaurant, and shall only be held in a private residence if absolutely necessary. With these factors in mind, this Policy endeavors to outline when such activity is permitted in an individual's home, and, if so, whether the costs associated with this activity will be reimbursed by the University.

Policy

Decisions regarding the use of an individual's home for a University sanctioned event shall be made in advance by the Dean or Vice President who supervises that individual or the expense of the event will not be covered. The approval of funding for University events in a residence does not constitute permission for inappropriate or illegal activity, including but not limited to, serving alcohol to individuals under 21 years of age, or to those who may be inebriated. Generally speaking, when the University sanctions an activity, it assumes some responsibility for the safety and well being of the people engaging in the activity. Therefore, the proposed activity must have a legitimate, educational purpose that furthers the goals of the University. Because it is neither practicable nor a desired consequence that the University inspect the premises of individuals who sponsor an activity in their home, it is the general policy that regular, ongoing activities, such as classes, individual lessons or counseling should not take place in individuals' homes. In addition, University sanctioned events may not occur in students' homes.

Once a decision has been made to permit an event in someone's home, the Dean or Vice President may then approve the expenditure of funds for the event. Not all events must be supported by University funds. The policy may cover the **catering of food and beverages (https://app.getguru.com/card/iqBpdgaT/Catering-Foodservice)** or ordering take out, but does not cover the purchase of tabletop goods such as glasses and plates. The use of University furniture for the event is not permitted. The hiring of security officers for the event will not be covered by the University, and the use of University security or maintenance personnel is not

permitted. University students or employees may not be used as servers for the event. For reimbursement, documentation of expenses is required in the form of receipts similar to those processed for other University **expense reimbursements (https://app.getguru.com/card/Tgja7xyc/Expense-Reports)** . Tips given to caterers or delivery drivers should be given at a reasonable customary rate. A Dean or Vice President should determine that the nature of the expenditure is reasonably related to supporting the proposed activity and that the amount of money being spent is appropriate for the activity.

The standards enunciated herein are intended to be flexible in order to permit Deans and Vice Presidents with the discretion to support the work of their staff. If guidance or support is required, please consult with the **Office of General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** and **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** or **The Office of Finance and Business (https://app.getguru.com/card/cnAyLe9i/Office-of-Finance-Business-FB-Overview)** on individual situations as they arise.

Additional Information

Where should people go for questions or assistance related to this policy?

INCLEMENT WEATHER GUIDELINES

Human Resources > HR Policies > Other Policies

Definitions

Inclement weather: Ice, snow, freezing rain or other events associated with adverse weather conditions.

Essential Employee: An employee is deemed essential if, in the judgment of their supervisor, they are critical and necessary to the discharge of duties and/or functions that can not be suspended or curtailed in whole or in part without leading to the failure of the department to furnish essential functions.

Essential Function: Any function that is designated as essential to the continued and safe operation of the campus. Essential functions may vary depending on the circumstances of the emergency.

Emergency Response Team: ("ERT") University leaders identified in the university's **Emergency Response Plan (https://app.getguru.com/card/TKxKzEoc/Accidents-and-Emergencies)** with overall strategic management of emergency operations during the emergency period.

Guidelines

The New School buildings will remain open and adhere to full operation whenever possible. During inclement weather, university offices and services will generally remain open during normal operating hours and available to students, faculty, and staff.

Closures or Delayed Starts

The university's **Emergency Response Team (https://app.getguru.com/card/TKxKzEoc/Accidents-and-Emergencies)** (ERT) will make the determination to close buildings, delay or cancel classes and/or events, in accordance with the *Emergency Response Plan*.

Whenever the NYC Metropolitan Transportation Authority (MTA) informs the public that they are going to shut down the system, the university ERT will recommend the closure of university buildings and cancellation of on-campus classes and events. If the MTA announces a shut down

during regular university operational hours, an early dismissal will be authorized by the ERT.

Whenever the NYC Department of Education (DOE) informs the public that they will hold virtual classes for K-12 public schools due to inclement weather, the ERT will recommend the closure of university buildings and cancellation of on-campus classes and events.

Offices and services that are necessary to fulfilling **essential** functions will typically remain open during periods of more severe inclement weather, even when other non-essential offices and services might limit operations. Department leaders should prepare for inclement weather by informing those employees (if any) who would perform essential duties (an "**Essential Employee**"), of the expectation to report to work and discuss transportation options if that poses difficulties for the employees.

In all instances, Faculty should work with the academic leadership for their program and/or Faculty Affairs to determine the best appropriate action related to virtual class session delivery, cancellations, and/or make-up sessions.

Communications

The university will make its best effort to announce any closings or delayed starts by 7 a.m. On days when weather conditions worsen as the day progresses, the university may decide to close early. In such cases, a decision and an announcement will be made as soon as practical. Employees will be expected to remain at work until the appointed closing time, unless their normal work day ends prior to that time, or unless they receive permission from their department head to do otherwise. Department heads are not authorized to unilaterally close an entire office unless in direct coordination with the **ERT** **(https://app.getguru.com/card/TKxKzEoc/Accidents-and-Emergencies)** .

Weather announcements will be made using the following modes of communication:

- University website banner

- **University Status Message** (http://www.newschool.edu/status/) on the university website
- New School Social Media accounts
- **New School Alerts** (https://app.getguru.com/card/cLgq8Aoi/New-School-Alerts) (including phone/text/email communications)

Compensation

During a closing or delayed opening, non-union hourly employees designated as essential who are asked to report by their supervisor will be paid for the number of hours worked during the emergency closing and will receive additional paid time off equivalent to the number of hours worked. Non-union salaried employees designated as essential who are asked to report to work by their supervisor will receive their normal pay and receive additional paid time off equivalent to the number of hours worked.

Additional time off earned by an employee that worked during an emergency should be used within 60 days after a weather closing or early dismissal. Supervisors are responsible for tracking this time.

Employees who report to work when the university is officially closed or during a delayed opening, who have not been asked to report, will not be eligible for the additional paid time off.

Union employees (both hourly and salaried) will be paid in accordance with the collective bargaining agreement.

Hourly employees should refer to **entering the Emergency Close time entry (https://app.getguru.com/card/iE8zbABT/Entering-Time-For-Emergency-Closure-Hourly-Employees-Only)** for instructions to enter time off in MyDay during an emergency closure.

Considerations

The New School does not expect employees to take unnecessary risks to report to campus or to remain on campus during severe weather. When inclement weather conditions create transportation difficulties that result in late arrival of employees to work, such lost time need not be applied to leave balances, nor should the employees experience loss of pay if, in the judgment of the department head, such lost time was justifiable in view of weather conditions. With the supervisor's approval, a non-teaching employee may be permitted to make up a limited amount of time missed within the same work week.

Employees who do not report to work or who leave work early without an official closing or early release must charge the time missed to accrued vacation, flexible holiday time, or an emergency absence (Part-Time Faculty only). See the NYC website on **Safe & Sick Leave (https://www.nyc.gov/site/dca/businesses/paid-sick-leave-law-for-employers.page#:~:text=top%20of%20page-,Paid%20Safe%20and%20Sick%20Leave%20and%20Weather,closed%20due%20to%20the%20weather)** for more information.

Employees who do not report following a delayed opening will be required to use accrued vacation, flexible holiday time, or an emergency absence (Part-Time Faculty only) for the entire absence.

During a closing or delayed opening, employees who are on an approved vacation or sick day are not entitled to additional vacation, flexible holiday, or sick time as a result of the delay or closing.

November 2021 Update: (Re)Commitment to Snow Days

11/18/2021 - Sonya Williams, Vice President for Human Resources

(https://app.getguru.com/card/TyBx5Roc/111821-Compensation-and-Benefit-Updates)

As you may be aware, the New York City Department of Education has done away with snow days and has instead opted for remote learning days when there is heavy snowfall or extreme weather. Remote instruction and services are not always preferable or even possible for caregivers, and the university is recommitting to our pre-pandemic practice of closing the university campus, including canceling classes and staff meetings, during severe weather emergencies. Our emergency response team will continue to evaluate and recommend the appropriate actions if a potential closure scenario arises.

Compensation During a Snow Day

When the university declares an emergency closure due to inclement weather, Human Resources will activate the Emergency Close time off plan. This plan will make the Emergency Close - Snow Day time off entry available. Additional information for salaried and hourly employees is listed below. Temporary hourly employees and students are not paid for the closure.

Salaried employees will have an *Emergency Close - Snow Day* time off entry automatically posted in their time off calendar in MyDay, and will not need to enter any information in MyDay to report the snow day.

Hourly employees should record their snow day by **entering the Emergency Close time entry (https://app.getguru.com/card/iE8zbABT/Entering-Time-For-Emergency-Closure-Hourly-Employees-Only)** for the designated snow day in MyDay.

Note: This time entry code should only be used by those who were scheduled to work on the designated snow day.

Return to **Policies Overview (https://app.getguru.com/card/cXzR7xRi/University-Policies-Index)** .

POLICY ON UNION RELATIONS

Collective Bargaining Policy

The University has recognized the following unions as the exclusive bargaining agents for employees within their respective bargaining units, and has entered into written **collective bargaining agreements** (https://www.newschool.edu/human-resources/labor-relations/) with each of them.

- **Academic Student Workers - SENS-UAW** (https://app.getguru.com/card/iAxEakRT/Academic-Student-Workers-SENSUAW)
- **Clerical Employees & Librarians - Teamsters Local 1205** (https://app.getguru.com/card/cAxEakEi/Clerical-Employees-Librarians-Teamsters-Local-1205)
- **Professional Employees - Teamsters Local 1205** (https://app.getguru.com/card/Tx4xpA8c/Professional-Employees-Teamsters-Local-1205)
- **Student Health Employees - SHENS-UAW Local 7902** (https://app.getguru.com/card/TLxXGgzc/Student-Health-Employees-SHENSUAW-Local-7902)
- **Maintenance - SEIU Local 32BJ** (https://app.getguru.com/card/ckRkpAki/Maintenance-SEIU-Local-32BJ)
- **Engineers - IUOE Local 94** (https://app.getguru.com/card/cGxEaxGi/Engineers-IUOE-Local-94)
- **Security - SEIU 32BJ** (https://app.getguru.com/card/ioRopRRT/Security-SEIU-32BJ)

- **Part-Time Faculty - ACT-UAW Local 7902 (https://app.getguru.com/card/ToRopBzc/PartTime-Faculty-ACTUAW-Local-7902)** **(https://app.getguru.com/card/ToRopBzc/PartTime-Faculty-ACTUAW-Local-7902)**
- **Part-Time *Jazz* Faculty - AFM Local 802 (https://app.getguru.com/card/TkRkpBBc/PartTime-Jazz-Faculty-AFM-Local-802)**

The University has thereby accepted the principle of collective determination of wages, hours, and conditions of employment, to be exercised in accordance with the principles set forth in the bilateral, contractual agreements to which the University is a party. The University enters into these agreements in good faith, and it is its policy and intent to abide by the letter and the spirit of the agreements. Each supervisor/manager should become acquainted with the provisions of the agreements covering employees in his or her area of responsibility.

Interpretation of Contract Language

While each agreement outlines the principal terms negotiated between the University and the union, it may not cover every situation. From time to time, specific circumstances arise which require interpretation of the contract language. Such interpretation may lead to controversy, which in turn may lead to the need for resolution through the grievance procedure of the agreement. However, mutually acceptable interpretation generally is agreed upon between the University and the representatives of the union. When such interpretations are reached which could affect the supervisor-employee relationship, supervisors will be advised.

This manual may be helpful in answering issues not specifically covered in the union agreements. Questions relating to union matters and interpretations of union agreements or contract language should be referred to the **Office of General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** and **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** .

Policy Against Discrimination Because of Union Activity

It is contrary to University policy for any representative of the management of the University to discriminate against any employee because he or she is a member of a union or active in a union. This policy applies to consideration for promotion and or transfer, assignment of job duties, discipline, and other related decisions that are the responsibility of the supervisor.

The Role of the Union Shop Steward

The union representative, or Shop Steward, is an elected spokesperson for a group of employees in a particular shop or work area. It is the representative's duty to look after the members' interests, both within the union, and in their collective bargaining relationship with the university. A sincere and well-intentioned Shop Steward who has the confidence of the employees can help to prevent misunderstandings and may often settle complaints before they become formal grievances.

Wherever possible, a cooperative and reciprocal relationship should be established wherein the supervisor and the Shop Steward can work together to the benefit of both the employees and the university. The supervisor can help to promote this relationship by discussing anticipated changes and developments with the Shop Steward, giving courteous attention to the Shop Steward's views on matters affecting employees, and otherwise showing that the Shop Steward's position and role is recognized and respected. However, the supervisor should not permit the Shop Steward to share in managerial decisions or to substitute for the free and natural exchange between supervisor and employee which is essential to a good employment relationship.

Time Off for Union Business

In general, it is the policy of the University to accommodate requests for time off for union business to the extent that such requests are submitted in advance for approval and are

reasonable and legitimate. Election to union office, however, does not entitle an employee to leave his or her work whenever he or she or the union considers it appropriate. For more information, please refer to the respective **union contracts** **(https://www.newschool.edu/human-resources/labor-relations/)** or contact the **General Counsel's Office** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** .

Conduct Expected of Union Officials

It has been agreed within the various unions that engaging in union activities during working hours, with or without pay, is conditioned on the university's understanding that the privilege will not be abused and that the union officials will conform to certain procedures and standards of behavior. The more important of these conditions follow:

1. Time off for union activities will be held to the minimum necessary for the purpose involved and will be taken at times that cause the least inconvenience to the work.
2. The Shop Steward or other official must obtain the consent of the supervisor before leaving his or her own work area.
3. Before entering another work area, the Shop Steward or other official must obtain the permission of the supervisor in charge of that area to enter the work area.
4. Grievance investigations will be conducted as quietly and privately as possible so as not to disrupt the work of other employees.
5. No meetings, investigations, discussions or other activities that involve a number of employees and would cause general disruption to the work of a particular group will be permitted during working hours.
6. The University does not attempt or desire to stipulate union attendance at grievance meetings. It does, however, reserve the right to refuse to pay excessive numbers of union officials or employees who attend such meetings.

7. Time spent on union business must in all cases be reasonable in light of both the work requirements of the department or laboratory and the obligations of the union officer or Shop Steward as an employee. Appropriate steps will be taken to limit union activities during working hours whenever they impair the individual's effectiveness as an employee.

Conduct Expected of Supervisors

A supervisor is expected to control the activities of his or her work area and the conduct of personnel for whom he or she is responsible in an effective and reasonable manner when union business is involved. The supervisor also is expected to respect the rights of the union and its representatives.

If a union representative requests time off for union business, a limited but reasonable period of time should be granted if the lost time will not be in conflict with the interest of the work. If the work flow will not permit the Shop Steward to be released at the time requested, then another time period should be arranged that is mutually convenient and practical.

A Shop Steward from another department may ask to visit the work area to conduct union business. He or she should be accommodated if reasonable adjustments to the work schedule can be made at the time requested. If the work may not be reasonably interrupted at the time requested then a more appropriate time should be arranged with the representative.

Official Union Membership Meetings

Official union membership meetings may be held on University property if rooms are properly arranged for in advance, and the meetings are conducted in an orderly manner. Such meetings may not be conducted during employees' normal working hours. Union members will not be permitted to leave their work area during normal work hours to attend official union membership meetings.

Bulletin Boards

All unions have been assigned bulletin boards for the exclusive use of the union officers to post notices of official union business only. These boards may not be used for any other purpose. Use of the official union bulletin board for political activity, campaigning for elections, or any other purpose is not permitted.

THE NEW SCHOOL SMOKE AND ELECTRONIC CIGARETTE USE-FREE WORKPLACE POLICY

Purpose

A smoke free policy has been developed to comply with the **New York City Smoke-Free Air Act (https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-28815)** (Title 17, Chapter 5 of the Administrative Code of the City of New York) and **New York State Clean Indoor Air Act (https://www.health.ny.gov/prevention/tobacco_control/clean_indoor_air_act)** (Article 13-E of the New York State Public Health Law), and to protect all employees and visitors from secondhand smoke, an established cause of cancer and respiratory disease. The policy set forth below is effective March 30, 2003 for all The New School locations.

Policy

Smoke-Free Areas

All areas of the workplace are now smoke-free without exception. Smoking and electronic cigarette use are not permitted anywhere in the workplace, including all indoor facilities and company vehicles with more than one person present. Smoking is not permitted in private enclosed offices, conference and meeting rooms, cafeterias, lunchrooms, employee lounges or Lang Courtyard.

Signage Requirement

"No Smoking and Electronic Cigarette Use" signs must be clearly posted at all entrances and on bulletin boards, bathrooms, stairwells and other prominent places. No ashtrays are permitted in any indoor area.

Compliance

Compliance with the smoke-free workplace policy is mandatory for all employees and persons visiting the University, with no exceptions. Employees who violate this policy are subject to disciplinary action.

Any disputes involving smoking should be handled through the University's procedure for resolving other work-related problems. If the problem persists, an employee can speak to the **Human Resources Department** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** at 212-229-5671 or lodge an anonymous complaint by calling the New York City Department of Health and Mental Hygiene's complaint line, 1-877-NYC-DOH7 (1-877-692-3647) or on the web at **nyc.gov/health** **(https://www.nyc.gov/site/doh/about/contact-doh.page)** . DOHMH's enforcement staff will take appropriate action to resolve the problem.

The law prohibits employers from retaliating against employees who invoke the law or who request management's assistance in implementing it in the workplace.

Additional Information

Smoking Cessation Options

The New School encourages all smoking employees to quit smoking. The New School's Health Center offers a number of services for employees who want to quit. Smoking cessation information is available from the New York Smokers' Quit Line at 1-866 NY QUITS (1-866-697-8487).

Questions

Any questions regarding the smoke free workplace policy should be directed to 212-229-5671.

Related Topics

- **Drugs & Alcohol-Free Workplace Policy (https://app.getguru.com/card/TExkA6ac/Drugs-AlcoholFree-Workplace-Policy)**
- **Policy on Alcoholic Beverages and Illegal Drugs (https://app.getguru.com/card/id689dLT/Policy-on-Alcoholic-Beverages-and-Illegal-Drugs)**

WHISTLEBLOWER POLICY

Purpose

It is the intent of The New School that its academic and administrative activities conform to applicable legal, ethical and professional standards and the University expects its trustees, faculty, administrators, staff, students and volunteers ("Members of the University community") to conduct their activities in accordance with applicable Federal, State and local laws as well as

University policies and procedures as set forth in the **Employee Handbook (https://app.getguru.com/card/Tnqe6o8c/Employee-Handbook)** , **Student Handbook (https://drive.google.com/file/d/1O5fu4gknhy7azR7KF7UdL7j3B9rxIZjj/view)** and **Full-Time Faculty Handbook (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** .

Policy

This policy is intended to encourage Members of the University community to disclose conduct that they believe violates applicable law and/or University policies and the overarching principle that the University's resources are not to be used for personal gain ("misconduct or suspected misconduct"). The University expects that reports of misconduct or suspected misconduct will be made in good faith, and will reflect a real and legitimate concern that must be promptly investigated and addressed. The University will strive to keep disclosures confidential unless disclosure is required by applicable law or the failure to disclose would impede the University's investigation of the reported misconduct or suspected misconduct.

This policy prohibits Members of the University community from retaliating against those who disclose misconduct or suspected misconduct pursuant to this policy. Any Member of the University community who reports a misconduct or suspected misconduct in good faith will be protected from harassment, retaliation or other adverse employment, academic or educational consequences. Anyone who harasses, intimidates or otherwise attempts to retaliate against a reporter will be subject to disciplinary action, up to and including termination of employment and possible referral for other civil and/or criminal sanctions.

Procedure

See below for **Reporting** and **Investigation** procedures.

Reporting

Internal Reporting Mechanisms: Members of the University community are encouraged to report misconduct or suspected misconduct to their immediate supervisor. If this is not a feasible option, the University has designated the following persons to receive, investigate and resolve complaints of misconduct or suspected misconduct as appropriate:

1. **Academic Misconduct (faculty or student)**

   Michael Schober, Senior Vice Provost for Faculty Affairs

   schober@newschool.edu (mailto:schober@newschool.edu)

   66 West 12th Street, NYC, NY 10011

   212-229-5727 ext. 3110

2. **Misconduct related to the University's Personnel Practices**

   Sonya Williams, Vice President for Human Resources

   williasy@newschool.edu (mailto:williasy@newschool.edu)

   66 West 12th Street, NYC, NY 10011

   212-229-5600 ext. 3803

3. **Fiscal Misconduct**

   Loretta Ferrari, Vice President of Financial Operations and Budget

   ferraril@newschool.edu (mailto:ferraril@newschool.edu)

   66 West 12th Street, NYC, NY 10011

   Phone: 212-229-5860 ext. 3505

4. **All Other Misconduct**

   Alex Perez, General Counsel

   Alex.perez@newschool.edu (mailto:Alex.perez@newschool.edu)

   66 West 12th Street, NYC, NY 10011

   212-229-5671 ext. 4900

and/or;

Jane DeFlorio, Chair of the Board of Trustees Audit and Risk Committee

auditchair@newschool.edu **(mailto:auditchair@newschool.edu)**

Phone: 212-229-5432

External Reporting Mechanisms: Members of the University community who wish to report their concerns anonymously, may contact **EthicsPoint**, a third-party provider of confidential reporting services retained by the University to accept anonymous reports. Contact them at **tnssecure.ethicspoint.com** **(http://tnssecure.ethicspoint.com)** .

Investigations/Corrective Actions

The designated persons will be responsible for investigating reports made to them or to **EthicsPoint**, unless one of the members is the subject of the report; in those cases the Chair of the Board of Trustees Audit and Risk Committee will conduct the investigation.

Corrective actions in response to a report will be made to the President and Provost for approval and implementation.

The designated persons will make annual reports to the Board of Trustees Audit and Risk Committee of all reports made and corrective actions, if any, taken.

Return to **Policies Overview** **(https://app.getguru.com/card/cXzR7xRi/University-Policies-Index)** .

COMPENSATION STUDY FAQS

Beginning in Fall 2023, The New School partnered with Mercer to conduct a comprehensive compensation study for non-union administrative staff. This initiative reflects The New School's commitment to building a compensation system that is equitable, competitive, transparent, and fiscally responsible. Below, you'll find frequently asked questions about the study. For more information see **Administrative Staff Compensation Study. (https://app.getguru.com/card/To9RdLMc/Administrative-Staff-Compensation-Study)**

Why did we conduct the study?

Periodic compensation studies are common and best practice. The New School conducted the Pay Equity Analysis and Market Salary Study to compare our current compensation structure to the market and determine our competitive positioning. The findings from both studies informed a more competitive and suitable compensation structure.

What are Anchor Positions, and how were ours determined?

Anchor, or Benchmarked, Positions are roles that are common or customarily found within a specific industry (ie. higher education). They typically have similarly structured responsibilities, skills, and qualifications. Examples of Anchor Positions in higher ed may include: Data Analyst, Head of Payroll, Registrar, etc.

While grant-funded positions were not benchmarked, they will continue to be reviewed and aligned to the new compensation structure and titling.

How was our peer group determined?

Several factors were considered when determining our peer group for market comparison, including public vs. private institutions, geography, and Carnegie classification. Universities that

were selected as part of our peer group are private (not-for-profit) institutions, within New York/New Jersey/New England metropolitan areas, nationally ranked Masters and Doctoral universities, with ½ - 2x our revenue and endowment, and with at least ½ of our Total Enrollment/FTEs.

What was our previous compensation structure? Why are we changing it?

Our previous structure consisted of 7 broad **salary bands (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** . Our new structure will have more traditional grades, with 9 smaller range spreads and more consistent midpoint progressions. This change will provide our university with better market alignment, eliminate unused grades, and create opportunities for more pay advancement and progression within each range.

What actions has the university taken as a result of the study?

Human Resources identified and adjusted specific positions in January 2025 that were associated with low variance to market as part of Phase 1 of our new structure implementation. The university has redesigned its compensation framework to align with traditional job grades, which will facilitate more horizontal and vertical career growth, along with an update to the **salary ranges (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** .

In Phase 2, Human Resources collaborated with departmental leadership to retitle specific positions. This initiative aims to clarify the roles and ensure that our titling parameters are applied consistently across the university. These changes will enable our university to better align with industry best practices.

Phase 3 of the implementation of our new administrative compensation structure will involve updates to MyDay, ensuring that all employee profiles are aligned with the newly established compensation bands. Effective August 25, 2025, all administrative staff members will have their compensation grades reassigned and visibly reflected in their MyDay profiles, in accordance with the revised compensation framework.

Does this study mean I will get a salary increase?

This study does not guarantee that all staff members will receive a salary increase. However, some staff members received a salary market adjustment during Phase 2 of the study. HR worked closely with Department Leadership, Strategic HR partners, and the Provost's Office to identify and notify these staff members during Phase 2 of implementation. Though it will not impact pay, reassigned **salary bands** **(https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** will be visible in the Compensation Tab of **MyDay profiles** **(https://app.getguru.com/card/TnApML6c/MyDay-Worker-Profile-Navigation)** effective August 25th 2025.

Why are some position titles being changed? How will I know if my position title will change?

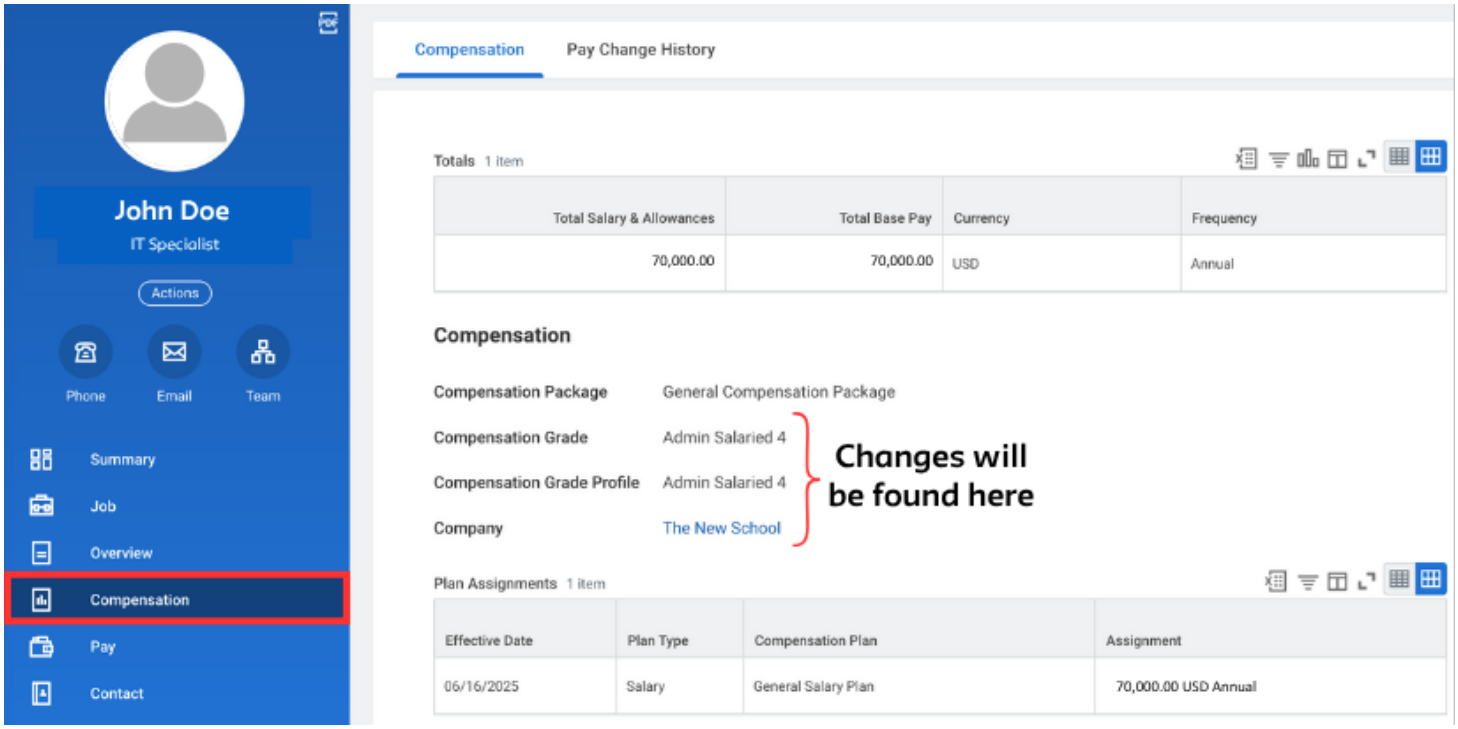
Human Resources will work with departmental leadership to retitle specific positions. These new titles will distinguish those who are directing functions or programs versus those directing teams (Director, Function vs. Program Director). This change will ensure our titling parameters are consistently applied across the university and align with best practices. HR will be working closely with Department Leadership, Strategic HR partners, and the Provost's Office to identify and notify impacted staff members during Phase 2 of implementation.

How were new salary bands determined?

Our new compensation structure and refreshed **salary bands (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)** reflect data obtained from the market salary study. Positions are aligned to the new compensation based on scope of work, span of control, and industry best practices.

Where can I find changes to my compensation grade in MyDay?

Starting August 25th 2025, changes to the compensation grades can be found in the **Compensation Tab (https://app.getguru.com/card/T77jK5Lc/View-Compensation-Hourly-Rate)** of your **MyDay Profile (https://app.getguru.com/card/TnApML6c/MyDay-Worker-Profile-Navigation)** . These updates do not impact pay.



Will this study impact the performance review process and merit increases? Am I still eligible to receive a merit increase if my position is re-aligned within the new compensation framework?

The compensation study is separate from our pay-for-performance model and will not change the current performance review process. Staff members who received a market salary adjustment during Phase 2 of the study will still be eligible for merit increases pending their performance management review and other qualifying factors. Information regarding the performance management review process can be found **here (https://app.getguru.com/card/c54eeb9i/Performance-Management-Overview)** .

Related Topics

- **Administrative Staff Compensation Study (https://app.getguru.com/card/To9RdLMc/Administrative-Staff-Compensation-Study)**
- **Administrative Salary Bands (https://app.getguru.com/card/cBrAar9i/Administrative-Salary-Bands)**
- *Salary Administration Policy - Update Coming Soon!*
- **Payroll Schedules Overview (https://app.getguru.com/card/cgj9RMei/Payroll-Schedules-Overview)**
- **MyDay Payroll & Compensation Guide (https://app.getguru.com/card/iqqo74pT/MyDay-Payroll-Compensation-Guide)**

SALARY ADMINISTRATION POLICY

Purpose

The goal of the university's salary administration program is to provide an equitable and systematic means of compensating its various categories of employees in relation to their assigned duties and responsibilities and, to the most reasonable degree possible, recognize differences in employee performance levels. Further, it is the university's policy that its salary administration practices and compensation levels are competitive with those in like organizations for comparable job categories.

Policy

Salary Payments

In accordance with federal and New York State law, administrative and full time faculty employees are paid on a biweekly basis.

Clerical employees who are members of Local 1205 are paid on a biweekly basis. Security and Maintenance employees who are members of Local 32B-J are paid weekly each Friday. Building Engineers who are members of the Local 94 are paid on a biweekly basis.

Part-time faculty who are members of Local 7902 or Local 802 and part-time teaching staff are paid on a biweekly basis.

See **Payroll Schedules (https://app.getguru.com/card/cgj9RMei/Payroll-Schedules-Overview)** for additional information.

Direct Deposit

Direct deposits of paychecks is available to all employees who are paid through the University payroll system. New employees and continuing employees who do not enroll in Direct Deposit will receive a paper check. Direct Deposit offers employees the convenience of having their pay checks automatically deposited without having to wait in lines to cash paychecks and without having to wait for paychecks to clear.

This free benefit makes your check available to you as cash each payday. Please visit **your MyDay payslips (https://app.getguru.com/card/i6Ajy6gT/View-and-Print-Payslips)** for electronic proof of payment. You may deposit your earnings into almost any new or existing savings or checking account, and, you may split a deposit to more than one account. In order to qualify, a bank must be a member of the Automatic Clearing House (ACH). Most commercial banks and 70 percent of thrift (savings) banks in the New York Metropolitan area are ACH members. To verify if your bank participates, call your branch manager. See **Direct Deposit (https://app.getguru.com/card/iXAzLrgT/Manage-Direct-Deposit-Payment-Elections)** for additional information.

Payroll Deductions

The University is required by law to deduct Social Security, Medicare, Federal, New York State, and New York City taxes, if applicable, withholding taxes from each employee's check as appropriate. If you have questions about your paycheck, please consult the Payroll Office at ***payrollhelp@newschool.edu*** **(mailto:payrollhelp@newschool.edu)** .

Additional Information

See specific salary administration information below organized by employee type.

1. **Non-Union Administrative Staff** (https://app.getguru.com/card/Tk88gXac/Salary-Administration-Policy-1-NonUnion-Administrative-Staff) Administration-Policy-1-NonUnion-Administrative-Staff)
2. **Union Administrative Staff** (https://app.getguru.com/card/TX88Lxdc/Salary-Administration-Policy-2-Union-Administrative-Staff)
3. **Full-Time Faculty** (https://app.getguru.com/card/iKMMoajT/Salary-Administration-Policy-3-FullTime-Faculty)
4. **Part-Time Faculty** (https://app.getguru.com/card/iX88LxBT/Salary-Administration-Policy-4-PartTime-Faculty)

If you have any questions, concerns, or disputes with this policy, you contact the Payroll Office at ***payrollhelp@newschool.edu*** (mailto:payrollhelp@newschool.edu) *or* 212.229.5671 x4963.

Related Topics

- **Work Hours and Categories** (https://app.getguru.com/card/TKxLRAMc/Work-Hours-and-Categories)
- **Performance Management** (https://app.getguru.com/card/c54eeb9i/Performance-Management-Overview)
- **Payroll Schedule** (https://app.getguru.com/card/cgj9RMei/Payroll-Schedules-Overview)
- **Direct Deposit** (https://app.getguru.com/card/iXAzLrgT/Manage-Direct-Deposit-Payment-Elections)

SALARY ADMINISTRATION POLICY - 1. NON-UNION ADMINISTRATIVE STAFF

Administrative Staff Structure

Administrative Staff appointments are approved for employees with professional or administrative responsibilities in the university's central administration, academic divisions, and the University Libraries. For new or revised job description for Administrative Staff appointments, Human Resources will work with the requesting manager/department administrative officer to review the salary for that position. Human Resources, in conjunction with department managers and administrative officers, will watch the job market closely. Human Resources tracks the market by participating in annual salary surveys and, wherever possible, obtaining salary information on "industry standard" positions, typically referred to as benchmark jobs i.e., those jobs that are typical in higher education and other industries and are easily matched and compared to jobs at The New School. Salary survey results provide us with market data and salary range data for jobs similar to ours.

Establishing or Changing a Position Classification

All employment requisitions and requests for promotion and reclassification for Administrative and Support staffs should be submitted directly to Human Resources and should include or be accompanied by a detailed job description.

Managers and department heads must submit a **job description (https://app.getguru.com/card/cqB69pGi/Position-Approval)** so that Human Resources can evaluate the position and assign the appropriate level or grade. Job descriptions should be prepared by the responsible hiring manager, in conjunction with the employee when appropriate.

The job evaluation process should be conducted for either a position that is newly created or for one that currently exists but is believed by the hiring manager to be inappropriately graded based on new or revised responsibilities and/or requirements. When a new or revised job description is

submitted, Human Resources, will work with the requesting manager to review the salary for the position. Both internal and external factors will be considered when determining the range of a position.

Additional information regarding establishing or changing a position classification can be obtained by contacting Human Resources at **hrhelp@newschool.edu** **(mailto:hrhelp@newschool.edu)** . Funds for changes to position classifications if the classification warrants an increase must be funded by the division/department and approved via the budget process.

Determination of Individual Salaries

The **Office of Human Resources** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** works with departments and schools in establishing starting salaries. An employee's starting salary will be determined within a given salary range on the basis of his or her related experience, training, and special qualifications. Every effort will be made to ensure that the salaries of newly employed staff are properly related to the salaries of other employees in the new employee's department.

An employee's subsequent salary growth will be directly related to the quality of his or her performance and overall contribution to the university.

Salary Adjustments

Salary adjustments are made annually in accordance with the **annual performance evaluation process** **(https://app.getguru.com/card/c54eeb9i/Performance-Management-Overview)** . It is the university's compensation policy that departmental annual review allocations be distributed to employees on the basis of their individual contribution and performance levels. It is essential that departments make a systematic and fair assessment of each of their employees'

duties and responsibilities and that they objectively analyze, qualitatively and quantitatively, how well these duties are being carried out. Recommended increases must, within established budgets, be related to these evaluations.

Individuals who demonstrate superior performance should be recognized with review increases at or above the established review allocation amounts, even though lesser amounts will be available for individuals who demonstrate average performance. A General Wage Increase may or may not be recommended for any employee whose performance has been unsatisfactory. Continued unsatisfactory performance should be closely monitored by supervisors and may be grounds for termination. See **Performance Management (https://app.getguru.com/card/c54eeb9i/Performance-Management-Overview)** for further details.

Administrative salaries are reviewed each spring and increases are granted on September 1st of each year. As a general rule, employees hired on or after May 1st will not receive a salary increase for the coming fiscal year. All salary increases are within the fiscal year guidelines which are established each year by the university.

Return to **Salary Administration Policy (https://app.getguru.com/card/cL55aeoi/Salary-Administration-Policy)** .

SALARY ADMINISTRATION POLICY - 2. UNION ADMINISTRATIVE STAFF

Please refer to the **Collective Bargaining Agreement (https://app.getguru.com/card/cgB6xk4i/Labor-Relations-Overview)** between The New School and your appropriate union for additional information. Salary increases for employees

members who are union members are negotiated and are generally across the board increases with each employee in a given bargaining unit receiving the same percentage increase.

Return to **Salary Administration Policy** (https://app.getguru.com/card/cL55aeoi/Salary-Administration-Policy) .

SALARY ADMINISTRATION POLICY - 3. FULL-TIME FACULTY

Base Salary Determination for Term of Academic Appointment

Responsibility for faculty salary recommendations rests with the deans reporting to the provost. Initial recommendations may be made by department chairs or directors in accordance with the organizational structure and budgetary practices of each school or division. The recommendations of the dean are reviewed by the vice president for human resources and must be approved by the provost. Approved salary recommendations become part of the budget approval process approved annually by the board of trustees. If the faculty member holds appointment in two or more units that contribute to his or her salary, the primary department shall be responsible for submitting the recommendation and coordinating joint approval with the additional department(s).

Salary Adjustments

Salary adjustments are based on merit; they are not automatic. Recommendations for salary adjustments originate with the division head or chair and are reviewed by the dean, the senior vice president for human resources, the provost, and the president. Salary adjustments are determined administratively on an annual basis given adequate budget flexibility, based significantly on the

quality of the faculty member's work.

Schedule of Payment

Because the academic year runs from September through August, most faculty appointments begin in September. Thus, it has been policy in most units of the university to pay new faculty members on nine-month appointments, their initial one-twelfth (1/12) of salary in September of their first year and to continue payment through August of their terminal year (except for retirements or resignations that occur at other times in the year). For various reasons, this policy is at times unsatisfactory. In cases where duties are to be assumed prior to September, arrangements may be made for the appointment to begin in July or August. The formal appointment letter provided for the provost's files must accurately reflect the appointment date. If the appointment commences in a month other than September, then the final payment in the faculty member's terminal year is adjusted accordingly. Regardless of the appointment term, all full-time faculty members receive their compensation over 12 months in bi-weekly installments.

See also **Full-Time Faculty Handbook (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** for additional compensation information.

Return to **Salary Administration Policy (https://app.getguru.com/card/cL55aeoi/Salary-Administration-Policy)** .

SALARY ADMINISTRATION POLICY - 4. PART-TIME FACULTY

Please refer to the **Collective Bargaining Agreement (https://app.getguru.com/card/cgB6xk4i/Labor-Relations-Overview)** between The New School and your appropriate union for additional information. Salary increases for employees members who are union members are negotiated and are generally across the board increases with each employee in a given bargaining unit receiving the same percentage increase.

Return to **Salary Administration Policy (https://app.getguru.com/card/cL55aeoi/Salary-Administration-Policy)** .

EXITING PROCEDURES

Human Resources > HR Policies > Separation from Employment

Below you'll find information on the requirements and entitlements for all administrative employees leaving the university. Please note employees are required to submit a resignation letter to their manager to begin the exiting process.

Returning University Property

All departing employees are required to return their University issued cell phones, laptops, credit cards, any borrowed library books, office keys, all other keys to university facilities, and identification cards to their immediate supervisors before or on the last day of work. Employees should complete the **New School Asset Return Form (https://docs.google.com/forms/d/e/1FAIpQLSfUkWF3Tdkg1rSYBfbWrl4nuWaxP1GwfJRU3jEpfFLpP3LtcA/viewform)** when returning IT assets such as laptops or other technical devices.

Vacation

Upon termination of employment, employees leaving the University will receive payment for accrued unused vacation according to the **vacation policy (https://app.getguru.com/card/e93efe82-0a6f-4098-860c-95884e7f1943)** .

Employment References/Employment Verification

Refer to the Employment Policies section of the **Employee Handbook (https://app.getguru.com/card/dca08fdc-c005-4388-b7e4-ab84e03b349e)** for information regarding employment references/employment verification.

Exit Interviews

An employee is required to contact Human Resources approximately two weeks prior to the employee's last day of employment to schedule an exit interview. Issues such as final payments, continuation of benefits and forwarding addresses are discussed during exit interviews.

Benefits

For complete information regarding how your benefits are affected upon employment termination, click to download **FT Faculty Staff - Termination of Employment 7.28.16.pdf (https://content.api.getguru.com/files/view/d8ad4368-8ed3-447d-8c3e-5d912e73a386)** (PDF). Additional forms for union and temporary employees may be found **here (https://www.newschool.edu/human-resources/forms)** under **Terminating Employees**.

Unemployment Insurance

University employees are covered by the New York State Unemployment Insurance Act. Individuals who resign voluntarily are not usually eligible for benefits. Benefit entitlement is determined by the New York State Unemployment Insurance Division. A separating employee should consult his/her local unemployment office. Claims should be addressed to The New School,

Office of Human Resources, 66 West 12th Street, NY, NY 10011.

Related Topics

- **Reasons for Leaving** (https://app.getguru.com/card/166f8e2e-bed8-445d-aebb-943eca7dc15e)
- **Benefits - Termination of Employment** (https://app.getguru.com/card/fb8f7b49-242f-4921-b610-f4667968d789)
- **Offboarding Checklist for Managers** (https://app.getguru.com/card/e35bed18-4e6c-4597-902f-9e72dde55110)

REASONS FOR LEAVING

Human Resources > HR Policies > Separation from Employment

Resignation

An administrative employee who resigns is expected to give at least four (4) weeks written notice to his/her immediate supervisor and the **Office of Human Resources** (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview) . **Tuition benefits** (https://app.getguru.com/card/cL55MrXi/-Tuition-Waiver-Overview) cease at the time of termination.

See also the **Full-Time Faculty Handbook** (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook) for additional information on separation from employment for faculty.

Termination

An administrative employee whose employment is terminated for performance related reasons will be paid for accrued unused vacation time according to the **vacation policy (https://app.getguru.com/card/Tq844kMc/Vacation-2-Vacation-Pay-Upon-Termination-of-Employment)** . **Tuition benefits (https://app.getguru.com/card/cL55MrXi/-Tuition-Waiver-Overview)** cease at the time of termination.

Layoffs

When an administrative position is eliminated due to budgetary constraints, reorganization or other reasons (such as shortage of work), the following policy will apply to all administrative employees:

1. The University will notify the employees as soon as possible regarding the coming lay-off.
2. When possible, the University will attempt to place the staff member in another vacant position for which he or she is qualified at the regular rate of pay assigned to the vacant position.
3. In the event that an employee who has received severance is recalled to work and laid off again, the previous period of service will not be calculated for severance purposes.
4. To be eligible to receive the severance pay afforded under this policy, a covered employee must also sign a separation agreement and general release satisfactory to the University.
5. Severance pay will be calculated on the following schedule:

less than 2 years	2 weeks
2 - less than 5 years	4 weeks
5 - less than 8 years	6 weeks
8 years	8 weeks
9 years	9 weeks

10+ years	10 weeks

Death of Employee

Surviving dependents of an employee should contact the **Benefits Office** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** for assistance with filing a **life insurance** **(https://app.getguru.com/card/TzAKEzxc/-Life-Insurance-Overview)** claim and to get information on continuation of health care and dental care **coverage** **(https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** .

Related Topics

- **Exiting Procedures** **(https://app.getguru.com/card/Tz849R5c/Exiting-Procedures)**
- **Benefits - Termination of Employment** **(https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)**

POLICY ON UNION RELATIONS

Human Resources > Labor Relations (Unions)

Collective Bargaining Policy

The University has recognized the following unions as the exclusive bargaining agents for employees within their respective bargaining units, and has entered into written **collective bargaining agreements** **(https://www.newschool.edu/human-resources/labor-relations/)** with each of them.

- **Academic Student Workers - SENS-UAW (https://app.getguru.com/card/iAxEakRT/Academic-Student-Workers-SENSUAW)** (https://app.getguru.com/card/iAxEakRT/Academic-Student-Workers-SENSUAW)
- **Clerical Employees & Librarians - Teamsters Local 1205 (https://app.getguru.com/card/cAxEakEi/Clerical-Employees-Librarians-Teamsters-Local-1205)**
- **Professional Employees - Teamsters Local 1205 (https://app.getguru.com/card/Tx4xpA8c/Professional-Employees-Teamsters-Local-1205)**
- **Student Health Employees - SHENS-UAW Local 7902 (https://app.getguru.com/card/TLxXGgzc/Student-Health-Employees-SHENSUAW-Local-7902)**
- **Maintenance - SEIU Local 32BJ (https://app.getguru.com/card/ckRkpAki/Maintenance-SEIU-Local-32BJ)**
- **Engineers - IUOE Local 94 (https://app.getguru.com/card/cGxEaxGi/Engineers-IUOE-Local-94)**
- **Security - SEIU 32BJ (https://app.getguru.com/card/ioRopRRT/Security-SEIU-32BJ)**
- **Part-Time Faculty - ACT-UAW Local 7902 (https://app.getguru.com/card/ToRopBzc/PartTime-Faculty-ACTUAW-Local-7902)**
- **Part-Time Jazz Faculty - AFM Local 802 (https://app.getguru.com/card/TkRkpBBc/PartTime-Jazz-Faculty-AFM-Local-802)**

The University has thereby accepted the principle of collective determination of wages, hours, and conditions of employment, to be exercised in accordance with the principles set forth in the bilateral, contractual agreements to which the University is a party. The University enters into these agreements in good faith, and it is its policy and intent to abide by the letter and the spirit of the agreements. Each supervisor/manager should become acquainted with the provisions of the

agreements covering employees in his or her area of responsibility.

Interpretation of Contract Language

While each agreement outlines the principal terms negotiated between the University and the union, it may not cover every situation. From time to time, specific circumstances arise which require interpretation of the contract language. Such interpretation may lead to controversy, which in turn may lead to the need for resolution through the grievance procedure of the agreement. However, mutually acceptable interpretation generally is agreed upon between the University and the representatives of the union. When such interpretations are reached which could affect the supervisor-employee relationship, supervisors will be advised.

This manual may be helpful in answering issues not specifically covered in the union agreements. Questions relating to union matters and interpretations of union agreements or contract language should be referred to the **Office of General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** and **Human Resources (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** .

Policy Against Discrimination Because of Union Activity

It is contrary to University policy for any representative of the management of the University to discriminate against any employee because he or she is a member of a union or active in a union. This policy applies to consideration for promotion and or transfer, assignment of job duties, discipline, and other related decisions that are the responsibility of the supervisor.

The Role of the Union Shop Steward

The union representative, or Shop Steward, is an elected spokesperson for a group of employees in a particular shop or work area. It is the representative's duty to look after the members' interests, both within the union, and in their collective bargaining relationship with the university. A sincere and well-intentioned Shop Steward who has the confidence of the employees can help to prevent misunderstandings and may often settle complaints before they become formal grievances.

Wherever possible, a cooperative and reciprocal relationship should be established wherein the supervisor and the Shop Steward can work together to the benefit of both the employees and the university. The supervisor can help to promote this relationship by discussing anticipated changes and developments with the Shop Steward, giving courteous attention to the Shop Steward's views on matters affecting employees, and otherwise showing that the Shop Steward's position and role is recognized and respected. However, the supervisor should not permit the Shop Steward to share in managerial decisions or to substitute for the free and natural exchange between supervisor and employee which is essential to a good employment relationship.

Time Off for Union Business

In general, it is the policy of the University to accommodate requests for time off for union business to the extent that such requests are submitted in advance for approval and are reasonable and legitimate. Election to union office, however, does not entitle an employee to leave his or her work whenever he or she or the union considers it appropriate. For more information, please refer to the respective **union contracts** **(https://www.newschool.edu/human-resources/labor-relations/)** or contact the **General Counsel's Office** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** .

Conduct Expected of Union Officials

It has been agreed within the various unions that engaging in union activities during working hours, with or without pay, is conditioned on the university's understanding that the privilege will not be abused and that the union officials will conform to certain procedures and standards of behavior. The more important of these conditions follow:

1. Time off for union activities will be held to the minimum necessary for the purpose involved and will be taken at times that cause the least inconvenience to the work.
2. The Shop Steward or other official must obtain the consent of the supervisor before leaving his or her own work area.
3. Before entering another work area, the Shop Steward or other official must obtain the permission of the supervisor in charge of that area to enter the work area.
4. Grievance investigations will be conducted as quietly and privately as possible so as not to disrupt the work of other employees.
5. No meetings, investigations, discussions or other activities that involve a number of employees and would cause general disruption to the work of a particular group will be permitted during working hours.
6. The University does not attempt or desire to stipulate union attendance at grievance meetings. It does, however, reserve the right to refuse to pay excessive numbers of union officials or employees who attend such meetings.
7. Time spent on union business must in all cases be reasonable in light of both the work requirements of the department or laboratory and the obligations of the union officer or Shop Steward as an employee. Appropriate steps will be taken to limit union activities during working hours whenever they impair the individual's effectiveness as an employee.

Conduct Expected of Supervisors

A supervisor is expected to control the activities of his or her work area and the conduct of personnel for whom he or she is responsible in an effective and reasonable manner when union

business is involved. The supervisor also is expected to respect the rights of the union and its representatives.

If a union representative requests time off for union business, a limited but reasonable period of time should be granted if the lost time will not be in conflict with the interest of the work. If the work flow will not permit the Shop Steward to be released at the time requested, then another time period should be arranged that is mutually convenient and practical.

A Shop Steward from another department may ask to visit the work area to conduct union business. He or she should be accommodated if reasonable adjustments to the work schedule can be made at the time requested. If the work may not be reasonably interrupted at the time requested then a more appropriate time should be arranged with the representative.

Official Union Membership Meetings

Official union membership meetings may be held on University property if rooms are properly arranged for in advance, and the meetings are conducted in an orderly manner. Such meetings may not be conducted during employees' normal working hours. Union members will not be permitted to leave their work area during normal work hours to attend official union membership meetings.

Bulletin Boards

All unions have been assigned bulletin boards for the exclusive use of the union officers to post notices of official union business only. These boards may not be used for any other purpose. Use of the official union bulletin board for political activity, campaigning for elections, or any other purpose is not permitted.

INTRODUCTORY PERIOD POLICY FOR ADMINISTRATIVE STAFF

Purpose

The *Introductory Period* is a 90 day probationary period during which time the covered employee and manager evaluates the suitability of the placement. The probationary period allows an employee time to become proficient in the basic responsibilities of a new position and permits the manager to assess the individual's performance.

Scope

This policy applies to employees hired into non-union administrative staff positions. Administrative staff positions ("covered employees") are defined as Full-time employees, Part-time employees, and Temporary employees as outlined in **Work Hours and Categories (https://app.getguru.com/card/TKxLRAMc/Work-Hours-and-Categories)** .

This Policy does not apply to administrative staff who transfer into a new position, faculty, student employees, academic student workers, or any university employees or positions covered under a collective bargaining agreement ("CBA") or other contract; please refer to the applicable CBA/contract for any provisions on probation. Faculty should consult with the appropriate chairperson or dean and/or refer to the **Faculty Handbook (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** for any applicable policies.

Policy

The *Introductory Period* takes place during the first 90 calendar days of employment following hire into an administrative staff position. Nothing in this Policy, however, shall be construed to affect or change a covered employee's **at-will status** **(https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment)** .

During this period, the new employee's performance will be evaluated and their manager will conduct an Introductory Period Performance Review. The **employee** **(https://app.getguru.com/card/cygXMpgi/Introductory-Period-Policy-for-Administrative-Staff-1-Guidance-for-Employees)** and **manager** **(https://app.getguru.com/card/TagRzpxc/Introductory-Period-Policy-for-Administrative-Staff-2-Guidance-for-Managers)** will communicate frequently during this time period to ensure that performance expectations are clear and resources are provided to acclimate the employee to their new role. If for any reason, at or before the end of this period, the employee is dissatisfied with the job or if it is determined that they are not suited for the work, they may resign or be separated from employment.

If a position is reclassified, an *Introductory Period* will generally be waived if the incumbent has satisfactorily performed the duties of the position for a period of time equal to, or greater than, the normal probationary period.

Introductory Period Completion

After the successful completion of the *Introductory Period*, employment with the university will be considered **at-will** **(https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment)** unless otherwise specified in a written agreement. Successfully completing the *Introductory Period* does not imply a guarantee or expectation of continued employment. At-will means that either the employee or the university can terminate the employment relationship at any time, with or without cause or notice, subject to applicable laws and any other agreements in place.

Extending the Introductory Period Beyond 90 Days

On occasion, managers may see a need to request an extension to the introductory period. This should be only used for exceptional circumstances and must be reviewed and approved by Human Resources.

Reasons to Ask for an Extension

- Manager was unable to provide adequate training or onboarding in the first 90 days. This may be because the manager was out on leave, due to vacancies or other unexpected reason out of the managers control.
- Direct supervisor/reporting line changes or is scheduled to change within or immediately following the 90 days.
- Employee has not worked approximately 50% of the introductory period due to medical or other leave of absence.
- Employee is actively involved in an investigative process with HR or the Office of Title IX/EEO.

Process to Request

When an extension is required, managers should reach out to their **Strategic HR Partner (https://app.getguru.com/card/T8dzGxqc/Shared-Services-HR-Team)** or **Kar Estrella (mailto:estrellk@newschool.edu)** to request an extension on or before day 80 of the Introductory Period. To request an extension:

1. Managers should fill out this **request form (https://forms.gle/Bsk5p5ctd2DYegU87)**
2. Once the form has been submitted, managers should submit their request for an extension in writing by emailing their SHRP or Kar Estrella directly.

Procedures

Guidance for Managers **(https://app.getguru.com/card/TagRzpxc/Introductory-Period-Policy-for-Administrative-Staff-2-Guidance-for-Managers) Policy-for-Administrative-Staff-2-Guidance-for-Managers)**

Guidance for Employees **(https://app.getguru.com/card/cygXMpgi/Introductory-Period-Policy-for-Administrative-Staff-1-Guidance-for-Employees)**

Additional Information

Policy adopted November 1, 2023.

The Vice President of **Human Resources** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** shall have responsibility for administration of this Policy.

EXITING PROCEDURES

Human Resources > Terminations

Below you'll find information on the requirements and entitlements for all administrative employees leaving the university. Please note employees are required to submit a resignation letter to their manager to begin the exiting process.

Returning University Property

All departing employees are required to return their University issued cell phones, laptops, credit cards, any borrowed library books, office keys, all other keys to university facilities, and identification cards to their immediate supervisors before or on the last day of work. Employees should complete the **New School Asset Return Form** **(https://docs.google.com/forms/d/e/1FAIpQLSfUkWF3Tdkg1rSYBfbWrl4nuWaxP1GwfJRU3j**

EpfFLpP3LtcA/viewform) when returning IT assets such as laptops or other technical devices.

Vacation

Upon termination of employment, employees leaving the University will receive payment for accrued unused vacation according to the **vacation policy (https://app.getguru.com/card/e93efe82-0a6f-4098-860c-95884e7f1943)** .

Employment References/Employment Verification

Refer to the Employment Policies section of the **Employee Handbook (https://app.getguru.com/card/dca08fdc-c005-4388-b7e4-ab84e03b349e)** for information regarding employment references/employment verification.

Exit Interviews

An employee is required to contact Human Resources approximately two weeks prior to the employee's last day of employment to schedule an exit interview. Issues such as final payments, continuation of benefits and forwarding addresses are discussed during exit interviews.

Benefits

For complete information regarding how your benefits are affected upon employment termination, click to download **FT Faculty Staff - Termination of Employment 7.28.16.pdf (https://content.api.getguru.com/files/view/d8ad4368-8ed3-447d-8c3e-5d912e73a386)** (PDF). Additional forms for union and temporary employees may be found **here (https://www.newschool.edu/human-resources/forms)** under **Terminating Employees**.

Unemployment Insurance

University employees are covered by the New York State Unemployment Insurance Act. Individuals who resign voluntarily are not usually eligible for benefits. Benefit entitlement is determined by the New York State Unemployment Insurance Division. A separating employee should consult his/her local unemployment office. Claims should be addressed to The New School, Office of Human Resources, 66 West 12th Street, NY, NY 10011.

Related Topics

- **Reasons for Leaving** (https://app.getguru.com/card/166f8e2e-bed8-445d-aebb-943eca7dc15e)
- **Benefits - Termination of Employment** (https://app.getguru.com/card/fb8f7b49-242f-4921-b610-f4667968d789)
- **Offboarding Checklist for Managers** (https://app.getguru.com/card/e35bed18-4e6c-4597-902f-9e72dde55110)

REASONS FOR LEAVING

Human Resources > Terminations

Resignation

An administrative employee who resigns is expected to give at least four (4) weeks written notice to his/her immediate supervisor and the **Office of Human Resources** (https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview) . **Tuition benefits** (https://app.getguru.com/card/cL55MrXi/-Tuition-Waiver-Overview) cease at the time of termination.

See also the **Full-Time Faculty Handbook (https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** **(https://app.getguru.com/card/TqB4nGBc/FullTime-Faculty-Handbook)** for additional information on separation from employment for faculty.

Termination

An administrative employee whose employment is terminated for performance related reasons will be paid for accrued unused vacation time according to the **vacation policy (https://app.getguru.com/card/Tq844kMc/Vacation-2-Vacation-Pay-Upon-Termination-of-Employment)** . **Tuition benefits (https://app.getguru.com/card/cL55MrXi/-Tuition-Waiver-Overview)** cease at the time of termination.

Layoffs

When an administrative position is eliminated due to budgetary constraints, reorganization or other reasons (such as shortage of work), the following policy will apply to all administrative employees:

1. The University will notify the employees as soon as possible regarding the coming lay-off.
2. When possible, the University will attempt to place the staff member in another vacant position for which he or she is qualified at the regular rate of pay assigned to the vacant position.
3. In the event that an employee who has received severance is recalled to work and laid off again, the previous period of service will not be calculated for severance purposes.
4. To be eligible to receive the severance pay afforded under this policy, a covered employee must also sign a separation agreement and general release satisfactory to the University.
5. Severance pay will be calculated on the following schedule:

less than 2 years	2 weeks
2 - less than 5 years	4 weeks
5 - less than 8 years	6 weeks
8 years	8 weeks
9 years	9 weeks
10+ years	10 weeks

Death of Employee

Surviving dependents of an employee should contact the **Benefits Office** **(https://app.getguru.com/card/irAeL5jT/Human-Resources-HR-Overview)** for assistance with filing a **life insurance** **(https://app.getguru.com/card/TzAKEzxc/-Life-Insurance-Overview)** claim and to get information on continuation of health care and dental care **coverage** **(https://app.getguru.com/card/cRAqKr9i/-Medical-Vision-and-Dental-Insurance-Overview)** .

Related Topics

- **Exiting Procedures** **(https://app.getguru.com/card/Tz849R5c/Exiting-Procedures)**
- **Benefits - Termination of Employment** **(https://app.getguru.com/card/ipAzK6gT/Benefits-Termination-of-Employment)**

UNIVERSITY POLICY ON HARASSMENT, DISCRIMINATION, PROHIBITED RELATIONSHIPS, TITLE IX AND NON-TITLE IX SEXUAL HARASSMENT AND

MISCONDUCT (EFFECTIVE 10/5/2023)

I. POLICY STATEMENT

The New School is committed to creating and sustaining an environment where students, faculty and staff can study, work and thrive unhampered by discrimination or harassment. The University strives to maintain a welcoming and collegial environment for employees, students, guests and visitors, who are expected to treat each other with respect and professionalism. The University will not tolerate discrimination or harassment based on an individual's race, creed, color, national origin, sex, gender, gender identity or expression, age, mental or physical disability, ethnicity, sexual orientation, genetic predisposition or carrier status, religion, pregnancy, veteran status, marital or partnership status, caregiver status or any other basis protected by applicable local, state or federal laws. Nor does the University tolerate unprofessional or bullying behavior among members of the campus community.

Discrimination and harassment can be detrimental to the academic, creative and work experience, and have no place in our community. The New School will take all action necessary to prevent, correct and discipline behavior that violates this standard of conduct. Due diligence will be used to ensure that such action is taken as expeditiously as possible. The University will make every effort to provide assistance, resources and support to complainants (the individual making the complaint) of this behavior in a thorough and sensitive manner.

Those members of the University community found responsible for discriminatory, harassing or retaliatory behavior, as described below, will be subject to the full range of institutional disciplinary actions, up to and including termination from the University. Non-members of the community such as guests or visitors, who engage in such behavior on campus, at campus events or within campus programs, may be barred from campus property and/or referred to the institutions or employers with whom they are affiliated. Guests and visitors of the University impacted by

discrimination and harassment are protected by these policies and procedures.

A reported violation of any University policy, which is motivated by the actual or perceived membership of an individual in a protected class may be investigated and remedied under this policy. Misconduct related to or coinciding with an investigation into a violation of this policy, may also be investigated under this policy. However, misconduct that does not violate this policy, will be resolved and remedied under the appropriate University policy.

This policy is designed to comply with applicable legal requirements including Title IX of the Education Amendments of 1972, relevant provisions of the Violence Against Women Reauthorization Act of 2013, Title VII of the Civil Rights Act of 1964, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, ADA 504, NY Education Law Article 129 B, other relevant NYS and NYC Human Rights Laws, as well as the 2020 Title IX Final Rule Regulations.

II. SCOPE OF THE POLICY

This policy applies to students, employees, visitors, volunteers, guests, recipients and/or providers of The New School programs or services, participants in internships and field placements, subcontractors and applicants for employment. The policy also pertains to The New School sponsored events that occur off campus, as well as off campus incidents that have a substantial on campus impact or effect on members of the University community. This policy also applies to off campus and online speech or conduct that causes a substantial disruption to University operations and/or its mission or substantially and negatively impacts members of the campus community. The University reserves the right to invoke disciplinary proceedings against a member of the campus community who is charged with violating local, state or federal law for conduct occurring off campus.

Pursuant to NY Education Law Article 129B, this policy also applies to cases involving allegations of sexual assault, dating violence, domestic violence or stalking against students that have a reasonable connection to the University, whether the alleged conduct occurred on campus, off campus or while studying abroad. When such conduct involves students from other institutions, the institutions may work collaboratively, while maintaining compliance with the Family Educational Rights and Privacy Act (FERPA).

See attached policy addendum for jurisdiction of Title IX Sexual Harassment.

III. INDIVIDUAL SPEECH GUIDELINES AND ACADEMIC FREEDOM

The New School is strongly committed to encouraging the free flow of thoughts and ideas essential to higher education (see University Policies on Freedom of Artistic Expression and Free Exchange of Ideas in the Institutional Policies and Procedures Manual). Although The New School does not encourage offensive or insensitive speech, the principles of free speech and academic freedom may limit the University's ability to restrict speech that is academically germane or pedagogically appropriate. However, speech that rises to the level of discrimination and/or harassment, as defined in this policy, may not be protected by academic freedom and/or free speech, and may be considered a violation of this policy.

IV. DISCRIMINATION

Discrimination is any action that deprives or tends to deprive individuals of educational or employment access, benefits or opportunities on the basis of the individual's actual or perceived protected status, as described above, or practice that adversely impacts members of one protected class more than others.

V. DISCRIMINATORY HARASSMENT

Discriminatory harassment is unwelcome conduct that creates an intimidating, hostile or abusive work, academic, student residential or co-curricular environment; alters the conditions of employment or education or unreasonably interferes with an individual's work or academic performance on the basis of the individual's actual or perceived membership in a protected class. Harassment may include, but is not limited to:

- verbal abuse, epithets, slurs or negative stereotyping
- threatening, intimidating or hostile acts
- denigrating jokes
- obscene comments or gestures
- offensive or derogatory displays or circulations (including electronic) in the work, academic or student residential environment
- written or graphic material that disparages or shows hostility or aversion toward an individual or group

Determinations of whether conduct is intimidating, abusive or hostile will be based on objective and subjective factors, including the totality of the circumstances, as well as the nature of the conduct. A reasonable person in the complainant's position is the standard that determines whether the conduct created a hostile environment.

Non-Title IX Sexual Harassment

Non-Title IX Sexual harassment is a form of discrimination that includes harassment on the basis of sex, gender, gender identity or expression, sexual orientation or the status of being transgender. Sexual harassment includes unwelcome conduct of a sexual nature or which is directed at an individual because of that individual's sex, gender, gender identity or expression, sexual orientation or the status of being transgender. It includes visual, verbal, non-verbal or physical conduct and when:

- Submission to such conduct is implicitly or explicitly a term or condition of the individual's academic, co-curricular, student life or employment status or used as a basis for academic, co-curricular, student life or employment decisions affecting the individual ("quid pro quo"), or
- The conduct has the purpose or effect of unreasonably interfering with the individual's academic, social, student residential or work performance by creating a hostile environment, regardless of whether the conduct is directed toward that or any specific individual, or
- Such conduct is intentional, serves no legitimate purpose and involves contact with parts of another person's body and which causes the person to feel degraded or abused or is committed for the purpose of gratifying the other person's sexual desire.

See policy addendum for the definition of Title IX Sexual Harassment.

Non-Title IX Hostile Environment

A hostile environment occurs when the unwanted and objectionable conduct is based upon the individual's actual or perceived membership in a protected class and limits or denies or unreasonably interferes with an individual's work or academic experience (including student residential, campus life or co-curricular). A single or isolated incident of harassment or discrimination may create a hostile environment.

Examples of conduct that can constitute harassment include:

- Verbal or non-verbal unwelcome sexual advances, innuendos or propositions, racial or sexual epithets, derogatory slurs, offensive or denigrating jokes.
- Derogatory visual posters, cartoons or drawings, suggestive objects or pictures, graphic commentary, leering or obscene gestures.
- Threatening, intimidating or causing physical harm or other conduct that threatens or endangers the health or safety of any person on the basis of their actual or perceived membership in a protected class.

- Bullying, defined as repeated and/or aggressive conduct, including non-verbal conduct and speech, likely to intimidate, humiliate or intentionally hurt, control, silence, exclude, isolate, or diminish another person physically or mentally, regardless of whether that conduct is based on their actual or perceived membership in a protected class.

Prohibited Relationships

The relationship between faculty and students is central to the mission of The New School. Although we do not wish to discourage collegial relationships between faculty and students, given the fundamentally asymmetrical nature and power differential inherent in these relationships, even the appearance of voluntary consent to a romantic, dating or sexual relationship by the student, may be questionable.

These risks are also inherent in romantic, dating or sexual relationships between University staff in unequal positions, like supervisors and subordinates or senior and junior faculty members. The power dynamics of these relationships may also impact other members of the campus community. Personal ties of this nature should not be allowed to interfere with the academic or work environment. In light of the above:

- All romantic, dating or sexual relationships between staff or faculty (those in instructional positions, including Teaching Assistants, Teaching Fellows and Tutors) and students (graduate and/or undergraduate) are prohibited by this policy.
- All employees (faculty and staff) are prohibited from entering into a newly formed (i.e., commencing subsequent to starting employment at The New School) romantic, dating or sexual relationship with any employee for whom they have direct or indirect supervisory or evaluative responsibility.
- All employees (faculty and staff) who have a pre-existing *__1__ (i.e., commencing prior to assuming the supervisory or evaluative responsibilities) romantic, dating or sexual

relationship with an individual for whom they subsequently assume supervisory or evaluative responsibilities (directly or indirectly) are required to report this relationship immediately to their Chief/Dean. The Chief /Dean in concert with the Chief Legal and Human Resources Officer shall determine whether, in the best interests of the University, a change in supervisory or evaluative responsibilities can be made to accommodate this relationship.

- All employees (faculty and staff) who have a pre-existing (i.e., commencing prior to the student's association with the University) romantic, dating or sexual relationship with any student (graduate and/or undergraduate) are required to report this relationship immediately to their Chief/Dean. The Chief/Dean in concert with the Chief Legal and Human Resources Officer shall determine whether, in the best interest of the University, a change in responsibilities is necessary to accommodate this relationship.

Failure to abide by any of the requirements described above is a violation of this policy and will result in serious disciplinary sanctions up to and including termination of employment. ***2**

- Notwithstanding the above, collegial, academic and/or professional meetings, interactions and one-on-one discussions occurring on or off campus between faculty, staff and students are an integral and acceptable part of the academic environment of the University. Relationships that fall outside the parameters of professional, collegial or academic interactions can be problematic. Whether a relationship is romantic, dating or sexual will be evaluated on a case by case basis and analyzed through the lens of a reasonable person in the complainant's position. ***3** Examples include, but are not limited to, the following:
- Having lunch or dinner with a student to discuss an academic issue may be appropriate. However, having lunch or dinner with a student in furtherance of an intention to make a sexual overture to or initiate a romantic, dating or sexual relationship with the student is prohibited.
- Meeting with a student in your office to discuss an academic issue may be appropriate. However, arranging with the student to meet you in a restaurant in furtherance of an intention to make a sexual overture to or initiate a romantic, dating or sexual relationship with the

student is prohibited.

***1** Any romantic, dating or sexual relationship between an employee (faculty or staff) and an individual for whom the employee has supervisory or evaluative responsibilities that exists prior to the effective date of this policy will be considered a "pre-existing" relationship and should be reported in the manner described above.

***2** Exceptions may be made in cases involving lack of knowledge of the student's status or other extenuating circumstances. The absence of an academic, supervisory or other power relationship will be an important factor in determining the appropriate sanction.

***3** Romantic, dating and sexual relationships may exist on the basis of a single interaction. Physical contact is not a required element of a romantic or dating relationship.

VI. SEXUAL MISCONDUCT

Sexual Assault

Sexual assault is sexual activity, including sexual acts and/or sexual contact, which occurs without affirmative consent ***4** (defined within) to engage in the activity.

Sexual Act

- Contact, however slight, between the penis and vagina or the penis and the anus without affirmative consent, or
- Contact between the mouth and the penis, the mouth and the vagina, the mouth and the anus or genital to genital contact without affirmative consent, or
- Penetration, however slight, of the anal or genital opening of another by hand, finger or any object, with the intent to abuse, humiliate, harass, degrade or gratify the sexual desire of any

person and without affirmative consent.

Sexual Contact

- The intentional touching, either directly or through clothing, of the genitals, anus, groin, breast, inner thigh or buttocks of any person without affirmative consent and with the intent to abuse, humiliate, harass, degrade or gratify the sexual desire of any person.

Sexual Exploitation

Sexual exploitation is non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, humiliation, harassment or any illicit purpose. Acts of sexual exploitation may include, but are not limited to:

- Streaming, sharing or distributing images, photography, video or audio recordings of sexual conduct, nudity or state of undress when there is a reasonable expectation of privacy and without the knowledge and affirmative consent of all participants.
- Observing, photographing, videotaping or making any other visual or audio recording of sexual conduct or nudity or state of undress when there is a reasonable expectation of privacy and without the knowledge and affirmative consent of all participants.
- Exposing one's genitals in non-consensual circumstances.
- Inducing incapacitation without the participant's consent for the purpose of sexual activity.
- Knowingly transmitting a sexually transmitted infection or HIV to another person.
- Engaging in forced prostitution related activity involving a member of the campus community.
- Knowingly tampering with birth control or condoms without the consent of the participants.

Affirmative Consent

Affirmative consent to engage in sexual activity is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. ***5** Consent can be given by word or action, as

long as those words or actions create clear permission to engage in the sexual activity. Silence or the lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs or alcohol. Consent may be initially given but withdrawn at any time.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness, being asleep, being involuntarily restrained or if the individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of coercion, intimidation, force or threat of harm. An individual under the age of 17 cannot consent to sexual activity in New York. When consent is withdrawn or can no longer be given, sexual activity must stop.

***4** There can be no consent to a prohibited relationship given the fundamentally asymmetrical power differential.

***5** There can be no consent to a prohibited relationship given the fundamentally asymmetrical power differential.

VII. RELATIONSHIP VIOLENCE

Dating Violence

Dating violence is the use of physical violence, coercion, threats, intimidation or other forms of emotional, psychological or sexual abuse directed toward an individual, who is or has been in a

social relationship of a romantic or intimate nature with the accused. It includes behaviors that intimidate, manipulate, humiliate, isolate, frighten, coerce, threaten or physically injure the individual. A romantic or intimate relationship may exist whether the relationship is sexual or not. Dating violence can be a single act or a pattern of behavior, depending upon the severity of the conduct. The existence of a dating relationship shall be determined based upon the complainant's statement, as well as such factors as the length of the relationship, the type of the relationship and the frequency of interactions between the parties involved in the relationship.

Domestic Violence

Domestic violence is the use of physical violence, coercion, threats, intimidation or other forms of emotional, psychological or sexual abuse directed toward a current or former spouse, intimate partner, person with whom one shares a child or a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, or anyone protected from the accused's acts under the domestic or family violence laws of New York. To categorize as domestic violence, the relationship between the complainant and the accused must be more than two people living together as roommates and must be the type of relationship as noted above. Domestic violence includes behaviors that intimidate, manipulate, humiliate, isolate, frighten, coerce, threaten or physically injure the individual. Domestic violence can be a single act or a pattern of behavior, depending upon the severity of the conduct.

VIII. STALKING

Stalking is a course of unwanted and repeated conduct directed at an individual or group of individuals, designed for no legitimate purpose and which causes a reasonable person to be in fear for their safety or the safety of others or to suffer substantial emotional distress. Stalking can take many forms and may include conduct where the stalker directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or

communicates to or about a person or interferes with a person's property.

IX. RETALIATION

Retaliation is an intentional adverse action or threatened action taken by an accused individual or allied third party that harms or attempts to harm another individual as reprisal for filing a complaint, supporting a complainant or otherwise participating in a proceeding pursuant to this policy. Retaliation includes intimidating, threatening, disparaging, coercing or in any way discriminating against an individual as reprisal for the individual's complaint or participation in an investigation or proceeding.

Retaliation is an offense separate and apart from the underlying policy violation and will be considered and acted upon independently. The New School will not tolerate any retaliation against an individual or group for making a complaint of harassment or discrimination in good faith under this policy or for participating in an investigation.

X. INTENT

Failure to recognize that one's behavior is harassing or discriminatory to an individual or group is not an acceptable defense to discrimination, harassment or retaliation. Differences in perception will be resolved based upon the standard of a reasonable person in the complainant's position.

XI. COOPERATION

All members of the University community including students, faculty and staff are expected to assist and cooperate in the application of this policy and in investigations conducted pursuant to this policy. Any person who knowingly misrepresents the truth or whose willful action or inaction obstructs the application of these procedures will be subject to disciplinary action.

XII. REPORTING

Required Reporting for Responsible Employees

All employees of the University, with the exceptions of those designated as confidential resources (Counseling Services, Student Health Services and the Faculty/Staff /Student Ombuds) are considered **Responsible Employees** of the University and are required to report all allegations of harassment or discrimination for which they have notice. Reports should be made as follows:

- For incidents involving students contact Cassita Charles-Bowie, Student Title IX Investigator, at charlesc@newschool.edu.
- For incidents involving faculty and staff contact Rhonnie Jaus, Vice President for Equal Employment Opportunity, Affirmative Action, Compliance and Title IX Coordinator, at jausr@newschool.edu
- You may utilize the Harassment/Discrimination Reporting Form **here. (https://docs.google.com/forms/d/e/1FAIpQLSdAn8yvtaEWUOI7ybYa1RdBn7adl7sY6M3eYXorMl1p-IxBSw/viewform)**

Student employees (both graduate and undergraduate) are not **Responsible Employees** under this section. However, students employed as Resident Advisors, Resident Housing Directors, Teaching Assistants, Teaching Fellows, Peer Advisors and Orientation Leaders are **Responsible Employees** of the University and required to report as indicated above.

Reports Involving Minors

The New School is committed to the prevention of child abuse. All employees who have reasonable cause to suspect abuse or maltreatment of an individual under the age of 18 are directed to inform Campus Safety, who will report this information to the NY State Child Abuse and Maltreatment Hotline. Reports can also be made directly to the hotline at 800-342-3720. See Policy on Minors on

Campus in the Institutional Policies and Procedures Manual.

Confidentiality and Privacy in the Reporting Process

The New School strongly encourages all members of the campus community to report allegations of discrimination or harassment under this policy. However, individuals who do not wish to make a formal report, but wish to speak with someone confidentially, can utilize the confidential on-campus resources of the Student Counseling Services, Student Health Services or the Faculty/Staff /Student Ombuds. Individuals can also utilize off campus confidential resources listed in the Appendix. Confidential resources will not release information without the express consent of the individual.

Student Amnesty

The health and safety of every student at The New School is of the utmost importance. The New School recognizes that students who have been drinking and/or using drugs (whether voluntary or involuntary) at the time of the violence, including but not limited to dating violence, domestic violence, stalking or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their conduct. The New School strongly encourages students to report dating violence, domestic violence, stalking or sexual assault to University officials. A bystander (witness) acting in good faith or a complainant acting in good faith, who discloses an incident of dating violence, domestic violence, stalking or sexual assault to University officials or law enforcement will not be subject to student conduct action for violations of alcohol or drug use occurring at or near the time of the commission of the dating violence, domestic violence, stalking or sexual assault.

Hate Crimes

The New School is committed to the prevention of hate crimes and strongly encourages all members of the community to report them. A hate crime is defined as an offense that either (a) intentionally selects the person against whom the offense is committed or intended to be committed because of a belief or perception regarding the protected class of the person, regardless of whether the belief or perception is correct, or (b) intentionally commits the act or acts constituting the offense because of a belief or perception regarding the protected class of the person is correct.

XIII. THE REPORTING PROCESS

All students, employees and third parties who believe they have observed or been subjected to discrimination, harassment, including sexual assault, dating violence, domestic violence, stalking or retaliation are strongly encouraged to report this to the University in accordance with the procedures set forth in this policy.

- For complaints involving students contact: Cassita Charles-Bowie, Student Title IX Investigator at Charlesc@newschool.edu.
- For complaints involving faculty/staff or third parties or for any question regarding this policy contact: Rhonnie Jaus, Vice President for Equal Employment Opportunity, Affirmative Action, Compliance and Title IX Coordinator at Jausr@newschool.edu.
- You may report anonymously online to **https://www.pavesuite.com/Newschool/PublicPortal/AcademicMisconductIncident (https://www.pavesuite.com/Newschool/PublicPortal/AcademicMisconductIncident)**
- In case of emergency or if you need immediate assistance contact Campus Safety at 212-229-7001.

- You may utilize the Harassment/Discrimination Reporting Form **here (https://docs.google.com/forms/d/e/1FAIpQLSdAn8yvtaEWUOI7ybYa1RdBn7adl7sY6M3eYXorMl1p-IxBSw/viewform) (https://docs.google.com/forms/d/e/1FAIpQLSdAn8yvtaEWUOI7ybYa1RdBn7adl7sY6M3eYXorMl1p-IxBSw/viewform)** .

Notice

Regardless of whether a complainant files a complaint or requests action, if the University has notice of discrimination or harassment, as outlined in this policy, a prompt, thorough and impartial investigation of the allegations will be commenced.

Reports to the Police and Other External Proceedings

A complainant may contact the local or state police directly, whether or not a complaint has been filed with the University. The University can provide assistance in notifying law enforcement. Reports to local police should be made to the precinct of occurrence or to the Special Victims Report Line at 646-610-7272.

The University's investigation is independent of any criminal or civil investigation or proceeding. The University's investigation and related proceedings may be carried out prior to, simultaneously with or subsequent to, any related criminal or civil proceeding and will not be subject to challenge or delay based on the grounds that criminal or civil proceedings involving the same incident have been dismissed, reduced or pending. Short delays in University proceedings may be allowed for law enforcement to conduct their investigation.

Timing of the Investigation

There is no time limit for when a complaint may be brought to the attention of the University. However, significant delays in reporting may impair the University's ability to investigate the

allegation.

The University will make every effort to investigate and resolve a case within 120 days from the time notice is received. However, depending upon the complexity of the case and/or the nature of the allegations, as well as other factors, this time period may be extended at the discretion of the University.

XIV. INVESTIGATIONS FOR NON-TITLE IX ALLEGATIONS

Upon receipt of a complaint (or notice) of discrimination, harassment or retaliation, an investigation of the allegations will be commenced. The investigation will be conducted in a prompt, thorough and impartial manner, and may include:

- Interviews with the complainant and the accused
- Interviews of relevant witnesses
- Consideration of relevant evidence, including information submitted by either party
- If the accused is a member of any bargaining unit, they are entitled to have a union representative accompany them to the interview. The union representative may appear only in an advisory capacity and may not actively participate in the proceedings.
- Either party may be accompanied to the interview by an advisor of choice. ***6** The advisor of choice may appear only in an advisory capacity and may not actively participate in the proceedings.
- The investigator will make every effort to keep the complainant informed about the status of the investigation.

Interim Measures

At any time during the investigation, the investigator may recommend reasonable interim protections or measures for the parties involved. These measures may include separating the

parties, placing limitations or restrictions, no-contact orders, suspension, alternative workplace schedules, student residential housing adjustments, transportation or academic accommodations or adjustments.

These measures are available regardless of whether the complainant pursues a complaint under this policy. Efforts will be made to minimize the burden on the complainant whenever practicable. Upon reasonable request, the accused and/or complainant will be afforded a prompt review of the interim measures, including potential modification. Either party will be permitted to submit evidence in support of such request.

***6** Limitations may be placed on the selection of the advisor of choice due to such factors as the reporting structure of the parties or the nature of the case.

XV. DETERMINATIONS AND RESOLUTIONS FOR NON-TITLE IX CASES

The investigator/s will complete the investigation in a timely fashion and render a determination based upon the preponderance of the evidence. The preponderance of the evidence means that what is sought to be shown, is more likely than not to have occurred. All parties to the investigation (complainant and accused) will receive a written determination of the outcome of the investigation.

In cases involving faculty and staff, the University reserves the right to take summary disciplinary action pursuant to the University Code of Conduct and/or existing University employment procedures, including those contained in applicable Collective Bargaining Agreements, the Institutional Policies and Procedures Manual and the Full-Time Faculty Handbook.

Faculty and staff have the right to appeal outcome determinations pursuant to the guidelines set forth in the Full-Time Faculty Handbook, the Institutional Policies and Procedures Manual or the

applicable Collective Bargaining Agreement.

Allegations of non-Title IX offenses against student respondents (individuals who are accused) will be handled under the Student Code of Conduct. Students in those cases have the right to appeal the outcome determinations pursuant to the procedures set forth in the Student Non-Academic Disciplinary Procedures.

XVI. FALSE COMPLAINTS

A complainant who knowingly makes false allegations against a member of the University community in bad faith will be subject to disciplinary action. An inquiry into a false complaint may be resolved through a separate investigation.

XVII. POLICY REVIEW

This policy may be reviewed for possible revision every three years or as otherwise deemed necessary.

XVIII. DISCLOSURE

Notwithstanding the above, the University reserves the right to disclose the outcome of an investigation unless prohibited by law.

NEW PROCEDURES FOR TITLE IX SEXUAL HARASSMENT AND MISCONDUCT

Only incidents that fall within the below definition and jurisdiction of Title IX sexual harassment and occur on or after August 14, 2020, the effective date of the regulations, will be handled under

the procedures listed below. Alleged misconduct that falls outside the scope of this definition and jurisdiction or prior to the effective date, will be handled under existing University policies and procedures.

JURISDICTION OF TITLE IX SEXUAL HARASSMENT

The jurisdiction for Title IX sexual harassment includes allegations of sexual harassment (as defined below) occurring in the University's education program or activity in the United States, including any on campus premises, any off campus premises over which the University has substantial control, as well as buildings or property owned or controlled by a recognized student organization. It also includes activity occurring within computer and internet networks, digital platforms and computer hardware or software owned or operated by, or used in the operations of University programs and activities over which the University has substantial control.

DEFINITION OF TITLE IX SEXUAL HARASSMENT

Title IX sexual harassment includes any conduct that satisfies one or more of the following:

- Quid pro quo sexual harassment involving allegations that an employee conditioned educational benefits on participation in unwelcome sexual conduct;
- Unwelcome conduct on the basis of sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies a person equal access to the University's education programs or activities;
- Sexual assault (as defined in the Clery Act) which includes any sex act directed against another person without consent, including where the victim is incapable of giving consent. It includes offenses that meet the following definitions:
    - Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person without consent.

    - Fondling: The touching of the private body parts of another person for the purpose of sexual gratification and without the consent, including instances where the victim is incapable of giving consent because of age or temporary or permanent mental incapacity.
    - Incest: Sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by New York law.
    - Statutory Rape: Sexual intercourse with a person under the age of sexual consent in New York (seventeen)
- Dating Violence, Domestic Violence and Stalking (as defined in the Violence Against Women Act (VAWA) Amendments to the Clery Act). See definitions of these terms in Sections VII and VIII of above policy.

ACTUAL NOTICE IN TITLE IX SEXUAL HARASSMENT CASES

Upon receipt of actual notice of an allegation of Title IX sexual harassment, the University must respond in a manner that is not deliberately indifferent, meaning not unreasonable under known circumstances. Actual notice is defined as written or oral notice from any source, including anonymous reports or information, provided to the Title IX Coordinator or any University official with authority to institute corrective measures on behalf of the University. Officials with authority to institute corrective measures on behalf of the University include Deans and Department Heads.

Responding in a manner that is not deliberately indifferent includes:

- Promptly contacting the complainant.
- Apprising the complainant of available supportive measures, which may include academic adjustments, support and accommodations, counseling resources, housing resources, work schedule adjustments, increased security and no-contact orders, regardless of whether a formal complaint is filed.
- Providing the complainant with an explanation of the grievance process for Title IX sexual harassment cases and how a formal complaint can be filed.

FORMAL GRIEVANCE PROCESS FOR TITLE IX SEXUAL HARASSMENT CASES

Only a formal complaint signed by the complainant (or other indication that the complainant is the person filing the complaint) or the Title IX Coordinator can initiate the formal grievance process for Title IX sexual harassment cases. The formal complaint must be in writing- including electronic submissions- and allege conduct constituting Title IX sexual harassment under the above definition and jurisdiction by a respondent and request initiation of the Title IX grievance procedures. At the time of the filing of the formal complaint the complainant must be participating in or attempting to participate in the education programs or activities of the University.

DISMISSAL OF THE FORMAL COMPLAINT IN TITLE IX SEXUAL HARASSMENT

The University must dismiss a formal complaint of Title IX sexual harassment if:

- The alleged conduct does not meet the above definition of Title IX sexual harassment;
- The alleged conduct did not occur in the University's education program or activity, or in the United States.

The University may dismiss a formal complaint of Title IX sexual harassment if:

- The complainant informs the Title IX Coordinator or designee in writing that they wish to withdraw the complaint;
- The respondent is no longer enrolled or employed at the University;
- There are circumstances which prevent the University's ability to gather evidence sufficient to reach a determination.

Written notice of a dismissal of the formal complaint, along with an explanation for the dismissal, must be provided to both parties. Dismissal of the formal complaint is appealable and does not preclude the University from addressing this conduct under another University policy.

NOTICE IN TITLE IX SEXUAL HARASSMENT CASES

- After the filing of a formal complaint, the University will send written notice of the allegation of Title IX sexual harassment to both parties as soon as practicable. The notice must include sufficient details known at the time the notice is issued, such as the identity of the parties involved in the incident, if known, including the complainant, the conduct allegedly constituting the covered sexual harassment, and the date and location of the alleged incident, if known. The notice must apprise the parties of their right to have an advisor of choice present at the proceedings and the right to inspect and review all the evidence before the conclusion of the investigation.
- The notice must also include a statement that the respondent is presumed not responsible until a determination of responsibility is made at the conclusion of the formal grievance process, and that knowingly making false statements or submitting false information during the grievance procedure is prohibited.

EMERGENCY REMOVALS

During the pendency of the proceedings, the respondent can be removed from an educational program or activity if:

- After conducting an individualized safety and risk analysis, there is a determination that the respondent poses an immediate threat to the physical health or safety of an individual.
- The threat must arise from the allegations of sexual harassment.
- The respondent must have the opportunity to challenge the removal immediately thereafter.
- Employee respondents can be placed on administrative leave.

INFORMAL RESOLUTION FOR TITLE IX SEXUAL HARASSMENT CASES

After a formal complaint is filed, the University can initiate an informal resolution at any time prior to reaching a determination regarding responsibility that does not require a full investigation and adjudication provided that:

- Both parties are given written notice of the allegations and the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- Both parties voluntarily agree in writing to participate in the informal resolution process;
- At any time prior to agreeing to the informal resolution, a party has the right to withdraw from the informal resolution process and resume formal grievance proceedings on the formal complaint.
- The University has discretion to utilize various forms of informal resolutions, including mediation and restorative justice.
- Informal resolution is not available in cases where an employee is alleged to have sexually harassed a student.

INVESTIGATION OF TITLE IX SEXUAL HARASSMENT CASES

- The University will conduct an investigation of the allegations, which may include speaking with the parties, other witnesses and considering evidence. The University has the burden of proof and the burden of gathering evidence during the investigation.
- All parties have the opportunity to present evidence and request that witnesses be interviewed.
- The University cannot use privileged records of any witness/party without the consent of the witness/party.

- All parties will be provided with written notice of meeting dates/times, as well as the right to attend meetings with an advisor of choice. The advisor of choice may act only in an advisory capacity at these meetings.
- Prior to the completion of the investigation, the University will send each party and their advisor, if any, all evidence (in hard copy or digital form) directly related to the allegations raised in the formal complaint for inspection and review. The parties will have up to 10 calendar days to submit a written response to this evidence, which the investigator will consider before completing the investigative report.
- The University will send the completed investigative report which fairly summarizes the evidence to each party and their advisor, if any, for review at least 10 calendar days prior to the hearing. If a party wishes to submit a written response to the investigative report, the party must submit the report at least 2 calendar days prior to the scheduled start of the hearing.

HEARINGS IN TITLE IX SEXUAL HARASSMENT CASES

- The University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live/virtual hearing.
- No party can waive the right to a live/virtual hearing. The University can still proceed with the live hearing in the absence of a party and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" of that party. A decision maker cannot draw an inference about the determination of responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination questions.
- The hearing will be conducted live/virtually in real time.
- A decision maker or panel of decision makers will render the decision in the hearing.
- Each party must be accompanied to the hearing by an advisor of choice.

- If either party does not have an advisor of choice, the University will provide one free of charge to the party. There is no requirement that the University provide an attorney or advisor of equal competence, as long as the advisor has received training.
- The advisor can ask the party or witnesses relevant questions on cross examination. Parties are not permitted to ask questions of witnesses or other parties during the hearing.
- The decision maker or hearing officer will determine whether the proposed question is relevant prior to the advisor being permitted to ask the question. The decision maker or hearing officer must explain any decision to exclude a question.
- If a party or witness does not submit to cross examination, the decision maker cannot rely on any statement they have made in determining responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The standard of evidence used at the hearing is preponderance of the evidence (see definition above).
- Complainants cannot be asked questions about their sexual history, unless it goes directly to the issue of consent to the alleged conduct or the identity of the accused.
- Privileged evidence of a party/witness may not be used during the hearing without the consent of the party/witness.
- Both parties will receive a written outcome determination letter of the proceedings that includes findings of fact, conclusions of policy violations, rationale for the decision, as well as any disciplinary sanction or recommendations. The letter will also contain information about how to file an appeal.
- For the range of possible sanctions for student cases see attached appendix. In employee matters disciplinary sanctions range up to and including termination of employment.
- The University will maintain a record of the proceedings.

RIGHT TO APPEAL IN TITLE IX SEXUAL HARASSMENT CASES

Both parties have the right to appeal (1) the determination of responsibility at the hearing, and

(2) dismissals of a formal complaint or any allegations therein, on one of the following grounds:

- A procedural irregularity occurred that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator, decision maker or hearing officer had a conflict of interest or bias against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

All appeal requests must be sent in writing to the Appellate Decision Maker within 5 calendar days of being notified of the determination of responsibility or dismissal of the formal complaint. The opposing party will be notified in writing when an appeal is filed. Each party can submit a written statement in support of or challenging the responsibility determination or dismissal of the complaint within 10 calendar days of the notification of the appeal. The Appellate Decision Maker will then issue a written decision on the outcome of the appeal to both parties within 10 business days, which will be final.

If no appeal request is filed within 5 calendar days—the determination of responsibility or dismissal of the complaint will be final.

RETALIATION IN TITLE IX SEXUAL HARASSMENT CASES

Retaliation (as described above in Section IX) is prohibited against any individual for bringing or refusing to bring a complaint of Title IX sexual harassment or for participating in the investigation of such a case.

TIME FRAMES FOR THE TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS

Upon the filing of a formal complaint of Title IX sexual harassment, the University will conclude the grievance process within 120 business days, subject to limited extensions supported by good cause. If good cause is established, written notice of the extension will be provided to the parties. The University has discretion to grant or deny requests for limited extensions. The 120-day period does not include the time allotted for the appeals process.

Engaging in an informal resolution process tolls the time period for completion of the formal grievance process. If either party subsequently withdraws from the informal resolution process, the grievance process clock restarts from the point when the parties entered the informal resolution process.

XIV. APPENDIX

A. Student Bill of Rights

STUDENT BILL OF RIGHTS:

For sexual assault, dating violence, domestic violence and stalking.

Complainants of the above offenses are entitled to:

1. The right to make a report to the local law enforcement and/or the state police;

2. The right to have disclosures of sexual assault, dating violence, domestic violence and stalking treated seriously;

3. The right to make a decision about whether or not to disclose a crime or violation and participate in the university disciplinary process and/or criminal justice process free from pressure from the university;

4. The right to participate in a process that is fair, impartial and provides adequate notice and meaningful opportunity to be heard;

5. The right to be treated with dignity and to receive from the university courteous, fair and respectful health care and counseling services where available;

6. The right to be free from any suggestion that the reporting individual is at fault when these crimes and violations were committed, or sho uld have acted in a different manner to avoid such crimes or violations;

7. The right to describe the incident to as few university representatives as practicable and not be required to unnecessarily repeat a description of the incident;

8. The right to be protected from retaliation by the university, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the university;

9. The right to at least one level of appeal of a determination;

10. The right to be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the university disciplinary proceedings including all meetings and hearings related to such proceedings;

11. The right to exercise civil rights and the practice of religion without interference by the investigative, criminal justice or disciplinary proceedings of the University.

newschool.edu
Contact info

THE NEW SCHOOL

B. On Campus Resources

For Students

Student Health and Counseling Services

80 Fifth Avenue, 3rd floor, New York, NY 10011

212.229.1671 (Nurse Response will answer the phone after hours)

SHS@newschool.edu

Walk-in Hours for both counseling and medical are available on the SHS website

Student Support and Crisis Management

72 Fifth Avenue, 4th floor, New York, NY 10011

212.229.5900 x3656

studentsupport@newschool.edu (mailto:studentsupport@newschool.edu)

Student Conduct and Community Standards

72 Fifth Avenue, 4th floor, New York, NY 10011

212.229.5900 x3701

studentconduct@newschool.edu (mailto:studentconduct@newschool.edu)

Title IX Investigator for Students

Cassita Charles-Bowie, 79 Fifth Avenue, 5th floor

212.229.5900 x4088

charlesc@newschool.edu (mailto:charlesc@newschool.edu)

titleixcoordinator@newschool.edu (mailto:titleixcoordinator@newschool.edu)

Campus Security Office

68 Fifth Avenue, Mezzanine Level

212.229.7001 (24 hours)

For Employees

Human Resources

Rhonnie Jaus

VP for Equal Employment Opportunity, Affirmative Action, Compliance and Title IX

80 Fifth Avenue, 8th floor

212.229.5671

jausr@newschool.edu (mailto:jausr@newschool.edu)

titleixcoordinator@newschool.edu (mailto:titleixcoordinator@newschool.edu)

Employee Assistance Program

888.238.6232 (24 hours)

Resourcesforliving.com (http://resourcesforliving.com)

HR website (https://www.newschool.edu/human-resources/)

Faculty and Staff Ombuds (https://www.newschool.edu/faculty-staff-ombuds/)

Ann-Lou Shapiro

66 West 12th Street, Room 714

shapiroa@newschool.edu (mailto:shapiroa@newschool.edu)

ombuds@newschool.edu (mailto:ombuds@newschool.edu)

646.830.0530

C. Off Campus Resources

Hospitals and Treatment Centers:

Bellevue Hospital Center—Sexual Assault Response Team

462 First Avenue, CD Building, room CD408 (at East 26th Street)

212.562.3435 or 212.562.3755

Beth Israel Rape Crisis and Domestic Violence Intervention Program

Beth Israel offers a variety of services to survivors of sexual abuse and domestic violence, including medical care, counseling, and information and referral, as well as information, training, and advocacy.

Department of Social Work

317 East 17th Street (between First and Second Avenues)

212.420.5632

Crime Victims Treatment Center (CVTC)

www.cvtcnyc.org (http://www.cvtcnyc.org)

CVTC is the largest and most comprehensive hospital-based victim assistance program in New York State.

Mount Sinai West: 1000 Tenth Ave (between 58th and 59th Streets)

Mount Sinai St. Luke's: 1111 Amsterdam Avenue (between 114th and 115th Streets)

Lenox Health Greenwich Village

32 Seventh Avenue (between 12th and 13th Streets)

New York City Domestic Violence Hotline

dial 311, 24 hours per day, 7 days per week

Additional Resources:

New York State Domestic Violence Hotline

1.800.942.6906

24 hours per day, 7 days per week

New York City Gay and Lesbian Anti-Violence Project

212.714.1141

24 hours per day, 7 days per week

Safe Horizon

866.689.HELP (4357) Crime Victims' Hotline

800.621.HOPE (4673) Domestic Violence Hotline

212.227.3000 Sexual Assault Hotline

www.safehorizon.org (http://www.safehorizon.org)

St. Luke's Roosevelt Crime Victims Treatment Center

www.cvtc-slr.org (http://www.cvtc-slr.org)

Midtown Office

432 West 58th Street, ground floor

New York, NY 10019

212.523.8200

Uptown Office

411 West 114 Street, suite 2C

New York, NY 10025

212.523.4728

Rape, Abuse, and Incest National Network (RAINN (https://www.rainn.org/))

RAINN is a national anti-sexual assault support and advocacy organization. The website includes resources and information on sexual violence, abuse, and assault.

800.656.4673

New York City Alliance Against Sexual Assault

The **alliance website** **(https://www.svfreenyc.org/)** serves as a source for locating hospitals, treatment, prevention, and police intervention. It also contains emergency response information for victims of rape and sexual assault.

D. Medical Care and Evidence Collection

Anyone who believes they have been a victim of sexual misconduct, relationship violence or any other form of violence is strongly encouraged to seek medical attention as soon as possible. In case of sexual assault be mindful of preserving all possible evidence. Do not change clothes, shower, douche, comb your hair, brush your teeth, eat or drink. Place any relevant evidence (i.e. sheets, towels) in a paper bag and bring it with you to the hospital or give it to the police.

If the incident occurred within 96 hours of the hospital examination, a medical professional will administer a sexual assault evidence collection kit at the hospital. Medical care and preventive treatment will also be provided. The following nearby hospitals provide advocates 24 hours per day, 7 days per week, to assist victims of sexual assault:

Lenox Hill Healthplex 30 Seventh Avenue (between 12th and 13th Streets) 646.665.6000

Mount Sinai-Beth Israel Hospital Emergency Room 16th Street (between 1st and 2nd Avenues 212.420.2000

Mount Sinai-Roosevelt Hospital Emergency Department 1000 Tenth Avenue (near 59th street) 212.523.4000

Please note that going to the hospital does not require an individual to make a report to the police. It is the individual's decision to report to the police. To learn more about the evidence collection

procedure please visit (REPLACE LINK!)

https://www.health.ny.gov/professionals/safe/docs/evidence_collection_kit_guidelines.pdf

(https://www.health.ny.gov/professionals/safe/docs/evidence_collection_kit_guidelines.pdf%20%20%20E.%20LEGAL%20OPTIONS%20(NEW%20CARD))

E. Legal Options

Victims of sexual misconduct, relationship violence or any other form of violence are strongly encouraged to report these incidents to the local/state police and/or to campus safety. Reports to the police can be made to the precinct where the incident occurred or to the NYPD Special Victims Report line at 646.610.7272. A report to the police may lead to an arrest and criminal prosecution. Criminal proceedings are independent of campus disciplinary proceedings. The Office of Student Support and Crisis Management, as well as Campus Safety are available to aid in contacting the police.

Individuals may also pursue civil remedies which are independent of the criminal or campus proceedings. Legal assistance may be obtained by contacting the New York City Bar Association at 212.382.6600.

Applicable NYS Laws and Penalties

CRIME	CLASS	MAXIMUM PENALTY
Sexual Misconduct	A misdemeanor	1 year
Rape 3rd Degree	E felony	4 years
Rape 2nd Degree	D felony	7 years
Rape 1st Degree	B felony	25 years

Criminal Sexual Act 3rd Degree	E felony	4 years
Criminal Sexual Act 2nd Degree	D felony	7 years
Criminal Sexual Act 1st Degree	B felony	25 years
Forcible touching	A misdemeanor	1 year
Sex Abuse 3rd Degree	B misdemeanor	3 months
Sex Abuse 2nd Degree	A misdemeanor	1 year
Aggravated Sex Abuse 4th Degree	E felony	4 years
Aggravated Sex Abuse 3rd Degree	D felony	7 years
Aggravated Sex Abuse 2nd Degree	C felony	15 years
Aggravated Sex Abuse 1st Degree	B felony	25 years
Facilitating A Sex Offense with a controlled substance	D felony	7 years

F. Student Disciplinary Sanctions

The New School's student conduct process is founded on educational ideals that reflect the University's mission. The New School is committed to educating students and encouraging respect for all members of our community. The New School has no tolerance for violations of the attached policy. Penalties for those found responsible are noted below:

Offense	Range of Penalties
Sexual Exploitation	From Disciplinary Probation up to Suspension
Stalking	From Disciplinary Probation up to Suspension

Dating/Domestic Violence	From Disciplinary Probation up to Suspension
Non-Consensual/Forced sexual contact without intercourse	From Disciplinary Probation up to Expulsion
Non-Consensual/Forced sexual contact with intercourse	From Suspension up to Expulsion

In cases of repeat offenders, the minimum sanction will be one-year suspension regardless of the violation.

G. Stop Sexual Harassment Act Factsheet (http://chrome-extension/efaidnbmnnnibpcajpcglclefindmkaj/https://www.nyc.gov/assets/doc/downloads/EEO/Stop_Sexual_Harassment_Fact_Sheet.pdf)

STOP SEXUAL HARASSMENT ACT FACTSHEET

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the information sheet requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to $250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at **www.dhr.ny.gov**.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at **www.eeoc.gov**.

@NYCCHR

NYC.gov/HumanRights

NYC Commission on Human Rights

BILL DE BLASIO
Mayor

CARMELYN P. MALALIS
Commissioner/Chair

H. Stop Sexual Harassment Notice

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@NYCCHR
NYC.gov/HumanRights

NYC Commission on Human Rights
BILL DE BLASIO, Mayor
CARMELYN P. MALALIS, Chair/Commissioner

AVISO SOBRE LA LEY PARA DETENER EL ACOSO SEXUAL

Todos los empleadores deben proporcionar un aviso por escrito sobre los derechos de los empleados de conformidad con la Ley de Derechos Humanos de la Ciudad de Nueva York mediante un afiche exhibido y una hoja de información distribuida a cada empleado en el momento de la contratación. Este documento cumple con el requisito del afiche.

La Ley de Derechos Humanos de la Ciudad de Nueva York

La Ley de Derechos Humanos de la Ciudad de Nueva York, una de las leyes más rigurosas contra la discriminación del país, protege a todas las personas contra la discriminación debido al género, lo que incluye el acoso sexual en el lugar de trabajo, la vivienda y espacios públicos, como tiendas y restaurantes. Quienes infrinjan esta ley pueden ser responsables de sanciones civiles de hasta $250,000 en el caso de una infracción intencionada. La Comisión también puede evaluar concederle a la víctima una indemnización por daños y perjuicios debido a angustia emocional y otros recursos, exigirle al infractor asistir a una capacitación y ordenar otras medidas, como servicio comunitario.

El acoso sexual según la ley

El acoso sexual, una forma de discriminación en función del género, es el comportamiento físico o verbal no deseado en relación con el género de una persona.

Algunos ejemplos de acoso sexual

- Tocar a los empleados o clientes de manera inapropiada.
- Amenazar o actuar de manera adversa luego de que una persona rechaza una insinuación sexual.
- Hacer comentarios lascivos o sexuales sobre el aspecto, cuerpo o la forma de vestir de una persona.
- Condicionar ascensos u otras oportunidades en función de favores sexuales.
- Mostrar imágenes, dibujos o grafitis pornográficos en computadoras, correos electrónicos, teléfonos celulares, tableros de anuncios, etc.
- Hacer comentarios sexistas o despectivos en función del género.

La ley prohíbe las represalias

Es contrario a la ley que un empleador tome medidas en su contra por oponerse o expresarse en contra del acoso sexual en el lugar de trabajo. La Ley de Derechos Humanos de la Ciudad de Nueva York prohíbe a los empleadores tomar represalias o discriminar "de cualquier forma a una persona" por oponerse a una práctica discriminatoria ilegal. Las represalias pueden manifestarse a través de acciones directas, como descensos o despidos, o a través de comportamientos más sutiles, como un aumento en la carga de trabajo o la transferencia a un lugar menos deseable. La Ley de Derechos Humanos de la Ciudad de Nueva York protege contra las represalias a las personas que creen de buena fe que el comportamiento de su empleador es ilegal, incluso si resultan estar equivocadas.

Denuncie el acoso sexual

Si cree que es víctima de acoso sexual, infórmele lo antes posible a un gerente, al representante de igualdad de oportunidades laborales de su lugar de trabajo o al Departamento de Recursos Humanos.

Denuncie el acoso sexual ante la Comisión de Derechos Humanos de la Ciudad de Nueva York. Llame al 718-722-3131 o visite NYC.gov/HumanRights para saber cómo presentar una queja o denunciar un acto de discriminación. Usted puede presentar una queja de forma anónima.

Recursos del gobierno estatal y federal

El acoso sexual también es ilegal en virtud de la ley estatal y federal.

Para presentar una queja ante la División de Derechos Humanos del Estado de Nueva York, visite el sitio web de la División en **www.dhr.ny.gov**.

Para presentar cargos ante la Comisión para la Igualdad de Oportunidades en el Empleo (EEOC) de los EE. UU., visite el sitio web de la EEOC en **www.eeoc.gov**.

@NYCCHR

NYC.gov/DerechosHumanos

NYC Comisión de Derechos Humanos

BILL DE BLASIO
Alcalde

CARMELYN P. MALALIS
Presidenta/Comisionada

I. Rights for Students in Sexual Assault, Dating Violence, Domestic Violence and Stalking Cases

Pursuant to NYS Ed Law 129 B, students reporting allegations of sexual assault, dating violence, domestic violence or stalking to University personnel shall be apprised of the following rights at the time of their initial disclosure:

- The right to make a report to campus safety, the local or state police or to choose not to report.
- The right to report the incident to the University and be protected by the University from retaliation for reporting.
- The right to receive assistance and resources from the University.
- The right to 24/7 emergency access to the Title IX Coordinator or appropriate designee, who can provide information on options on how to proceed, preserve evidence and obtain a sexual assault exam, as well as the differences between the criminal justice system and University proceedings, confidentiality and other reporting options.

Additional Rights Provided to Students in Sexual Assault, Dating Violence, Domestic Violence and Stalking

- If the accused is an employee, the right to disclose the incident to a confidential or private employee in Human Resources
- The right to receive assistance from an appropriate University employee in initiating legal proceedings in family or civil court
- The right to withdraw a complaint or involvement with University proceedings at any time. The University may still have obligations to proceed.
- The right to a “no contact order” in cases where the accused is a student.

- The right to assistance from campus safety in obtaining an order of protection or restraining order from the courts.
- The right to receive a copy of the order of protection and assistance in understanding it.
- The right to receive assistance from campus safety in effecting an arrest when the order of protection is violated on campus.
- The right to request interim measures when the accused is a student who presents a continuing threat to the health and safety of the community.
- The right to request interim measures when the accused is not a student but is a member of the University community and presents a continuing threat to the health and safety of the community, in accordance with applicable collective bargaining agreements and the policies of the University.
- The right to request student conduct proceedings be filed against an accused student. Both parties have the right to present witnesses and evidence at these proceedings and be accompanied by an advisor of choice to all meetings, who will act in an advisory capacity only. Both parties have the right to review the record and receive notice of the final determination in the case and the right to appeal.
- The right to have all complaints investigated promptly and impartially by individuals who have received annual training.
- Both parties have the right to exclude their own sexual history with persons other than each other from the proceedings. They also have the right to exclude their mental health history from the proceedings. However, past findings of domestic violence, dating violence, sexual assault or stalking may be admissible at the sanction stage
- If a student is found responsible for sexual assault, domestic violence, dating violence or stalking, a sanction of suspension or expulsion will result in a notation on the student's transcript. Students may request removal of a suspension notation no sooner than one year after the conclusion of the suspension, while notations for expulsion may not be removed. Should a student withdraw from the University while such charges are pending and decline to

participate in the disciplinary process, a notation will be added to the student's transcript.

J. Legal Protections and External Remedies for Sexual Harassment

Sexual harassment is prohibited by The New School, as well as by state, federal and local law. In addition to the internal process at The New School, employees may choose to pursue legal remedies with the following governmental entities.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State and protects employees, paid or unpaid interns and non-employees regardless of immigration status against sexual harassment. A complaint alleging a violation of the HRL may be filed either with DHR or in the New York Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual does not file with DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Complaining internally to The New School does not extend the time to file with DHR or in court. The one year or three years commences from the date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR and there is no cost.

DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies, but may include requiring the employer to stop the harassment or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

Contact DHR at NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458 (718)741-8400, (888) 392-3644 or visit **dhr.ny.gov/complaint** **(https://dhr.ny.gov/complaint)** for more information about filing a complaint. The website has a complaint form that can be downloaded. The website also contains contact information for DHR's regional offices.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act. A complaint can be filed with the EEOC within 300 days of the harassment. There is no cost to file a complaint. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. The EEOC will then issue a Right to Sue letter which permits an individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an employee believes they have been a victim of workplace discrimination they can file a "Charge of Discrimination." The EEOC has district and field offices where complaints can be filed. Contact the EEOC at 800-669-4000, (800-669-6820 (TTY)) **www.eeoc.gov** **(http://www.eeoc.gov)** or **info@eeoc.gov** **(mailto:info@eeoc.gov)** . If an administrative complaint is filed with DHR, they can file the complaint with EEOC to preserve the right to proceed in federal court.

Legal Protections

Contact the New York City Commission on Human Rights to file a complaint of harassment. Contact: Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th floor, New York, NY or call 311 or 212- 306-7450 or **www.nyc.gov/html/cchr/html/home/home.shtml**

(http://www.nyc.gov/html/cchr/html/home/home.shtml)

Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Where to Find Support

The following organizations provide resources and services related to sexual harassment and discrimination. This is not a comprehensive list of New York service providers related to sexual harassment and discrimination:

NOW NYC Helpline

NOW NYC offers referrals for callers needing help with employment discrimination, divorce and custody, financial empowerment, intimate partner violence, and sexual assault.

http://nownyc.org/service-fund/get-help/ (https://nownyc.org/womens-justice-now/get-help/)

212.627.9895

A Better Balance

Free, legal helpline offers confidential information about workplace rights, including sexual harassment, pregnancy discrimination, breastfeeding, and work-family issues.

info@abetterbalance.org

212.430.5982

New York State Bar Association

Lawyer Referral and Information Service

www.nysba.org (http://www.nysba.org)

800.342.3661

Law Help NY

Legal information for New Yorkers who cannot afford an attorney

www.LawHelpNY.org (http://www.lawhelpny.org)

Legal Momentum Equality Works Program

Litigation against employers who have maintained or practiced discrimination

www.legalmomentum.org (http://www.legalmomentum.org)

212.925.6635

City Bar Justice Center

http://www.citybarjusticecenter.org (http://www.citybarjusticecenter.org)

212.626.7373 or 7383

Lambda Legal

www.lambdalegal.org (http://www.lambdalegal.org)

866.542.8336

Time's Up Legal Defense Fund

https://nwlc.org/legal-assistance/ (https://nwlc.org/legal-assistance/)

ACCEPTABLE USE POLICY

Information Technology > Information Security & Privacy > Policies

Introduction

The New School maintains and provides IT Resources to support the educational, instructional, research, and administrative activities of the university. The use of these resources is a privilege that is extended to members of the New School community. Users of these services and facilities have access to valuable university resources, to sensitive data, and to internal and external networks. Consequently, it is important for all users to behave in a responsible, ethical, and legal manner.

Definitions

Special terms used in this document will be Capitalized and underlined, signifying that they have special meaning. A comprehensive glossary of terms, with examples, can be found at **ispo.newschool.edu/glossary (https://ispo.newschool.edu/glossary)** .

Purpose

This policy establishes guidelines for the acceptable use of New School IT Resources based on the following principles:

1. The New School community is encouraged to make innovative and creative use of IT Resources in support of educational, scholarly, and administrative purposes. The university supports access to information representing a multitude of views for the interest, information, and enlightenment of students, faculty, and staff. Consistent with this policy, The New School supports the use of IT Resources in a manner that recognizes both the rights and the obligations of academic freedom.
2. The New School recognizes the importance of copyright and other protections afforded to the creators of intellectual property. Users are responsible for making use of software and other information resources in accordance with copyright and licensing restrictions and applicable university policies. Using IT Resources in a manner violating these protections, or furthering the unauthorized use or sale of protected intellectual property, is prohibited.
3. The New School cannot fully protect individuals against the receipt of potentially offensive material. Those who use electronic communications may occasionally receive material that they might find offensive. Those who make personal information available about themselves through the Internet or other electronic media may expose themselves to potential invasions of privacy.
4. IT Resources are provided to support The New School's academic, research, and public service mission. IT Resources are limited, and should be used wisely and with consideration for the rights and needs of others.

This policy is intended to:

- promote the mission of The New School by encouraging responsible conduct and use of university IT Resources;
- protect the instructional and operational integrity of the university and the rights of individuals;
- prevent the misuse of, or damage to, IT Resources and Institutional Information; and
- support compliance with contractual, legal, and regulatory obligations.

Scope

This policy applies to all university Institutional Information and IT Resources, irrespective of whether they are maintained by The New School or a third party on the university's behalf or whether they are accessed from on-campus or off-campus locations, and to any individual who accesses or in any way makes use of them, regardless of affiliation. This includes, but is not limited to, Workforce Members, students, and alumni.

General rules for all users

Users of The New School's IT Resources must comply with state, federal, and international laws and regulations, university policies and rules, and the terms of applicable contracts including software licenses while using those resources. Examples of applicable laws, policies, and rules include, but are not limited to:

- the U.S. Electronic Communications Privacy Act, U.S. Computer Fraud and Abuse Act, French Law No. 2004-575 regarding Confidence in the Digital Economy (Parsons Paris users), and Article 156 of the New York Penal Code, which prohibit "hacking," "cracking," and similar activities;
- laws governing identity theft, privacy, libel, copyright, trademark, right of publicity, obscenity, and child pornography;
- the university's **Policy on Harassment, Discrimination, Prohibited Relationships, and Title IX and Non-Title IX Sexual Harassment and Misconduct (https://www.newschool.edu/title-ix)** ;
- the university's **Policy on the Free Exchange of Ideas (https://www.newschool.edu/provost/faculty-policies)** and its **Statement on the Freedom of Academic Expression (https://www.newschool.edu/provost/faculty-**

policies) ;

- the university's **Academic Honesty and Integrity Policy (https://www.newschool.edu/policies/academic-honesty-and-integrity-policy.pdf)** and **Intellectual Property Rights Policy (https://www.newschool.edu/provost/faculty-policies)** ;
- the university's **Student Code of Conduct (https://drive.google.com/file/d/1O5fu4gknhy7azR7KF7UdL7j3B9rxlZjj/view?usp=sharing)** and **Employee Code of Conduct (https://app.getguru.com/card/cr4Kdjbi/Employee-Code-of-Conduct)** ;
- the university's **Social Media Policy (https://app.getguru.com/card/Taj9eXGc/Social-Media-Policy)** ;
- the university's **Privacy & Data Protection Policy (https://app.getguru.com/card/e4d4fcfa-7130-4fc1-be14-2b64cc0ffdff)** ; and
- the university's **Information Security Policy (https://app.getguru.com/card/2f558d7e-1003-405a-84a8-36d744ab0056)** .

Users who engage in electronic communications with persons in other states or countries or make use of systems and networks located in other states or countries may also be subject to the laws of those jurisdictions and the policies and rules of those other systems and networks.

All users of New School IT Resources are required to have a valid, authorized account (typically a username and password) or other form of officially approved access, and may use only those IT Resources for which they have been specifically authorized. Use of another person's account, password, or other access control device to access an IT Resource without official approval or authorization is prohibited.

Users are responsible for any activity originating from their accounts that they can reasonably be expected to control, and are expected to take reasonable precautions including password security

and file protection measures to prevent use of their accounts and files by unauthorized persons. Sharing of accounts, passwords, or other access control devices with others is prohibited. Users who disclose their passwords to others are solely responsible for all consequences arising from such disclosure. In cases when unauthorized use of accounts or resources is detected or suspected, the account owner should change the account password immediately and report the incident to **IT Central (https://support.newschool.edu/CherwellPortal/ITCentral)** or the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Personal, commercial, and political use

Authorized users may make incidental personal use of New School IT Resources, provided that such use is subject to and consistent with this policy. Incidental personal use of university IT Resources by New School Workforce Members may not interfere with the fulfillment of their job responsibilities or disrupt the work environment. Incidental personal use that inaccurately creates the appearance that the university is endorsing, supporting, or affiliated with any organization, product, service, statement, or position is prohibited.

Users making personal use of New School IT Resources do so at their own risk. The university is not responsible for the security, integrity, availability, or backing up of personal data stored on university IT Resources. The university does not guarantee that users will be able to retrieve personal data stored on university IT Resources upon graduation, transfer, resignation, or termination.

Commercial activities may be conducted using New School IT Resources only under the auspices of officially recognized and sanctioned campus organizations or academic and administrative programs. Personal use of university IT Resources may not result in commercial gain or private profit, except as allowed under the university **Intellectual Property Rights Policy (https://www.newschool.edu/provost/accreditation-policies)** .

As a 501(c)(3) organization, The New School is prohibited from participating or intervening in any political campaign on behalf of or in opposition to a candidate for public office, and no substantial part of the university's activities may be directed to influencing legislation. Individuals may not use university IT Resources for political purposes in a manner that suggests the university itself is participating in campaign or political activity or fund raising, or for influencing legislation. Any other use with respect to political activity must be permitted by applicable university policy and consistent with applicable laws.

Prohibited and inappropriate use

Users of The New School's IT Resources are prohibited from engaging in any activity that is illegal under local, state, federal, or international law or in violation of university policies or rules. Users may not knowingly or intentionally engage in activities that could negatively affect the functionality, security, integrity, or legitimate use of New School IT Resources. Examples of activities in this category include, but are not limited to:

- attempting to disable, alter, or circumvent physical or logical protections, user authentication and access control mechanisms, or other restrictions placed on computers, networks, software, applications, or files, including university-installed anti-malware programs;
- attempting to develop or use any mechanism to alter or avoid charges or fees levied by the university;
- attempting to intercept network communications for purposes of rerouting packets, forging packets, packet "sniffing," or reading communications content;
- attempting to intercept, compromise, or tamper with user account passwords and other access methods;
- launching attacks, probes, scans, or other attempts to identify security vulnerabilities, subvert security, or overload capacity of any system or network (including systems and networks not owned or operated by The New School);

- introducing, creating, or propagating any malicious programs, including, without limitation, viruses, worms, Trojans, spyware, ransomware, or other malicious code;
- sending unsolicited email messages, including "spam," "chain letters," and other mass mailings, or posting similar messages to discussion forums, website/blog comment sections, or collaborative document comment areas, except as approved by Marketing and Communications;
- using unauthorized file sharing applications or illegally downloading or sharing copyrighted, licensed, or otherwise protected intellectual property, including, without limitation, movies, music, books, applications, and other software; or
- allowing unauthorized access to New School IT Resources through any computer or network device, including wireless access points.

Above all, users are expected to use New School IT Resources in a legal, ethical, responsible, and civil manner at all times.

Additional rules for Workforce Members

In addition to general-purpose IT Resources to which all members of the New School community have access, New School Workforce Members have access to "administrative" IT Resources that are used to conduct official university business. Examples of administrative IT Resources include, but are not limited to, systems such as **Banner (https://app.getguru.com/card/caAGge4i/Banner-Student-Information-System)** , **Workday (https://app.getguru.com/card/cyAd7GEi/MyDay-Overview)** , **Canvas (https://app.getguru.com/card/T5AyLrMc/Canvas)** , and **Starfish (https://app.getguru.com/card/igAokRnT/Starfish)** , and Institutional Information such as student records, employee records, and financial records. The use of administrative IT Resources is subject to additional rules and prohibitions.

Ownership and classification of Institutional Information

The New School **Information Security Policy** **(https://app.getguru.com/card/2f558d7e-1003-405a-84a8-36d744ab0056)** establishes information security roles and responsibilities for all individuals with access to New School IT Resources. It also requires that Institutional Information be identified, Classified, and protected with appropriate security controls.

Key Institutional Information datasets must have an assigned Data Owner. Data Owners must assign a Classification to each Institutional Information dataset for which they are responsible. The Classification reflects the information security and privacy safeguards needed to protect the dataset and dictates the procedures to follow when acquiring, storing, using, transmitting, archiving, and destroying that information. The **Standard for Handling Institutional Information** **(https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** and the **Data Protection Handbook** **(https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)** describe these safeguards and procedures in detail.

State, federal, and international laws and regulations, as well as certain industry regulations, often require specific safeguards and procedures (in addition to those required by university policies) to be implemented when working with protected categories of information. Protected information categories include, but are not limited to, student Education Records, Personal Financial Information, Protected Health Information, Social Security Numbers, and Cardholder Data. Laws and regulations protecting these information categories include the European Union General Data Protection Regulation (GDPR), Family Educational Rights and Privacy Act (FERPA), Gramm-Leach-Bliley Act (GLBA), Health Insurance Portability and Accountability Act (HIPAA), New York State General Business Law, and the Payment Card Industry Data Security Standard (PCI DSS).

Access to administrative Institutional Information datasets is authorized by Data Owners subject to an individual's job-related need-to-know. Data Owners are responsible for communicating the information security safeguards and handling procedures that apply to these datasets, via

documentation, training, or other means, to the users they have authorized to access them. Users of these datasets are responsible for applying the safeguards and handling procedures specified by the Data Owner.

Institutional Information, regardless of where it is stored, how it is used, or who may access it, is the property of The New School. Users with access to Institutional Information Classified above Protection Level PL-1 may not publish, give away, sell, or disclose that information to unauthorized persons without proper authorization or use that information for personal or non-university purposes.

Use of email

The New School-branded version of Gmail (reachable through **MyNewSchool (https://app.getguru.com/card/iXAxnxqT/MyNewSchool)** or **mail.newschool.edu (https://app.getguru.com/card/TXAx5aLc/Google-Workspace)**) is the official university email system. Google provides this version of Gmail to The New School under a specially negotiated end-user license agreement designed to protect the privacy and security of information owned by The New School and the members of its community. This license agreement also includes special protections for information subject to the Family Educational Rights and Privacy Act (FERPA). Workforce Members should use their official university email address for all university business-related email (provided it does not contain Institutional Information Classified at Protection Levels PL-3 or PL-4—see below).

The New School secure file transfer service (reachable through `securesend.newschool.edu`) is the official university system for sending Institutional Information Classified at Protection Levels PL-3 and PL-4. PL-4 information must never be sent through regular email; **Secure Send (https://app.getguru.com/card/TrAnBRac/File-Sharing-Systems)** must be used instead (see the **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** for details,

including certain exceptions to this rule). In certain circumstances, when specifically authorized by the Data Owner, PL-3 information may be sent internally through New School Gmail (from one *@newschool.edu* address to another) when operationally necessary and there is no better alternative, but **Secure Send** **(https://app.getguru.com/card/TrAnBRac/File-Sharing-Systems)** should be used whenever feasible.

External email service providers, including Google's consumer Gmail platform (*@gmail.com*), do not provide legal protection or accountability for New School administrative information, and they generally do not comply with the information security and privacy safeguards required by state, federal, and international laws and regulations or university policies. ***New School Workforce Members may not automatically forward or redirect messages from an official university email address (containing @newschool.edu) to a non-university email address (containing anything other than @newschool.edu).*** Doing so may put that individual and The New School at risk of violating GDPR, FERPA, GLBA, HIPAA, or other laws and regulations. Workforce Members may manually forward individual messages (i.e., one at a time) only if they do not contain Sensitive Institutional Information and such forwarding is permitted by applicable laws and regulations.

Use of cloud storage and collaboration providers

The New School-branded version of **Google's G Suite** **(https://app.getguru.com/card/TXAx5aLc/Google-Workspace)** (formerly Google Apps) applications (reachable through **MyNewSchool** **(https://app.getguru.com/card/iXAxnxqT/MyNewSchool)** or {calendar, drive, docs}.newschool.edu) is the official university general-purpose cloud storage and collaboration platform. **Canvas** **(https://app.getguru.com/card/T5AyLrMc/Canvas)** and **Starfish** **(https://app.getguru.com/card/igAokRnT/Starfish)** are the official university learning management system and student success network, respectively. The companies offering these services provide them to The New School under specially negotiated end-user license agreements designed to protect the privacy and security of information owned by The New School and the

members of its community. These license agreements also include special protections for information subject to the Family Educational Rights and Privacy Act (FERPA). Most other cloud services offered through The New School (including, for example, Office 365 and Adobe Creative Cloud) do not include these protections.

Generally, the New School **G Suite (https://app.getguru.com/card/TXAx5aLc/Google-Workspace)** platform is acceptable for use with Institutional Information Classified at Protection Levels PL-1 and PL-2. The other two platforms are only acceptable for use with Institutional Information Classified at Protection Level PL-1. Additionally, all three platforms may be used with FERPA-protected PL-3 (but not PL-4) information, provided that information is not also subject to other laws and regulations. Information subject to other laws and regulations (GDPR, HIPAA, GLBA, PCI DSS, etc.) should not be stored, processed, transmitted, or shared through any of these platforms. See the **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** for details.

Before using any other cloud service offered through The New School to store, process, transmit, or share Institutional Information Classified at Protection Level PL-3 or PL-4, Workforce Members are responsible for ascertaining whether that service is appropriate for such use by consulting with **IT Central (https://support.newschool.edu/CherwellPortal/ITCentral)** or the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

The license agreements for external cloud services not offered through The New School do not provide legal protection or accountability for New School administrative information, and they generally do not comply with the information security and privacy safeguards required by state, federal, and international laws and regulations or university policies. Commonly used services in this category include, but are not limited to, Dropbox.com, Box.com, Apple iCloud, Microsoft OneDrive, and the consumer Google G Suite platform. New School Workforce Members may not

use these services to store, process, transmit, or share Institutional Information Classified above Protection Level PL-1, because doing so may put that person and The New School at risk of violating GDPR, FERPA, GLBA, HIPAA, PCI DSS, or other laws and regulations.

Additional rules for users with privileged access

Because of their job responsibilities, certain individuals ("privileged users") may be granted privileged access to IT Resources, including computing systems, applications, databases, network monitoring tools, and other equipment, that may contain records and information that are private and confidential in nature. Typically, but not exclusively, privileged users are either technical system administration or programming personnel, or administrative employees with access to the university's main databases and systems of record.

The New School requires all privileged users to respect the sensitive and confidential nature of information concerning New School employees, students, alumni, donors, vendors, and/or other members of the New School community to which they may have access, and to disclose such information only with proper authorization and in the exercise of their designated job duties. Privileged users may not use any access or information available to them in the course of their duties to engage in any activity that conflicts with the interests of The New School or use any access available to them to provide information to others engaged in any activity that conflicts with the interests of The New School.

Specifically, with respect to university computing systems, networks, records, files, email, and other information, privileged users agree to treat all confidential information as such by respecting the privacy of individuals, the integrity of the systems, and the related physical resources, and that they will:

1. Access, copy, or store data solely in performance of their job responsibilities, limiting perusal of contents and actions taken to the minimum necessary to accomplish the task;

2. When providing direct services to others, copy or store data or information only with the user's consent and only to complete a specified task, and only to copy and store user data for long enough to complete the specified task;Nnot seek personal benefit or permit others to benefit personally from any data or information that has come to them through their work assignments;
3. Not make or permit unauthorized use of any information in the university's information systems or records;
4. Not enter, change, delete or add data to any information system or file outside of the scope of their job responsibilities;
5. Not intentionally or knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry;
6. Not intentionally or knowingly alter or delete or cause to be altered or deleted from any record, report, or information system, a true and correct entry;
7. Not release university data other than what is required for the completion of their job responsibilities;
8. Not exhibit or divulge the contents of any record, file, or information system to any person except as required for the completion of their job responsibilities;
9. Take every reasonable precaution to prevent unauthorized access to any passwords, user identifiers, or other information that may be used to access university information systems or records;
10. Limit access to information contained in or obtained from the systems to authorized persons;
11. Not make any changes to system hardware, software, or configuration settings that have not been reviewed and approved through relevant change management processes; and
12. Report any incidents of non-compliance with these rules to their supervisor or other appropriate university official.

Monitoring

The New School considers the data processed by and stored on administrative computer systems (both those operated locally and those hosted by a third party) to be the property of the university. The personal contents of user accounts are considered to be the property of the authorized user, subject to applicable university copyright and intellectual property policies and applicable state, federal, and international laws and regulations.

Individuals should be aware that their privacy is not guaranteed when using university IT Resources, including accessing the Internet or using university-provided electronic mail, telephone, or voice mail. While The New School does not routinely monitor individual usage of its IT Resources, the normal operation and maintenance of these resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the provision of service. Additionally, system and application administrators may become aware of the contents of communications or stored information while dealing with specific operational problems. Furthermore, the university may use automated tools to detect, alert, and respond to improper storage, sharing, or transmission of Personal Data or other confidential information that could result in such information being disclosed to unauthorized persons. The university may also specifically monitor the activity and accounts of individual users of university IT Resources, including individual login sessions, the content of individual communications, and the contents of stored information, with or without notice, when:

- It reasonably appears necessary to do so to protect the integrity, security, or functionality of university IT Resources or to protect the university from liability;
- A written complaint has been received, or there is reasonable cause to believe, that the individual has violated or is violating this policy;
- An account appears to be engaged in unusual or unusually excessive activity; or
- It is otherwise required or permitted by law.

Any such monitoring of communications or stored information, other than what is made accessible by the individual, required by law, or necessary to respond to perceived emergency situations, must be authorized in advance by the Provost and Chief Academic Officer, the Chief Legal and Human Resources Officer, the Chief Enrollment and Success Officer, or the Chief Information Officer, as appropriate, in consultation with the **Office of the General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** . The university, in its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications or stored information, to appropriate university personnel or law enforcement agencies and may use those results in appropriate university disciplinary proceedings. The university may also, from time to time, be required to comply with the lawful orders of courts, such as subpoenas and search warrants. Such compliance may include providing, when required, copies of monitoring data, system and/or user files, email content, or other information ordered by the court.

Compliance and review

Failure to comply with this policy, whether deliberate or due to careless disregard, will be treated as serious misconduct and may result in actions including (but not limited to) disciplinary action, dismissal, and civil and/or criminal proceedings.

This policy is reviewed on a periodic basis and updated as necessary by the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to ensure it remains accurate, relevant, and fit for purpose.

INFORMATION SECURITY POLICY

Introduction

The New School is committed to protecting information that is critical to teaching, research, the university's many activities, its business operations, and the communities it supports, including students, faculty, staff, visitors, alumni, donors, and the public. These protections may be governed by legal, regulatory, contractual, or university policy considerations.

Definitions

Special terms used in this document will be Capitalized and underlined, signifying that they have special meaning. A comprehensive glossary of terms, with examples, can be found at **ispo.newschool.edu/glossary (https://ispo.newschool.edu/glossary)** .

Purpose

This policy establishes The New School's approach to information security based on the generally accepted principles of

- **confidentiality**—information is not made available or disclosed to unauthorized individuals, entities, or processes;
- **integrity**—the accuracy and completeness of information is maintained and assured over its entire lifecycle; and
- **availability**—authorized users are able to access information and information systems when they are needed.

Adherence to these principles will ensure that university Institutional Information and IT Resources remain properly protected while they are being used in the pursuit of The New School's academic, research, and public service mission.

This policy is intended to:

- promote the proactive assessment, reduction, and management of risk in a manner that enables Data Owners, IT personnel, and the larger New School community to be more aware of the risks to information, identify controls to reduce those risks, and understand the risks that remain after controls have been implemented;
- improve the security of critical system and network services through enterprise-wide, defense-in-depth approaches to reduce risks commonly associated with hybrid cloud computing environments;
- enhance crisis and information security incident response and management to enable the university to quickly recover its Institutional Information and IT Resources in the event of a catastrophic event and to manage information security events and data breaches more efficiently and effectively, thereby reducing or minimizing the damages to the New School community;
- encourage a "security aware" culture across the university and advocate that information security is everyone's responsibility;
- support compliance with contractual, legal, and regulatory obligations concerning information security; and
- provide assurance to other parties that The New School deals with information security in a proactive manner and has a robust control environment in place.

The New School's approach to information security is guided by the National Institute of Standards and Technology (NIST) **Cyber Security Framework (https://www.nist.gov/cyberframework)** (CSF), which has been widely adopted by both public and private sector organizations throughout the United States. The NIST CSF provides a framework for cybersecurity management, including asset identification, information and system protection, threat detection, incident response, and recovery. The university's approach also leverages NIST **Special Publication 800-53 (https://doi.org/10.6028/NIST.SP.800-53r5)** ,

which provides a catalog of security and privacy controls for information systems and organizations and a process for selecting controls to protect organizational operations, organizational assets, individuals, and other organizations from a diverse set of threats including hostile cyber attacks, natural disasters, structural failures, and human errors (both intentional and unintentional).

Scope

This policy and its supporting standards apply to all university Institutional Information and IT Resources, irrespective of whether they are maintained by The New School or a third party on the university's behalf or whether they are accessed from on-campus or off-campus locations, and to any individual who accesses or in any way makes use of them, regardless of affiliation. This includes, but is not limited to, Workforce Members, students, and alumni.

Policy statement

The New School manages and produces information that is private, confidential, or sensitive in nature, together with information that is regarded as being readily available for general sharing. The university recognizes that it is imperative that all information is protected from compromise of confidentiality, integrity, and availability. All individuals within the scope of this policy must therefore ensure that:

1. Institutional Information is identified, Classified, and protected. Any security controls that are implemented must be proportionate to the assigned Classification. Key information assets are governed by an appointed Data Owner in accordance with the key responsibilities described under **Roles and responsibilities (https://ispo.newschool.edu/policies/information-security#roles-and-responsibilities)** .

   Supporting standards: **Standard for Information and System Classification**

(https://ispo.newschool.edu/standards/classification) , **Standard for Handling Institutional Information** **(https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** , **Data Protection Handbook** **(https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)**

2. All processes, technology, services, and facilities are protected through information security controls.

   Supporting standards: **Standard for Information and System Security Controls** **(https://ispo.newschool.edu/standards/security-controls)**

3. University Institutional Information and IT Resources are used responsibly, ethically, and in a manner consistent with both the law and the rights of others.

   Supporting standards: **Standard for Handling Institutional Information** **(https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** , **Data Protection Handbook** **(https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)**

   Related policies: **Acceptable Use Policy** **(https://app.getguru.com/card/ijAyajBT/Acceptable-Use-Policy)** , **Privacy & Data Protection Policy** **(https://app.getguru.com/card/e4d4fcfa-7130-4fc1-be14-2b64cc0ffdff)**

4. Information security incidents and data breaches are identified, contained, eradicated, investigated, and reported.

   Supporting standards: **Standard for Incident and Breach Response** **(https://ispo.newschool.edu/standards/incident-response)**

5. Where appropriate, a risk assessment is carried out on all processes, technology, services, and facilities to manage risk. This includes situations in which a third-party service provider is used to provide services that involve access to Institutional Information.

   Supporting standards: **Standard for Security and Privacy Risk Management**

(https://ispo.newschool.edu/standards/risk-management)

6. Back-up and disaster recovery plans, processes, and technology are in place to mitigate risk of loss or destruction of information and/or services and to ensure that contingency arrangements are in place to maintain availability of data and services.

   Supporting standards: (under development)

7. Where off-site working takes place, appropriate security controls are implemented.

   Supporting standards: (under development)

In addition, all individuals within the scope of this policy must:

8. Complete the **Information Security Awareness Training (https://ispo.newschool.edu/training)** .
9. Take reasonable care to protect the university's Institutional Information and IT Resources from accidental or unauthorized access, modification, or destruction.

The supporting standards referenced above represent the "baseline," or minimum acceptable, requirements for information security at The New School. In some situations it may be necessary to augment the baseline with additional information security controls to meet specific legal, regulatory, or contractual requirements. The **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** can provide advice and assistance in selecting and implementing these additional controls when required.

Roles and responsibilities

Every person at The New School has a responsibility to protect the Institutional Information and IT Resources that they use or are otherwise within their control. These responsibilities vary based on the functional role of the individual. Depending on those functions, some individuals may have more than one role.

President's Leadership Team

The members of the **President's Leadership Team (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** are accountable for exercising due diligence in protecting Institutional Information and IT Resources used within their area of responsibility by ensuring that adequate and effective information security controls are in place that comply with this policy, its supporting standards, and applicable laws and regulations. They are also accountable for compliance in any subsidiary unit within their management (e.g., institutes, centers, research groups, and multi-disciplinary organizations).

Data Owners

Data Owners are responsible for maintaining the security of Institutional Information datasets by:

- maintaining records of where the dataset (including copies) is stored, what it is used for, who has access to it, and with whom it is shared;
- determining and documenting the policies, guidelines, and business rules by which others are granted access to the dataset or portions thereof;
- reviewing and approving ad-hoc requests for access to the dataset (e.g., view access, data feeds, or copies);
- working with the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to:
  - determine the security Classification of the dataset;
  - perform a risk assessment and identify an acceptable level of risk for the dataset; and
  - specify and document security controls to protect the dataset from unauthorized disclosure, modification, loss, or destruction;
- reviewing access granted to the dataset on a regular basis and adjusting user access permissions as necessary;

- ensuring that authorized data users understand their responsibilities with regard to their approved access; and
- reporting any possible breach in security or misuse of the dataset to the **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Application Owners

Application Owners are responsible for maintaining the security of IT Resources by:

- maintaining records of where the resource (including development and test instances) is hosted, what it is used for, and who has access to it;
- determining and documenting the policies, guidelines, and business rules by which others are granted access to the resource;
- reviewing and approving ad-hoc requests for access to the resource;
- working with the **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to:
  - determine the security Classification of the resource;
  - perform a risk assessment and identify an acceptable level of risk for the resource; and
  - specify and document security controls to protect the resource from unauthorized access and loss of availability;
- reviewing access granted to the resource (or the business rules that grant access automatically based on user role) on a regular basis and adjusting user access permissions as necessary;
- ensuring that authorized resource users understand their responsibilities with regard to their approved access; and
- reporting any possible breach in security or misuse of the resource to the **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-**

Security-Privacy-Office-ISPO) .

Workforce Members

Workforce Members are responsible for protecting the university's Institutional Information and IT Resources and for complying with this policy and its supporting standards.

Workforce Members are responsible for promptly reporting any material violation of this policy and its supporting standards to the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Students

Students must **accept responsibility (https://ispo.newschool.edu/responsibilities)** for their use of university facilities, and must take reasonable steps to protect the university's IT Resources. Students are expected to comply with the requirements of this policy.

Alumni

Alumni are expected to comply with the requirements of this policy.

References

- National Institute of Standards and Technology. *Framework for Improving Critical Infrastructure Cybersecurity*. April 16, 2018. Available from **doi.org/10.6028/NIST.CSWP.04162018 (https://doi.org/10.6028/NIST.CSWP.04162018)** .
- National Institute of Standards and Technology. *Security and Privacy Controls for Federal Information Systems and Organizations*. Special Publication 800-53, Revision 5. September 2020. Available from **doi.org/10.6028/NIST.SP.800-53r5 (https://doi.org/10.6028/NIST.SP.800-53r5)** .

Compliance and review

Failure to comply with this policy or its supporting standards, whether deliberate or due to careless disregard, will be treated as serious misconduct and may result in actions including (but not limited to) disciplinary action, dismissal, and civil and/or criminal proceedings.

This policy is reviewed on a periodic basis and updated as necessary by the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to ensure it remains accurate, relevant, and fit for purpose.

PRIVACY & DATA PROTECTION POLICY

Information Technology > Information Security & Privacy > Policies

Introduction

The New School is committed to privacy by design and by default and supports the privacy rights of individuals with whom it works including students, faculty, staff, visitors, alumni, donors, and research participants.

Definitions

Special terms used in this document will be Capitalized and underlined, signifying that they have special meaning. A comprehensive glossary of terms, with examples, can be found at **ispo.newschool.edu/glossary (https://ispo.newschool.edu/glossary)** .

Purpose

This policy establishes The New School's approach to privacy and data protection based on the principle that handling Personal Data appropriately and in compliance with applicable laws and regulations:

- is the right thing to do,
- enhances trust, and
- protects the university's relationship with its stakeholders.

This policy is intended to set forth the responsibilities of the university, its Workforce Members, and its students to comply with the provisions of applicable privacy and data protection laws and regulations. It is accompanied by a **Data Protection Handbook (https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)** (the "Handbook") that provides information and guidance on different aspects of privacy and data protection. This policy and the Handbook form the framework that anyone Processing Personal Data at or on behalf of The New School should follow to ensure compliance.

The New School's approach to privacy is guided by the National Institute of Standards and Technology (NIST) **Privacy Framework (https://www.nist.gov/privacy-framework)** , which has been widely adopted by both public and private sector organizations throughout the United States. The NIST Privacy Framework provides a framework for privacy risk management, including data processing identification, data processing safeguards, data management, data subject notification, and incident response. The university's approach is also informed by the data protection policies and standards of European universities, which have operated under comprehensive data protection regulatory compliance frameworks for more than two decades.

Scope

This policy applies to all Workforce Members and students in all cases where The New School is a Data Controller or a Data Processor of Personal Data. The policy applies in these cases regardless

of who created the data, where it is held, or the ownership of the systems and software used in its Processing.

Policy statement

When acting as a Data Controller The New School has a responsibility to implement and comply with applicable privacy and data protection laws and regulations. When Processing Personal Data, the university must abide by seven principles of data protection:

1. lawfulness, fairness, and transparency;
2. purpose limitation;
3. data minimization;
4. accuracy;
5. storage limitation;
6. integrity and confidentiality; and
7. accountability.

Details of these principles can be found in the **Data Protection Handbook (https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)** .

Data security

All New School users of Personal Data must ensure that such data is always held securely and not disclosed accidentally, negligently, or intentionally to any unauthorized third party. The **Information Security Policy (https://app.getguru.com/card/cjAyM6bi/Information-Security-Policy)** , the **Acceptable Use Policy (https://app.getguru.com/card/ijAyajBT/Acceptable-Use-Policy)** , and the **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-**

4a25-89f2-02fa14d92f76) must be read in conjunction with this **Privacy and Data Protection Policy**. See **Data Protection Handbook - 1. Data Security (https://app.getguru.com/card/408e3848-59c1-4264-930d-6f48879681ab)** for additional information.

Privacy notices

When The New School collects Personal Data from individuals, the requirement for "fairness and transparency" must be adhered to. See **Data Protection Handbook - 2. Privacy Notices (https://app.getguru.com/card/deade47c-6f31-46af-8f6b-a57db14d1621)** for additional information.

Conditions of processing / lawfulness

In order to meet the "lawfulness" requirement, the Processing of Personal Data must meet at least one the following conditions:

1. the Data Subject has given consent to the Processing of their Personal Data for one or more specific purposes;
2. the Processing is necessary for the performance of a contract to which the Data Subject is party;
3. the Processing is necessary for compliance with a legal obligation to which The New School is subject;
4. the Processing is necessary in order to protect the vital interests of the Data Subject or of another natural person;
5. the Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in The New School; or
6. the Processing is necessary for the purposes of the legitimate interests pursued by The New School or by a third party.

For Special Categories of Personal Data, at least one of the following conditions must also be met:

1. the Data Subject has given explicit consent to the Processing of their Special Categories of Personal Data for one or more specific purposes;
2. the Processing is necessary for the purposes of employment, social security, and social protection law;
3. the Processing is necessary to protect someone's vital interests;
4. the Processing is carried out by a not-for-profit body;
5. the Processing is manifestly made public by the Data Subject;
6. the Processing is necessary for legal claims;
7. the Processing is necessary for reasons of substantial public interest;
8. the Processing is necessary for the purposes of medicine, the provision of health or social care or treatment, or the management of health or social care systems and services;
9. the Processing is necessary for public health; or
10. the Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes subject to certain safeguards.

See **Data Protection Handbook - 3. Lawfulness (https://app.getguru.com/card/3b37d7f0-47ff-4572-9450-78f5ae7b190a)** for additional information.

Data retention

Personal Data must not be kept longer than necessary for the purposes for which it was originally collected. This applies to all Personal Data, whether held on core systems, local desktops, laptops or mobile devices, or held on paper. If the data is no longer required, it must be securely deleted or destroyed. See **Data Protection Handbook - 4. Retention (https://app.getguru.com/card/6b4843f6-6c38-48a1-a4ac-bab037bb87f2)** for additional information.

Privacy by design and by default

The New School has an obligation to consider the impact Processing activities may have on data privacy. This includes implementing appropriate technical and organizational safeguards to minimize the potential negative impact Processing can have on the Data Subjects' privacy, both at the time of the determination of the means for Processing and at the time of the Processing itself.

See **Data Protection Handbook - 12. Policy by Design and by Default (https://app.getguru.com/card/2a73d305-a673-4cf6-863e-f5b3926a0144)** for additional information.

Data Protection Impact Assessment

When contemplating new Processing activities or setting up new procedures or systems that involve Personal Data, privacy issues must always be considered at the earliest stage and a Data Protection Impact Assessment (DPIA) must be performed. The DPIA is a mechanism for identifying and examining the impact of new initiatives and putting in place measures to minimize or reduce risks during the design stages of a process and throughout the life cycle of the initiative. This will ensure that privacy and data protection control requirements are not an afterthought. More information can be found in the **Data Protection Impact Assessment Guide (https://ispo.newschool.edu/guidelines/dpia)** .

Anonymization and pseudonymization

To further reduce the risks associated with handling Personal Data, Anonymization or Pseudonymization should be applied to the data. Wherever possible, Personal Data must be Anonymized or, where that is not possible, Pseudonymized. More information can be found in the **Anonymization & Pseudonymization (https://ispo.newschool.edu/guidelines/anonymization-pseudonymization)** guidance.

Data subject rights

The New School, when acting as a Data Controller, endeavors to provide Data Subjects with privacy rights that include:

1. the right of access;
2. the right to rectification;
3. the right to erasure ("right to be forgotten");
4. the right to Restriction of Processing;
5. the right to be informed;
6. the right to data portability;
7. the right to object; and
8. the right not to be subject to a decision based solely on automated Processing, including Profiling.

Additional information on the below data subject rights may be found in **Data Protection Handbook - 8. Data Subject Rights (https://app.getguru.com/card/fb95a312-bfe7-4177-88f8-5edcfe32aad6)** .

Data subject access requests and the right to data portability

Individuals have the right to request to see or receive copies of any Personal Data The New School holds about them, and in certain circumstances to have that data provided in a structured, commonly used and machine readable format so it can be forwarded to another Data Controller.

Workforce Members receiving a data subject access request must follow the data subject access request procedures contained in **Data Protection Handbook - 8. Data Subject Rights (https://app.getguru.com/card/fb95a312-bfe7-4177-88f8-5edcfe32aad6)** .

Right to erasure, to restrict processing, to rectification, and to object

In certain circumstances Data Subjects have the right to have their Personal Data erased. This only applies

- where the data is no longer required for the purpose for which it was originally collected, or
- where the Data Subject withdraws consent, or
- where the data is being Processed unlawfully.

In some circumstances, Data Subjects may not wish to have their Personal Data erased but rather have any further Processing of the data restricted.

If Personal Data is inaccurate, Data Subjects have the right to require The New School to rectify inaccuracies. In some circumstances, if Personal Data is incomplete, the Data Subject can also require the university to complete the data, or to record a supplementary statement.

Data Subjects have the right to object to specific types of Processing such as Processing for direct marketing, research, or statistical purposes. The Data Subject must demonstrate grounds for objecting to the Processing relating to their particular situation except in the case of direct marketing, where it is an absolute right.

Workforce Members receiving any of these requests should not act or respond but instead should contact the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** immediately.

Rights in relation to automated decision making and profiling

In the case of automated decision making and Profiling that may have significant effects on Data Subjects, they have the right to either have the decision reviewed by a human being or to not be subject to this type of decision making at all. These requests must be forwarded to the **Information Security and Privacy Office**

(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO) immediately.

Data sharing

When Personal Data is transferred internally from one New School organizational unit to another, the receiving unit must only Process the data in a manner consistent with the original purpose for which it was collected. If Personal Data is shared internally for a new and different purpose, a new privacy notice must be provided to the Data Subjects.

When Personal Data is transferred externally, a legal basis must be determined and a data sharing agreement between the university and the third party must be signed, unless disclosure is required by law or the third party requires the data for law enforcement purposes. See **Data Protection Handbook - 5. Data Sharing** **(https://app.getguru.com/card/f4604b53-60e8-4c4f-aebd-d4e4f7b2229c)** for additional information.

Transfers of personal data outside the EEA

Personal Data may only be transferred out of the European Economic Area when there are safeguards in place to ensure an adequate level of protection for the data. For transfers of Personal Data to a receiving party in the United States, the Privacy Shield Agreement between the European Union and the United States of America provides sufficient protection. Before transferring data, the Privacy Shield website should be consulted to determine whether the receiving party is on the Privacy Shield List.

If the receiving party is not on the Privacy Shield list, then the contract between the receiving party and The New School must include a Data Processing Addendum that incorporates the European Commission's **Standard Contractual Clauses** **(https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-**

clauses-scc_en) for data transfers between EU and non-EU countries (either the controller-to-controller or controller-to-processor clauses, as appropriate).

Workforce Members involved in transferring Personal Data to other countries must ensure that appropriate safeguards are in place before agreeing to any such transfer. See **Data Protection Handbook - 7. Data Transfer Outside the European Economic Area (EEA) (https://app.getguru.com/card/3a9c62dc-7225-4aa6-b9cb-e1ac88ee58f5)** for additional information.

Direct marketing

Direct marketing covers not only the communication of material about the sale of products and services to individuals, but also the promotion of aims and ideals. For The New School, this includes notifications about events, fund raising, and offering of goods or services regardless of whether a payment by the Data Subject is required. Marketing covers all forms of communications, such as contact by post, fax, telephone, and electronic messages. The university must ensure that it always complies with relevant legislation every time it undertakes direct marketing and must cease all direct marketing activities if an individual requests it to stop. See **Data Protection Handbook - 13. Direct Marketing (https://app.getguru.com/card/8f5bedec-d893-4b68-81f8-a52157a6835e)** for additional information.

Websites

All websites and web applications operated by or on behalf of The New School must include:

1. A prominent link, on every page, to a privacy notice that describes how the website collects Personal Data and how that data is used, stored, transferred, and protected.
2. A prominent message, displayed when a user first visits the site and every time thereafter until the user affirmatively acknowledges it, seeking the user's consent to store "cookies" on

the user's computer.

See **Data Protection Handbook - 14. Websites** **(https://app.getguru.com/card/dad60ae1-1edd-45d9-a9c2-c80e3441cf77)** for additional information.

Training

Any individual within the scope of this policy must complete the **Privacy and Data Protection Training** **(https://ispo.newschool.edu/training)** .

Breaches

The New School is responsible for ensuring appropriate and proportionate security for the Personal Data that it holds. This includes protecting the data against unauthorized or unlawful Processing and against accidental loss, destruction, or damage. The university makes reasonable efforts to avoid privacy and data protection incidents, however, it is possible that incidents will occur on occasion. For example, Personal Data Breaches might occur through:

- Unauthorized or accidental disclosure, modification, or deletion
- Theft or loss of data or equipment
- Unauthorized access
- Hacking attack
- Human error

If a Personal Data Breach occurs, the university may be required to notify relevant authorities in a timely manner. Any member of the university community who encounters something they believe may be a Personal Data Breach must report it immediately to **IT Central** **(https://support.newschool.edu/CherwellPortal/ITCentral)** and the **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-**

Privacy-Office-ISPO) .

Details of how to report a breach and the information that will be required may be found in the **Data Protection Handbook - 19. Personal Data Breaches (https://app.getguru.com/card/07481a8d-652b-4d36-b4bf-cd28cbe7146b)** .

Roles and responsibilities

The **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** and the Privacy and Security Compliance function within the Information Technology department monitor and advise on compliance with applicable privacy and data protection laws and regulations. However, responsibility for compliance and the consequences of any breaches remains with the **President's Leadership Team (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** and the Data Owners in individual organizational units. Information and advice can be obtained from the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** and the **Office of the General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** .

President's Leadership Team

The members of the **President's Leadership Team (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** are accountable for exercising due diligence in protecting Personal Data used within their area of responsibility by ensuring compliance with this policy and applicable privacy and data protection laws and regulations. They are also accountable for compliance in any subsidiary unit within their management (e.g., institutes, centers, research groups, and multi-disciplinary organizations).

Data Owners

Data Owners are responsible for maintaining the protection of datasets containing Personal Data by ensuring compliance with this policy and applicable privacy and data protection laws and regulations, and by developing and encouraging good information handling practices among their datasets' communities of users.

Data users

All users of Personal Data within the university have a responsibility to ensure that they Process the data in accordance with the principles of data protection and the other conditions set forth in applicable privacy and data protection laws and regulations.

Handling research data

Before beginning any research that will involve obtaining or using Personal Data and Special Categories of Personal Data, researchers must give proper consideration to this policy and the guidance contained in the Handbook and how these will be properly complied with. Researchers must ensure that the fairness, transparency, and lawfulness principle is adhered to and that **privacy by design and by default (https://ispo.newschool.edu/policies/privacy-data-protection#privacy-by-design-and-by-default)** is applied. This means, among other things, that wherever feasible, research data must be Anonymized or Pseudonymized at the earliest possible time. See **Data Protection Handbook - 9. Research (https://app.getguru.com/card/1339c8b5-461f-44f8-8ec9-761874d779b6)** for additional information.

Handling of research data by students

The use of Personal Data by students is governed by the following:

- Where a student collects and Processes Personal Data in order to pursue a course of study with the university, and this course of study is not part of a university-led project, the student rather than the university is the Data Controller for the Personal Data used in the research. If the data are extracted from a database already held by the university, the university remains the Data Controller for the database, but the student will be the Data Controller for the extracted data.
- Once a thesis containing Personal Data is submitted for assessment, the university becomes the Data Controller for that Personal Data.
- Where a research student Processes Personal Data while working on a project led by a university research group, the university is the Data Controller.

Academic and academic-related staff must ensure that students they supervise are aware of the following:

- A student should only use Personal Data for a university-related purpose with the knowledge and express consent of an appropriate member of academic staff (normally, for a postgraduate, this would be the supervisor, and for an undergraduate the person responsible for teaching the relevant class/course).
- The use of university-related Personal Data by students should be limited to the minimum consistent with the achievement of academic objectives. Wherever possible data should be Anonymized so that students are not able to identify the Data Subjects.

See **Data Protection Handbook - 10. Student Research (https://app.getguru.com/card/37117116-cf7a-496e-a4ef-803adfbad0cc)** for additional information.

References

- National Institute of Standards and Technology. *NIST Privacy Framework: A Tool for Improving Privacy Through Enterprise Risk Management*. January 16, 2020. Available from **nist.gov/system/files/documents/2020/01/16/NIST%20Privacy%20Framework_V1.0.pdf (https://www.nist.gov/system/files/documents/2020/01/16/NIST%20Privacy%20Framework_V1.0.pdf)** .
- European Parliament and the Council of the European Union. *Regulation (EU) 2016/679 of the European Parliament and the Council of the European Union of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing directive 95/46/EC (General Data Protection Regulation)*. Adopted April 27, 2016. Effective May 25, 2018. Available from **eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN (https://eur-lex.europa.eu/legal-content/EN/TXT/PDF?from=EN&uri=CELEX%3A32016R0679)** .

Compliance and review

Failure to comply with this policy or its supporting standards, whether deliberate or due to careless disregard, will be treated as serious misconduct and may result in actions including (but not limited to) disciplinary action, dismissal, and civil and/or criminal proceedings.

This policy is reviewed on a periodic basis and updated as necessary by the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to ensure it remains accurate, relevant, and fit for purpose.

ACCEPTABLE USE POLICY

Introduction

The New School maintains and provides IT Resources to support the educational, instructional, research, and administrative activities of the university. The use of these resources is a privilege that is extended to members of the New School community. Users of these services and facilities have access to valuable university resources, to sensitive data, and to internal and external networks. Consequently, it is important for all users to behave in a responsible, ethical, and legal manner.

Definitions

Special terms used in this document will be Capitalized and underlined, signifying that they have special meaning. A comprehensive glossary of terms, with examples, can be found at **ispo.newschool.edu/glossary (https://ispo.newschool.edu/glossary)** .

Purpose

This policy establishes guidelines for the acceptable use of New School IT Resources based on the following principles:

1. The New School community is encouraged to make innovative and creative use of IT Resources in support of educational, scholarly, and administrative purposes. The university supports access to information representing a multitude of views for the interest, information, and enlightenment of students, faculty, and staff. Consistent with this policy, The New School supports the use of IT Resources in a manner that recognizes both the rights and the obligations of academic freedom.
2. The New School recognizes the importance of copyright and other protections afforded to the creators of intellectual property. Users are responsible for making use of software and other

information resources in accordance with copyright and licensing restrictions and applicable university policies. Using IT Resources in a manner violating these protections, or furthering the unauthorized use or sale of protected intellectual property, is prohibited.

3. The New School cannot fully protect individuals against the receipt of potentially offensive material. Those who use electronic communications may occasionally receive material that they might find offensive. Those who make personal information available about themselves through the Internet or other electronic media may expose themselves to potential invasions of privacy.
4. IT Resources are provided to support The New School's academic, research, and public service mission. IT Resources are limited, and should be used wisely and with consideration for the rights and needs of others.

This policy is intended to:

- promote the mission of The New School by encouraging responsible conduct and use of university IT Resources;
- protect the instructional and operational integrity of the university and the rights of individuals;
- prevent the misuse of, or damage to, IT Resources and Institutional Information; and
- support compliance with contractual, legal, and regulatory obligations.

Scope

This policy applies to all university Institutional Information and IT Resources, irrespective of whether they are maintained by The New School or a third party on the university's behalf or whether they are accessed from on-campus or off-campus locations, and to any individual who accesses or in any way makes use of them, regardless of affiliation. This includes, but is not limited to, Workforce Members, students, and alumni.

General rules for all users

Users of The New School's IT Resources must comply with state, federal, and international laws and regulations, university policies and rules, and the terms of applicable contracts including software licenses while using those resources. Examples of applicable laws, policies, and rules include, but are not limited to:

- the U.S. Electronic Communications Privacy Act, U.S. Computer Fraud and Abuse Act, French Law No. 2004-575 regarding Confidence in the Digital Economy (Parsons Paris users), and Article 156 of the New York Penal Code, which prohibit "hacking," "cracking," and similar activities;
- laws governing identity theft, privacy, libel, copyright, trademark, right of publicity, obscenity, and child pornography;
- the university's **Policy on Harassment, Discrimination, Prohibited Relationships, and Title IX and Non-Title IX Sexual Harassment and Misconduct (https://www.newschool.edu/title-ix)** ;
- the university's **Policy on the Free Exchange of Ideas (https://www.newschool.edu/provost/faculty-policies)** and its **Statement on the Freedom of Academic Expression (https://www.newschool.edu/provost/faculty-policies)** ;
- the university's **Academic Honesty and Integrity Policy (https://www.newschool.edu/policies/academic-honesty-and-integrity-policy.pdf)** and **Intellectual Property Rights Policy (https://www.newschool.edu/provost/faculty-policies)** ;
- the university's **Student Code of Conduct (https://drive.google.com/file/d/1O5fu4gknhy7azR7KF7UdL7j3B9rxlZjj/view?usp=sharing)** and **Employee Code of Conduct (https://app.getguru.com/card/cr4Kdjbi/Employee-**

Code-of-Conduct) ;

- the university's **Social Media Policy** **(https://app.getguru.com/card/Taj9eXGc/Social-Media-Policy)** ;
- the university's **Privacy & Data Protection Policy** **(https://app.getguru.com/card/e4d4fcfa-7130-4fc1-be14-2b64cc0ffdff)** ; and
- the university's **Information Security Policy** **(https://app.getguru.com/card/2f558d7e-1003-405a-84a8-36d744ab0056)** .

Users who engage in electronic communications with persons in other states or countries or make use of systems and networks located in other states or countries may also be subject to the laws of those jurisdictions and the policies and rules of those other systems and networks.

All users of New School IT Resources are required to have a valid, authorized account (typically a username and password) or other form of officially approved access, and may use only those IT Resources for which they have been specifically authorized. Use of another person's account, password, or other access control device to access an IT Resource without official approval or authorization is prohibited.

Users are responsible for any activity originating from their accounts that they can reasonably be expected to control, and are expected to take reasonable precautions including password security and file protection measures to prevent use of their accounts and files by unauthorized persons. Sharing of accounts, passwords, or other access control devices with others is prohibited. Users who disclose their passwords to others are solely responsible for all consequences arising from such disclosure. In cases when unauthorized use of accounts or resources is detected or suspected, the account owner should change the account password immediately and report the incident to **IT Central** **(https://support.newschool.edu/CherwellPortal/ITCentral)** or the **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Personal, commercial, and political use

Authorized users may make incidental personal use of New School IT Resources, provided that such use is subject to and consistent with this policy. Incidental personal use of university IT Resources by New School Workforce Members may not interfere with the fulfillment of their job responsibilities or disrupt the work environment. Incidental personal use that inaccurately creates the appearance that the university is endorsing, supporting, or affiliated with any organization, product, service, statement, or position is prohibited.

Users making personal use of New School IT Resources do so at their own risk. The university is not responsible for the security, integrity, availability, or backing up of personal data stored on university IT Resources. The university does not guarantee that users will be able to retrieve personal data stored on university IT Resources upon graduation, transfer, resignation, or termination.

Commercial activities may be conducted using New School IT Resources only under the auspices of officially recognized and sanctioned campus organizations or academic and administrative programs. Personal use of university IT Resources may not result in commercial gain or private profit, except as allowed under the university **Intellectual Property Rights Policy (https://www.newschool.edu/provost/accreditation-policies)** .

As a 501(c)(3) organization, The New School is prohibited from participating or intervening in any political campaign on behalf of or in opposition to a candidate for public office, and no substantial part of the university's activities may be directed to influencing legislation. Individuals may not use university IT Resources for political purposes in a manner that suggests the university itself is participating in campaign or political activity or fund raising, or for influencing legislation. Any other use with respect to political activity must be permitted by applicable university policy and consistent with applicable laws.

Prohibited and inappropriate use

Users of The New School's IT Resources are prohibited from engaging in any activity that is illegal under local, state, federal, or international law or in violation of university policies or rules. Users may not knowingly or intentionally engage in activities that could negatively affect the functionality, security, integrity, or legitimate use of New School IT Resources. Examples of activities in this category include, but are not limited to:

- attempting to disable, alter, or circumvent physical or logical protections, user authentication and access control mechanisms, or other restrictions placed on computers, networks, software, applications, or files, including university-installed anti-malware programs;
- attempting to develop or use any mechanism to alter or avoid charges or fees levied by the university;
- attempting to intercept network communications for purposes of rerouting packets, forging packets, packet "sniffing," or reading communications content;
- attempting to intercept, compromise, or tamper with user account passwords and other access methods;
- launching attacks, probes, scans, or other attempts to identify security vulnerabilities, subvert security, or overload capacity of any system or network (including systems and networks not owned or operated by The New School);
- introducing, creating, or propagating any malicious programs, including, without limitation, viruses, worms, Trojans, spyware, ransomware, or other malicious code;
- sending unsolicited email messages, including "spam," "chain letters," and other mass mailings, or posting similar messages to discussion forums, website/blog comment sections, or collaborative document comment areas, except as approved by Marketing and Communications;
- using unauthorized file sharing applications or illegally downloading or sharing copyrighted, licensed, or otherwise protected intellectual property, including, without limitation, movies, music, books, applications, and other software; or

- allowing unauthorized access to New School IT Resources through any computer or network device, including wireless access points.

Above all, users are expected to use New School IT Resources in a legal, ethical, responsible, and civil manner at all times.

Additional rules for Workforce Members

In addition to general-purpose IT Resources to which all members of the New School community have access, New School Workforce Members have access to "administrative" IT Resources that are used to conduct official university business. Examples of administrative IT Resources include, but are not limited to, systems such as **Banner (https://app.getguru.com/card/caAGge4i/Banner-Student-Information-System)** , **Workday (https://app.getguru.com/card/cyAd7GEi/MyDay-Overview)** , **Canvas (https://app.getguru.com/card/T5AyLrMc/Canvas)** , and **Starfish (https://app.getguru.com/card/igAokRnT/Starfish)** , and Institutional Information such as student records, employee records, and financial records. The use of administrative IT Resources is subject to additional rules and prohibitions.

Ownership and classification of Institutional Information

The New School **Information Security Policy (https://app.getguru.com/card/2f558d7e-1003-405a-84a8-36d744ab0056)** establishes information security roles and responsibilities for all individuals with access to New School IT Resources. It also requires that Institutional Information be identified, Classified, and protected with appropriate security controls.

Key Institutional Information datasets must have an assigned Data Owner. Data Owners must assign a Classification to each Institutional Information dataset for which they are responsible. The Classification reflects the information security and privacy safeguards needed to protect the

dataset and dictates the procedures to follow when acquiring, storing, using, transmitting, archiving, and destroying that information. The **Standard for Handling Institutional Information** **(https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** and the **Data Protection Handbook** **(https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)** describe these safeguards and procedures in detail.

State, federal, and international laws and regulations, as well as certain industry regulations, often require specific safeguards and procedures (in addition to those required by university policies) to be implemented when working with protected categories of information. Protected information categories include, but are not limited to, student Education Records, Personal Financial Information, Protected Health Information, Social Security Numbers, and Cardholder Data. Laws and regulations protecting these information categories include the European Union General Data Protection Regulation (GDPR), Family Educational Rights and Privacy Act (FERPA), Gramm-Leach-Bliley Act (GLBA), Health Insurance Portability and Accountability Act (HIPAA), New York State General Business Law, and the Payment Card Industry Data Security Standard (PCI DSS).

Access to administrative Institutional Information datasets is authorized by Data Owners subject to an individual's job-related need-to-know. Data Owners are responsible for communicating the information security safeguards and handling procedures that apply to these datasets, via documentation, training, or other means, to the users they have authorized to access them. Users of these datasets are responsible for applying the safeguards and handling procedures specified by the Data Owner.

Institutional Information, regardless of where it is stored, how it is used, or who may access it, is the property of The New School. Users with access to Institutional Information Classified above Protection Level PL-1 may not publish, give away, sell, or disclose that information to unauthorized persons without proper authorization or use that information for personal or non-university purposes.

Use of email

The New School-branded version of Gmail (reachable through **MyNewSchool (https://app.getguru.com/card/iXAxnxqT/MyNewSchool)** or **mail.newschool.edu (https://app.getguru.com/card/TXAx5aLc/Google-Workspace)**) is the official university email system. Google provides this version of Gmail to The New School under a specially negotiated end-user license agreement designed to protect the privacy and security of information owned by The New School and the members of its community. This license agreement also includes special protections for information subject to the Family Educational Rights and Privacy Act (FERPA). Workforce Members should use their official university email address for all university business-related email (provided it does not contain Institutional Information Classified at Protection Levels PL-3 or PL-4—see below).

The New School secure file transfer service (reachable through `securesend.newschool.edu`) is the official university system for sending Institutional Information Classified at Protection Levels PL-3 and PL-4. PL-4 information must never be sent through regular email; **Secure Send (https://app.getguru.com/card/TrAnBRac/File-Sharing-Systems)** must be used instead (see the **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** for details, including certain exceptions to this rule). In certain circumstances, when specifically authorized by the Data Owner, PL-3 information may be sent internally through New School Gmail (from one *@newschool.edu* address to another) when operationally necessary and there is no better alternative, but **Secure Send (https://app.getguru.com/card/TrAnBRac/File-Sharing-Systems)** should be used whenever feasible.

External email service providers, including Google's consumer Gmail platform (*@gmail.com*), do not provide legal protection or accountability for New School administrative information, and they generally do not comply with the information security and privacy safeguards required by state,

federal, and international laws and regulations or university policies. ***New School Workforce Members may not automatically forward or redirect messages from an official university email address (containing @newschool.edu) to a non-university email address (containing anything other than @newschool.edu).*** Doing so may put that individual and The New School at risk of violating GDPR, FERPA, GLBA, HIPAA, or other laws and regulations. Workforce Members may manually forward individual messages (i.e., one at a time) only if they do not contain Sensitive Institutional Information and such forwarding is permitted by applicable laws and regulations.

Use of cloud storage and collaboration providers

The New School-branded version of **Google's G Suite (https://app.getguru.com/card/TXAx5aLc/Google-Workspace)** (formerly Google Apps) applications (reachable through **MyNewSchool (https://app.getguru.com/card/iXAxnxqT/MyNewSchool)** or {calendar, drive, docs}.newschool.edu) is the official university general-purpose cloud storage and collaboration platform. **Canvas (https://app.getguru.com/card/T5AyLrMc/Canvas)** and **Starfish (https://app.getguru.com/card/igAokRnT/Starfish)** are the official university learning management system and student success network, respectively. The companies offering these services provide them to The New School under specially negotiated end-user license agreements designed to protect the privacy and security of information owned by The New School and the members of its community. These license agreements also include special protections for information subject to the Family Educational Rights and Privacy Act (FERPA). Most other cloud services offered through The New School (including, for example, Office 365 and Adobe Creative Cloud) do not include these protections.

Generally, the New School **G Suite (https://app.getguru.com/card/TXAx5aLc/Google-Workspace)** platform is acceptable for use with Institutional Information Classified at Protection Levels PL-1 and PL-2. The other two platforms are only acceptable for use with Institutional Information Classified at Protection Level PL-1. Additionally, all three platforms may be used with

FERPA-protected PL-3 (but not PL-4) information, provided that information is not also subject to other laws and regulations. Information subject to other laws and regulations (GDPR, HIPAA, GLBA, PCI DSS, etc.) should not be stored, processed, transmitted, or shared through any of these platforms. See the **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** for details.

Before using any other cloud service offered through The New School to store, process, transmit, or share Institutional Information Classified at Protection Level PL-3 or PL-4, Workforce Members are responsible for ascertaining whether that service is appropriate for such use by consulting with **IT Central (https://support.newschool.edu/CherwellPortal/ITCentral)** or the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

The license agreements for external cloud services not offered through The New School do not provide legal protection or accountability for New School administrative information, and they generally do not comply with the information security and privacy safeguards required by state, federal, and international laws and regulations or university policies. Commonly used services in this category include, but are not limited to, Dropbox.com, Box.com, Apple iCloud, Microsoft OneDrive, and the consumer Google G Suite platform. New School Workforce Members may not use these services to store, process, transmit, or share Institutional Information Classified above Protection Level PL-1, because doing so may put that person and The New School at risk of violating GDPR, FERPA, GLBA, HIPAA, PCI DSS, or other laws and regulations.

Additional rules for users with privileged access

Because of their job responsibilities, certain individuals (“privileged users”) may be granted privileged access to IT Resources, including computing systems, applications, databases, network monitoring tools, and other equipment, that may contain records and information that are private

and confidential in nature. Typically, but not exclusively, privileged users are either technical system administration or programming personnel, or administrative employees with access to the university's main databases and systems of record.

The New School requires all privileged users to respect the sensitive and confidential nature of information concerning New School employees, students, alumni, donors, vendors, and/or other members of the New School community to which they may have access, and to disclose such information only with proper authorization and in the exercise of their designated job duties. Privileged users may not use any access or information available to them in the course of their duties to engage in any activity that conflicts with the interests of The New School or use any access available to them to provide information to others engaged in any activity that conflicts with the interests of The New School.

Specifically, with respect to university computing systems, networks, records, files, email, and other information, privileged users agree to treat all confidential information as such by respecting the privacy of individuals, the integrity of the systems, and the related physical resources, and that they will:

1. Access, copy, or store data solely in performance of their job responsibilities, limiting perusal of contents and actions taken to the minimum necessary to accomplish the task;
2. When providing direct services to others, copy or store data or information only with the user's consent and only to complete a specified task, and only to copy and store user data for long enough to complete the specified task;Nnot seek personal benefit or permit others to benefit personally from any data or information that has come to them through their work assignments;
3. Not make or permit unauthorized use of any information in the university's information systems or records;
4. Not enter, change, delete or add data to any information system or file outside of the scope of their job responsibilities;

5. Not intentionally or knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry;
6. Not intentionally or knowingly alter or delete or cause to be altered or deleted from any record, report, or information system, a true and correct entry;
7. Not release university data other than what is required for the completion of their job responsibilities;
8. Not exhibit or divulge the contents of any record, file, or information system to any person except as required for the completion of their job responsibilities;
9. Take every reasonable precaution to prevent unauthorized access to any passwords, user identifiers, or other information that may be used to access university information systems or records;
10. Limit access to information contained in or obtained from the systems to authorized persons;
11. Not make any changes to system hardware, software, or configuration settings that have not been reviewed and approved through relevant change management processes; and
12. Report any incidents of non-compliance with these rules to their supervisor or other appropriate university official.

Monitoring

The New School considers the data processed by and stored on administrative computer systems (both those operated locally and those hosted by a third party) to be the property of the university. The personal contents of user accounts are considered to be the property of the authorized user, subject to applicable university copyright and intellectual property policies and applicable state, federal, and international laws and regulations.

Individuals should be aware that their privacy is not guaranteed when using university IT Resources, including accessing the Internet or using university-provided electronic mail, telephone, or voice mail. While The New School does not routinely monitor individual usage of its IT

Resources, the normal operation and maintenance of these resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the provision of service. Additionally, system and application administrators may become aware of the contents of communications or stored information while dealing with specific operational problems. Furthermore, the university may use automated tools to detect, alert, and respond to improper storage, sharing, or transmission of Personal Data or other confidential information that could result in such information being disclosed to unauthorized persons. The university may also specifically monitor the activity and accounts of individual users of university IT Resources, including individual login sessions, the content of individual communications, and the contents of stored information, with or without notice, when:

- It reasonably appears necessary to do so to protect the integrity, security, or functionality of university IT Resources or to protect the university from liability;
- A written complaint has been received, or there is reasonable cause to believe, that the individual has violated or is violating this policy;
- An account appears to be engaged in unusual or unusually excessive activity; or
- It is otherwise required or permitted by law.

Any such monitoring of communications or stored information, other than what is made accessible by the individual, required by law, or necessary to respond to perceived emergency situations, must be authorized in advance by the Provost and Chief Academic Officer, the Chief Legal and Human Resources Officer, the Chief Enrollment and Success Officer, or the Chief Information Officer, as appropriate, in consultation with the **Office of the General Counsel (https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** . The university, in its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications or stored information, to appropriate university personnel or law enforcement agencies and may use those results in

appropriate university disciplinary proceedings. The university may also, from time to time, be required to comply with the lawful orders of courts, such as subpoenas and search warrants. Such compliance may include providing, when required, copies of monitoring data, system and/or user files, email content, or other information ordered by the court.

Compliance and review

Failure to comply with this policy, whether deliberate or due to careless disregard, will be treated as serious misconduct and may result in actions including (but not limited to) disciplinary action, dismissal, and civil and/or criminal proceedings.

This policy is reviewed on a periodic basis and updated as necessary by the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to ensure it remains accurate, relevant, and fit for purpose.

INFORMATION SECURITY POLICY

Introduction

The New School is committed to protecting information that is critical to teaching, research, the university's many activities, its business operations, and the communities it supports, including students, faculty, staff, visitors, alumni, donors, and the public. These protections may be governed by legal, regulatory, contractual, or university policy considerations.

Definitions

Special terms used in this document will be Capitalized and underlined, signifying that they have special meaning. A comprehensive glossary of terms, with examples, can be found at **ispo.newschool.edu/glossary (https://ispo.newschool.edu/glossary)** .

Purpose

This policy establishes The New School's approach to information security based on the generally accepted principles of

- **confidentiality**—information is not made available or disclosed to unauthorized individuals, entities, or processes;
- **integrity**—the accuracy and completeness of information is maintained and assured over its entire lifecycle; and
- **availability**—authorized users are able to access information and information systems when they are needed.

Adherence to these principles will ensure that university Institutional Information and IT Resources remain properly protected while they are being used in the pursuit of The New School's academic, research, and public service mission.

This policy is intended to:

- promote the proactive assessment, reduction, and management of risk in a manner that enables Data Owners, IT personnel, and the larger New School community to be more aware of the risks to information, identify controls to reduce those risks, and understand the risks that remain after controls have been implemented;
- improve the security of critical system and network services through enterprise-wide, defense-in-depth approaches to reduce risks commonly associated with hybrid cloud computing environments;

- enhance crisis and information security incident response and management to enable the university to quickly recover its Institutional Information and IT Resources in the event of a catastrophic event and to manage information security events and data breaches more efficiently and effectively, thereby reducing or minimizing the damages to the New School community;
- encourage a "security aware" culture across the university and advocate that information security is everyone's responsibility;
- support compliance with contractual, legal, and regulatory obligations concerning information security; and
- provide assurance to other parties that The New School deals with information security in a proactive manner and has a robust control environment in place.

The New School's approach to information security is guided by the National Institute of Standards and Technology (NIST) **Cyber Security Framework (https://www.nist.gov/cyberframework)** (CSF), which has been widely adopted by both public and private sector organizations throughout the United States. The NIST CSF provides a framework for cybersecurity management, including asset identification, information and system protection, threat detection, incident response, and recovery. The university's approach also leverages NIST **Special Publication 800-53 (https://doi.org/10.6028/NIST.SP.800-53r5)** , which provides a catalog of security and privacy controls for information systems and organizations and a process for selecting controls to protect organizational operations, organizational assets, individuals, and other organizations from a diverse set of threats including hostile cyber attacks, natural disasters, structural failures, and human errors (both intentional and unintentional).

Scope

This policy and its supporting standards apply to all university Institutional Information and IT Resources, irrespective of whether they are maintained by The New School or a third party on the university's behalf or whether they are accessed from on-campus or off-campus locations, and to any individual who accesses or in any way makes use of them, regardless of affiliation. This includes, but is not limited to, Workforce Members, students, and alumni.

Policy statement

The New School manages and produces information that is private, confidential, or sensitive in nature, together with information that is regarded as being readily available for general sharing. The university recognizes that it is imperative that all information is protected from compromise of confidentiality, integrity, and availability. All individuals within the scope of this policy must therefore ensure that:

1. Institutional Information is identified, Classified, and protected. Any security controls that are implemented must be proportionate to the assigned Classification. Key information assets are governed by an appointed Data Owner in accordance with the key responsibilities described under **Roles and responsibilities (https://ispo.newschool.edu/policies/information-security#roles-and-responsibilities)** .

   Supporting standards: **Standard for Information and System Classification (https://ispo.newschool.edu/standards/classification)** , **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** , **Data Protection Handbook (https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)**
2. All processes, technology, services, and facilities are protected through information security controls.

   Supporting standards: **Standard for Information and System Security Controls**

(https://ispo.newschool.edu/standards/security-controls)

3. University Institutional Information and IT Resources are used responsibly, ethically, and in a manner consistent with both the law and the rights of others.

   Supporting standards: **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** , **Data Protection Handbook (https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)**

   Related policies: **Acceptable Use Policy (https://app.getguru.com/card/ijAyajBT/Acceptable-Use-Policy)** , **Privacy & Data Protection Policy (https://app.getguru.com/card/e4d4fcfa-7130-4fc1-be14-2b64cc0ffdff)**

4. Information security incidents and data breaches are identified, contained, eradicated, investigated, and reported.

   Supporting standards: **Standard for Incident and Breach Response (https://ispo.newschool.edu/standards/incident-response)**

5. Where appropriate, a risk assessment is carried out on all processes, technology, services, and facilities to manage risk. This includes situations in which a third-party service provider is used to provide services that involve access to Institutional Information.

   Supporting standards: **Standard for Security and Privacy Risk Management (https://ispo.newschool.edu/standards/risk-management)**

6. Back-up and disaster recovery plans, processes, and technology are in place to mitigate risk of loss or destruction of information and/or services and to ensure that contingency arrangements are in place to maintain availability of data and services.

   Supporting standards: (under development)

7. Where off-site working takes place, appropriate security controls are implemented.

   Supporting standards: (under development)

In addition, all individuals within the scope of this policy must:

8. Complete the **Information Security Awareness Training (https://ispo.newschool.edu/training)** .
9. Take reasonable care to protect the university's Institutional Information and IT Resources from accidental or unauthorized access, modification, or destruction.

The supporting standards referenced above represent the "baseline," or minimum acceptable, requirements for information security at The New School. In some situations it may be necessary to augment the baseline with additional information security controls to meet specific legal, regulatory, or contractual requirements. The **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** can provide advice and assistance in selecting and implementing these additional controls when required.

Roles and responsibilities

Every person at The New School has a responsibility to protect the Institutional Information and IT Resources that they use or are otherwise within their control. These responsibilities vary based on the functional role of the individual. Depending on those functions, some individuals may have more than one role.

President's Leadership Team

The members of the **President's Leadership Team (https://app.getguru.com/card/TkAeeBzc/University-Leadership)** are accountable for exercising due diligence in protecting Institutional Information and IT Resources used within their area of responsibility by ensuring that adequate and effective information security controls are in place that comply with this policy, its supporting standards, and applicable laws and regulations.

They are also accountable for compliance in any subsidiary unit within their management (e.g., institutes, centers, research groups, and multi-disciplinary organizations).

Data Owners

Data Owners are responsible for maintaining the security of Institutional Information datasets by:

- maintaining records of where the dataset (including copies) is stored, what it is used for, who has access to it, and with whom it is shared;
- determining and documenting the policies, guidelines, and business rules by which others are granted access to the dataset or portions thereof;
- reviewing and approving ad-hoc requests for access to the dataset (e.g., view access, data feeds, or copies);
- working with the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to:
  - determine the security Classification of the dataset;
  - perform a risk assessment and identify an acceptable level of risk for the dataset; and
  - specify and document security controls to protect the dataset from unauthorized disclosure, modification, loss, or destruction;
- reviewing access granted to the dataset on a regular basis and adjusting user access permissions as necessary;
- ensuring that authorized data users understand their responsibilities with regard to their approved access; and
- reporting any possible breach in security or misuse of the dataset to the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Application Owners

Application Owners are responsible for maintaining the security of IT Resources by:

- maintaining records of where the resource (including development and test instances) is hosted, what it is used for, and who has access to it;
- determining and documenting the policies, guidelines, and business rules by which others are granted access to the resource;
- reviewing and approving ad-hoc requests for access to the resource;
- working with the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to:
  - determine the security Classification of the resource;
  - perform a risk assessment and identify an acceptable level of risk for the resource; and
  - specify and document security controls to protect the resource from unauthorized access and loss of availability;
- reviewing access granted to the resource (or the business rules that grant access automatically based on user role) on a regular basis and adjusting user access permissions as necessary;
- ensuring that authorized resource users understand their responsibilities with regard to their approved access; and
- reporting any possible breach in security or misuse of the resource to the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Workforce Members

Workforce Members are responsible for protecting the university's Institutional Information and IT Resources and for complying with this policy and its supporting standards.

Workforce Members are responsible for promptly reporting any material violation of this policy and its supporting standards to the **Information Security and Privacy Office**

(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO) .

Students

Students must **accept responsibility (https://ispo.newschool.edu/responsibilities)** for their use of university facilities, and must take reasonable steps to protect the university's IT Resources. Students are expected to comply with the requirements of this policy.

Alumni

Alumni are expected to comply with the requirements of this policy.

References

- National Institute of Standards and Technology. *Framework for Improving Critical Infrastructure Cybersecurity*. April 16, 2018. Available from **doi.org/10.6028/NIST.CSWP.04162018 (https://doi.org/10.6028/NIST.CSWP.04162018)** .
- National Institute of Standards and Technology. *Security and Privacy Controls for Federal Information Systems and Organizations*. Special Publication 800-53, Revision 5. September 2020. Available from **doi.org/10.6028/NIST.SP.800-53r5 (https://doi.org/10.6028/NIST.SP.800-53r5)** .

Compliance and review

Failure to comply with this policy or its supporting standards, whether deliberate or due to careless disregard, will be treated as serious misconduct and may result in actions including (but not limited to) disciplinary action, dismissal, and civil and/or criminal proceedings.

This policy is reviewed on a periodic basis and updated as necessary by the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-**

Security-Privacy-Office-ISPO) to ensure it remains accurate, relevant, and fit for purpose.

PRIVACY & DATA PROTECTION POLICY

Introduction

The New School is committed to privacy by design and by default and supports the privacy rights of individuals with whom it works including students, faculty, staff, visitors, alumni, donors, and research participants.

Definitions

Special terms used in this document will be Capitalized and underlined, signifying that they have special meaning. A comprehensive glossary of terms, with examples, can be found at **ispo.newschool.edu/glossary** (https://ispo.newschool.edu/glossary) .

Purpose

This policy establishes The New School's approach to privacy and data protection based on the principle that handling Personal Data appropriately and in compliance with applicable laws and regulations:

- is the right thing to do,
- enhances trust, and
- protects the university's relationship with its stakeholders.

This policy is intended to set forth the responsibilities of the university, its Workforce Members, and its students to comply with the provisions of applicable privacy and data protection laws and

regulations. It is accompanied by a **Data Protection Handbook (https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)** (the "Handbook") that provides information and guidance on different aspects of privacy and data protection. This policy and the Handbook form the framework that anyone Processing Personal Data at or on behalf of The New School should follow to ensure compliance.

The New School's approach to privacy is guided by the National Institute of Standards and Technology (NIST) **Privacy Framework (https://www.nist.gov/privacy-framework)** , which has been widely adopted by both public and private sector organizations throughout the United States. The NIST Privacy Framework provides a framework for privacy risk management, including data processing identification, data processing safeguards, data management, data subject notification, and incident response. The university's approach is also informed by the data protection policies and standards of European universities, which have operated under comprehensive data protection regulatory compliance frameworks for more than two decades.

Scope

This policy applies to all Workforce Members and students in all cases where The New School is a Data Controller or a Data Processor of Personal Data. The policy applies in these cases regardless of who created the data, where it is held, or the ownership of the systems and software used in its Processing.

Policy statement

When acting as a Data Controller The New School has a responsibility to implement and comply with applicable privacy and data protection laws and regulations. When Processing Personal Data, the university must abide by seven principles of data protection:

1. lawfulness, fairness, and transparency;
2. purpose limitation;
3. data minimization;
4. accuracy;
5. storage limitation;
6. integrity and confidentiality; and
7. accountability.

Details of these principles can be found in the **Data Protection Handbook (https://app.getguru.com/card/b6499f11-2328-440a-872c-dd668562e78a)** .

Data security

All New School users of Personal Data must ensure that such data is always held securely and not disclosed accidentally, negligently, or intentionally to any unauthorized third party. The **Information Security Policy (https://app.getguru.com/card/cjAyM6bi/Information-Security-Policy)** , the **Acceptable Use Policy (https://app.getguru.com/card/ijAyajBT/Acceptable-Use-Policy)** , and the **Standard for Handling Institutional Information (https://app.getguru.com/card/91e421d6-10e1-4a25-89f2-02fa14d92f76)** must be read in conjunction with this **Privacy and Data Protection Policy**. See **Data Protection Handbook - 1. Data Security (https://app.getguru.com/card/408e3848-59c1-4264-930d-6f48879681ab)** for additional information.

Privacy notices

When The New School collects Personal Data from individuals, the requirement for "fairness and transparency" must be adhered to. See **Data Protection Handbook - 2. Privacy Notices**

(https://app.getguru.com/card/deade47c-6f31-46af-8f6b-a57db14d1621) for additional information.

Conditions of processing / lawfulness

In order to meet the "lawfulness" requirement, the Processing of Personal Data must meet at least one the following conditions:

1. the Data Subject has given consent to the Processing of their Personal Data for one or more specific purposes;
2. the Processing is necessary for the performance of a contract to which the Data Subject is party;
3. the Processing is necessary for compliance with a legal obligation to which The New School is subject;
4. the Processing is necessary in order to protect the vital interests of the Data Subject or of another natural person;
5. the Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in The New School; or
6. the Processing is necessary for the purposes of the legitimate interests pursued by The New School or by a third party.

For Special Categories of Personal Data, at least one of the following conditions must also be met:

1. the Data Subject has given explicit consent to the Processing of their Special Categories of Personal Data for one or more specific purposes;
2. the Processing is necessary for the purposes of employment, social security, and social protection law;
3. the Processing is necessary to protect someone's vital interests;
4. the Processing is carried out by a not-for-profit body;
5. the Processing is manifestly made public by the Data Subject;

6. the Processing is necessary for legal claims;
7. the Processing is necessary for reasons of substantial public interest;
8. the Processing is necessary for the purposes of medicine, the provision of health or social care or treatment, or the management of health or social care systems and services;
9. the Processing is necessary for public health; or
10. the Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes subject to certain safeguards.

See **Data Protection Handbook - 3. Lawfulness (https://app.getguru.com/card/3b37d7f0-47ff-4572-9450-78f5ae7b190a)** for additional information.

Data retention

Personal Data must not be kept longer than necessary for the purposes for which it was originally collected. This applies to all Personal Data, whether held on core systems, local desktops, laptops or mobile devices, or held on paper. If the data is no longer required, it must be securely deleted or destroyed. See **Data Protection Handbook - 4. Retention (https://app.getguru.com/card/6b4843f6-6c38-48a1-a4ac-bab037bb87f2)** for additional information.

Privacy by design and by default

The New School has an obligation to consider the impact Processing activities may have on data privacy. This includes implementing appropriate technical and organizational safeguards to minimize the potential negative impact Processing can have on the Data Subjects' privacy, both at the time of the determination of the means for Processing and at the time of the Processing itself.

See **Data Protection Handbook - 12. Policy by Design and by Default (https://app.getguru.com/card/2a73d305-a673-4cf6-863e-f5b3926a0144)** for additional

information.

Data Protection Impact Assessment

When contemplating new Processing activities or setting up new procedures or systems that involve Personal Data, privacy issues must always be considered at the earliest stage and a Data Protection Impact Assessment (DPIA) must be performed. The DPIA is a mechanism for identifying and examining the impact of new initiatives and putting in place measures to minimize or reduce risks during the design stages of a process and throughout the life cycle of the initiative. This will ensure that privacy and data protection control requirements are not an afterthought. More information can be found in the **Data Protection Impact Assessment Guide (https://ispo.newschool.edu/guidelines/dpia)** .

Anonymization and pseudonymization

To further reduce the risks associated with handling Personal Data, Anonymization or Pseudonymization should be applied to the data. Wherever possible, Personal Data must be Anonymized or, where that is not possible, Pseudonymized. More information can be found in the **Anonymization & Pseudonymization (https://ispo.newschool.edu/guidelines/anonymization-pseudonymization)** guidance.

Data subject rights

The New School, when acting as a Data Controller, endeavors to provide Data Subjects with privacy rights that include:

1. the right of access;
2. the right to rectification;
3. the right to erasure (“right to be forgotten”);
4. the right to Restriction of Processing;

5. the right to be informed;
6. the right to data portability;
7. the right to object; and
8. the right not to be subject to a decision based solely on automated Processing, including Profiling.

Additional information on the below data subject rights may be found in **Data Protection Handbook - 8. Data Subject Rights (https://app.getguru.com/card/fb95a312-bfe7-4177-88f8-5edcfe32aad6)** .

Data subject access requests and the right to data portability

Individuals have the right to request to see or receive copies of any Personal Data The New School holds about them, and in certain circumstances to have that data provided in a structured, commonly used and machine readable format so it can be forwarded to another Data Controller.

Workforce Members receiving a data subject access request must follow the data subject access request procedures contained in **Data Protection Handbook - 8. Data Subject Rights (https://app.getguru.com/card/fb95a312-bfe7-4177-88f8-5edcfe32aad6)** .

Right to erasure, to restrict processing, to rectification, and to object

In certain circumstances Data Subjects have the right to have their Personal Data erased. This only applies

- where the data is no longer required for the purpose for which it was originally collected, or
- where the Data Subject withdraws consent, or
- where the data is being Processed unlawfully.

In some circumstances, Data Subjects may not wish to have their Personal Data erased but rather have any further Processing of the data restricted.

If Personal Data is inaccurate, Data Subjects have the right to require The New School to rectify inaccuracies. In some circumstances, if Personal Data is incomplete, the Data Subject can also require the university to complete the data, or to record a supplementary statement.

Data Subjects have the right to object to specific types of Processing such as Processing for direct marketing, research, or statistical purposes. The Data Subject must demonstrate grounds for objecting to the Processing relating to their particular situation except in the case of direct marketing, where it is an absolute right.

Workforce Members receiving any of these requests should not act or respond but instead should contact the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** immediately.

Rights in relation to automated decision making and profiling

In the case of automated decision making and Profiling that may have significant effects on Data Subjects, they have the right to either have the decision reviewed by a human being or to not be subject to this type of decision making at all. These requests must be forwarded to the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** immediately.

Data sharing

When Personal Data is transferred internally from one New School organizational unit to another, the receiving unit must only Process the data in a manner consistent with the original purpose for which it was collected. If Personal Data is shared internally for a new and different purpose, a new privacy notice must be provided to the Data Subjects.

When Personal Data is transferred externally, a legal basis must be determined and a data sharing agreement between the university and the third party must be signed, unless disclosure is required by law or the third party requires the data for law enforcement purposes. See **Data Protection Handbook - 5. Data Sharing (https://app.getguru.com/card/f4604b53-60e8-4c4f-aebd-d4e4f7b2229c)** for additional information.

Transfers of personal data outside the EEA

Personal Data may only be transferred out of the European Economic Area when there are safeguards in place to ensure an adequate level of protection for the data. For transfers of Personal Data to a receiving party in the United States, the Privacy Shield Agreement between the European Union and the United States of America provides sufficient protection. Before transferring data, the Privacy Shield website should be consulted to determine whether the receiving party is on the Privacy Shield List.

If the receiving party is not on the Privacy Shield list, then the contract between the receiving party and The New School must include a Data Processing Addendum that incorporates the European Commission's **Standard Contractual Clauses (https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en)** for data transfers between EU and non-EU countries (either the controller-to-controller or controller-to-processor clauses, as appropriate).

Workforce Members involved in transferring Personal Data to other countries must ensure that appropriate safeguards are in place before agreeing to any such transfer. See **Data Protection Handbook - 7. Data Transfer Outside the European Economic Area (EEA) (https://app.getguru.com/card/3a9c62dc-7225-4aa6-b9cb-e1ac88ee58f5)** for additional information.

Direct marketing

Direct marketing covers not only the communication of material about the sale of products and services to individuals, but also the promotion of aims and ideals. For The New School, this includes notifications about events, fund raising, and offering of goods or services regardless of whether a payment by the Data Subject is required. Marketing covers all forms of communications, such as contact by post, fax, telephone, and electronic messages. The university must ensure that it always complies with relevant legislation every time it undertakes direct marketing and must cease all direct marketing activities if an individual requests it to stop. See **Data Protection Handbook - 13. Direct Marketing (https://app.getguru.com/card/8f5bedec-d893-4b68-81f8-a52157a6835e)** for additional information.

Websites

All websites and web applications operated by or on behalf of The New School must include:

1. A prominent link, on every page, to a privacy notice that describes how the website collects Personal Data and how that data is used, stored, transferred, and protected.
2. A prominent message, displayed when a user first visits the site and every time thereafter until the user affirmatively acknowledges it, seeking the user's consent to store "cookies" on the user's computer.

See **Data Protection Handbook - 14. Websites (https://app.getguru.com/card/dad60ae1-1edd-45d9-a9c2-c80e3441cf77)** for additional information.

Training

Any individual within the scope of this policy must complete the **Privacy and Data Protection Training (https://ispo.newschool.edu/training)** .

Breaches

The New School is responsible for ensuring appropriate and proportionate security for the Personal Data that it holds. This includes protecting the data against unauthorized or unlawful Processing and against accidental loss, destruction, or damage. The university makes reasonable efforts to avoid privacy and data protection incidents, however, it is possible that incidents will occur on occasion. For example, Personal Data Breaches might occur through:

- Unauthorized or accidental disclosure, modification, or deletion
- Theft or loss of data or equipment
- Unauthorized access
- Hacking attack
- Human error

If a Personal Data Breach occurs, the university may be required to notify relevant authorities in a timely manner. Any member of the university community who encounters something they believe may be a Personal Data Breach must report it immediately to **IT Central (https://support.newschool.edu/CherwellPortal/ITCentral)** and the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** .

Details of how to report a breach and the information that will be required may be found in the **Data Protection Handbook - 19. Personal Data Breaches (https://app.getguru.com/card/07481a8d-652b-4d36-b4bf-cd28cbe7146b)** .

Roles and responsibilities

The **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** and the Privacy and Security Compliance function within the Information Technology department monitor and advise on compliance with applicable privacy and data protection laws and regulations. However, responsibility for compliance and the consequences of any breaches remains with the **President's Leadership Team** **(https://app.getguru.com/card/TkAeeBzc/University-Leadership)** and the Data Owners in individual organizational units. Information and advice can be obtained from the **Information Security and Privacy Office** **(https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** and the **Office of the General Counsel** **(https://app.getguru.com/card/TLgBaL6c/Office-of-the-General-Counsel-OGC)** .

President's Leadership Team

The members of the **President's Leadership Team** **(https://app.getguru.com/card/TkAeeBzc/University-Leadership)** are accountable for exercising due diligence in protecting Personal Data used within their area of responsibility by ensuring compliance with this policy and applicable privacy and data protection laws and regulations. They are also accountable for compliance in any subsidiary unit within their management (e.g., institutes, centers, research groups, and multi-disciplinary organizations).

Data Owners

Data Owners are responsible for maintaining the protection of datasets containing Personal Data by ensuring compliance with this policy and applicable privacy and data protection laws and regulations, and by developing and encouraging good information handling practices among their datasets' communities of users.

Data users

All users of Personal Data within the university have a responsibility to ensure that they Process the data in accordance with the principles of data protection and the other conditions set forth in applicable privacy and data protection laws and regulations.

Handling research data

Before beginning any research that will involve obtaining or using Personal Data and Special Categories of Personal Data, researchers must give proper consideration to this policy and the guidance contained in the Handbook and how these will be properly complied with. Researchers must ensure that the fairness, transparency, and lawfulness principle is adhered to and that **privacy by design and by default** **(https://ispo.newschool.edu/policies/privacy-data-protection#privacy-by-design-and-by-default)** is applied. This means, among other things, that wherever feasible, research data must be Anonymized or Pseudonymized at the earliest possible time. See **Data Protection Handbook - 9. Research** **(https://app.getguru.com/card/1339c8b5-461f-44f8-8ec9-761874d779b6)** for additional information.

Handling of research data by students

The use of Personal Data by students is governed by the following:

- Where a student collects and Processes Personal Data in order to pursue a course of study with the university, and this course of study is not part of a university-led project, the student rather than the university is the Data Controller for the Personal Data used in the research. If the data are extracted from a database already held by the university, the university remains the Data Controller for the database, but the student will be the Data Controller for the extracted data.

- Once a thesis containing Personal Data is submitted for assessment, the university becomes the Data Controller for that Personal Data.
- Where a research student Processes Personal Data while working on a project led by a university research group, the university is the Data Controller.

Academic and academic-related staff must ensure that students they supervise are aware of the following:

- A student should only use Personal Data for a university-related purpose with the knowledge and express consent of an appropriate member of academic staff (normally, for a postgraduate, this would be the supervisor, and for an undergraduate the person responsible for teaching the relevant class/course).
- The use of university-related Personal Data by students should be limited to the minimum consistent with the achievement of academic objectives. Wherever possible data should be Anonymized so that students are not able to identify the Data Subjects.

See **Data Protection Handbook - 10. Student Research (https://app.getguru.com/card/37117116-cf7a-496e-a4ef-803adfbad0cc)** for additional information.

References

- National Institute of Standards and Technology. *NIST Privacy Framework: A Tool for Improving Privacy Through Enterprise Risk Management*. January 16, 2020. Available from **nist.gov/system/files/documents/2020/01/16/NIST%20Privacy%20Framework_V1.0.pdf (https://www.nist.gov/system/files/documents/2020/01/16/NIST%20Privacy%20Framework_V1.0.pdf)** .

- European Parliament and the Council of the European Union. *Regulation (EU) 2016/679 of the European Parliament and the Council of the European Union of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing directive 95/46/EC (General Data Protection Regulation)*. Adopted April 27, 2016. Effective May 25, 2018. Available from **eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN (https://eur-lex.europa.eu/legal-content/EN/TXT/PDF?from=EN&uri=CELEX%3A32016R0679)** .

Compliance and review

Failure to comply with this policy or its supporting standards, whether deliberate or due to careless disregard, will be treated as serious misconduct and may result in actions including (but not limited to) disciplinary action, dismissal, and civil and/or criminal proceedings.

This policy is reviewed on a periodic basis and updated as necessary by the **Information Security and Privacy Office (https://app.getguru.com/card/TrAy5M8c/Information-Security-Privacy-Office-ISPO)** to ensure it remains accurate, relevant, and fit for purpose.

FREEDOM OF ARTISTIC EXPRESSION

Purpose

The University's **Policy on the Free Exchange of Ideas (https://app.getguru.com/card/ijAL9yjT/Free-Exchange-of-Ideas)** states that, "An abiding commitment to preserving and enhancing freedom of speech, thought, inquiry and artistic expression is deeply rooted in the history of The New School." The University's responsibility for and dedication to securing the conditions in which freedom of expression can flourish extend to all

forms of artistic expression, including the fine arts, design, literature, and the performance of drama, music and dance.

Policy

The opportunity to display or perform works of art at the University is made available through several academic processes and procedures in which faculty members and other duly appointed individuals exercise their best professional judgment. Among these procedures is the selection of: 1) student art work by faculty, 2) selection of gallery shows by gallery committees, 3) selection of works of art by the Committee on the University Art Collection, and 4) display or performance as part of an approved course curriculum. Such authorized display or performance, regardless of how unpopular the work might be, must be unhindered and free from coercion. Members of the University community and guests must reflect in their actions a respect for the right to communicate ideas artistically and must refrain from any act that would cause that right to be abridged. At the same time, the University recognizes that the right of artists to exhibit or perform does not preclude the right of others to take exception to particular works of art. However, this latter right must be exercised in ways that do not prevent a work of art from being seen and must not involve any form of intimidation, defacement, or physical violence. The University rejects the claim of any individual or outside agency to dictate on the appropriateness or acceptability of the display or performance of any work of art in its facilities or as part of its educational programs.

As university citizens, faculty have special obligations that derive from membership in a community of scholars. While defending freedom of speech, they show respect for the opinions of others. They also accept a fair share of responsibility for institutional governance to contribute to the larger New School community.

Faculty must seek above all to be effective teachers, scholars, and practitioners. Although they observe the stated policies of the institution, provided they do not violate academic freedom, they maintain their right to criticize and seek revision. Consistent with university policies, they

determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within it. When considering the interruption or termination of their service, they recognize the effect of their decision upon the program of the institution and give due notice of their intentions. As members of their community, faculty have the rights and obligations of any citizen of the United States of America. They measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression that they speak or act for their school or university. As citizens engaged in a profession that depends upon freedom for its health, integrity, and efficacy, faculty have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Related Topics

- **Policy on the Free Exchange of Ideas (https://app.getguru.com/card/ijAL9yjT/Free-Exchange-of-Ideas)**
- **Demonstrations on Campus (https://app.getguru.com/card/i9Ad9xLT/Demonstrations-on-Campus)**

POLICY ON THE FREE EXCHANGE OF IDEAS

Purpose

An abiding commitment to preserving and enhancing freedom of speech, thought, inquiry and artistic expression is deeply rooted in the history of The New School. The New School was founded in 1919 by scholars responding to a threat to academic freedom at home. The establishment of the

University in Exile, progenitor of the Graduate Faculty of Political and Social Science, in 1933 was a response to threats to academic freedom abroad. The by-laws of the institution, adopted when it received its charter from the State of New York in 1934, state that the principles of academic freedom and responsibility have ever been the glory of the New School. The New School, since its beginnings, has endeavored to be an educational community in which public as well as scholarly issues are openly discussed and debated, regardless of how controversial or unpopular the views expressed. Providing such a forum was seen, from the first, as an integral part of a university's responsibility in a democratic society.

Policy

The New School is committed to academic freedom in all forms and for all members of its community. It is equally committed to protecting the right of free speech of all outside individuals authorized to use its facilities or invited to participate in the educational activities of any of the University's academic divisions. A university in any meaningful sense of the term is compromised without unhindered exchanges of ideas, however unpopular, and without the assurance that both the presentation and confrontation of ideas takes place freely and without coercion. In this context and because of its distinctive, educational role as a forum for public debate, the University has deep concern for preserving and securing the conditions which permit the free exchange of ideas to flourish. Faculty members, administrators, staff members, students and guests are obligated to reflect in their actions a respect for the right of all individuals to speak their views freely and be heard. They must refrain from any action which would cause that right to be abridged. At the same time, the University recognizes that the right of speakers to speak and be heard does not preclude the right of others to express differing points of view. However, this latter right must be exercised in ways which allow speakers to continue and must not involve any form of intimidation or physical violence.

Beyond the responsibility of individuals for their own actions, members of the New School community share in a collective responsibility for preserving freedom of speech. This collective

responsibility entails mutual cooperation in minimizing the possibility that speech will be curtailed, especially when contentious issues are being discussed, and in assuring that due process is accorded to any individual alleged to have interfered with the free exchange of ideas.

Consistent with these principles, the University is prepared to take necessary steps to secure the conditions for free speech. Individuals whose acts abridge that freedom will be referred to the appropriate academic division for disciplinary review.

Related Topics

- **Freedom of Artistic Expression** (https://app.getguru.com/card/iRALqLgT/Freedom-of-Artistic-Expression)
- **Demonstrations on Campus** (https://app.getguru.com/card/i9Ad9xLT/Demonstrations-on-Campus)

STUDENT RECORDS PRIVACY POLICY (FERPA)

Provost Office > Provost Policies > FERPA

Purpose

The **Family Educational Rights and Privacy Act** (https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html) of 1974 as amended in 1995 and 1996, with which the New School complies, is a federal law that was enacted to protect the privacy of student educational records, to establish the right of students to inspect and review their education records, and to provide guidelines for correction of inaccurate or misleading statements.

Scope

FERPA applies to all current and former students of the university.

All university employees (including student employees) who have contact with education records are required by law to maintain the confidentiality of these records.

Policy

The **Family Educational Rights and Privacy Act (https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html)** has four primary rights, summarized below:

1. The right to inspect and review the **student's education records (https://app.getguru.com/card/cBxLjARi/Student-Records-Privacy-Policy-FERPA-1-Student-Educational-Records)** within 45 days of the day the university receives a request for access.
2. The right to request the amendment of the **student's education records (https://app.getguru.com/card/cBxLjARi/Student-Records-Privacy-Policy-FERPA-1-Student-Educational-Records)** that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
3. The right to provide written consent before the university discloses personally identifiable information ("**directory information (https://app.getguru.com/card/iXzeonqT/Student-Records-Privacy-Policy-FERPA-2-Directory-Information)** ") from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of FERPA.

Additional information, including guides for students and parents, may be found on our **website (https://www.newschool.edu/registrar/student-records-privacy-policy/)** **(https://www.newschool.edu/registrar/student-records-privacy-policy/)** .

Procedure

While enrolled, a student may request that the institution not release directory information about himself or herself. Institutions must comply with this request. At The New School, students who wish to restrict the release of directory information about themselves must notify the **Registrar's Office (https://form.jotform.com/92374384773165)** in writing. This notification must be renewed annually at the start of each fall semester.

All staff must employ reasonable measures to preserve the confidentiality, security, and integrity of New School information systems and the information contained therein. All New School staff should practice appropriate security measures:

- Never disclose, share, or loan your username(s) and password(s) to anyone (e.g., another employee, faculty member, supervisor, or student assistant).
- Never disclose confidential student information to university personnel unless they have a legitimate educational interest. Disclosure without such need violates the federal law as well as New School regulations.

In addition, staff should take reasonable measures to restrict unauthorized persons from viewing confidential academic record information. For example, you should:

- Never leave your computer workstation unattended while signed on without appropriate screen locking (e.g., a password-protected screen saver).
- Never leave personal log-on information (e.g., username, password, or network mapping) in view of unauthorized persons.

- Never program (or hot-key) automatic access to confidential academic record systems.
- Never download student data to a flash drive, send files to a personal email account, or store student data on an unencrypted, unsecured server.
- If you must email student data to another person or office at The New School, either use the New School **Secure File Transfer System (https://app.getguru.com/card/TrAnBRac/File-Sharing-Systems)** or share the information through a **Google Doc (https://app.getguru.com/card/TXAx5aLc/G-Suite-Google)** .

Additional Information

Training

Employees are required to complete the online **FERPA Tutorial (https://docs.google.com/a/newschool.edu/forms/d/e/1FAIpQLSd8AZ8SywVvJMeBNNwmWCugGlAg4L75wYTYn1dhTJpmWmoXlQ/viewform)** before they can access student records.

Questions

Contact the Registrar's Office with any questions related to this policy via **this form (https://form.jotform.com/92374384773165)** or by emailing **reghelp@newschool.edu (mailto:reghelp@newschool.edu)** .

BLOODBORNE PATHOGENS EXPOSURE CONTROL PROGRAM

Safety & Facilities > Buildings Policies

Purpose

- To establish an Exposure Control Plan to minimize employees' exposure to bloodborne pathogens.
- To comply with the requirements of the Occupational Safety and Health Administration's (OSHA) Bloodborne Pathogens Standard.

Scope

Bloodborne pathogens (BBP) are disease-causing agents carried in the blood and certain body fluids of infected individuals. Employees who may be exposed to these potentially infectious materials during the course of their routine job tasks are, per OSHA, "reasonably at risk" of bloodborne pathogens that can cause diseases including Hepatitis B, Hepatitis C, and Human Immunodeficiency Virus (HIV).

The **Bloodborne Pathogens Exposure Control Program** applies to all employees of The New School reasonably at risk of exposure to bloodborne pathogens.

Definitions

Engineering controls: devices that isolate or remove the bloodborne pathogens hazard such as sharps disposal containers, self-sheathing needles, needle-less systems, and sharps with engineered sharps injury protection.

Good samaritan act: first aid or cardio-pulmonary resuscitation (CPR) performed by an employee who is not a trained or designated first aid provider.

HBV: hepatitis B virus, the disease-causing agent of hepatitis B.

HIV: human immunodeficiency virus, the disease-causing agent of Acquired Immune Deficiency Syndrome (AIDS).

Other potentially infectious materials (OPIM): human body fluids; any unfixed human tissue or organ (other than intact skin); HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions.

Parenteral: piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.

Occupational exposure: Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or OPIM that may result from the performance of the employee's duties.

Regulated waste: liquid or semi-liquid blood or OPIM, items contaminated with blood or OPIM and which would release these substances in a liquid or semi-liquid state if compressed, items caked with dried blood or OPIM and are capable of releasing these substances during handling, contaminated sharps, and pathological or microbiological waste containing blood or OPIM.

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Sharps: any object or device that can penetrate the skin such as needles, blades, broken glass, etc.

Source individual: any person whose blood or OPIM may be a source of an occupational exposure to employees.

Universal precautions: OSHA's required method of control to protect employees from exposure to all human blood and OPIM. It is the concept of bloodborne disease control that requires all human blood and certain body fluids are treated as if known to be infectious for HIV, HBV, or other bloodborne pathogens.

Work practice controls: practices that reduce the likelihood of exposure by changing the way a task is performed.

Responsibilities

1. **Responsible Individuals** are responsible for:
    1. Allocating necessary funds to support compliance with the Bloodborne Pathogens Exposure Control Plan.
    2. Enforcing compliance with the Plan, and when necessary, taking disciplinary actions in accordance with applicable collective bargaining agreement procedures.
2. **Supervisors** are responsible for:
    1. Notifying Environmental Health & Safety (EHS) of job titles with reasonable risk of bloodborne pathogens exposure and the procedures/tasks that put employees at risk.
    2. Notifying EHS of any new or modified job titles, tasks, or procedures that affect occupational exposure to bloodborne pathogens.
    3. Scheduling initial and annual training for employees.
    4. Coordinating with EHS to ensure employees obtain the Hepatitis B vaccine or submit the Hepatitis B Vaccine Waiver (Appendix A) to EHS.
    5. Ensuring appropriate personal protective equipment (such as gloves), spill supplies, regulated waste containers, and appropriate engineering controls are readily available and used properly by employees. Refer to The New School's **Personal Protective Equipment (PPE) Policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** for details.
    6. Notifying EHS promptly after an exposure occurs and ensuring post-exposure procedures are followed including completion of the Incident Report with Security Dept. and the required forms in the Bloodborne Pathogens Exposure Kit (Appendix B).
    7. Monitoring and enforcing compliance with the Bloodborne Pathogens Exposure Control Plan.
3. **All employees with reasonable risk of exposure** are responsible for:

1. Complying with the policy: attending training, wearing PPE as needed, reporting to the licensed healthcare provider to receive the Hepatitis B vaccine or submitting the **Hepatitis B Vaccine Waiver form (https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)** to EHS, and complying with all applicable sections of the Bloodborne Pathogens Exposure Control Plan.
2. Immediately notifying their Supervisor of any safety issues and exposure incidents involving bloodborne pathogens.

4. The **Assistant Director for Environmental Health and Safety (EHS)** is responsible for:
    1. Identifying employees for inclusion in the Bloodborne Pathogens Exposure Control Program.
    2. Implementing and monitoring compliance with the Program.
    3. Reviewing the policy annually and updating it as needed.
    4. Providing information, training, and clarification of the Program.
    5. Conducting an exposure determination and updating it as needed.
    6. Coordinating Hepatitis B vaccinations with Supervisors as needed.
    7. Monitoring employee exposure to bloodborne pathogens and conducting post-exposure investigations.
    8. Maintaining records for training, sharps injury log, hepatitis B vaccine waiver, post-exposure incident report, consent forms, and written opinion of licensed healthcare providers for post-exposures.
    9. Providing PPE in accordance with the **PPE policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** .
    10. Providing BBP spill kits as needed.
    11. Scheduling pick-ups of regulated medical waste (except for Student Health Services).
5. **General Counsel's Office** is responsible for:

1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving bloodborne pathogens.

6. **Human Resources** is responsible for:
    1. Maintaining accurate OSHA 300 logs including privacy cases involving all work-related needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material.
7. **The Director of Medical Services, Student Health Services**, is responsible for:
    1. Obtaining input annually from non-managerial employees responsible for direct patient care and who are potentially exposed to contaminated sharps, in the identification, evaluation, and selection of effective engineering (i.e., safer medical devices) and work practice controls.
    2. Documenting the consideration and implementation of safer medical devices during the annual review.
    3. Notifying EHS of any new or modified job titles, tasks, and procedures that affect occupational exposure to bloodborne pathogens.
    4. Properly managing regulated medical waste generated by Student Health Services.
8. **The Director of Security** is responsible for:
    1. Maintaining and forwarding copies of Incident Reports involving bloodborne pathogens exposures to Human Resources and EHS.
    2. Ensuring the Bloodborne Pathogens Post-Exposure Kit is available at every security post.
9. **The Vice President of Buildings and Campus Operations** is responsible for:
    1. Ensuring The New School's facilities are maintained in a clean and sanitary manner.
    2. Ensuring staff follows decontamination procedures after contact with blood and OPIM.
    3. Managing regulated waste (outside of Student Health Services' facility).
    4. Maintaining adequate supplies of EHS-approved disinfectants, bloodborne pathogens spill kits, and other necessary supplies.
10. **Director of Housing and Residential Education** is responsible for:

1. Ensuring housing staff and dormitory residents are informed of and comply with best management practices for regulated medical waste.

Exposure Determination

The New School must identify all workers exposed to blood and OPIM without regard to PPE, review all processes and procedures with exposure potential, and re-evaluate when there are changes to the processes and procedures. Tasks that involve reasonable risk of exposure include but are not limited to: handling regulated medical waste; cleaning or decontaminating equipment or working surfaces contaminated with blood and OPIM; handling human blood, tissues, or body fluids; handling laboratory specimens; providing medical care, providing first aid, and emergency response.

Job classifications in which all employees have occupational exposure include:

- Student Health Services: Senior Director of Medical Services, Assistant Director of Medical Services, Physician Assistants, Nurse Practitioner, Physician.
- Buildings: Cleaning Senior Foreman, Cleaning Foreman, Porter, Superintendent, Chief Engineer, Engineer, Assistant Director for EHS, Director of Fire and Safety
- Making Center: Technician, Facilities Manager, Technical Manager, Assistant Manager

Job classifications in which some employees have occupational exposure include:

- Buildings: Handyperson/HVAC
- Security: Security officer
- Making Center: Director of Making Center, Associate Director of Making Center.

Methods of Exposure Control

1. **Universal Precautions**

1. Universal precautions must be used by employees at all times when handling blood, OPIM, or contaminated equipment or working surfaces.
2. All body fluids must be considered potentially infectious materials if differentiation between body fluid types difficult or impossible.

2. **Engineering and Work Practice Controls**
    1. Engineering and work practice controls must be used to eliminate or minimize exposure to employees.
    2. Personal sharps containers are available from Student Health Services, Residence Hall staff, EHS, and every Security post.
    3. Wall-mounted sharps containers are located in designated bathrooms in each New School building.
    4. Employees must wash their hands or flush their eyes with water as soon as feasible after contact with blood or OPIM.
    5. Employees must practice good hand hygiene by washing hands immediately after removing gloves or other PPE.
    6. If handwashing facilities are not readily accessible, employees must use antiseptic hand cleansers in conjunction with clean cloth/paper towel or antiseptic towelettes. Hands must then be washed with soap and water as soon as it is feasible.
    7. Contaminated needles or other contaminated sharps shall not be sheared, broken, or recapped or removed. If recapping is needed for a medical procedure, it must be done using a mechanical device or a one-handed technique.
    8. Eating, drinking, smoking, applying lip balm or cosmetics, or handling contact lenses are prohibited in areas where there is reasonable likelihood of occupational exposure.
    9. Food and drink shall not be kept/stored in areas where blood or OPIM are kept.
3. **Personal Protective Equipment (PPE)**
    1. PPE must be used if occupational exposure risk remains after implementation of engineering and work practice controls.

2. Employees will be provided PPE for bloodborne pathogens at no charge.
3. PPE must be used to prevent direct contact with blood and OPIM.
4. Employees will be trained to use the PPE by their Supervisors in accordance with The New School's **PPE Policy** **(https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** . EHS is available to provide assistance upon request.
5. At minimum, employees will be provided with disposable gloves, and other PPE (e.g., surgical mask combined with eye protection, face shield, apron) whenever there is a risk of splash/spray/splatter/ or droplets of blood or OPIM may be generated.
6. PPE must be replaced when torn, punctured, or when their ability to function as a barrier is compromised.
7. Disposable clothing must be used during clean-up/decontamination of blood or OPIM and disposed of as regulated waste.
8. Laundering service must be provided when reusable PPE is provided. Use of additional personal protective equipment will be in accordance with the **PPE Policy** **(https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** .

4. **Housekeeping**
    1. All equipment and working surfaces contaminated with blood or OPIM must be cleaned and decontaminated promptly.
    2. Facilities Management staff must use NYSDEC and EPA registered tuberculocidal disinfectants for the cleaning of blood or OPIM.
    3. Facilities Management staff must use bloodborne pathogen bodily fluid spill kits during cleanup/decontamination of blood or OPIM depending on the degree of anticipated contamination.
    4. Receptacles intended for reuse potentially contaminated with blood or OPIM must be inspected and decontaminated on a regularly scheduled basis and cleaned and decontaminated promptly upon visible contamination.

5. Contaminated broken glassware must not be picked up directly with the hands. Mechanical means such as brush and dustpan, tongs, or forceps must be used.

Post-exposure Procedures

A bloodborne pathogens exposure involves any specific eye, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or OPIM. Areas of the body exposed to bloodborne pathogens or OPIM must be immediately washed with soap and water. Eyes or mucous membranes must be flushed with copious amounts of running water.

The employee should notify his or her Supervisor immediately (i.e., during the work shift in which the exposure occurred) of the bloodborne pathogens exposure. Complete the Incident Report form available from a New School Security Officer. The Supervisor must forward the completed Post-Exposure Incident Report and other applicable forms (Appendix B: Part A, B, C & D) to EHS.

The completed **Sharps Injury Log form (Appendix C)** **(https://drive.google.com/file/d/1Y3T55vQgHqtLpfKR-jup_NDa0IwGX4ff/view?usp=sharing)** must also be completed if the exposure involves contaminated sharps.

Employees who experience a bloodborne pathogens exposure will be offered a confidential medical evaluation and treatment at no cost, and at a reasonable time and place. Medical evaluation and treatment will be provided according to the current recommendations of the U.S. Public Health Service. **Note:** Post-exposure procedures are also available to employees who incur a bloodborne pathogens exposure as a result of a Good Samaritan act.

If the employee agrees to a medical evaluation, the Supervisor must refer the employee to The New School's authorized licensed medical provider (Appendix B, Part D). The post-exposure medical evaluation includes:

- Laboratory tests by an accredited lab

- Medical evaluation
- Identifying and the source individual, if feasible
- Testing the exposed employee's blood with his or her consent
- Post-exposure prophylaxis
- Counseling
- Evaluating reported illnesses

The healthcare provider will be given a copy of the Bloodborne Pathogens Standard, as well as the Employee Post-Exposure Incident Report, Evaluation of Exposure Incident, Source Individual's Consent or Refusal for HIV, HBV, HBC Infectivity Testing. The documents include:

- A description of the employee's duties as they relate to the exposure incident
- Documentation of the routes and circumstances of the exposure
- The results of the source individual's blood testing, if available
- All medical records relevant to the appropriate treatment of the employee, including vaccination status.

The health care provider will provide a written medical opinion to EHS. EHS will provide a copy to the employee within 15 days of receipt of the report. The report will indicate the following as required by OSHA:

- If Hepatitis B vaccination was recommended and whether or not the exposed employee received the vaccine,
- The employee has been informed of the results of the medical evaluation and told of any medical conditions resulting from the exposure to blood which require further evaluation or treatment.

All medical records must remain confidential and require the exposed employee's specific written consent for anyone to release the records. Medical records are provided upon request of the employee or anyone having written consent of the employee within 15 working days. Such

requests should be sent to the medical provider.

Hepatitis B Vaccination

Hepatitis B vaccinations will be made available at no cost to employees with occupational exposure within 10 working days of initial assignment. Employees have the right to decline the vaccination but may choose to receive the vaccination at a later date, upon request to his/her Supervisor.

The Supervisor must inform EHS of employees who choose to receive the Hepatitis B vaccination and ensure the employee is available to receive the vaccine. The New School must compensate employee for his/her time during all activities associated with receiving the vaccine, even during the employee's regular work-hours.

Employees who choose not to receive the Hepatitis B vaccination must complete the **Hepatitis B Vaccination Waiver form (Appendix A) (https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)** .

Label and Signs

Warning signs and labels must be posted to communicate bloodborne pathogen hazards. Warning signs and labels will be affixed to:

- Refrigerators or other containers used to store blood or other potentially infectious materials.
- Restricted areas

Red bags or containers bearing the biohazard warning label will be used for storing blood and other potentially infectious materials. The biohazard warning label has a red background with

black ink and includes the symbol for biohazards. See below for an example:

Red, leak-proof, puncture resistant sharps containers will be used to store needles and other sharps.

Regulated Waste

Regulated waste must be placed in designated red bags and sharps containers. Red bags or sharps containers must only be filled up to 80% of their capacity as a precaution.

Disposal of regulated waste must be coordinated with Facilities Management. Student Health Services will coordinate pick-up of its regulated waste generated directly with the authorized waste contractor.

Full personal sharps containers should be returned to Student Health Services, Residence Hall staff, or EHS for disposal. Sharps may also be discarded in wall-mounted sharps containers in designated restrooms in each New School building.

Information and Training

All employees with occupational exposure to bloodborne pathogens must attend training at initial assignment and annually thereafter. Supervisors must schedule their employees for training with EHS.

Training includes the following information:

- An overview of the OSHA Bloodborne Pathogens standard
- A description of The New School's bloodborne pathogens exposure control plan and how to obtain a copy
- Epidemiology and symptoms of bloodborne diseases
- Modes of transmission of bloodborne pathogens
- How to recognize tasks that involve blood or OPIM
- Hepatitis B vaccine
- Use and limitations of exposure control methods: engineering controls, work practices, PPE
- Post-exposure procedures and benefits

Record keeping

EHS will maintain training records, vaccine waiver forms, employee post-exposure incident report, evaluation of exposure incident, consent forms, Health Care Professional's Written Opinion For Post-Exposure Evaluation, and the Sharps Injury Log.

The licensed medical provider will maintain medical records for the duration of the employees' employment plus 30 years as required by OSHA.

Program Evaluation

EHS will evaluate The New School's **Bloodborne Pathogens Exposure Control Plan** annually and update it when necessary.

Additional Information

Appendices

- **Appendix A - Hepatitis B Vaccination Waiver (https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)** **(https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)**
- **Appendix B - Bloodborne Pathogens Exposure Kit (https://drive.google.com/file/d/1DqFLj8BhPJPbKcgFFd2bQ_iom8B0rJvw/view?usp=drive_link)**
  - Part A - Post-Exposure Incident Report
  - Part B - Source Individual's Consent or Refusal for HIV, HBV, & HCV Infectivity Testing
  - Part C - Refusal of Post-Exposure Medical Evaluation Following Bloodborne Pathogens Exposure
- **Appendix C - Sharps Injury Log Form (https://drive.google.com/file/d/1Y3T55vQgHqtLpfKR-jup_NDa0IwGX4ff/view?usp=sharing)**

References

OSHA Bloodborne Pathogens Standard (29 CRF 1910.1030)

(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030)

CHEMICAL HYGIENE PLAN

Purpose

The purpose of this policy is:

- To establish procedures to protect laboratory employees from hazardous chemical exposures.
- To comply with the requirements of the Occupational Safety and Health Administration's (OSHA) Occupational Exposure to Hazardous Chemicals in Laboratories Standard (29 CFR 1910.1450).

Scope

Laboratory employees work with relatively small quantities of chemicals on a non-production basis. The **Chemical Hygiene Plan (CHP)** applies to all employees of the University who work in laboratories, including but not limited to full-time and part-time faculty, staff, assistants, technicians, and student employees.

Definitions

Extremely hazardous substance: select carcinogens, reproductive toxins, and substances with a high degree of acute toxicity (Permissible Exposure Limit of <2 mg/m3 or 2 parts per million).

Hazardous chemical: a chemical that poses a physical or health hazard.

Physical hazard: hazardous materials that threaten your physical safety. Physical hazards include materials that are flammable, combustible, reactive, explosive, oxidizing, water or chemical sensitive, and compressed gases.

Health hazard: chemicals from which exposure can lead to adverse health effects. Examples of health hazards include irritants, toxic substances, corrosives, carcinogens, sensitizers, and chemicals that target specific body organs or systems.

New processes or equipment: any new equipment or process used in the laboratory that could possibly expose employees to a hazardous material.

Responsibilities

1. **Chemical Hygiene Officer (CHO)**

   The University designates the Assistant Director for Environmental Health & Safety as the Chemical Hygiene Officer responsible for:

   1. Implementing the CHP, conducting an annual review, and updating the CHP as needed.
   2. Providing information and training for the CHP.
   3. Monitoring employee exposure to hazardous chemicals as needed.
   4. Monitoring the procurement, use, and disposal of chemicals.
   5. Reviewing the use of extremely hazardous substances and recommending guidelines based on a review of the chemical hazards.
   6. Assisting with development of chemical hygiene policies and Standard Operating Procedures as needed.
   7. Assisting Project Managers in the review of plans for new or renovated laboratories where chemicals are used.

2. **Assistant Chemical Hygiene Officer (ACHO)**

   The University designates the Director of University Academic Science Labs as the ACHO responsible for:

   1. Monitoring compliance with the CHP including, but not limited to: chemical hygiene rules, functioning of engineering controls, availability and use of appropriate personal protective equipment, and availability/testing of emergency equipment (e.g., eyewash testing, emergency shower, first aid kit & fire extinguisher).
   2. Maintaining required signage for the lab.
   3. Ensuring required certifications are maintained by designated lab staff.
   4. Ensuring all employees attend mandatory training.
   5. Maintaining a current chemical inventory of hazardous chemicals and submittal to the CHO annually.
   6. Ensuring Safety Data Sheets (SDS) are accessible to employees during their work shift.

7. Ensuring chemical containers are properly labeled.
8. Informing the CHO of changes that may affect employee exposures to hazardous chemicals including new hazardous chemicals (particularly of extremely hazardous substances), procedures, or equipment, and participating in their review and approval prior to use.
9. Notifying employees of results of any exposure monitoring results provided by the CHO.
10. Developing lab-specific Standard Operating Procedures (SOPs) with the CHO.

3. **Laboratory Supervisor** is responsible for:
    1. Ensuring full development/implementation and compliance with the lab-specific CHP.
    2. Communicating the CHP to all affected employees.
4. **All Employees** are responsible for:
    1. Complying with the CHP: attending training, practicing good chemical hygiene, and following all applicable standard operating procedures.
    2. Notifying their Supervisor of health and/or safety hazards.
    3. Notifying their Supervisor of injuries or illnesses associated with chemical exposure.
5. **The General Counsel's Office** is responsible for:
    1. Reviewing any correspondence with or issues raised by labor unions regarding this policy; and
    2. Communicating with employees and/or their healthcare providers regarding any medical concerns or issues that arise from or relate to hazardous chemicals used by employees, including but not limited to a request for an accommodation relating to this policy.

Standard Operating Procedures

The laboratory shall develop, implement, and adhere to lab-specific Standard Operating Procedures (SOPs) where deemed necessary by the CHO and ACHO to protect lab workers.

Safe Handling Procedures and Implementation of Exposure Controls

Each laboratory must compile and maintain a current hazardous chemical inventory and submit a copy to the CHO each year. The inventory includes the name of the chemical, the manufacturer, storage locations, container type, and quantity stored.

Safety Data Sheets (SDS's) must be readily available for review by employees (and students) in areas where hazardous chemicals are used. Hard copies of MSDS's are located in the laboratory and the CHO's office. Electronic copies of the SDS's may also be available on the internet or from the product's manufacturer and/or distributor. Copies of SDS must be submitted to the CHO when the hazardous chemical inventory is due. Copies of revised SDS must be forwarded to the CHO and included in the lab's SDS binder.

The lab must confirm the order's accuracy before accepting a chemical delivery. Procured chemicals must not be accepted if they are incorrect, unlabeled, or expired.

All containers must be labeled legibly with the name of the chemicals, appropriate hazard warning, and the manufacturer's contact information including their name and address. Chemicals must be stored in chemically compatible, non-leaking containers and must remain closed when not in use. Chemicals must be segregated and stored based on compatibility. Chemicals shall not be stored on the laboratory floor. Secondary containers must be used for storing highly toxic and/or opened chemical stocks.

The smallest practical quantities of chemical quantities should be maintained in the lab. The quantities of flammables stored in the lab shall not exceed the New York City Fire Department's allowable limit.

Waste Management

Hazardous chemicals must never be disposed of in sinks, drains, or trash cans. Hazardous wastes are to be managed in accordance with the Environmental Protection Agency's (EPA) Resource Conservation and Recovery Act (RCRA).

Determine if the waste is hazardous by reading the MSDS and/or label. Hazardous wastes possess one of more characteristics including toxicity, ignitability, reactivity, or corrosivity. Waste is also considered hazardous if it is listed under RCRA. Consult with the CHO to confirm which chemicals must be managed as hazardous waste.

Unlabeled, expired, or chemical stock that will no longer be used should be disposed of promptly. Evaporating volatile chemicals in the fume hood shall not be used as a means of disposal.

Collect hazardous waste in containers labeled as "Hazardous Waste" with the contents listed. Segregate hazardous wastes based on compatibility and store the waste containers in a designated location in the lab.

Notify the CHO of hazardous waste for disposal. The CHO will arrange for a pickup by the University's hazardous waste contractor.

Measures to Minimize Exposure

1. **Engineering Controls**
    1. Whenever feasible, hazardous chemicals will be substituted with alternatives that are non-toxic and/or have lower hazard ratings (e.g., less flammable, reactive, explosive).
    2. Exposure to hazardous chemicals shall be minimized through the use of engineering controls including chemical fume hoods and other forms of appropriate ventilation.
    3. Chemical fume hoods must be tested by the CHO annually to ensure adequate face velocity (average of 80-120 feet per minute).
    4. The sash height of the fume hood must be maintained to ensure the face velocity is within the acceptable range.

5. The CHO must be notified and a **Work Order (https://app.getguru.com/card/TgB9dRzc/NetFacilities-Work-Order-System)** submitted to Facilities Management to repair the fume hood or the general ventilation system when not functioning properly. The fume hood should not be used until the repair is complete and the CHO has confirmed the average face velocity is acceptable.

2. **Administrative Controls**
    1. Emergency equipment and supplies must be maintained and stored in a location known to the lab staff.
    2. Designated areas must be used to perform procedures with hazardous chemicals.
    3. SOPs and other chemical hygiene rules and guidelines must be adhered to at all times. Any additional protective measures when working with extremely hazardous substances will be recommended by the CHO based on a review of the chemical hazards.
    4. Certain procedures or activities require prior approval by the ACHO before being carried out by lab staff. It is at the ACHO's discretion to identify such procedures or activities.
    5. All lab employees must attend mandatory training.
    6. The CHO will conduct quarterly lab audits and report the results to the ACHO and Laboratory Departmental Chairperson. All identified deficiencies must be corrected promptly.
    7. The ACHO will conduct ongoing compliance inspections of the laboratory to ensure compliance with the CHP.
3. **Personal Protective Equipment**
    1. The need for Personal Protective Equipment (PPE) shall be determined based on an exposure assessment by the ACHO in accordance with the University's **PPE Policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** .
    2. Respirator use shall be in accordance with the University's **Respiratory Protection Policy (https://app.getguru.com/card/iAxpkBdT/Respiratory-Protection-Policy)** .

Reporting Injuries/Illnesses

Injuries and illnesses associated with chemical exposure must be reported promptly by completing the Incident Report form through all Campus Safety posts and notifying EHS.

Information and Training

All employees must be informed of chemical hazards in their work areas.

Employees will receive initial training on the chemical hazards at the time of the employee's initial assignment to the work area and prior to assignments involving new exposure situations. Supervisors must schedule the training for their employees and inform the CHO of changes to procedures or chemicals that may result in new exposure situations.

Training includes the following information:

- An overview of the OSHA Hazardous Chemicals in Laboratories Standard
- The hazardous chemicals present in work area
- The physical and health risks of the hazardous chemicals
- How to determine the presence or release of hazardous chemicals in the work area
- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices and personal protective equipment
- Steps the University has taken to reduce or prevent exposure to hazardous chemicals
- Procedures to follow if employees are overexposed to hazardous chemicals
- How to read labels and SDS's to obtain hazard information
- Location of the SDS files and written CHP

Medical Consultations and Examinations

Lab employees shall be provided the opportunity to receive medical attention without any cost to the employee, without any loss of pay, and at a reasonable time and place under the following conditions:

- Medical consultation in the event of an emergency that results in the likelihood of a hazardous chemical exposure.
- Medical examination if signs or symptoms develop due to a potential hazardous chemical exposure.
- Medical surveillance if results of exposure monitoring by the CHO indicate an exposure level routinely above the action level for any substance as prescribed by a particular OSHA Standard.

The ACHO will coordinate the medical evaluation or examination through EHS. A licensed physician will perform the medical consultation or examination and provide a written opinion in accordance with the OSHA Occupational Exposure to Hazardous Chemicals in Laboratories Standard. The CHO will provide a copy of the Standard to the physician.

Hazard Identification and Exposure Monitoring

The CHO will rely primarily on the chemical labels and Safety Data Sheets (SDS) to determine hazards associated with a chemical.

The CHO shall conduct initial exposure monitoring for any substance regulated by an OSHA Standard if there is reason to believe exposure levels for the substance routinely exceed the action level (or the Permissible Exposure Limit in the absence of an action level).

The CHO shall conduct periodic exposure monitoring in accordance with the relevant Standard if the initial monitoring results indicate employee exposure is above the action level (or the Permissible Exposure Limit, where applicable).

Exposure monitoring shall be terminated in accordance with the relevant OSHA Standard.

Employees shall be notified in writing within 15 days after the receipt of the monitoring results.

Record Keeping

The CHO will maintain records of industrial hygiene exposure monitoring records, training, audits, and process/equipment reviews.

Program Evaluation

The CHO will evaluate the CHP annually and make changes as necessary.

References

OSHA Occupational Exposure to Hazardous Chemicals in Laboratories Standard (**29 CFR 1910.1450** **(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1450)**)

CONFINED SPACE ENTRY POLICY

Safety & Facilities > **Buildings Policies**

Purpose

The purpose of this policy is to protect employees and contractors who are required to perform duties in confined spaces from serious injury or death due to hazards inherent in such spaces. This policy includes provisions that meet the requirements of the Occupational Safety and Health Administration's (OSHA) Permit-Required Confined Spaces (PRCS) standard.

Scope

The **Confined Space Entry Policy** applies to authorized employees of the University and contractors required to enter confined spaces to perform their duties. Confined spaces may be categorized as non-permit confined spaces or *permit-required confined space (PRCS)*. PRCS have serious hazards that require safety precautions for entry. Proper identification of confined spaces and adherence to their corresponding entry procedures are key to the success of this program.

An inventory of known confined spaces is maintained by the Facilities Management Department. Most, but not all, of the PRCS's on campus fall into these categories: rooftop gravity tanks, fuel tanks & their vaults, escalator pits, elevator pits and shafts, and sewer pump pits. University employees are prohibited from entering gravity tanks, fuel tanks, escalator pits, elevator pits and shafts, and sewer pump pits. It is the University's policy to employ Contractors for any work that must be performed in such PRCS's.

Definitions

Alternate entry: A confined space entry approach that uses an "intermediate" level of precautions between a non-permit confined space entry and full permit-required confined space entry. It may only be used for confined spaces where the only serious hazard is atmospheric and that mechanical ventilation and air monitoring can control the hazard.

Attendant: A person stationed outside one or more permit-required confined spaces who monitors the authorized entrants and performs all attendant's duties assigned as required by OSHA's Permit-Required Confined Space Standard.

Authorized employees: employees of the departments of Facilities Management and Design & Construction who have received confined space training and are required to enter confined spaces to perform inspections, preventive maintenance, and repairs.

Confined space: A space that meets ALL of the following criteria: is large enough for the body to enter, is not designed for continuous human occupancy, and has limited means of entry/egress (e.g., entry through a hatch, ladder, or similar methods without regard to the number of such entrances or exits).

Control: Implementation of precautions to reduce, rather than eliminate, the health and safety risk associated with serious hazards. Examples include personal protective equipment (PPE), ventilation, and fall protection harness and lanyard.

Eliminate: Removal of serious hazards in confined spaces using engineering controls (such as lockout/tagout), removal of hazardous materials or substitution with less hazardous materials.

Engulfment: The surrounding and effective capture of a person by a liquid or flowable solid substance that can be aspirated to cause death by filling or plugging the respiratory system or that can exert enough force on the body to cause death by strangulation, constriction, or crushing.

Entrant: A person who performs entry into a confined space.

Entry: When any part of the entrant's body breaks the plane or passes through an opening into a confined space.

Hazardous atmosphere: An atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to escape unaided from a permit space, injury, or acute illness due to one or more of the following:

- Flammable gas, vapor, or mist in excess of 10% of its *Lower Flammable Limit (LFL)*
- Airborne combustible dust concentration that meets or exceeds it's LFL
- Atmospheric oxygen concentration below 19.5% or above 23.5%
- Atmospheric concentration of any substance that may exceed an OSHA published dose or permissible exposure limit (PEL)
- Any other atmospheric condition that is *immediately dangerous to life or health (IDLH)*

Non-permit confined space: A confined space where all serious hazards have been eliminated.

Permit-required confined space (PRCS): A confined space that has 1 or more of the following properties:

- Contains or has the potential to contain a hazardous atmosphere
- Contains a material that has the potential for engulfing an entrant
- Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section
- Contains any other recognized serious safety or health hazard

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division is the Responsible Individual.

Serious hazards: hazards in confined spaces that have the ability to incapacitate entrants and prevent their ability to self-rescue. Examples include oxygen concentrations below 19.5%, toxic exposures that are high enough to incapacitate or disorient entrants, flammable vapors, fall hazards >6 feet, dangerous internal configuration, engulfment, and similar hazards.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Enforcing compliance with the Confined Space Entry program and taking disciplinary actions in accordance with collective bargaining agreement procedures, if any.
    2. Ensuring all permit-required confined spaces are identified and included in this program.
2. **Supervisors** are responsible for:
    1. Coordinating with the Assistant Director for Environmental Health & Safety (EHS to ensure employees attend confined space training.

2. Enforcing compliance with safe work procedures or guidelines related to confined space entry.

3. **Employees** are responsible for:
    1. Complying with the policy: attending training and following required procedures for confined space entry.
    2. Notifying their Supervisor of safety issues pertaining to confined spaces.
4. **The Assistant Director for Environmental Health and Safety (EHS)** is responsible for:
    1. Implementing the Confined Space Entry policy.
    2. Reviewing the policy annually and updating it as needed.
    3. Providing training, technical assistance, and clarification of the policy.
    4. Evaluating confined spaces and maintaining the confined space inventory.
5. **The Project Manager** is a University employee who directs contractor activities. The Project Manager is responsible for:
    1. Informing the Contractor of the University's Confined Space Entry policy, any PRCS in which entry must be performed, the PRCS's identified hazards, and any precautions that will be taken by the University employees in the area of the PRCS. **Appendix A (Contractor Acknowledgement) (https://drive.google.com/file/d/1_22U00SBP5Ycaka-Fw7UceqErgDLaH35/view?usp=drive_link)** must be completed by the Contractor and submitted to EHS.
    2. Coordinating activities for preparation of PRCS entry by the Contractor and to prevent hazards to University employees working near the PRCS from the activities of the contractor, and vice versa.
    3. Ensuring the Contractor complies with the policy.
    4. Forwarding the original signed permit to EHS upon completion of the work or expiration of the permit, whichever comes first.
6. **Contractors** are responsible for:

1. Developing their own health & safety plans compliant with applicable OSHA standards and ensuring their employees who enter confined spaces complies with this policy, at minimum.
2. Arriving at The New School work sites with all necessary confined space entry training, equipment, and a full understanding of their responsibilities as Entrants, Attendants, and/or Entry Supervisors.

7. **Labor Relations** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving confined space entry.

Confined Space Inventory

The Buildings Department must report all known and suspected confined spaces to EHS for evaluation and inclusion in the confined space inventory. The inventory includes the following information: location, type of space, if a permit is required, known hazard(s), and if alternate entry can be used.

Permit-required confined spaces are labeled with the appropriate sign bearing the following language or its equivalent at minimum: **DANGER – CONFINED SPACE – AUTHORIZED PERSONNEL ONLY.**

Note: The Building Department must notify the University's authorized contractors in writing of PRCSs that are not labeled, such as elevator and escalator pits.

Reclassification of Confined Spaces

A confined space may be reclassified if any of the criteria that defines it as a non-permit confined space or PRCS is changed. The **Confined Space Decision Flow Chart (Appendix B) (https://drive.google.com/file/d/1MJula9N32WP4WHNxSNNPO_JSfbr0ujB8/view?usp=sharing)** can be used to determine if reclassification is possible.

A PRCS cannot be reclassified as a non-permit confined space if the hazards cannot be eliminated or controlled. In such cases, full PRCS entry procedures must be followed.

A PRCS can be reclassified as a non-permit confined space if serious hazard(s) can be eliminated prior to entry using lockout/tagout, guardrails, installing stairs or a ramp into a pit, or similar precautions.
Note: Ventilation and personal protective equipment (PPE) do not eliminate hazards.

Non-permit spaces must be reclassified as permit spaces when a new serious hazard is introduced into the space (e.g., welding, flooding, use of chemical, etc.).

Training

All employees who must enter and/or do work in PRCS must be trained before entering a permit-required confined space or using the alternate entry approach to confined spaces.

Training must be repeated when confined space duties change, when a change in permit space operations introduce a new hazard about which the employee was not previously trained, and when there are deviations from or inadequacies in knowledge of the required procedures.

Training includes the following information:

- An overview of the OSHA Permit-Required Confined Space standard
- How to identify, evaluate, and reclassify confined spaces
- Procedures for safe entry of confined spaces
- Location of the confined spaces on campus
- The University's written Confined Space Entry policy

Entry Permit

A **Confined Space Entry Permit (Appendix C)** **(https://drive.google.com/file/d/1Wnc7uX3W0RfICEGCjLmm1ELbtNKbrJgh/view?usp=sharing)** must be completed to document proper classification and applicable safety procedures for all permit-required confined spaces prior to entry. The entry team's supervisor/leader, all entrants, and the University's authorized representative must sign the permit. A copy of the completed permit must be sent to EHS.

The permit must be posted conspicuously near the entrance to the confined space. The permit is valid for only 1 work shift of the individual(s) entering the PRCS, or until completion of the work, whichever comes first.

The permit is rendered invalid if the space is reclassified or new hazards (not previously documented in the original permit) are introduced into or adjacent to the confined space. All work

in the confined space must immediately stop and all entrants evacuated from the space. Work may resume only upon completion of a new permit.

Atmospheric Testing

Before an employee enters a PRCS, the internal atmosphere will be tested, with a calibrated, direct-reading instrument to determine if acceptable entry conditions exist. Testing will be for the following conditions, in the order given:

- Oxygen content - 19.5% - 23.0%;
- Flammable gases and vapors - <10% LEL
- Toxic air contaminants:
  - Carbon monoxide (CO) – 35 ppm
  - Hydrogen Sulfide (H2S) – 10 ppm
- Volatile Organic Compounds (VOCs) – Action or response level to be identified on the permit depending on the type of VOCs present. Consult with EHS when determining an acceptable action level.
- Other toxic hazards will be specified on the Confined Space Entry Permit

Confined Space Entry Procedures

1. **Non-Permit Confined Spaces:**
   1. Non-permit confined space procedures may be used when the presence of a confined space is confirmed and there is a possibility that it may be designated as a non-permit confined space because serious hazards are not present or have been eliminated.
   2. Only persons with confined space entry training may designate a confined space as a non-permit space in consultation with EHS.

3. If entry is required to determine if hazards are present, the space must be treated as PRCS until it can be determined that it meets the definition of a non-permit space.
4. The attendant and rescue team are not required when using non-permit entry procedures.
5. New School employees may enter non-permit confined spaces to perform inspections, preventive maintenance, and repairs. Where feasible, the entrances to these spaces may also labeled with a confined space sign to serve as a reminder to the entrant of the need to verify the absence of hazards prior to entry.
6. If hazards arise in a non-permit space, entrants must evacuate the space immediately and notify EHS. The space must then be re-evaluated to determine if the space must be reclassified as a PRCS.
7. Once the confined space is successfully designated as a non-permit space, persons who subsequently enter the confined space do not require confined space training.
8. Any changes to the scope of work or work methods that may increase hazards will void the prior Non-Permit Confined Space designation.

2. **Permit-Required Confined Spaces (PRCS):**
    1. PRCS entry procedures are required for entry in a confined space where a serious hazard cannot be eliminated and alternate entry is not an option (i.e., a physical hazard remains).
    2. If entry in a PRCS is required to eliminate the hazard(s), PRCS entry procedures must be followed.
    3. New School employees are prohibited from entering a PRCS in which alternate entry procedures cannot be used. Such spaces generally fall into the following categories: roof gravity tank, fuel oil tank, elevator shafts/pits, escalator pits, and sewer ejector pits.
    4. As a rule, any work activity to be conducted in a PRCS must be contracted to a qualified firm and in compliance with OSHA's PRCS requirements.
    5. Contractors are responsible for developing permit-required confined space procedures for their employees and providing all necessary equipment for entry. PRCS entry procedures must include the following elements as required by OSHA:

1. Written permit entry system
2. Training of entrant, attendant, and entry supervisor
3. Air monitoring by an entrant outside of the PRCS prior to entry
4. Provisions for rescue in the event of an emergency
5. Facilitation of rescue with a non-entry retrieval system (e.g., harness and cable attached to a mechanical hoist), where feasible

6. A confined space entry permit must be completed by the Contractor and co-signed by an authorized University representative:
    1. The Contractor's Entry Supervisor will complete the University's permit.
    2. Entry must be coordinated by the University's Project Manager supervising the Contractor's activities.
    3. Obtain available information regarding the scope of work and potential hazards that may be introduced into the confined space. Complete the "General Information & Hazard Review" section of the permit.
    4. Complete the "Safety Checklist" section.
    5. Complete the "Safety Equipment" section. Identify all safety equipment necessary; include any equipment not listed on the form.
    6. Complete the "Air Monitoring" section. The Entry Supervisor will specify what equipment is to be used, the particular tests to be conducted, and the frequency of monitoring. The Entrant, Attendant, or Entry Supervisor will then write the pre-entry air monitoring results in the "Results" column. Additional air monitoring results will be recorded on the permit for any alarm condition or significant changes in air concentrations from the pre-entry air monitoring results.
    7. Complete the "Entrant & Attendant Review and Pre-Entry Briefing" section of the permit. All Entrants and Attendants will print and sign this section ONLY if they have reviewed the permit and verified that all safety equipment and procedures required by the permit are in place and they have had a Pre-Entry Briefing by the Entry

Supervisor;

8. Complete the "Entry Supervisor/Permit Authorization" section of the permit. The University's authorized representative will sign the permit after all previous sections have been completed and a Pre-Entry Briefing has been conducted. Authorized representatives include: EHS, the Fire/Life Safety Director, and the VP of Buildings or his designee.
9. Complete the "Permit Duration" section of the permit. Permits must be retained on site for the duration of the project. When the project is complete, the permit must be sent to EHS for record keeping and auditing purposes.
10. Permits may be issued for 1 shift only, after which they expire. A new permit is required for work in the PRCS to resume.
11. Permits are cancelled if any of the following occurs: a new hazard is encountered that was not previously identified in the "Potential Hazards" section of the permit OR any Entrant, Attendant, or Entry Supervisor initiates an evacuation. The reason for the evacuation must be investigated and a new permit issued that includes the changes (if any) to safety controls or procedures.

3. **Alternate Entry Procedure**
    1. This procedure may only be used for confined spaces where all serious physical hazards have been eliminated and the only potential serious hazards are atmospheric. Both mechanical ventilation and air monitoring equipment (i.e., gas meters) must then be used to effectively control atmospheric hazards.
    2. The attendant and rescue team are not required if the alternate entry approach can be used. However, all entrants must still have confined space entry training.
    3. New School employees may enter PRCS's where the only serious hazard is atmospheric and forced mechanical ventilation and air monitoring can control the hazard.
    4. Forced ventilation is required during entry.
        1. **Note:** Natural ventilation may not be substituted for mechanical ventilation.

5. Air monitoring must be conducted continuously throughout the entry.
6. A confined space entry permit must be completed to document and authorize use of the alternate entry procedure:
    1. Mark the box for "Alternate Entry Approach" in the "General Information & Hazard Review" section at the top of the Confined Space Entry Permit;
    2. If no serious physical hazards are identified or they have been eliminated, then mark the box for "Physical Hazards Eliminated" in the "Potential Hazards" section of the permit;
    3. Perform a careful hazard review of confined space entry activities by reviewing the list of "Potential Hazards" on the permit. Mark all hazards that cannot be eliminated. For alternate entry, physical hazards must be eliminated while atmospheric hazards must be adequately controlled using mechanical ventilation and air monitoring. If any physical hazards cannot be eliminated, then alternate entry may not be used.
    4. Complete the remainder of the "General Information & Hazard Review" section on the permit;
    5. Complete the "Safety Checklist" section on the permit. Several questions in this permit deal with the elimination (or control) of physical hazards.
    6. Complete the "Safety Equipment" section of the permit. At a minimum for Alternate Entry, require mechanical ventilation by checking "Ventilation Equip. -blower & duct."
    7. Complete the "Air Monitoring" section of the permit. Record pre-entry air monitoring results on the permit in the "Results" column and check off the "continuous" box;
    8. The person that is evaluating the confined space and authorizing the use of Alternate Entry must have confined space training and print, sign, and date in the "Entry Supervisor/Permit Authorization" section of the permit.
7. If hazards arise (e.g., gas meter alarm goes off), entrants must evacuate the space immediately and notify EHS. The space must then be re-evaluated and hazards controlled (if atmospheric) or eliminated (if physical) before re-entry.

Recordkeeping

Expired and cancelled permits will be kept for 1 year by EHS. Employee training records will be kept by EHS.

Program Evaluation

EHS will evaluate the Confined Space Entry policy annually and make changes as necessary.

Additional Information

Appendices

- **Appendix A - Contractor Acknowledgement (https://drive.google.com/file/d/1_22U00SBP5Ycaka-Fw7UceqErgDLaH35/view?usp=drive_link)**
- **Appendix B - Confined Space Decision Flow Chart (https://drive.google.com/file/d/1MJula9N32WP4WHNxSNNPO_JSfbr0ujB8/view?usp=sharing)**
- **Appendix C - Confined Space Entry Permit (https://drive.google.com/file/d/1Wnc7uX3W0RfICEGCjLmm1ELbtNKbrJgh/view?usp=sharing)**

References

OSHA Permit-Required Confined Spaces Standard (29 CRF 1910.146)

DEMONSTRATIONS ON CAMPUS

Also known as "Guidelines on Demonstrations in University Facilities" and available on **the website (https://www.newschool.edu/student-conduct/demonstration-guidelines/)** .

Principles

The New School is committed by tradition and by its defining values to the freedom of speech, thought, inquiry, and artistic expression for all members of its community. It is equally committed to protecting the right of free speech of all individuals authorized to use its facilities or invited to participate in the educational activities of any of the university's academic divisions. The University vigorously reaffirms both its **Policy on the Free Exchange of Ideas (https://app.getguru.com/card/ijAL9yjT/Policy-on-the-Free-Exchange-of-Ideas)** , adopted by the Board of Trustees on January 21, 1987, and the **Statement on Freedom of Artistic Expression (https://app.getguru.com/card/iRALqLgT/Freedom-of-Artistic-Expression)** , adopted by the Board on October 4, 1989. The **Policy on the Free Exchange of Ideas (https://app.getguru.com/card/ijAL9yjT/Policy-on-the-Free-Exchange-of-Ideas)** points out that:

"A university in any meaningful sense of the term is compromised without unhindered exchange of ideas, however unpopular, and without the assurance that both the presentation and the confrontation of ideas take place freely and without coercion. In this context and because of its distinctive, educational role as a forum for public debate, the university has deep concern for preserving and securing the conditions which permit the free exchange of ideas to flourish."

The exercise of free speech, including demonstrations, marches, rallies, leafleting and picketing and equivalent activities ("demonstrations"), has long been recognized as a legitimate form of self-expression in the university community. The University encourages exercise of free speech recognizing that at times the exercise of free speech and expression in a university community will result in exchanges that are heated, controversial, deeply passionate and even uncomfortable for

members of the university community. The establishment of parameters for such activities does not arise from any desire by the University to control such activities or impose a civility code but, rather, is derived from the consonant principle that such activities must not materially disrupt other university functions or interfere with the freedom of others, or otherwise violate the rights of others.

Demonstrations that take place inside university facilities, including all university buildings and the enclosed courtyard areas they bound, always have great potential to disrupt normal functions. Hence, it is necessary to give particular attention to the rights of all members of the university community when demonstrations take place in these facilities.

As such, these Guidelines on Demonstrations in University Facilities establish rules for carrying out demonstrations – understood as speech activities and expression enjoying the basic protection of the right to free expression – in university facilities. They also establish procedures for supervising such demonstrations, protecting the rights of demonstrators, and protecting the rights of others and the University. These Guidelines are structured to balance the University's desire to strongly encourage the exercise of free speech as well as political and community activism by its students, faculty and staff with the desire to prevent or minimize incidents that result in suspensions, expulsions, arrests and/or significant disruption of university operations.

The Elements of Time, Manner and Place

The exercise of the freedom of expression does not mean its unlimited expression at all times, in all possible manners, in all places. Universities are large communities whose many members cannot all simultaneously exercise the right of free expression. How it is exercised at a given time and place can significantly affect the ability of others to make use of their right.

The elements of time, manner and place are particularly relevant to speech and other expression when demonstrations are carried out in university facilities. The University's concern with these

elements does not arise from a concern with demonstrations per se. Rather, it springs from the recognition that (1) the rights of individuals belonging to the university community or the public may well collide at such times, (2) the University has the responsibility to carry out its educational and administrative functions as well as to protect the rights of all members of the community, and (3) without prior content-neutral rules, any intervention to protect those involved in the demonstration, others in the university community, or the institution, may appear biased.

Hence, the regulation of the elements of time, manner and place of demonstrations is a legitimate and necessary concern of The New School. The following are intended to clarify the conditions that make possible the exercise of free expression for all members of the university community:

1. Members of the university community and outside guests shall have the right to peacefully protest any speaker, meeting or event, so long as the event being protested is able to continue without significant or material disruption. Any disruption including utterances of vocal dissent that, due to its repetitive or prolonged nature, inhibits the ability of the speaker(s) or other persons in attendance from speaking will be deemed significant and material for the purpose of this policy.
2. Classes or other scheduled activities shall not be significantly or materially disrupted. A faculty member has discretion in determining what constitutes a significant or material disruption. For example, one faculty member may view a disruption that continues for 15 minutes as insignificant and immaterial due to the length of the class or activity whereas another instructor may view a disruption lasting only 5 minutes to be significant and material because it prevented the class or activity from continuing.
3. No person may enter or remain in a university owned or operated facility beyond that facility's normal operating hours.
4. Persons may not block or otherwise disrupt ingress and egress into and out of any facility that is owned or operated by the University or significantly impede the movement of people or disrupt regular or authorized activities in classrooms, offices, hallways, lobbies, studios, and

laboratories.

5. Persons may not engage in any conduct that threatens the safety and well being of the campus community and must refrain from any conduct that involves any form of physical violence or physical intimidation.
6. Persons may not engage in any conduct that violates fire and building codes or any other code and regulation for public safety. Similarly, persons may not engage in any conduct that violates the University's policies and procedures, including the Code of Conduct, as well as any federal, state or local laws.
7. Many of the University's facilities abut public streets which are under the sole jurisdictional control of the New York City Police Department (NYPD) and not the University. It is the responsibility of those engaging in demonstrations on public sidewalks and streets to obtain the appropriate permits from NYPD.
8. Similarly, persons engaged in demonstrations alongside public streets and sidewalks should refrain from blocking or otherwise interfering with the free flow of pedestrian, vehicular or bicycle traffic.
9. Organizations or persons sponsoring or organizing demonstrations, leafleting or equivalent activities will be responsible for compliance with these Guidelines and any related violation of applicable university policies and procedures. Each individual participating in a demonstration or other equivalent event is accountable for compliance with these Guidelines and other applicable university policy or procedure.
10. A substantiated complaint of a violation of these Guidelines and other university policy or procedure by a member of the University community may be grounds for discipline against individuals, the sponsoring or participating organizations, and/or organizing officers. The procedures for handling such disciplinary issues will be described below.
11. Any person who fails to identify him/herself to a university delegate or fails to heed to the warning from a university delegate that his/her conduct violates these Guidelines will face disciplinary action as outlined in Section V.

12. Persons unaffiliated with the University who engage in conduct that violates these Guidelines after being warned by a university delegate will be escorted off university premises and may be subject to civil or criminal prosecution.

Judicial Proceedings Following Violations of the Guidelines

Violations of these Guidelines are also violations of the University Code of Conduct. The Code of Conduct indicates that when members of the university community are alleged to have committed a violation, "they will be accorded the due process to which they are entitled. Members of the university community are granted a fair hearing: they are fully advised of any charges against them, they are afforded ample opportunity to respond to accusations, and they are given a clear explanation of the right to an appeal."

Individuals who are found to have violated these Guidelines or other university policies bearing on freedom of expression will be subject to a range of penalties. For students, the penalties indicated in the Code of Conduct are:

- A warning that repetition of the wrongful conduct may be the cause for more severe sanctions following a clear instruction to desist
- Restitution for damage or loss to either university or individual property
- Placing the student on probation, so that a further violation of university rules and regulations while on probation may result in suspension or expulsion
- Restriction in the use of certain university facilities or the right to participate in certain activities or privileges for a specified period of time
- Suspension from all functions of the University for a stated period, and the possible requirement of a petition for readmission
- Expulsion from the University for violations judged to be so serious that the student is informed that readmission will not be considered

For faculty and staff members found to have committed a serious violation of university policy, the range of applicable penalties include: a written warning, probationary status, suspension (including suspension of salary), or the termination of appointment.

The above listed penalties may be in addition to, and separate from, any penalties or liabilities pursuant to the laws of the United States, State of New York, or City of New York. The University may, at its discretion, depending on the gravity of the violation, file a criminal or civil complaint with the appropriate public official.

HAZARD COMMUNICATION POLICY

Purpose

- To establish a comprehensive hazard communication program to ensure employees, students, and contractors are informed about the hazards of chemicals they handle, use, or may be exposed to during the course of their normal work activities safe work practices and precautions to protect themselves against these chemicals.
- To comply with the requirements of the Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard.

Scope

The **Hazard Communication Policy** applies to:

- All employees of the University, including but not limited to full-time and part-time faculty, staff, and technicians; temporary/seasonal employees; and student employees

- Interns and volunteers
- Contractors, vendors and sub-contractors
- Other individuals who have business with The New School

Note: Laboratory employees are covered by the **Chemical Hygiene Plan (https://app.getguru.com/card/c94G7xxi/Chemical-Hygiene-Plan)** .

Definitions

Container: Any bag, barrel, bottle, box, can, cylinder, drum, jar, storage tank or vessel that contains a hazardous chemical.

Hazardous chemical: a chemical that poses a physical or health hazard.

Hazard warning: words, pictures, or symbols on a container label that communicates the physical or health hazard of a chemical.

Health hazard: chemicals from which exposure can lead to adverse health effects. Examples of health hazards include irritants, toxic substances, corrosives, carcinogens, sensitizers, and chemicals that target specific body organs or systems.

Safety Data Sheet (SDS): a written document prepared by a hazardous product's manufacturer or distributor as required by the OSHA Hazard Communication Standard. The SDS conveys to the user information on the hazard of a chemical; proper storage & disposal; emergency response procedures involving spills and fires; its chemical properties; safe work practices and other protective measures to work safely with the chemical; and applicable regulatory information.
Physical hazard: hazardous materials that threaten your physical safety. Physical hazards include materials that are flammable, combustible, reactive, explosive, oxidizer, water or chemical sensitive, and compressed gas.

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Enforcing compliance with the Hazard Communication program and taking disciplinary actions in accordance with collective bargaining agreement procedures, if any.
    2. Informing contractors, vendors or visitors of the need to comply with this policy
2. **Supervisors** are responsible for:
    1. Coordinating with the Assistant Director for Environmental Health & Safety (EHS) to ensure all employees complete initial hazard communication training and whenever a new category of hazardous chemical is introduced.
    2. Maintaining a hazardous chemical inventory annually and submitting a copy **(Appendix A)** **(https://docs.google.com/spreadsheets/d/1sUIVCemCitnzc9alRZtt_IGuXWEd0Zy0GPGTo8nk-sk/edit?usp=sharing)** to the EHS office.
        1. **Note:** Inventories are due to EHS every year before the end of December.
    3. Verifying all containers of hazardous chemicals in their respective area(s) are labeled legibly with the contents, appropriate hazard warning, and manufacturer's name and address.
    4. Ensuring copies of SDSs for hazardous chemicals used and stored in their respective area(s) are readily available during employees' work shift(s). Copies of all SDSs must be forwarded to EHS.
    5. Ensuring appropriate personal protective equipment (such as gloves and safety glasses) is available and worn by employees, if needed. Refer to the **Personal Protective**

Equipment (PPE) Policy **(https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy) Protective-Equipment-PPE-Policy)** for details.

6. Enforcing compliance with this Policy and adherence to safe work procedures or guidelines related to chemical use.

3. **All Employees** are responsible for:
    1. Complying with the policy: attending training, reading labels and SDSs for chemicals used, keeping containers of chemicals closed when not in use, wearing personal protective equipment as needed, and following other safety rules and guidelines related to chemical use.
    2. Notifying their Supervisor of issues pertaining to the use of hazardous chemicals.
4. **The Assistant Director for Environmental Health and Safety (EHS)** is responsible for:
    1. Implementing the Hazard Communication Policy.
    2. Reviewing the policy periodically and updating it as needed.
    3. Providing training, technical assistance, and clarification of the policy.
    4. Reviewing hazardous chemical inventories submitted by Supervisors and filing them with regulatory agencies as required.
    5. Maintaining copies of all SDSs and providing copies as requested.
    6. Screening SDSs for new or significant hazard information and notifying affected employees.
    7. Monitoring employee exposure to hazardous chemicals as needed.
5. **Labor Relations** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving the use of hazardous chemicals.
6. **Project Manager or Coordinator** is responsible for:
    1. Notifying the Contractor of hazardous chemicals used or stored by the University that the contractor's employees may be potentially exposed to in the job site and any necessary precautionary measures to protect the employees.

2. Informing the contractor how to access the SDS for hazardous chemicals the Contractor's employees may be potentially exposed to in the job site. The Project Manager or Coordinator may submit a written request to EHS if copies of the SDS are needed.
3. Obtaining (1) an inventory of hazardous chemicals to be used by the Contractor at the University job site and (2) copies of the SDSs for such chemicals. This information must be available upon request by EHS and affected Departments.

Inventory

Supervisors must compile and maintain an inventory of all known hazardous chemicals and submit it to EHS annually before the end of December. **Appendix A (https://docs.google.com/spreadsheets/d/1sUIVCemCitnzc9alRZtt_IGuXWEd0Zy0GPGTo8nk-sk/edit?usp=sharing)** must be used to submit the annual inventory. The inventory includes the name of the chemical, the manufacturer, storage locations, container type, quantity stored and the link to the SDS.

When new chemicals are received, the inventory must be updated (including date the chemicals were introduced) within 30 days. A copy of the updated inventory and SDS must be forwarded to EHS.

The inventories are filed with regulatory agencies by EHS annually, as required.

Safety Data Sheets (SDS)

The SDS should arrive with the shipment of a hazardous chemical. If it does not, the Supervisor must contact the manufacturer or distributor to obtain a copy of the SDS.

The SDS must be readily available for review by employees (and students) in areas where hazardous chemicals are used. If revised SDSs are received, copies must be forwarded to EHS and included in the work area's SDS binder or virtual SDS folder. Electronic copies of the SDSs may also be available on the internet or from the product's manufacturer and/or distributor.

If revised SDSs are received, copies must be forwarded to EHS and included in the work area's SDS binder or folder.

Container Labeling

All containers must be labeled legibly with the name of the chemicals, appropriate hazard warning, and the manufacturer's contact information including their name and address. Secondary containers into which chemicals were transferred (e.g., spray bottles, small squeeze bottles) must be labeled with the name of the chemicals and appropriate hazard warning(s).

Training

All employees who work with or are potentially exposed to hazardous chemicals during the course of their normal work activities will receive initial training on the Hazard Communication standard and Hazard Communication Policy before working with the chemicals. Supervisors must coordinate with EHS to arrange for the training.

Prior to introducing a new chemical hazard category into the work area, each affected employee will be given information and training as outlined below for the new chemical hazard.

Training includes the following information:

- An overview of the OSHA Hazard Communication standard
- The hazardous chemicals present in work area
- The physical and health risks of the hazardous chemicals
- How to determine the presence or release of hazardous chemicals in the work area
- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices and personal protective equipment
- Steps the University has taken to reduce or prevent exposure to hazardous chemicals
- Procedures to follow if employees are overexposed to hazardous chemicals
- How to read labels and SDSs to obtain hazard information
- Location of the SDS files and written Hazard Communication Policy

Hazardous Non-Routine Tasks

Periodically, employees are required to perform non-routine tasks that are hazardous, such as confined space entry. Prior to starting work on such projects, the Supervisor must notify affected employee(s) about the specific chemical hazards, protective and safety measures the employee should use, and steps the University is taking to reduce the hazards. Employees must wear the issued PPE properly when performing tasks that put them at risk of recognized hazards identified in the hazard assessment.

EHS is available to assist in evaluating hazards of non-routine tasks and recommending appropriate safety precautions upon request.

Contractor Notification

The Project Manager or Coordinator must notify the Contractor of the University's chemical hazards as it relates to the job site, how to access SDSs for hazardous chemicals used or stored by

the University, and any precautionary measures to take to protect the Contractor's employees.

Contractors must notify the Project Manager or Coordinator of hazardous chemicals to be used on the job site by providing a chemical inventory and copies of the SDSs.

Program Evaluation

EHS will periodically evaluate the Hazard Communication Policy and make changes as necessary.

Additional Information

Program Availability

A copy of this policy will be made available, upon request, to employees and their representatives. A written request should be submitted to EHS.

Appendices

- **Appendix A (https://docs.google.com/spreadsheets/d/1sUIVCemCitnzc9alRZtt_IGuXWEd0Zy0GPGTo8nk-sk/edit?usp=sharing)**

References

OSHA Hazard Communication Standard (29 CRF 1910.1200)

LOCKOUT/TAGOUT POLICY

Purpose

The **Lockout/Tagout (LOTO) Policy** is designed to prevent injuries and stop accidental release of potentially hazardous energy (e.g., electrical, mechanical, hydraulic, pneumatic, chemical, thermal) during servicing or maintenance on machinery and equipment through the use of energy control procedures.

The purpose of this policy is:

- To establish a program to protect employees from unexpected energization, startup, or release of stored energy.
- To comply with the Occupational Health and Safety Administration (OSHA) **Standard for the Control of Hazardous Energy (lockout/tagout) (https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.147)** .

Scope

The lockout/tagout policy applies to all employees and contractors who work on or near machinery and equipment during servicing or maintenance. This policy does not apply to:

- Plug and cord electrical equipment for which hazards can be controlled by unplugging the equipment from the energy source and if the plug is exclusively under the control of the employee performing the servicing or maintenance.
- Hot tap operations involving transmission and distribution systems for gas, steam, water, or petroleum products when they are performed on pressurized pipelines, provided it can be demonstrated that continuity of service is essential, shutdown of the system is impractical, and documented procedures are followed and special equipment is used to provide proven,

effective protection for authorized employees.

Definitions

Responsible individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Affected employee: an employee whose work operation is or may be in an area where energy control procedures may be utilized, but does not perform servicing or maintenance on machines or equipment that would require LOTO.

Authorized employee: a person who locks out or tags out machines or equipment in order to perform servicing or maintenance on that machine or equipment.

Disconnecting means: the switch or device used to disconnect the circuit from the power source.

Energy isolating device: a mechanical device that physically prevents the transmission or release of energy (e.g., a disconnect switch, manually operated circuit breaker, line valve, etc.). **Note:** Push buttons, selector switches, and other control circuit type devices are not energy isolating devices.

Responsibilities

1. **Responsible individuals** have the following responsibilities:
    1. Allocating necessary funds to support compliance with the LOTO program.
    2. Enforcing compliance with the LOTO program and, where necessary, taking disciplinary actions in accordance with the relevant university policies, handbooks, and collective bargaining agreements.
2. **Supervisors** are responsible for:

    1. Informing Environmental Health and Safety of changes in job assignments, machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.
    2. Establishing written energy control procedures to be utilized by their authorized employees during servicing and repair of specific machinery and equipment.
    3. Purchasing appropriate lockout/tagout devices where necessary for equipment owned or operated by their department.
    4. Monitoring and enforcing compliance with the policy including, but not limited to: training, periodic inspection, selection and use of LOTO devices by affected and authorized employees that they supervise.
3. **Authorized employees** are responsible for:
    1. Complying with the policy: adhering to energy control procedures, attending training, properly using LOTO devices, and reporting safety concerns to their Supervisor.
4. **Affected employees** are responsible for:
    1. Complying with the policy: adhering to energy control procedures, attending training, and reporting safety concerns to their Supervisor.
5. **Vice President of Buildings and Campus Operations (or this designee)** is responsible for:
    1. Ensuring maintenance staff and contractors hired by department comply with LOTO procedures.
6. **Environmental Health and Safety (EHS)** is responsible for:
    1. Conducting periodic inspections of the energy control procedures with supervisors of authorized employees.
    2. Providing technical support and training as needed.
    3. Maintaining centralized training records for training and periodic inspection of energy control procedures.
    4. Periodically reviewing effectiveness of the policy and updating it as needed.
7. **Project Managers** are responsible for:

1. Ensuring contractors are informed of and comply with the requirements of this policy and provide information on their specific energy control procedures.

8. **Contractors** are responsible for:
    1. Complying with all applicable OSHA regulations including the LOTO Standard.
    2. Ensuring all their employees performing work at The New School's campus have been suitably trained on both LOTO procedures specific to the contractor and The New School.
9. **Human Resources** is responsible for:
    1. Reviewing and responding to communications from labor unions, or from health care providers or employees raising personal medical issues/concerns regarding issues related to this policy and/or its application to an employee or employees.

Energy Control Procedures

1. **Written Energy Control Procedures**
    1. Supervisors of authorized and affected employees must establish and implement a written energy control procedures for a particular machine or equipment during servicing or repair.
    2. The procedures must clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited, to following:
        1. A specific statement of the intended use of the procedure,
        2. Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy,
        3. Specific procedural steps for the placement, removal, and transfer of LOTO devices and the responsibility for them, and
        4. Specific requirements for testing a machine or equipment to determine and verify the effectiveness of LOTO devices and other energy control measures.

3. Written procedures for a particular machine or equipment are not required if all of the following conditions for this exception are met:
    1. The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees,
    2. The machine or equipment has a single energy source which can be readily identified and isolated,
    3. The isolation and locking out of the single energy source will completely de-energize and deactivate the machine or equipment,
    4. The machine or equipment is isolated from the single energy source and locked out during servicing or maintenance,
    5. A single lockout device will achieve a locked-out condition,
    6. The lockout device is under the exclusive control of the authorized employee performing the servicing and maintenance,
    7. The servicing and maintenance does not create hazards for other employees, and
    8. The department using this exception has had no accidents involving the unexpected activation or reenergization of the machine or equipment during servicing or maintenance.

2. **De-Energization**
    1. As a rule, all powered or energized electrical machinery and equipment should be de-energized or shut down before work is performed on or near them. Energized electrical parts of 50 volts or more must be isolated and de-energized due to increased risk of electrical shock or other injuries resulting from direct or indirect electrical contact.
    2. The circuits and equipment to be worked on must be disconnected from all energy sources.
    3. Control circuit devices such as push buttons, selector switches, and interlocks must not be used as the sole means of de-energizing circuits or equipment.
3. **Lockout/Tagout (LOTO)**

1. LOTO is to be used if machine guards or other safety devices must be by-passed during the work, or if the authorized employee must place any part of his or her body into the point of operation or into an area on the machine or equipment where work is performed.
2. An authorized employee must securely attach the LOTO device directly on each energy-isolating device on the machinery or equipment on which work is to be performed in a manner that will hold it in a "safe" or "off" position. The lock is attached to prevent others from operating the disconnecting means unless they resort to undue force or the use of tools. The tag contains a statement prohibiting unauthorized operation of the disconnecting means and removal of the tag.
    1. **Note:** Both a lock and tag must be used together; a tagout device is acceptable only when the machine or equipment cannot be locked out. The tag must be attached securely on the energy-isolating device or visibly posted nearby to anyone who attempts to operate the machine or equipment.
3. Group lockout/tagout devices and procedures that afford the authorized employees the same level of protection as individual LOTO devices and procedures must be used when several authorized employees (e.g., crew, department, etc.) are performing servicing and/or maintenance:
    1. The primary responsibility of group LOTO is vested in an authorized employee (e.g., the crew's Supervisor) for a set number of employees working under the protection of a group LOTO device.
    2. The authorized employee with primary responsibility for the employees using the group LOTO device must ascertain the exposure status of each employee with regard to LOTO of the machine or equipment.
    3. Each authorized employee must affix a personal LOTO device to the group LOTO device when he/she begins work and must remove the device when he/she stops working on the machine or equipment being serviced/maintained.

4. When multiple crews or groups are involved, assignment of overall job-associated LOTO control responsibility must be delegated to an authorized employee designated to coordinate affected groups and ensure continuity of protection.

4. The Supervisor of an authorized employee(s) or an authorized employee designated by the Supervisor must ensure the continuity of LOTO protection during shift or personnel changes, including transfer and/or application of LOTO device between employees starting or ending their shifts.
5. Electric parts that have been de-energized but have not been locked and tagged out must be treated as energized parts.
6. Interlocks for electric equipment may not be used as substitutes for LOTO.
7. Elevators are to be de-energized at the main electrical source disconnect and locked out/tagged out before entry into elevator pits.
    1. **Note:** The pit stop switch is not an acceptable method to lockout (isolate) the elevator as it is not the main electrical disconnect.

4. **Verification of De-Energized Condition**
    1. Once the machine or equipment has been de-energized and locked out/tagged out, the qualified person performing the work must verify de-energization by (1) using test equipment (i.e., appropriately rated voltage detector) and (2) using the equipment's operational controls or otherwise verify the equipment cannot be restarted.
5. **Release from Lockout/Tagout**
    1. The work area must be inspected to ensure nonessential materials have been removed and that all the machine and equipment components are operationally intact.
    2. Ensure all employees are safely positioned and clear of the area.
    3. Removal of LOTO devices:
        1. The employee who applied the LOTO device or an employee under his/her direct supervision must remove it from the energy-isolating device.

2. Other authorized employees may remove the LOTO device when the employee who applied it is unavailable and only if all of the following conditions are met: he/she has been verified to be absent from the facility and reasonable efforts were made to contact the employee to inform him/her that the LOTO device has been removed before he/she resumes work at that facility.
3. If the LOTO device must be temporarily removed from the energy isolating device and the machine or equipment energized to test or position the machine, equipment, or any of its components, the following sequence of actions must be followed:
    1. Clear the machine or equipment of tools, materials, or other nonessential items and ensure the machine or equipment is operationally intact.
    2. Remove employees from the machine or equipment area.
    3. Remove the LOTO device as described above.
    4. Energize and proceed with testing and positioning.
    5. De-energize all systems and reapply energy control measures to continue servicing and/or maintenance
4. Notify all affected employees that lockout/tagout devices have been removed before the equipment is re-energized.

6. **Re-Energization**
    1. Before circuits or equipment are re-energized, even temporarily, the qualified person must conduct tests and visual inspections to verify that all devices (e.g., tools, grounds, etc.) have been removed so they can be safely energized.
    2. Employees exposed to the hazards associated with re-energizing the circuit or equipment must be warned to stay clear of these circuits and equipment.

Materials and Hardware

Lockout/tagout devices must be standardized (either of the same color, size, or shape), and tagout devices must have standardized print and format. Lockout/tagout devices must be durable to

withstand the environment to which they will be exposed and for the maximum period of time that exposure is expected.

- Lockout devices must be substantial enough to prevent removal without the use of excessive force or techniques like use of cutting tools.
- Tagout devices must be substantial enough to prevent inadvertent or accidental removal.

Tagout devices must be non-reusable, attachable by hand, self-locking, non-releasable with an unlocking strength of at least 50 pounds, and having the general design and basic characteristics at least equivalent to a single nylon cable tie.

Lockout/tagout devices must be able to indicate the identity of the employee applying the device and warn against hazardous conditions if the machine or equipment is energized and must include warnings such as: *Do Not Start. Do Not Open. Do Not Close. Do Not Energize. Do Not Operate.*

Periodic Inspection

EHS and authorized employees who do not utilize the energy control procedure will conduct periodic inspections of the energy control procedure at least annually to ensure compliance. The periodic inspection must be conducted to correct any deviations or inadequacies identified. The periodic inspection must include a review between the person(s) conducting the inspection and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.

EHS and the supervisors must certify that the periodic inspections have been performed using **Appendix A (https://drive.google.com/file/d/1jNelp0YsnLL2UJfkVBg96VSv6MqrPinx/view?usp=sharing)** .

Training

Supervisors must schedule all authorized and affected employees for training with EHS. The training will ensure authorized employees understand the purpose and function of the energy control program, and acquire the knowledge and skills required for the safe application, usage, and removal of the energy controls.

The training for authorized employees will include:

- Recognition of applicable hazard energy sources
- Type and magnitude of energy available in the workplace
- Methods and means necessary for energy isolation and control
- Purpose and use of energy control procedure
- Limitations of tags when machines or equipment are incapable of being locked out

Affected employees whose work operations are or may be in an area where energy control procedures may be utilized must be instructed about the procedure and about the prohibitions relating to attempts to restart or re-energize machines or equipment that are locked out or tagged out.

Authorized and affected employees must be retrained whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

Program Evaluation

EHS will periodically evaluate the policy and make changes as necessary.

References

29 CFR 1910.147 (https://www.osha.gov/laws-regs/regs/regulations/standardnumber/1910/1910.147)

regs/regulations/standardnumber/1910/1910.147)

OZONE-DEPLETING SUBSTANCES POLICY

Purpose

- To ensure the recovery and recycling of refrigerants, which are known *ozone-depleting substances (ODS),* during servicing and disposal of refrigeration and air conditioning equipment. ODS includes chlorofluorocarbons (CFC), hydrochlorofluorocarbons (HCFC), and their blends.
- To comply with the applicable requirements of the Environmental Protection Agency's (EPA) Clean Air Act.

Scope

This policy applies to:

- All maintenance staff in the Facilities Management Department, particularly the Heating, Ventilation, & Air Conditioning (HVAC) staff.
- Contractors and sub-contractors that may maintain applicable equipment.

Certification

HVAC staff must possess the appropriate EPA Technician certification for proper refrigerant practices (e.g., Universal certification for servicing all types of equipment). Only EPA-certified refrigerant recovery machines must be used. The office of Environmental Health & Safety (EHS)

shall file this certification with EPA as needed.

Contractors who service or repair air-conditioning or refrigeration equipment must provide proof of possessing appropriate EPA certifications for their technicians and recovery machines.

Refrigerant Sales Restrictions

Only EPA-certified HVAC technicians may purchase ozone-depleting refrigerants such as R-22.
Note: This does not apply to refrigerants contained in fully assembled refrigerant circuits such as household refrigerators and window/packaged air conditioning units.

Prohibition of Venting

Intentional venting of ODS used as refrigerant is prohibited.
Exemptions: small emissions from connecting/disconnecting/purging hoses during charging or servicing, “de minimus” releases during good faith attempts to recapture/recycle/safety dispose of refrigerant, or releases of ODS that are not used as refrigerants (e.g., purging or leak test gases).

Service Practice Requirements

Evacuate air-conditioning and refrigeration equipment to established vacuum levels when opening the equipment for maintenance, service, repair, or disposal.
Note: Connecting and disconnecting hoses and gauges to and from the appliance to measure pressures within the appliance and to add refrigerant to or recover refrigerant from the appliance shall not be considered "opening."

The equipment must be evacuated to the levels specified in the table below if manufactured on or after November 15, 1993, except for small appliances, MVACs, and MVAC-like appliances. For small appliances such as household refrigerators, window air conditioners, and water coolers, 90%

of the refrigerant must be recovered and when the compressor in the appliance is working.

Type of appliance with which recovery or recycling machine is intended to be used	**Inches of Hg vaccum**
HCFC-22 appliances, or isolated component of such appliances, normally containing less than 200 pounds of refrigerant	0
HCFC-22 appliances, or isolated component of such appliances, normally containing 200 pounds or more of refrigerant	10
Very high pressure appliances	0
Other high-pressure appliances, or isolated components of such appliances, normally containing less than 200 pounds of refrigerant	10
Other high-pressure appliances, or isolated component of such appliances, normally containing 200 pounds or more of refrigerant	15
Low pressure appliances	25*

*mm Hg absolute (gauge pressure plus ambient pressure)

HVAC technicians must ensure that they are recovering the correct percentage of refrigerant using EPA-certified recovery equipment according to the manufacturer's directions.

The only acceptable instances where equipment evacuation do not need to be done to the extent specified above are: (1) if the maintenance, service, or repair does not involve removal of the appliance compressor, condenser, evaporator, or auxiliary heat exchanger coil, AND (2) the work is not followed by evacuation of the equipment to the environment. *In these instances, high- or very-high pressure equipment must be evacuated to at least 0 psig before opening and low-pressure appliances pressurized to 0 psig before opening.*

Refrigerant Leaks

Refrigeration and air-conditioning equipment containing 50 pounds or more of refrigerant must have leaks repaired within 30 days of discovery. The trigger for repair requirements is the current leak rate projected over a consecutive 12-month period rather than the total quantity of refrigerant lost.

HVAC staff must maintain records of refrigerant added to equipment and calculate the leak rate. If the leak rate is 15% or greater, the repair must be done within 30 days.

Recovery/Recycling

Used refrigerant may be recovered and/or recycled and returned to the same or other equipment without restriction by HVAC staff or certified contractors, however, if the refrigerant changes ownership it must be reclaimed.

Appliances containing refrigerants (such as refrigerators, air conditioning units, water coolers, and ice makers) must have the refrigerant evacuated before disposal. Submit a **NetFacilities Work Order** **(https://app.getguru.com/card/TgB9dRzc/NetFacilities-Work-Order-System)** to request assistance with refrigerant-containing appliances or equipment.

Reclamation

Refrigerant must be reclaimed to the required purity only by a general reclaimer or the refrigerant manufacturer approved by Facilities Management.

Safe Disposal Requirements

HVAC staff must evacuate and tag refrigeration and air-conditioning equipment using EPA certified equipment to the specified service levels prior to disposal. The tag must be completed with the date of the evacuation and the technician's signature.

Facilities Management's Supervisors are responsible for requesting evacuation of equipment by HVAC staff and making disposal arrangements after the equipment is evacuated and tagged.

Recordkeeping

HVAC staff must maintain a service log for appliances containing 50 pounds or more of refrigerant. The log must record type of equipment, its location, manufacturer, model, date and type of service, and the quantity of refrigerant added.

Contractors must also maintain records of the quantity of refrigerant added for appliances containing 50 pounds or more of refrigerant. HVAC technicians must submit copies of all certificates and service logs to the office of EHS.

References

40 CFR Part 82

PERSONAL PROTECTIVE EQUIPMENT (PPE) POLICY

Purpose

- To establish minimum personal protective equipment requirements to be followed when performing hazardous or potentially hazardous tasks.
- To comply with applicable Occupational Health and Safety Administration (OSHA) regulations.

Scope

The **Personal Protective Equipment (PPE) Policy** applies to all employees whose responsibilities put them at risk of exposure to recognized hazards that require the use of personal protective equipment (PPE). Personal protective equipment is to be used as a barrier between the employee and the hazard(s) when engineering (e.g., ventilation) or administrative controls (e.g., job rotation) are not feasible to provide adequate protection.

This policy applies to:

- All employees of the University, including but not limited to full-time and part-time faculty, staff, and technicians; temporary/seasonal employees; and student employees
- Interns and volunteers
- Contractors, vendors and sub-contractors (these individuals must provide their own PPE)

Definitions

PPE: Personal Protective Equipment

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Enforcing compliance with the PPE program and taking disciplinary actions in accordance with collective bargaining agreement procedures, if any.
    2. Informing contractors, vendors or visitors of the need to comply with this policy.
2. **Supervisors** are responsible for:
    1. Identifying hazards and potential hazards by completing the **PPE Hazard Assessment Form (Appendix A)** **(https://drive.google.com/file/d/1fG2-zu5fWCihZjDs5ILK9f_XmOk_-OJQ/view?usp=drive_link)** for each location they supervise and submitting it to Environmental Health & Safety (EHS).
    2. Notifying EHS of changes in the work area(s) and/or its processes/procedures that may introduce new hazards and require different or additional PPE. Such instances will require submission of an updated Hazard Assessment Form.
    3. Purchasing PPE for employees as needed.
    4. Communicating hazards, acceptable work practices, and PPE requirements to all employees.
    5. Monitoring and enforcing compliance with the PPE policy including, but not limited to: inspection, use, proper maintenance, storage, disposal, and replacement of issued PPE.
    6. Providing specific training to their employees on the types of PPE available for each task; the rationale for the selected PPE (including their limitations); proper fit, use, care and disposal of PPE. EHS is available to conduct training upon request.
3. **All Employees** are responsible for:
    1. Complying with the policy: adhering to acceptable work practices; attending training; using, inspecting, properly maintaining, storing, and disposing of PPE.
    2. Notifying their supervisor of issues pertaining to the PPE such as improper fit, defects, or medical conditions that may affect use of PPE.
4. **Environmental Health and Safety (EHS)** is responsible for:

1. Reviewing and selecting appropriate PPE compliant with OSHA regulations based on hazard assessments.
2. Providing technical assistance with hazard assessment and training upon request by Supervisors.
3. Administration of the PPE program including but not limited to: recordkeeping, periodically reviewing effectiveness of the policy, and updating it as needed.

5. **Human Resources** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving the use of PPE.

Hazard Assessment

A written **Hazard Assessment Form (Appendix A)** **(https://drive.google.com/file/d/1fG2-zu5fWCihZjDs5ILK9f_XmOk_-OJQ/view?usp=drive_link)** is required of the employee's workplace to determine hazards and the appropriate PPE. The form must be completed by the Supervisor and submitted to EHS. One completed form can be submitted if it includes all tasks performed by all employees in a given work area. A separate written hazard assessment is required for unusual tasks that arise and were excluded from the previously submitted hazard assessment.

Obtaining PPE

Supervisors must purchase necessary PPE identified in the hazard assessment form and/or approved by EHS.

Training

Supervisors shall ensure their employees are trained on task-specific PPE including availability, rationale for the selection, proper fitting/use, maintenance/storage, and limitations of the PPE. EHS is available to assist with this training upon request.

Retraining

When the Supervisor has reason to believe that any previously trained employee does not understand or have the skill required to use PPE, the Supervisor must retrain the employee. These circumstances include, but are not limited to:

- Changes in the workplace that make previous training obsolete.
- Change in the types of PPE that make previous training obsolete.
- Inadequacies in an affected employee's knowledge or use of assigned PPE indicating that the employee has not been trained properly.

Using PPE

Employees must inspect their issued PPE for defects prior to putting them on each time. Employees must wear the issued PPE properly when performing tasks that put them at risk of recognized hazards identified in the hazard assessment. Employees must not perform a task when required PPE is unavailable nor use damaged or improperly fitting PPE.

Maintaining & Storing PPE

It is the responsibility of the employee to properly maintain (e.g., store, clean) his/her issued PPE in a sanitary manner.

Replacing PPE

Supervisors must provide replacements for PPE as needed due to damage or improper fit.

Program Evaluation

EHS will periodically evaluate the PPE policy and make changes as necessary.

References

OSHA Regulations: Personal Protective Equipment-General Requirements (29 CFR 1910. 132), Hand Protection (29 CFR 1910.138), Head Protection (29 CFR 1910.135), Eye & Face Protection (29 CFR 1910.133), Foot Protection (29 CRF 1910.136), Electrical Protective Devices (29 CFR 1910.137), Respiratory Protection (1910.134), Occupational Noise Exposure (29 CRF 1910.95).

POSTER POLICY

Introduction

The New School (“TNS” or “university”) encourages free expression and protects academic freedom, which are central principles to the mission of higher education and New School values. Students, faculty, staff, registered student organizations, academic, and administrative units may desire to display posters that promote an event, exhibit, or activity, recruit, or express an opinion. As such, this policy sets forth the criteria and responsibilities for the temporary display of posters on university owned or leased property. The term “posters” for purposes of this policy includes, but is not limited to, banners, sandwich boards, leaflets, chalking, digital easels and displays, The New School website, and projections onto walls and similar surfaces. This policy does not include posters produced by the Office of Marketing and Communications.

Scope

The below are governed by this Policy:

- Students
- Student organizations
- Faculty
- Staff
- Academic or administrative units
- Third-parties including contractors

Policy

Posters are displayed for multiple reasons such as promoting or marketing an activity, recruiting others with shared interests, or expressing an opinion. Consistent with all applicable policies, posters may be put up on university-owned or leased property by students, faculty, staff, registered student organizations, or academic and administrative units, provided the posters display the sponsoring unit.

Students, faculty, and staff acting in their personal capacity unrelated to New School activities are prohibited from displaying posters. Non-university individuals, organizations, and groups are also prohibited from displaying posters on university-owned or leased property unless sponsored by a recognized TNS student organization, or academic or administrative unit. Content on posters reflects the views of the respective individual, organization, or unit and not the university.

The New School's residential, academic, support, administrative or leased buildings may have their own procedures for displaying posters, including posting locations. These procedures shall not conflict with this policy but may be more stringent and must be followed by students, staff, faculty, recognized student organizations, academic and administrative units interested in hanging posters

in those spaces.

This policy establishes the following **time**, **place**, and **manner** parameters in the displaying of posters. The university's staff responsible for building operations are authorized to remove posters that violate this policy immediately and without notice.

Time

Since there is limited space on campus to accommodate posters that members of the university community may want to post, posters may only be displayed temporarily in order to facilitate varied participant engagement. All posters must include the date that the poster was first displayed. If advertising an event, exhibit, or activity with a designated date, the poster may be displayed at the earliest 15 days before the event and must be removed by the student, faculty, staff, recognized student organization, academic or administrative unit within two business days after the conclusion of the event, exhibit or activity. Posters not related to an event, exhibit, or activity must be removed by the student, staff, faculty, recognized student organization, academic, or administrative unit at the latest 17 days after the date the poster was first displayed[AP1] [MD2] . As stipulated above, posters that violate this policy may be immediately removed without notice but generally, The New School's staff responsible for building operations will remove posters on a routine basis in compliance with the stipulated time limitations and at the start of each month and at the conclusion of a semester.

Placement

The hanging of posters on exterior and interior locations on university owned or leased property is restricted to identified display areas (See Section "**Designated Display Areas for Posters**"). Chalking on university or leased property may only be done on horizontal, concrete, granite, or asphalt surfaces where the rain will wash away the residue completely. There may be no promotion of an event, exhibit, or activity, recruitment, or expression of opinion written on any

organic surface (grass/soil). Posters are prohibited in corridors (not including bulletin boards in corridors), common walls, entryway doors (excludes office doors and residential doors if all residents in the room agree to the posting), windows (on windows facing inside or outside, hanging out of windows), and stairwells and may not cover, obfuscate, or change in any way campus signage or wayfinding. Posting of signage on the interior of elevator cabs is prohibited by the NYC building code and will be immediately removed by Buildings and Campus Operations.

Glue, poles, stakes, ropes, cable, or permanent fixtures are prohibited to hang a poster unless authorized in writing. Students, faculty, staff, registered student organizations, academic or administrative units will be responsible for any damage caused by their poster. Posting is limited to one poster on any allowed posting location and may not overlay other materials. Any banners must be mounted by Buildings and Campus Operations or their contracted vendor.

Manner

Posters are prohibited that display true threats, discrimination, harassment, intentional false advertising, invasion of privacy, or any other message that violates or encourages violation of law or university policy and codes of conduct[AA3] [AP4] [AP5] . The name and contact information for the staff, faculty, staff member, or student organization, academic or administrative unit responsible for the poster is required on the poster and must be visible to the reader.

All uses of The New School's name, wordmarks, logos, seal, and colors must comply with the university's **visual identity policy** **(https://www.newschool.edu/tools-training/visual-identity/)** . The following are the allotted size dimensions for printed materials:

- No larger than 8.5" by 11" for posters
- No larger than 18" by 24" for sandwich boards
- No larger than 24" by 24" for banners

While the university encourages and supports free expression and academic freedom, staff, faculty, students, recognized student organizations, and academic and administrative units are encouraged to consider the impact that their posters may have on The New School culture and the experience of their fellow university community members.

Enforcement

Failure to comply with this policy may result in disciplinary or conduct action up to and including removal from the university community. Additional consequences include, but are not limited to, denial of permission to display a poster, or the removal of a poster. All posters that do not abide by this policy will be removed.

The university does not have jurisdiction over posters displayed on non-university owned or leased property. As such, concerns related to posters displayed on non-university owned or leased property, feedback, and complaints should be reported to the New York Police Department.

Responsible University Officials

- Vice Provost for Student Success and Engagement
- Vice President of Buildings and Constructions

Responsible Office

- Student Success and Engagement
- Buildings and Campus Operations

Additional Information

See also **Registered Student Organization Posting Policy (https://app.getguru.com/card/cpGao5Ai/Registered-Student-Organization-Posting-Policy)** .

Contacts

Contact	**Phone Number**	**Email Address**
Student Leadership, Involvement, and Transition Experiences	212.229.5687	**sli@newschool.edu**
Buildings and Campus Operations	212.229.5456	**facilitiesmanagement@newschool.edu**

Designated Display Areas for Posters

Generally, posters may be hung on bulletin boards or pin-up surfaces within TNS residential, academic, support, administrative or leased buildings unless otherwise stipulated by the individual area. Postings on sheetrock walls, wood, glass, or other non-bulletin board surfaces will be removed by Buildings and Campus Operations. More specific area guidance is listed below; if a respective unit is not listed, generally identified areas like bulletin boards in those spaces are included in the scope of this policy.

Building A: 66 W 12th Street

- C502 Corridor: wall by Men's bathroom
- C601 Corridor: wall by the short stairs up
- C700 Elevator lobby: wall by the stairwell

Building B: 65 W 11th Street

- C000 Corridor
- 100 Lang Café: columns, wall near entrance
- C201 Corridor

- C200 Lobby
- C303 Corridor
- C400 Corridor

Building D: 79 Fifth Avenue / 6 E 16th Street

- C600 Elevator Lobby
- C702 Corridor: wall at entrance to room 707
- C800 Lounge
- 801 Café
- C801 Corridor
- L900 Lobby
- C900 Corridor
- L1000 Lobby
- C1000 Corridor
- L1100 Lobby
- C1100 Corridor
- 1204 Collaboration Area: wall adjacent to 1205 classroom

Building E: 25 E 13th Street

- C507 corridor

Building G: 80 Fifth Avenue

- All administrative and faculty offices

Building H: 72 Fifth Avenue

- 300 Lobby: wall by main elevator/ stair
- 400 Lobby: wall by main elevator/ stair
- 500 Lobby: wall by main elevator/ stair

- 600 Lobby: wall by main elevator/ stair
- 700 Lobby: wall by main elevator/ stair

Building I: 55 W 13th Street

- C100B Elevator Lobby
- C300 Elevator Lobby
- C301 Corridor: in front of window into stairwell
- C400A Lounge
- C402 Corridor: in front of window into stairwell
- C505 Lobby
- C507 Elevator Lobby
- C507A Lounge
- C511 Corridor
- C523 Corridor
- C600 Elevator Lobby
- C602 Corridor
- C604 Corridor
- C700 Elevator Lobby
- C701 Corridor
- C703 Corridor
- C801 Elevator Lobby
- C905 Corridor
- C904 Corridor

Building JJ: 39 W 13th Street

- All pinup surfaces in open areas are considered classroom/ studio spaces

Building L: 2 W 13th Street

- C102 Elevator Lobby
- C301 Corridor
- C302 Corridor
- C303 Corridor
- C304 Corridor
- C404 Corridor
- 406 Collaborative Workspace
- C501 Corridor
- 600 Open Workspace
- C601 Corridor
- C700 Lobby
- C701 Corridor
- C801 Corridor
- C803 Corridor
- C903 Corridor
- C1001 Corridor: wall in front of 1010 offices
- C1003 Corridor
- C1100 Corridor
- C1101 Corridor
- C1102 Corridor
- C1104 Corridor
- C1200 Corridor
- C1201 Corridor

Building N: 66 Fifth Avenue

- 200 Open Workshop Making Center
- C500 Corridor

- C501 Elevator Lobby
- C801 Corridor

Building UV: 63 Fifth Avenue, University Center

- Lower Level 2 - L205 Fitness Room: walls outside of entrance door, level 2
- Lower Level 2 - CL206 Elevator Lobby
- Lower Level 2 - CL208 Corridor: Wall next to lockers
- Lower Level 1 – L103 Events Café: one wall off double door entrance
- Lower Level 1 – C008 Corridor: column wall
- C206 Corridor: columns in dining hall
- C201 Corridor: drinking fountain niche
- C304 Corridor: walls by locker
- 309 Bloom Student Lounge
- C402 Corridor: Wall by Smith Student Resource Center 407
- C403 Lockers Corridor
- C404 Corridor: Wall by stair
- S400: wall by Stair 1
- C501 Corridor: wall adjacent to classroom 500, and around columns
- C502A Lockers
- C503 Lockers Corridor
- 505 Schwartz Concourse Student Lounge
- C601 Corridor in front of circulation desk
- C603 Elevator Lobby
- C604 Corridor: column in front of 616A & 616B

Building Z: 151 Bank Street

- 100 Lobby: around 1 column, wall by 103 faculty lounge

- C200 Corridor
- C201 Elevator Lobby

Electronic Bulletin Board Locations

- 55 West 13th Street Lobby
- 66 West 12th Street Lobby
- University Center Academic Lobby
- 6 East 16th Street Lobby
- 2 West 13th Street Lobby

RESPIRATORY PROTECTION POLICY

Purpose

- To establish a respiratory protection program to protect employees exposed to hazardous levels of air contaminants.
- To comply with the Occupational Health and Safety Administration's (OSHA) **Respiratory Protection Standard (29 CFR 1910.134)** **(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134)** .

Scope

The respiratory protection policy applies to all employees who wear respirators to prevent overexposures to harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors. Respirators are to be used when engineering controls (e.g., ventilation) are not feasible or while they are being instituted.

This policy applies to:

- All employees of the University, including but not limited to full-time and part-time faculty, staff, and technicians; temporary/seasonal employees; and student employees
- Interns and volunteers
- Contractors and vendors (these individuals must provide their own respiratory protection)

Definitions

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Allocating necessary funds to support compliance with the respiratory protection program.
    2. Enforcing compliance with the respiratory protection program and, where necessary, taking disciplinary actions in accordance with university policies and procedures as well as the relevant handbooks and collective bargaining agreements.
2. **Supervisors** are responsible for:
    1. Identifying potential airborne contaminants in each location they supervise and requesting a hazard evaluation by Environmental Health & Safety (EHS) to determine the need for respirator use.
    2. Notifying EHS of changes in the work area(s) and/or its processes/procedures that may introduce new or increased levels of airborne contaminants.
    3. Purchasing appropriate respirators identified by EHS for employees.

4. Monitoring and enforcing compliance with the policy including, but not limited to: inspection, use, proper maintenance, storage, disposal, and replacement of issued respirators as needed.
5. Scheduling initial and annual respiratory protection training for employees with EHS.
6. Coordinating with EHS for mandatory medical evaluation and fit-testing for employees. Fit-testing is not required for voluntary respiratory use.
7. Ensuring engineering controls that prevent or minimize airborne contaminants are maintained and notifying EHS of issues in a timely manner.

3. **All Employees** are responsible for:
    1. Complying with the policy: adhering to acceptable work practices; attending training; completing medical evaluation; completing fit-testing (if required); using, inspecting, properly maintaining, storing, and disposing of respirators.
    2. Notifying their supervisor of issues pertaining to the respirator such as improper fit, respirator defects, or medical conditions that may affect respirator use.
4. **Environmental Health and Safety (EHS)** is responsible for:
    1. Conducting exposure evaluations and selecting appropriate respirators.
    2. Providing training, fit-testing, and coordinating medical evaluations.
    3. Maintaining required records, periodically reviewing effectiveness of the policy, and updating it as needed.
5. **Human Resources** is responsible for:
    1. Reviewing and responding to communications from labor unions, health care providers, or employees raising personal medical issues/concerns regarding issues related to this policy and/or its application to an employee or employees.

Exposure Assessment

An exposure assessment is required to evaluate respiratory hazards and the necessity of respirator use. The **Exposure Assessment Form (Appendix A)** **(https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:96b642bf-8e06-478f-84fe-a6df39c0d7a2)** **(https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:96b642bf-8e06-478f-84fe-a6df39c0d7a2)** must be completed by the Supervisor and submitted to EHS.

Employees must wear respirators if the exposure assessment determines that the employees' exposure exceed established occupational exposure limits (OELs). Employees whose exposures do not exceed OELs may wear respirators voluntarily provided that respirator use will not in itself create a hazard.

Respirator Selection

EHS will select the appropriate NIOSH-certified respirator based on the exposure assessment.

Medical Evaluation

Employees who wear elastomeric (reusable) respirators either on a mandatory or voluntary basis, or disposable respirators on a mandatory basis, must be medically evaluated at no cost to the employees to determine their ability to use the respirator safely.

The medical evaluation consists of completing the OSHA Respirator Medical Questionnaire (available through EHS) and possibly a medical examination if deemed necessary by the University's authorized *physician or other licensed health care professional (PLHCP*).

The medical evaluation must be conducted before the employee begins wearing the respirator, and must be repeated if any of the following conditions occur:

- The employee reports medical symptoms related to the ability to wear a respirator,

- Changes in workplace conditions may result in a substantial increase in the physiological burden placed on the employee,
- If the PLHCP or EHS deems re-evaluation is necessary

All medical information will be kept strictly confidential by the PLHCP. However, the PLHCP must inform EHS if the employee is medically cleared or approved to wear the issued respirator.

Employees who do not pass medical clearance must not perform tasks that require respirator use until an alternative option is approved and provided.

Fit-Testing

Fit-testing must be completed after the employee has been medically cleared and before the employee is required to use a negative or positive pressure tight-fitting respirator to ensure a tight seal can be maintained between the facepiece and the employee's face.

Fit-testing must be repeated annually, when a different respirator model and/or size is used, and when there are changes in the user's physical conditions that could affect the tightness of the respirator's fit, including but not limited to: obvious weight gain/loss, facial scarring, cosmetic surgery or dental changes.

Employees cannot be fit-tested if there is facial hair that comes between the sealing surface of the respirator and the face or that interferes with valve function. If the employee cannot pass the fit-test, retesting must be done with a different respirator model and/or size.

Training

Supervisors must coordinate with EHS to ensure employees are trained on the respiratory hazards they are at risk of being exposed to and the specific respirator to be used.

Employees must be trained on the proper use of the respirator (including how to put it on and take it off), proper maintenance, limitations of the respirator, and respiratory hazards to which the employee may be potentially exposed to during routine and emergency situations.

Training must be conducted before the employee begins wearing the respirator and annually thereafter. Instances that warrant additional training include:

- Changes in the workplace or specific task that requires respirator use which may affect worker exposure.
- Change in the type of respirator, rendering previous training obsolete.
- Inadequacies in an employee's knowledge or use of assigned respirator indicating the employee has not been trained properly.

Employees who use respirators on a voluntarily basis must be provided a copy of **Appendix D: (Mandatory) Information for Employees Using Respirators When Not Required Under the Standard** **(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134AppD)** .

Respirator Use and Care

Respirators must be worn when employee exposure to airborne contaminants exceed established OELs, as confirmed by EHS. Respirators may be worn voluntarily when OELs are not exceeded.

Employees must inspect their issued respirators for defects prior to putting them on each time.

Employees who wear tight-fitting respirators must perform a seal check, per the manufacturer's instructions, to ensure a tight fit each time the respirators are worn.

Employees must wear the issued respirator properly, by following the manufacturer's instructions, when performing tasks that warrant its use.

Employees must not perform a task when the required respirator or appropriate cartridge/canister/filter is unavailable nor use a damaged or improperly fitting respirator.

Employees are responsible for properly storing, maintaining, and cleaning their issued respirators in accordance with the manufacturer's instructions.

Canister/Cartridge Change Schedule

Respirator canisters/cartridges must be replaced per the manufacturer's *end-of-service-life indicator (ESLI)*, if any, or based on a consultation with EHS to determine the appropriate change-out schedule.

Employees must not rely on odor thresholds or other warning properties (e.g., taste, respiratory irritation, etc.) as the basis for determining when the canisters/cartridges must be replaced.

Program Evaluation

EHS will periodically evaluate the respiratory protection policy and make changes as necessary.

References

29 CFR 1910.134 (https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134)

ACCIDENTS AND EMERGENCIES

Reporting Accidents and Emergencies

In the event of an accident or illness requiring medical assistance, the person needing assistance should be accompanied to the nearest hospital emergency room. If the person requires an ambulance, 911 should be called and all of the requested information given. Then call Campus Safety at 212.229.7001.

For all other incidents immediately contact the security guard at 212.229.7001.

Injury or Theft

Whenever an injury or theft occurs in university facilities, an **Incident Report** must be filed with the security guard for the building in which the incident occurs. If a theft of personal property is discovered, a complaint also should be filed with the local police precinct. Blank Incident Report forms are available at all Campus Safety posts..

Fire and Police involvement

In an event requiring either the Fire Department or the Police Department, dial 911 first, then the Campus Safety 24-hour hotline at 212.229.7001. The security guard will then be able to provide you and the responding police officers, fire fighters and/or ambulance attendants, with additional assistance.

Emergency Response Plan

In the event of an emergency, the university has established a response plan to be carried out by designated leaders across the university. Once decisions have been made, the community is informed of any changes or updates to university operations.

Emergencies covered:

- Snow and other weather-related emergencies
- Public health emergencies

- Fire
- Flooding
- Power Outages
- Chemical Spills
- Explosion
- Active threats
- Terrorism

Emergency Response Team

Staff members in the following roles are responsible for decision-making and carrying out the emergency response plan.

- Executive Vice President for Business & Operations
- Provost and Executive Vice President for Academic Affairs
- Vice Provost, Student Success
- Senior Vice Provost for Curriculum, Learning, and Academic Affairs
- Vice President for Human Resources
- Senior Vice President and the General Counsel
- Senior Vice President and Chief Information Officer
- Senior Vice President for Marketing & Business Development
- Vice President, Buildings and Campus Operations
- Senior Director for Campus Safety and Emergency Management

Emergency Communications

Emergencies are communicated to the community using the following channels:

- **New School Email** **(https://app.getguru.com/card/iqAexdKT/New-School-Email)**
- **New School Alerts** **(https://app.getguru.com/card/cLgq8Aoi/New-School-Alerts)**

- **University Status page** (https://www.newschool.edu/about/campus-information/university-status/)

Related Topics

- **Campus Safety Overview** (https://app.getguru.com/card/T94GkrMc/Campus-Safety-Overview)
- **Campus Safety App** (https://app.getguru.com/card/T5Ad5Xqc/Campus-Safety-App)
- **New School Alerts** (https://app.getguru.com/card/cLgq8Aoi/New-School-Alerts)
- **Annual Security Report** (https://app.getguru.com/card/ikAM4XET/Annual-Security-Report)

CAMPUS SAFETY OVERVIEW

Safety & Facilities > Campus Safety

The **Campus Safety** department's mission is to ensure a safe environment conducive to learning and teaching for The New School's staff and students. The department's primary focus is to develop and implement procedures and strategies that will promote a safe, caring, and disciplined climate free of violence, illegal drugs, and fear and to establish partnerships with students, staff, community leaders, and law enforcement agencies who will support the university's safety agenda.

The Campus Safety department includes Campus Safety and Campus Card Services.

What We Do

Campus Safety

Campus Safety is responsible for the safety and security of all community members, buildings, campus events and operations. In addition, the department:

- Ensures the safety and security of all campus buildings through stationed security personnel across campus facilities and dormitories, with 24/7 security office coverage
- Coordinates with local law enforcement to investigate and report incidents and crimes on campus
- Carries out fire safety procedures
- Oversees emergency management plans
- Manages crisis and emergency response training and procedures
- Maintains the **Campus Safety App** **(https://app.getguru.com/card/T5Ad5Xqc/Campus-Safety-App)** and **New School Alerts** **(https://app.getguru.com/card/cLgq8Aoi/New-School-Alerts)** system
- Manages university **Lost & Found** **(https://app.getguru.com/card/TRzKoyEc/Lost-Found)**
- Controls **Building Access** **(https://app.getguru.com/card/TbeReGEc/Building-Access)**

Each year, Campus Safety issues the **Annual Security and Fire Safety Report** **(https://app.getguru.com/card/ikAM4XET/Annual-Security-Report)** to report on crime statistics within the community and to provide guidelines for emergencies and security-related incidents.

Campus Card Services

Campus Card Services provides **ID cards** **(https://app.getguru.com/card/idAkBKMT/newcard-New-School-ID)** for all members of the New School community. These cards are used for building access, food service and many other support activities at the New School. This team also works to reach out to local vendors to provide discount pricing to our students. **CONTACT: newcard@newschool.edu** **(mailto:newcard@newschool.edu)**

Contact Campus Safety

IN PERSON: 68 Fifth Avenue, mezzanine level (The office is staffed 24 hours a day, seven days a week) **BY PHONE:** 646.909.4000

Emergency Phone Numbers

Life-Threatening Emergency: 911

Campus Safety (24 Hour): 212.229.7001

Student Medical Services: 212.229.1671, option 2

Student Counseling Services: 212.229.1671, option 1

Security Director's Office: 212.229.5101

DEMONSTRATIONS ON CAMPUS

Also known as "Guidelines on Demonstrations in University Facilities" and available on **the website (https://www.newschool.edu/student-conduct/demonstration-guidelines/)** .

Principles

The New School is committed by tradition and by its defining values to the freedom of speech, thought, inquiry, and artistic expression for all members of its community. It is equally committed to protecting the right of free speech of all individuals authorized to use its facilities or invited to participate in the educational activities of any of the university's academic divisions. The University vigorously reaffirms both its **Policy on the Free Exchange of Ideas (https://app.getguru.com/card/ijAL9yjT/Policy-on-the-Free-Exchange-of-Ideas)** , adopted by the Board of Trustees on January 21, 1987, and the **Statement on Freedom of Artistic**

Expression (https://app.getguru.com/card/iRALqLgT/Freedom-of-Artistic-Expression) , adopted by the Board on October 4, 1989. The **Policy on the Free Exchange of Ideas** (https://app.getguru.com/card/ijAL9yjT/Policy-on-the-Free-Exchange-of-Ideas) points out that:

"A university in any meaningful sense of the term is compromised without unhindered exchange of ideas, however unpopular, and without the assurance that both the presentation and the confrontation of ideas take place freely and without coercion. In this context and because of its distinctive, educational role as a forum for public debate, the university has deep concern for preserving and securing the conditions which permit the free exchange of ideas to flourish."

The exercise of free speech, including demonstrations, marches, rallies, leafleting and picketing and equivalent activities ("demonstrations"), has long been recognized as a legitimate form of self-expression in the university community. The University encourages exercise of free speech recognizing that at times the exercise of free speech and expression in a university community will result in exchanges that are heated, controversial, deeply passionate and even uncomfortable for members of the university community. The establishment of parameters for such activities does not arise from any desire by the University to control such activities or impose a civility code but, rather, is derived from the consonant principle that such activities must not materially disrupt other university functions or interfere with the freedom of others, or otherwise violate the rights of others.

Demonstrations that take place inside university facilities, including all university buildings and the enclosed courtyard areas they bound, always have great potential to disrupt normal functions. Hence, it is necessary to give particular attention to the rights of all members of the university community when demonstrations take place in these facilities.

As such, these Guidelines on Demonstrations in University Facilities establish rules for carrying out demonstrations – understood as speech activities and expression enjoying the basic protection of the right to free expression – in university facilities. They also establish procedures for supervising such demonstrations, protecting the rights of demonstrators, and protecting the rights of others

and the University. These Guidelines are structured to balance the University's desire to strongly encourage the exercise of free speech as well as political and community activism by its students, faculty and staff with the desire to prevent or minimize incidents that result in suspensions, expulsions, arrests and/or significant disruption of university operations.

The Elements of Time, Manner and Place

The exercise of the freedom of expression does not mean its unlimited expression at all times, in all possible manners, in all places. Universities are large communities whose many members cannot all simultaneously exercise the right of free expression. How it is exercised at a given time and place can significantly affect the ability of others to make use of their right.

The elements of time, manner and place are particularly relevant to speech and other expression when demonstrations are carried out in university facilities. The University's concern with these elements does not arise from a concern with demonstrations per se. Rather, it springs from the recognition that (1) the rights of individuals belonging to the university community or the public may well collide at such times, (2) the University has the responsibility to carry out its educational and administrative functions as well as to protect the rights of all members of the community, and (3) without prior content-neutral rules, any intervention to protect those involved in the demonstration, others in the university community, or the institution, may appear biased.

Hence, the regulation of the elements of time, manner and place of demonstrations is a legitimate and necessary concern of The New School. The following are intended to clarify the conditions that make possible the exercise of free expression for all members of the university community:

1. Members of the university community and outside guests shall have the right to peacefully protest any speaker, meeting or event, so long as the event being protested is able to continue without significant or material disruption. Any disruption including utterances of vocal dissent that, due to its repetitive or prolonged nature, inhibits the ability of the speaker(s) or other

persons in attendance from speaking will be deemed significant and material for the purpose of this policy.

2. Classes or other scheduled activities shall not be significantly or materially disrupted. A faculty member has discretion in determining what constitutes a significant or material disruption. For example, one faculty member may view a disruption that continues for 15 minutes as insignificant and immaterial due to the length of the class or activity whereas another instructor may view a disruption lasting only 5 minutes to be significant and material because it prevented the class or activity from continuing.
3. No person may enter or remain in a university owned or operated facility beyond that facility's normal operating hours.
4. Persons may not block or otherwise disrupt ingress and egress into and out of any facility that is owned or operated by the University or significantly impede the movement of people or disrupt regular or authorized activities in classrooms, offices, hallways, lobbies, studios, and laboratories.
5. Persons may not engage in any conduct that threatens the safety and well being of the campus community and must refrain from any conduct that involves any form of physical violence or physical intimidation.
6. Persons may not engage in any conduct that violates fire and building codes or any other code and regulation for public safety. Similarly, persons may not engage in any conduct that violates the University's policies and procedures, including the Code of Conduct, as well as any federal, state or local laws.
7. Many of the University's facilities abut public streets which are under the sole jurisdictional control of the New York City Police Department (NYPD) and not the University. It is the responsibility of those engaging in demonstrations on public sidewalks and streets to obtain the appropriate permits from NYPD.
8. Similarly, persons engaged in demonstrations alongside public streets and sidewalks should refrain from blocking or otherwise interfering with the free flow of pedestrian, vehicular or

bicycle traffic.

9. Organizations or persons sponsoring or organizing demonstrations, leafleting or equivalent activities will be responsible for compliance with these Guidelines and any related violation of applicable university policies and procedures. Each individual participating in a demonstration or other equivalent event is accountable for compliance with these Guidelines and other applicable university policy or procedure.
10. A substantiated complaint of a violation of these Guidelines and other university policy or procedure by a member of the University community may be grounds for discipline against individuals, the sponsoring or participating organizations, and/or organizing officers. The procedures for handling such disciplinary issues will be described below.
11. Any person who fails to identify him/herself to a university delegate or fails to heed to the warning from a university delegate that his/her conduct violates these Guidelines will face disciplinary action as outlined in Section V.
12. Persons unaffiliated with the University who engage in conduct that violates these Guidelines after being warned by a university delegate will be escorted off university premises and may be subject to civil or criminal prosecution.

Judicial Proceedings Following Violations of the Guidelines

Violations of these Guidelines are also violations of the University Code of Conduct. The Code of Conduct indicates that when members of the university community are alleged to have committed a violation, "they will be accorded the due process to which they are entitled. Members of the university community are granted a fair hearing: they are fully advised of any charges against them, they are afforded ample opportunity to respond to accusations, and they are given a clear explanation of the right to an appeal."

Individuals who are found to have violated these Guidelines or other university policies bearing on freedom of expression will be subject to a range of penalties. For students, the penalties indicated

in the Code of Conduct are:

- A warning that repetition of the wrongful conduct may be the cause for more severe sanctions following a clear instruction to desist
- Restitution for damage or loss to either university or individual property
- Placing the student on probation, so that a further violation of university rules and regulations while on probation may result in suspension or expulsion
- Restriction in the use of certain university facilities or the right to participate in certain activities or privileges for a specified period of time
- Suspension from all functions of the University for a stated period, and the possible requirement of a petition for readmission
- Expulsion from the University for violations judged to be so serious that the student is informed that readmission will not be considered

For faculty and staff members found to have committed a serious violation of university policy, the range of applicable penalties include: a written warning, probationary status, suspension (including suspension of salary), or the termination of appointment.

The above listed penalties may be in addition to, and separate from, any penalties or liabilities pursuant to the laws of the United States, State of New York, or City of New York. The University may, at its discretion, depending on the gravity of the violation, file a criminal or civil complaint with the appropriate public official.

NEW SCHOOL ALERTS

New School Alerts is a notification system designed to provide quick and reliable mass communication to students, faculty, and staff regarding potential or actual emergencies. The New School Alerts system will send messages to cell phones (text and voice), landlines, and email addresses during a crisis or urgent situation affecting The New School. The system might be used, for example, to alert The New School community about weather-related school closings or a situation that could affect safety on campus.

Contact **Campus Safety (24 Hour)** at 212.229.7001, or 911 in a life-threatening emergency. The **Campus Safety Office** is located in the *Sheila C. Design Center* (M) at 68 Fifth Avenue, mezzanine level (see **Campus Map (https://app.getguru.com/card/iyAbqbbT/University-Wayfinding)**).

Instructions

Sign Up for Alerts and Update Contact Preferences

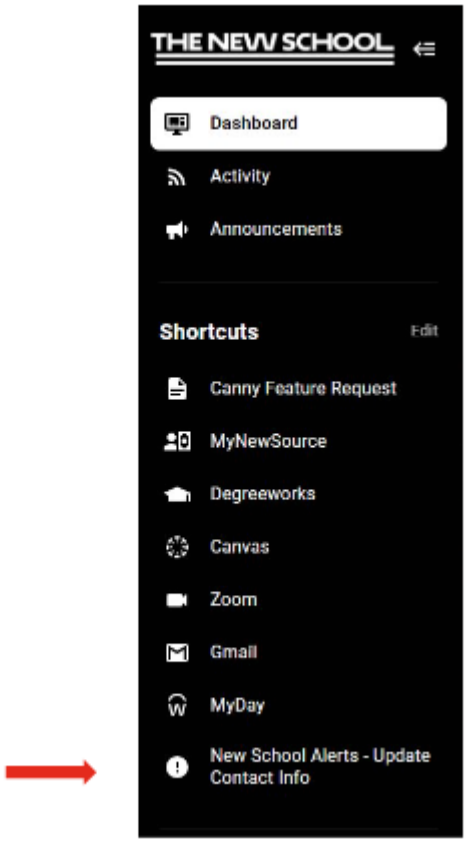
Note: The cell phone number you provide may be used for official university purposes. The New School may send approved communications to you via text message. As required by law, you will be provided with the ability to opt out. The next instructions will allow you to opt out of receiving text alerts through New School Alerts.

1. Navigate to your New School Alerts Profile page by signing in to New School Alerts one of two ways:
    1. Use your SSO credentials to access New School alerts directly at:

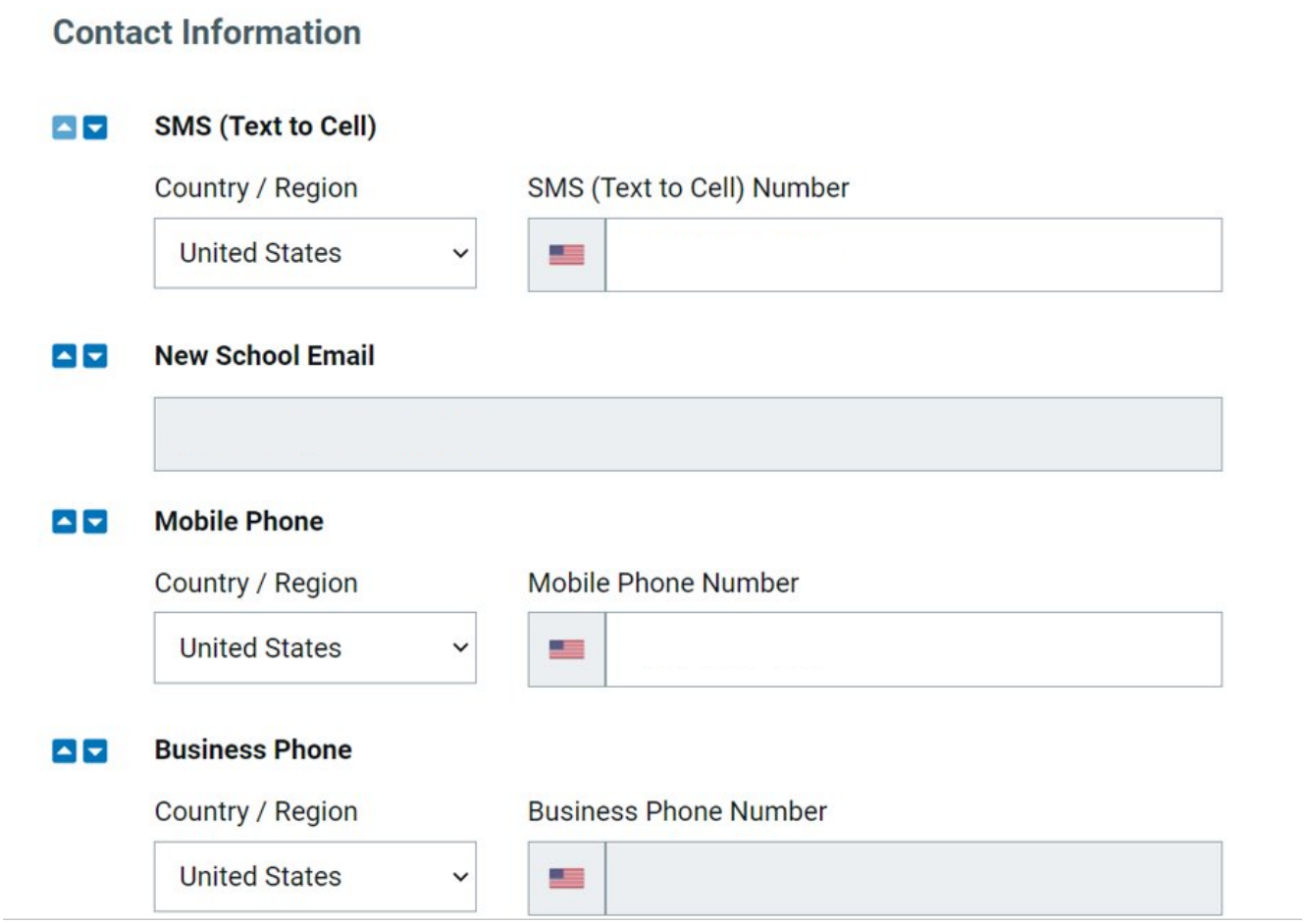
       https://member.everbridge.net/saml/login/TNS/453003085612681/alias/defaultAlias?disco=true

       (https://member.everbridge.net/saml/login/TNS/453003085612681/alias/defaultAlias?disco=true)
        1. Click on **My Profile (Edit)**.
    2. Sign into MyNewSchool by visiting **my.newschool.edu (https://my.newschool.edu/)**

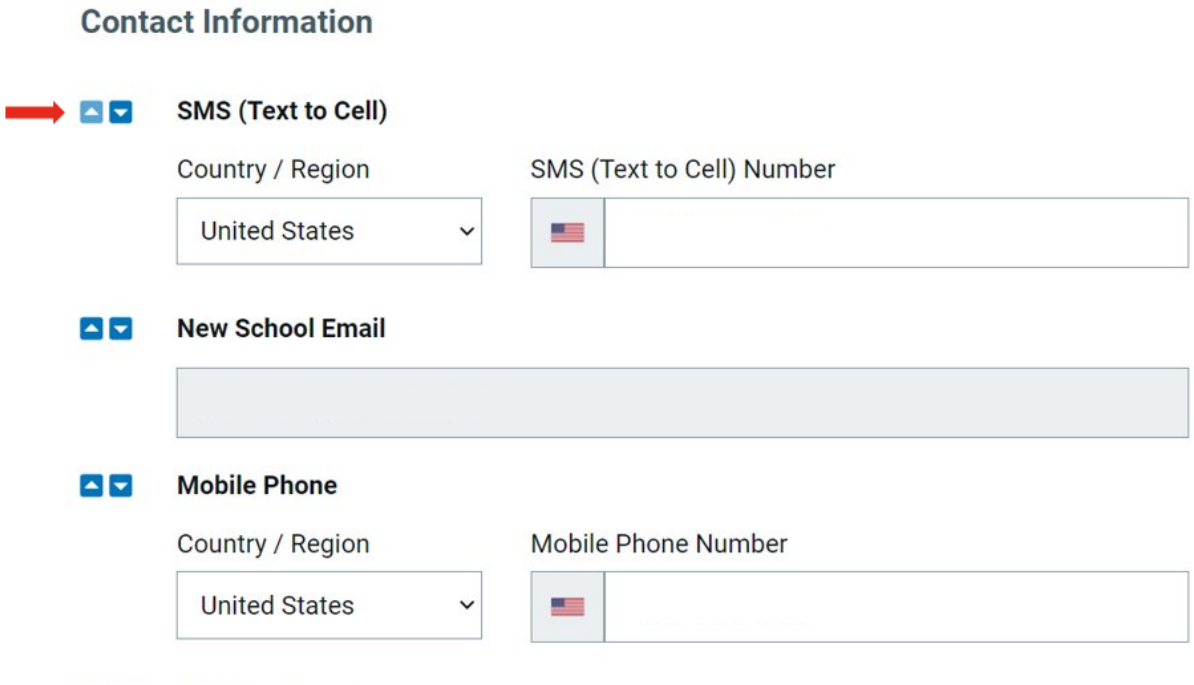
1. Under the Shortcuts section of the navigation menu, Click on **New School Alerts- Update Contact Info**.



2. Sign in using your TNS SSO credentials (NetID and password).
3. Click on **Update Alerts Contact Info** > **My Profile (Edit)** and enter or update your contact information:
    1. The **SMS (Text to Call)** number will receive a text message notification
    2. The **Mobile Phone** number will receive a phone call and voicemail if not answered
    3. Your **New School Email** will receive an email notification



4. Use the **blue arrows** to indicate your preference for notifications, placing your preferred mode of contact at the top and arranging all other modes in the order in which you wish to be notified.
    1. ***Tip:*** *To ensure messages are received as quickly as possible, we encourage all students, faculty, and staff to enroll in* ***SMS (Text to Cell)*** *alerts and indicate that mode of contact as their #1 preference. Please note that message and data rates may apply.*



5. Hit **Save** to update your preferences.

Opt Out of SMS Text Messages

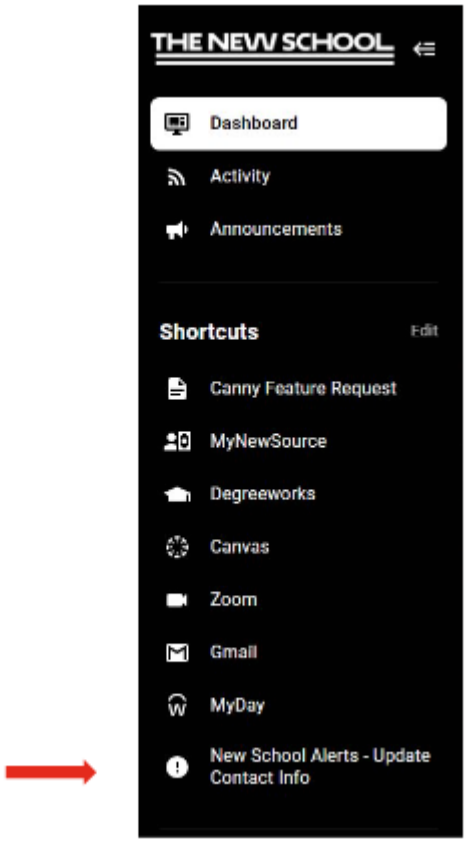
1. Navigate to your New School Alerts Profile page by signing in to New School Alerts one of two ways:
    1. Use your SSO credentials to access New School alerts directly at:

       https://member.everbridge.net/saml/login/TNS/453003085612681/alias/defaultAlias?disco=true

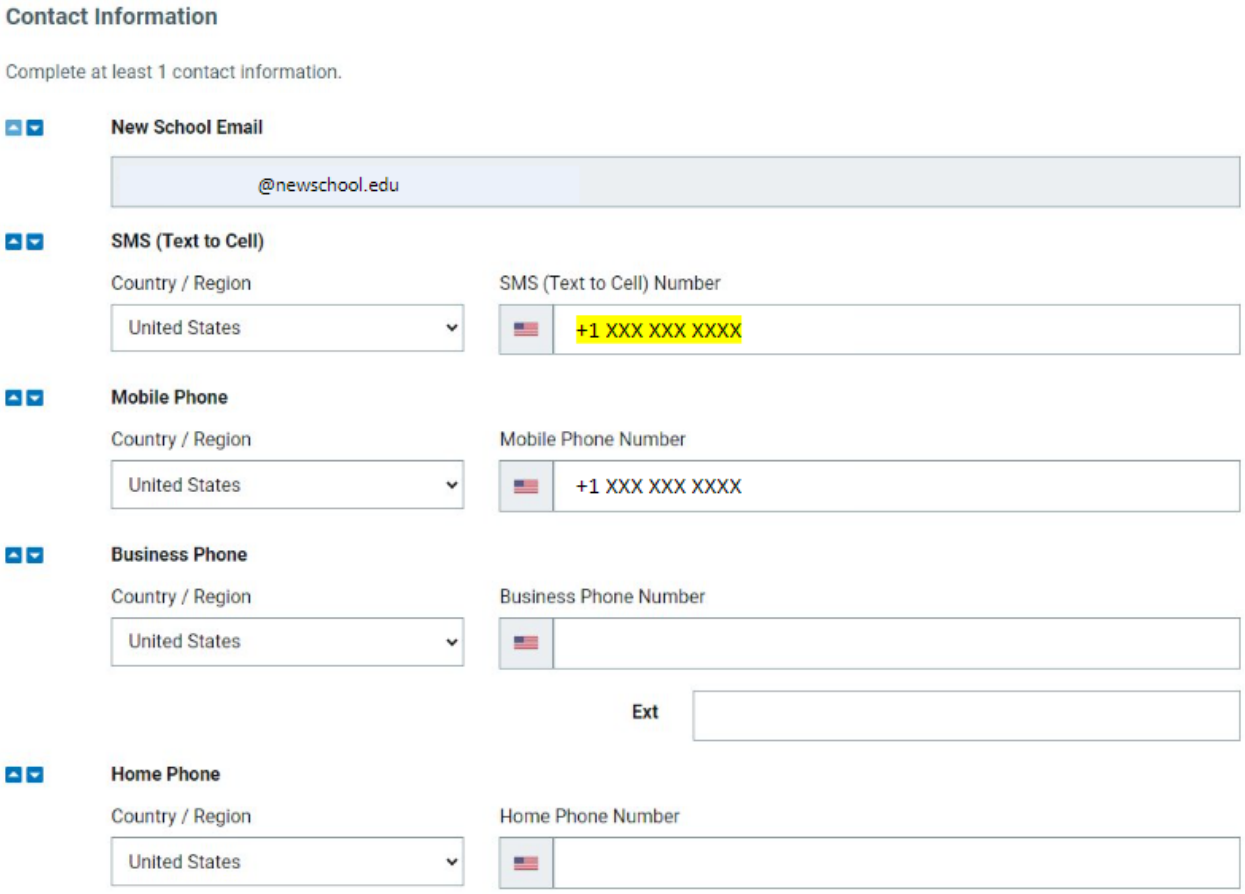
       (https://member.everbridge.net/saml/login/TNS/453003085612681/alias/defaultAlias?disco=true)
        1. Click on **My Profile (Edit)**.
    2. Sign into MyNewSchool by visiting **https://my.newschool.edu/**

       (https://my.newschool.edu/)

1. Under the Shortcuts section of the navigation menu, Click on **New School Alerts-Update Contact Info**.



2. Sign in using your TNS SSO credentials (NetID and password).
3. Click on **Update Alerts Contact Info** > **My Profile (Edit).**
4. Highlight and then delete your number in the the SMS (Text to Cell) Number field.



5. Hit 'Save' at the bottom of the screen to delete your number from the system and opt out of receiving text messages.

FAQs

What is the Emergency Alert Program?

This service allows you to receive notifications via phone calls, text messaging, e-mail and more based on contact information you provide.

When will it be used?

This system will be used to notify you about imminent threats to health and safety as well as informational notifications that affect your locations or work environments. Administrators will send notifications regarding severe weather, police activity and more.

Will I still get emergency notifications if I don't sign up?

Yes, you will receive notifications via your New School e-mail.

What if my phone number or email address changes?

The system is only as good as the information you provide. If your contact information changes, you can always visit your profile and update your information. Please follow the above instructions to log in to **my.newschool.edu** **(https://my.newschool.edu/)** and update your preferences in the *General* tab under the *Tools* section in the navigation bar.

Will my contact information be shared with others?

No. The information that you provide will be used only by The New School for notification purposes. We will not give or sell your contact or location information to any vendor or other organization.

Additional Safety Resources

- **Campus Safety App** **(https://app.getguru.com/card/T5Ad5Xqc/Campus-Safety-App)**
- **Campus Safety Guide** **(https://www.newschool.edu/campus-safety/safety-guide)**
- Student safety tips provided by the NYPD and MTA Police: **student-safety-tips.pdf** **(https://content.api.getguru.com/files/view/e417c971-3df3-462b-a982-07ef8f1072e7)**
- Contact the Campus Safety Director at **CampusSafety@newschool.edu** **(mailto:campussafety@newschool.edu)** to arrange specialized safety training for your office

or building.

ALL GENDER RESTROOM MAP

All Gender Restrooms have gained prominence in recent years as a progressive step towards creating more inclusive environments. With half of the restrooms on our campus now designated as All Gender Restrooms, these facilities offer an inclusive and accommodating space for individuals of all gender identities. This article aims to discuss the goals and benefits associated with All Gender Restrooms, highlighting their capacity and fixture signage as key elements in promoting accessibility and fostering a more inclusive campus community.

The presence of All Gender Restrooms brings about several benefits, both for individuals and the campus community as a whole:

1. Accessibility and Convenience: All Gender Restrooms increase restroom availability for individuals who may encounter difficulties or discomfort when using gender-specific facilities. This enhanced accessibility ensures that everyone has equal access to restroom facilities, regardless of their gender identity or expression.
2. Privacy and Safety: All Gender Restrooms prioritize privacy and safety by providing individual enclosed spaces or stalls. This feature addresses concerns regarding personal security and allows individuals to use the restroom without fear of judgment or harassment, fostering a sense of safety and comfort.
3. Nurturing Inclusivity and Understanding: All Gender Restrooms encourage dialogue, awareness, and understanding about diverse gender identities. By promoting a campus environment that acknowledges and respects individual differences, these facilities contribute to the overall cultural competency and inclusivity of the campus community.

Signages and Communication:

The signage of All Gender Restrooms plays a vital role in communicating important information to users. Signage typically includes indicators of capacity and fixtures, such as the number of stalls, urinals, and sinks, allowing individuals to make informed decisions based on their personal needs. This transparent approach empowers users to navigate restroom facilities comfortably, fostering a sense of control and understanding.

CAREGIVERS SUPPORT MAP

The **Caregivers Support Map** is a valuable resource designed to assist caregivers in finding lactation rooms and changing tables within our facilities. Its purpose is to enhance convenience and accessibility for caregivers, empowering them with knowledge and supporting their caregiving responsibilities. By highlighting the locations of these facilities, the map promotes inclusivity, improves the caregiver experience, and fosters a nurturing environment.

The Caregivers Support Map utilizes an interactive digital platform, allowing caregivers to easily search for lactation rooms and changing tables based on their current location or specific facilities. Clear markers and indicators on the map facilitate swift and accurate identification of these amenities. Our organization is committed to supporting caregivers and their diverse needs, and the Caregivers Support Map is a testament to this dedication. Through its use, we aim to create a culture of compassion and understanding while providing caregivers with the information they need to enhance their caregiving experience.

Click here to download a copy. **(https://content.api.getguru.com/files/view/8dca52fe-7201-4edf-81ac-d0c8b84f24c1)**

BLOODBORNE PATHOGENS EXPOSURE CONTROL PROGRAM

Purpose

- To establish an Exposure Control Plan to minimize employees' exposure to bloodborne pathogens.
- To comply with the requirements of the Occupational Safety and Health Administration's (OSHA) Bloodborne Pathogens Standard.

Scope

Bloodborne pathogens (BBP) are disease-causing agents carried in the blood and certain body fluids of infected individuals. Employees who may be exposed to these potentially infectious materials during the course of their routine job tasks are, per OSHA, "reasonably at risk" of bloodborne pathogens that can cause diseases including Hepatitis B, Hepatitis C, and Human Immunodeficiency Virus (HIV).

The **Bloodborne Pathogens Exposure Control Program** applies to all employees of The New School reasonably at risk of exposure to bloodborne pathogens.

Definitions

Engineering controls: devices that isolate or remove the bloodborne pathogens hazard such as sharps disposal containers, self-sheathing needles, needle-less systems, and sharps with engineered sharps injury protection.

Good samaritan act: first aid or cardio-pulmonary resuscitation (CPR) performed by an employee who is not a trained or designated first aid provider.

HBV: hepatitis B virus, the disease-causing agent of hepatitis B.

HIV: human immunodeficiency virus, the disease-causing agent of Acquired Immune Deficiency Syndrome (AIDS).

Other potentially infectious materials (OPIM): human body fluids; any unfixed human tissue or organ (other than intact skin); HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions.

Parenteral: piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.

Occupational exposure: Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or OPIM that may result from the performance of the employee's duties.

Regulated waste: liquid or semi-liquid blood or OPIM, items contaminated with blood or OPIM and which would release these substances in a liquid or semi-liquid state if compressed, items caked with dried blood or OPIM and are capable of releasing these substances during handling, contaminated sharps, and pathological or microbiological waste containing blood or OPIM.

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Sharps: any object or device that can penetrate the skin such as needles, blades, broken glass, etc.

Source individual: any person whose blood or OPIM may be a source of an occupational exposure to employees.

Universal precautions: OSHA's required method of control to protect employees from exposure to all human blood and OPIM. It is the concept of bloodborne disease control that requires all human blood and certain body fluids are treated as if known to be infectious for HIV, HBV, or other bloodborne pathogens.

Work practice controls: practices that reduce the likelihood of exposure by changing the way a task is performed.

Responsibilities

1. **Responsible Individuals** are responsible for:
    1. Allocating necessary funds to support compliance with the Bloodborne Pathogens Exposure Control Plan.
    2. Enforcing compliance with the Plan, and when necessary, taking disciplinary actions in accordance with applicable collective bargaining agreement procedures.
2. **Supervisors** are responsible for:
    1. Notifying Environmental Health & Safety (EHS) of job titles with reasonable risk of bloodborne pathogens exposure and the procedures/tasks that put employees at risk.
    2. Notifying EHS of any new or modified job titles, tasks, or procedures that affect occupational exposure to bloodborne pathogens.
    3. Scheduling initial and annual training for employees.
    4. Coordinating with EHS to ensure employees obtain the Hepatitis B vaccine or submit the Hepatitis B Vaccine Waiver (Appendix A) to EHS.
    5. Ensuring appropriate personal protective equipment (such as gloves), spill supplies, regulated waste containers, and appropriate engineering controls are readily available and used properly by employees. Refer to The New School's **Personal Protective Equipment (PPE) Policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** for details.

6. Notifying EHS promptly after an exposure occurs and ensuring post-exposure procedures are followed including completion of the Incident Report with Security Dept. and the required forms in the Bloodborne Pathogens Exposure Kit (Appendix B).
7. Monitoring and enforcing compliance with the Bloodborne Pathogens Exposure Control Plan.

3. **All employees with reasonable risk of exposure** are responsible for:
    1. Complying with the policy: attending training, wearing PPE as needed, reporting to the licensed healthcare provider to receive the Hepatitis B vaccine or submitting the **Hepatitis B Vaccine Waiver form (https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)** to EHS, and complying with all applicable sections of the Bloodborne Pathogens Exposure Control Plan.
    2. Immediately notifying their Supervisor of any safety issues and exposure incidents involving bloodborne pathogens.
4. The **Assistant Director for Environmental Health and Safety (EHS)** is responsible for:
    1. Identifying employees for inclusion in the Bloodborne Pathogens Exposure Control Program.
    2. Implementing and monitoring compliance with the Program.
    3. Reviewing the policy annually and updating it as needed.
    4. Providing information, training, and clarification of the Program.
    5. Conducting an exposure determination and updating it as needed.
    6. Coordinating Hepatitis B vaccinations with Supervisors as needed.
    7. Monitoring employee exposure to bloodborne pathogens and conducting post-exposure investigations.
    8. Maintaining records for training, sharps injury log, hepatitis B vaccine waiver, post-exposure incident report, consent forms, and written opinion of licensed healthcare providers for post-exposures.

9. Providing PPE in accordance with the **PPE policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** .
10. Providing BBP spill kits as needed.
11. Scheduling pick-ups of regulated medical waste (except for Student Health Services).

5. **General Counsel's Office** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving bloodborne pathogens.
6. **Human Resources** is responsible for:
    1. Maintaining accurate OSHA 300 logs including privacy cases involving all work-related needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material.
7. **The Director of Medical Services, Student Health Services**, is responsible for:
    1. Obtaining input annually from non-managerial employees responsible for direct patient care and who are potentially exposed to contaminated sharps, in the identification, evaluation, and selection of effective engineering (i.e., safer medical devices) and work practice controls.
    2. Documenting the consideration and implementation of safer medical devices during the annual review.
    3. Notifying EHS of any new or modified job titles, tasks, and procedures that affect occupational exposure to bloodborne pathogens.
    4. Properly managing regulated medical waste generated by Student Health Services.
8. **The Director of Security** is responsible for:
    1. Maintaining and forwarding copies of Incident Reports involving bloodborne pathogens exposures to Human Resources and EHS.
    2. Ensuring the Bloodborne Pathogens Post-Exposure Kit is available at every security post.
9. **The Vice President of Buildings and Campus Operations** is responsible for:

1. Ensuring The New School's facilities are maintained in a clean and sanitary manner.
2. Ensuring staff follows decontamination procedures after contact with blood and OPIM.
3. Managing regulated waste (outside of Student Health Services' facility).
4. Maintaining adequate supplies of EHS-approved disinfectants, bloodborne pathogens spill kits, and other necessary supplies.

10. **Director of Housing and Residential Education** is responsible for:
    1. Ensuring housing staff and dormitory residents are informed of and comply with best management practices for regulated medical waste.

Exposure Determination

The New School must identify all workers exposed to blood and OPIM without regard to PPE, review all processes and procedures with exposure potential, and re-evaluate when there are changes to the processes and procedures. Tasks that involve reasonable risk of exposure include but are not limited to: handling regulated medical waste; cleaning or decontaminating equipment or working surfaces contaminated with blood and OPIM; handling human blood, tissues, or body fluids; handling laboratory specimens; providing medical care, providing first aid, and emergency response.

Job classifications in which all employees have occupational exposure include:

- Student Health Services: Senior Director of Medical Services, Assistant Director of Medical Services, Physician Assistants, Nurse Practitioner, Physician.
- Buildings: Cleaning Senior Foreman, Cleaning Foreman, Porter, Superintendent, Chief Engineer, Engineer, Assistant Director for EHS, Director of Fire and Safety
- Making Center: Technician, Facilities Manager, Technical Manager, Assistant Manager

Job classifications in which some employees have occupational exposure include:

- Buildings: Handyperson/HVAC

- Security: Security officer
- Making Center: Director of Making Center, Associate Director of Making Center.

Methods of Exposure Control

1. **Universal Precautions**
    1. Universal precautions must be used by employees at all times when handling blood, OPIM, or contaminated equipment or working surfaces.
    2. All body fluids must be considered potentially infectious materials if differentiation between body fluid types difficult or impossible.
2. **Engineering and Work Practice Controls**
    1. Engineering and work practice controls must be used to eliminate or minimize exposure to employees.
    2. Personal sharps containers are available from Student Health Services, Residence Hall staff, EHS, and every Security post.
    3. Wall-mounted sharps containers are located in designated bathrooms in each New School building.
    4. Employees must wash their hands or flush their eyes with water as soon as feasible after contact with blood or OPIM.
    5. Employees must practice good hand hygiene by washing hands immediately after removing gloves or other PPE.
    6. If handwashing facilities are not readily accessible, employees must use antiseptic hand cleansers in conjunction with clean cloth/paper towel or antiseptic towelettes. Hands must then be washed with soap and water as soon as it is feasible.
    7. Contaminated needles or other contaminated sharps shall not be sheared, broken, or recapped or removed. If recapping is needed for a medical procedure, it must be done using a mechanical device or a one-handed technique.

8. Eating, drinking, smoking, applying lip balm or cosmetics, or handling contact lenses are prohibited in areas where there is reasonable likelihood of occupational exposure.
9. Food and drink shall not be kept/stored in areas where blood or OPIM are kept.

3. **Personal Protective Equipment (PPE)**
    1. PPE must be used if occupational exposure risk remains after implementation of engineering and work practice controls.
    2. Employees will be provided PPE for bloodborne pathogens at no charge.
    3. PPE must be used to prevent direct contact with blood and OPIM.
    4. Employees will be trained to use the PPE by their Supervisors in accordance with The New School's **PPE Policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** . EHS is available to provide assistance upon request.
    5. At minimum, employees will be provided with disposable gloves, and other PPE (e.g., surgical mask combined with eye protection, face shield, apron) whenever there is a risk of splash/spray/splatter/ or droplets of blood or OPIM may be generated.
    6. PPE must be replaced when torn, punctured, or when their ability to function as a barrier is compromised.
    7. Disposable clothing must be used during clean-up/decontamination of blood or OPIM and disposed of as regulated waste.
    8. Laundering service must be provided when reusable PPE is provided. Use of additional personal protective equipment will be in accordance with the **PPE Policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** .
4. **Housekeeping**
    1. All equipment and working surfaces contaminated with blood or OPIM must be cleaned and decontaminated promptly.
    2. Facilities Management staff must use NYSDEC and EPA registered tuberculocidal disinfectants for the cleaning of blood or OPIM.

3. Facilities Management staff must use bloodborne pathogen bodily fluid spill kits during cleanup/decontamination of blood or OPIM depending on the degree of anticipated contamination.
4. Receptacles intended for reuse potentially contaminated with blood or OPIM must be inspected and decontaminated on a regularly scheduled basis and cleaned and decontaminated promptly upon visible contamination.
5. Contaminated broken glassware must not be picked up directly with the hands. Mechanical means such as brush and dustpan, tongs, or forceps must be used.

Post-exposure Procedures

A bloodborne pathogens exposure involves any specific eye, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or OPIM. Areas of the body exposed to bloodborne pathogens or OPIM must be immediately washed with soap and water. Eyes or mucous membranes must be flushed with copious amounts of running water.

The employee should notify his or her Supervisor immediately (i.e., during the work shift in which the exposure occurred) of the bloodborne pathogens exposure. Complete the Incident Report form available from a New School Security Officer. The Supervisor must forward the completed Post-Exposure Incident Report and other applicable forms (Appendix B: Part A, B, C & D) to EHS.

The completed **Sharps Injury Log form (Appendix C)** **(https://drive.google.com/file/d/1Y3T55vQgHqtLpfKR-jup_NDa0IwGX4ff/view?usp=sharing)** must also be completed if the exposure involves contaminated sharps.

Employees who experience a bloodborne pathogens exposure will be offered a confidential medical evaluation and treatment at no cost, and at a reasonable time and place. Medical evaluation and treatment will be provided according to the current recommendations of the U.S. Public Health Service. **Note:** Post-exposure procedures are also available to employees who incur a bloodborne

pathogens exposure as a result of a Good Samaritan act.

If the employee agrees to a medical evaluation, the Supervisor must refer the employee to The New School's authorized licensed medical provider (Appendix B, Part D). The post-exposure medical evaluation includes:

- Laboratory tests by an accredited lab
- Medical evaluation
- Identifying and the source individual, if feasible
- Testing the exposed employee's blood with his or her consent
- Post-exposure prophylaxis
- Counseling
- Evaluating reported illnesses

The healthcare provider will be given a copy of the Bloodborne Pathogens Standard, as well as the Employee Post-Exposure Incident Report, Evaluation of Exposure Incident, Source Individual's Consent or Refusal for HIV, HBV, HBC Infectivity Testing. The documents include:

- A description of the employee's duties as they relate to the exposure incident
- Documentation of the routes and circumstances of the exposure
- The results of the source individual's blood testing, if available
- All medical records relevant to the appropriate treatment of the employee, including vaccination status.

The health care provider will provide a written medical opinion to EHS. EHS will provide a copy to the employee within 15 days of receipt of the report. The report will indicate the following as required by OSHA:

- If Hepatitis B vaccination was recommended and whether or not the exposed employee received the vaccine,

- The employee has been informed of the results of the medical evaluation and told of any medical conditions resulting from the exposure to blood which require further evaluation or treatment.

All medical records must remain confidential and require the exposed employee's specific written consent for anyone to release the records. Medical records are provided upon request of the employee or anyone having written consent of the employee within 15 working days. Such requests should be sent to the medical provider.

Hepatitis B Vaccination

Hepatitis B vaccinations will be made available at no cost to employees with occupational exposure within 10 working days of initial assignment. Employees have the right to decline the vaccination but may choose to receive the vaccination at a later date, upon request to his/her Supervisor.

The Supervisor must inform EHS of employees who choose to receive the Hepatitis B vaccination and ensure the employee is available to receive the vaccine. The New School must compensate employee for his/her time during all activities associated with receiving the vaccine, even during the employee's regular work-hours.

Employees who choose not to receive the Hepatitis B vaccination must complete the **Hepatitis B Vaccination Waiver form (Appendix A) (https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)** .

Label and Signs

Warning signs and labels must be posted to communicate bloodborne pathogen hazards. Warning signs and labels will be affixed to:

- Refrigerators or other containers used to store blood or other potentially infectious materials.
- Restricted areas

Red bags or containers bearing the biohazard warning label will be used for storing blood and other potentially infectious materials. The biohazard warning label has a red background with black ink and includes the symbol for biohazards. See below for an example:

Red, leak-proof, puncture resistant sharps containers will be used to store needles and other sharps.

Regulated Waste

Regulated waste must be placed in designated red bags and sharps containers. Red bags or sharps containers must only be filled up to 80% of their capacity as a precaution.

Disposal of regulated waste must be coordinated with Facilities Management. Student Health Services will coordinate pick-up of its regulated waste generated directly with the authorized waste contractor.

Full personal sharps containers should be returned to Student Health Services, Residence Hall staff, or EHS for disposal. Sharps may also be discarded in wall-mounted sharps containers in designated restrooms in each New School building.

Information and Training

All employees with occupational exposure to bloodborne pathogens must attend training at initial assignment and annually thereafter. Supervisors must schedule their employees for training with EHS.

Training includes the following information:

- An overview of the OSHA Bloodborne Pathogens standard
- A description of The New School's bloodborne pathogens exposure control plan and how to obtain a copy
- Epidemiology and symptoms of bloodborne diseases
- Modes of transmission of bloodborne pathogens
- How to recognize tasks that involve blood or OPIM
- Hepatitis B vaccine
- Use and limitations of exposure control methods: engineering controls, work practices, PPE
- Post-exposure procedures and benefits

Record keeping

EHS will maintain training records, vaccine waiver forms, employee post-exposure incident report, evaluation of exposure incident, consent forms, Health Care Professional's Written Opinion For Post-Exposure Evaluation, and the Sharps Injury Log.

The licensed medical provider will maintain medical records for the duration of the employees' employment plus 30 years as required by OSHA.

Program Evaluation

EHS will evaluate The New School's **Bloodborne Pathogens Exposure Control Plan** annually and update it when necessary.

Additional Information

Appendices

- **Appendix A - Hepatitis B Vaccination Waiver (https://drive.google.com/file/d/1K8Un_mWv9OP8pgsKrcs4zdXpiNClNI6E/view?usp=drive_link)**
- **Appendix B - Bloodborne Pathogens Exposure Kit (https://drive.google.com/file/d/1DqFLj8BhPJPbKcgFFd2bQ_iom8B0rJvw/view?usp=drive_link)**
  - Part A - Post-Exposure Incident Report
  - Part B - Source Individual's Consent or Refusal for HIV, HBV, & HCV Infectivity Testing
  - Part C - Refusal of Post-Exposure Medical Evaluation Following Bloodborne Pathogens Exposure
- **Appendix C - Sharps Injury Log Form (https://drive.google.com/file/d/1Y3T55vQgHqtLpfKR-jup_NDa0IwGX4ff/view?usp=sharing)**

References

OSHA Bloodborne Pathogens Standard (29 CRF 1910.1030)

(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030)

CHEMICAL HYGIENE PLAN

Purpose

The purpose of this policy is:

- To establish procedures to protect laboratory employees from hazardous chemical exposures.
- To comply with the requirements of the Occupational Safety and Health Administration's (OSHA) Occupational Exposure to Hazardous Chemicals in Laboratories Standard (29 CFR 1910.1450).

Scope

Laboratory employees work with relatively small quantities of chemicals on a non-production basis. The **Chemical Hygiene Plan (CHP)** applies to all employees of the University who work in laboratories, including but not limited to full-time and part-time faculty, staff, assistants, technicians, and student employees.

Definitions

Extremely hazardous substance: select carcinogens, reproductive toxins, and substances with a high degree of acute toxicity (Permissible Exposure Limit of <2 mg/m3 or 2 parts per million).

Hazardous chemical: a chemical that poses a physical or health hazard.

Physical hazard: hazardous materials that threaten your physical safety. Physical hazards include materials that are flammable, combustible, reactive, explosive, oxidizing, water or chemical sensitive, and compressed gases.

Health hazard: chemicals from which exposure can lead to adverse health effects. Examples of health hazards include irritants, toxic substances, corrosives, carcinogens, sensitizers, and chemicals that target specific body organs or systems.

New processes or equipment: any new equipment or process used in the laboratory that could possibly expose employees to a hazardous material.

Responsibilities

1. **Chemical Hygiene Officer (CHO)**

   The University designates the Assistant Director for Environmental Health & Safety as the Chemical Hygiene Officer responsible for:

   1. Implementing the CHP, conducting an annual review, and updating the CHP as needed.
   2. Providing information and training for the CHP.
   3. Monitoring employee exposure to hazardous chemicals as needed.
   4. Monitoring the procurement, use, and disposal of chemicals.
   5. Reviewing the use of extremely hazardous substances and recommending guidelines based on a review of the chemical hazards.
   6. Assisting with development of chemical hygiene policies and Standard Operating Procedures as needed.
   7. Assisting Project Managers in the review of plans for new or renovated laboratories where chemicals are used.

2. **Assistant Chemical Hygiene Officer (ACHO)**

   The University designates the Director of University Academic Science Labs as the ACHO responsible for:

   1. Monitoring compliance with the CHP including, but not limited to: chemical hygiene rules, functioning of engineering controls, availability and use of appropriate personal protective equipment, and availability/testing of emergency equipment (e.g., eyewash testing,

emergency shower, first aid kit & fire extinguisher).

2. Maintaining required signage for the lab.
3. Ensuring required certifications are maintained by designated lab staff.
4. Ensuring all employees attend mandatory training.
5. Maintaining a current chemical inventory of hazardous chemicals and submittal to the CHO annually.
6. Ensuring Safety Data Sheets (SDS) are accessible to employees during their work shift.
7. Ensuring chemical containers are properly labeled.
8. Informing the CHO of changes that may affect employee exposures to hazardous chemicals including new hazardous chemicals (particularly of extremely hazardous substances), procedures, or equipment, and participating in their review and approval prior to use.
9. Notifying employees of results of any exposure monitoring results provided by the CHO.
10. Developing lab-specific Standard Operating Procedures (SOPs) with the CHO.

3. **Laboratory Supervisor** is responsible for:
    1. Ensuring full development/implementation and compliance with the lab-specific CHP.
    2. Communicating the CHP to all affected employees.
4. **All Employees** are responsible for:
    1. Complying with the CHP: attending training, practicing good chemical hygiene, and following all applicable standard operating procedures.
    2. Notifying their Supervisor of health and/or safety hazards.
    3. Notifying their Supervisor of injuries or illnesses associated with chemical exposure.
5. **The General Counsel's Office** is responsible for:
    1. Reviewing any correspondence with or issues raised by labor unions regarding this policy; and
    2. Communicating with employees and/or their healthcare providers regarding any medical concerns or issues that arise from or relate to hazardous chemicals used by employees,

including but not limited to a request for an accommodation relating to this policy.

Standard Operating Procedures

The laboratory shall develop, implement, and adhere to lab-specific Standard Operating Procedures (SOPs) where deemed necessary by the CHO and ACHO to protect lab workers.

Safe Handling Procedures and Implementation of Exposure Controls

Each laboratory must compile and maintain a current hazardous chemical inventory and submit a copy to the CHO each year. The inventory includes the name of the chemical, the manufacturer, storage locations, container type, and quantity stored.

Safety Data Sheets (SDS's) must be readily available for review by employees (and students) in areas where hazardous chemicals are used. Hard copies of MSDS's are located in the laboratory and the CHO's office. Electronic copies of the SDS's may also be available on the internet or from the product's manufacturer and/or distributor. Copies of SDS must be submitted to the CHO when the hazardous chemical inventory is due. Copies of revised SDS must be forwarded to the CHO and included in the lab's SDS binder.

The lab must confirm the order's accuracy before accepting a chemical delivery. Procured chemicals must not be accepted if they are incorrect, unlabeled, or expired.

All containers must be labeled legibly with the name of the chemicals, appropriate hazard warning, and the manufacturer's contact information including their name and address. Chemicals must be stored in chemically compatible, non-leaking containers and must remain closed when not in use. Chemicals must be segregated and stored based on compatibility. Chemicals shall not be stored on the laboratory floor. Secondary containers must be used for storing highly toxic and/or opened

chemical stocks.

The smallest practical quantities of chemical quantities should be maintained in the lab. The quantities of flammables stored in the lab shall not exceed the New York City Fire Department's allowable limit.

Waste Management

Hazardous chemicals must never be disposed of in sinks, drains, or trash cans. Hazardous wastes are to be managed in accordance with the Environmental Protection Agency's (EPA) Resource Conservation and Recovery Act (RCRA).

Determine if the waste is hazardous by reading the MSDS and/or label. Hazardous wastes possess one of more characteristics including toxicity, ignitability, reactivity, or corrosivity. Waste is also considered hazardous if it is listed under RCRA. Consult with the CHO to confirm which chemicals must be managed as hazardous waste.

Unlabeled, expired, or chemical stock that will no longer be used should be disposed of promptly. Evaporating volatile chemicals in the fume hood shall not be used as a means of disposal.

Collect hazardous waste in containers labeled as "Hazardous Waste" with the contents listed. Segregate hazardous wastes based on compatibility and store the waste containers in a designated location in the lab.

Notify the CHO of hazardous waste for disposal. The CHO will arrange for a pickup by the University's hazardous waste contractor.

Measures to Minimize Exposure

1. **Engineering Controls**

1. Whenever feasible, hazardous chemicals will be substituted with alternatives that are non-toxic and/or have lower hazard ratings (e.g., less flammable, reactive, explosive).
2. Exposure to hazardous chemicals shall be minimized through the use of engineering controls including chemical fume hoods and other forms of appropriate ventilation.
3. Chemical fume hoods must be tested by the CHO annually to ensure adequate face velocity (average of 80-120 feet per minute).
4. The sash height of the fume hood must be maintained to ensure the face velocity is within the acceptable range.
5. The CHO must be notified and a **Work Order (https://app.getguru.com/card/TgB9dRzc/NetFacilities-Work-Order-System)** submitted to Facilities Management to repair the fume hood or the general ventilation system when not functioning properly. The fume hood should not be used until the repair is complete and the CHO has confirmed the average face velocity is acceptable.

2. **Administrative Controls**
    1. Emergency equipment and supplies must be maintained and stored in a location known to the lab staff.
    2. Designated areas must be used to perform procedures with hazardous chemicals.
    3. SOPs and other chemical hygiene rules and guidelines must be adhered to at all times. Any additional protective measures when working with extremely hazardous substances will be recommended by the CHO based on a review of the chemical hazards.
    4. Certain procedures or activities require prior approval by the ACHO before being carried out by lab staff. It is at the ACHO's discretion to identify such procedures or activities.
    5. All lab employees must attend mandatory training.
    6. The CHO will conduct quarterly lab audits and report the results to the ACHO and Laboratory Departmental Chairperson. All identified deficiencies must be corrected promptly.

7. The ACHO will conduct ongoing compliance inspections of the laboratory to ensure compliance with the CHP.

3. **Personal Protective Equipment**
    1. The need for Personal Protective Equipment (PPE) shall be determined based on an exposure assessment by the ACHO in accordance with the University's **PPE Policy (https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** .
    2. Respirator use shall be in accordance with the University's **Respiratory Protection Policy (https://app.getguru.com/card/iAxpkBdT/Respiratory-Protection-Policy)** .

Reporting Injuries/Illnesses

Injuries and illnesses associated with chemical exposure must be reported promptly by completing the Incident Report form through all Campus Safety posts and notifying EHS.

Information and Training

All employees must be informed of chemical hazards in their work areas.

Employees will receive initial training on the chemical hazards at the time of the employee's initial assignment to the work area and prior to assignments involving new exposure situations. Supervisors must schedule the training for their employees and inform the CHO of changes to procedures or chemicals that may result in new exposure situations.

Training includes the following information:

- An overview of the OSHA Hazardous Chemicals in Laboratories Standard
- The hazardous chemicals present in work area
- The physical and health risks of the hazardous chemicals

- How to determine the presence or release of hazardous chemicals in the work area
- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices and personal protective equipment
- Steps the University has taken to reduce or prevent exposure to hazardous chemicals
- Procedures to follow if employees are overexposed to hazardous chemicals
- How to read labels and SDS's to obtain hazard information
- Location of the SDS files and written CHP

Medical Consultations and Examinations

Lab employees shall be provided the opportunity to receive medical attention without any cost to the employee, without any loss of pay, and at a reasonable time and place under the following conditions:

- Medical consultation in the event of an emergency that results in the likelihood of a hazardous chemical exposure.
- Medical examination if signs or symptoms develop due to a potential hazardous chemical exposure.
- Medical surveillance if results of exposure monitoring by the CHO indicate an exposure level routinely above the action level for any substance as prescribed by a particular OSHA Standard.

The ACHO will coordinate the medical evaluation or examination through EHS. A licensed physician will perform the medical consultation or examination and provide a written opinion in accordance with the OSHA Occupational Exposure to Hazardous Chemicals in Laboratories Standard. The CHO will provide a copy of the Standard to the physician.

Hazard Identification and Exposure Monitoring

The CHO will rely primarily on the chemical labels and Safety Data Sheets (SDS) to determine hazards associated with a chemical.

The CHO shall conduct initial exposure monitoring for any substance regulated by an OSHA Standard if there is reason to believe exposure levels for the substance routinely exceed the action level (or the Permissible Exposure Limit in the absence of an action level).

The CHO shall conduct periodic exposure monitoring in accordance with the relevant Standard if the initial monitoring results indicate employee exposure is above the action level (or the Permissible Exposure Limit, where applicable).

Exposure monitoring shall be terminated in accordance with the relevant OSHA Standard. Employees shall be notified in writing within 15 days after the receipt of the monitoring results.

Record Keeping

The CHO will maintain records of industrial hygiene exposure monitoring records, training, audits, and process/equipment reviews.

Program Evaluation

The CHO will evaluate the CHP annually and make changes as necessary.

References

OSHA Occupational Exposure to Hazardous Chemicals in Laboratories Standard (**29 CFR 1910.1450** **(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1450)**)

CONFINED SPACE ENTRY POLICY

Purpose

The purpose of this policy is to protect employees and contractors who are required to perform duties in confined spaces from serious injury or death due to hazards inherent in such spaces. This policy includes provisions that meet the requirements of the Occupational Safety and Health Administration's (OSHA) Permit-Required Confined Spaces (PRCS) standard.

Scope

The **Confined Space Entry Policy** applies to authorized employees of the University and contractors required to enter confined spaces to perform their duties. Confined spaces may be categorized as non-permit confined spaces or *permit-required confined space (PRCS)*. PRCS have serious hazards that require safety precautions for entry. Proper identification of confined spaces and adherence to their corresponding entry procedures are key to the success of this program.

An inventory of known confined spaces is maintained by the Facilities Management Department. Most, but not all, of the PRCS's on campus fall into these categories: rooftop gravity tanks, fuel tanks & their vaults, escalator pits, elevator pits and shafts, and sewer pump pits. University employees are prohibited from entering gravity tanks, fuel tanks, escalator pits, elevator pits and shafts, and sewer pump pits. It is the University's policy to employ Contractors for any work that must be performed in such PRCS's.

Definitions

Alternate entry: A confined space entry approach that uses an "intermediate" level of precautions between a non-permit confined space entry and full permit-required confined space entry. It may only be used for confined spaces where the only serious hazard is atmospheric and that mechanical ventilation and air monitoring can control the hazard.

Attendant: A person stationed outside one or more permit-required confined spaces who monitors the authorized entrants and performs all attendant's duties assigned as required by OSHA's Permit-Required Confined Space Standard.

Authorized employees: employees of the departments of Facilities Management and Design & Construction who have received confined space training and are required to enter confined spaces to perform inspections, preventive maintenance, and repairs.

Confined space: A space that meets ALL of the following criteria: is large enough for the body to enter, is not designed for continuous human occupancy, and has limited means of entry/egress (e.g., entry through a hatch, ladder, or similar methods without regard to the number of such entrances or exits).

Control: Implementation of precautions to reduce, rather than eliminate, the health and safety risk associated with serious hazards. Examples include personal protective equipment (PPE), ventilation, and fall protection harness and lanyard.

Eliminate: Removal of serious hazards in confined spaces using engineering controls (such as lockout/tagout), removal of hazardous materials or substitution with less hazardous materials.

Engulfment: The surrounding and effective capture of a person by a liquid or flowable solid substance that can be aspirated to cause death by filling or plugging the respiratory system or that can exert enough force on the body to cause death by strangulation, constriction, or crushing.

Entrant: A person who performs entry into a confined space.

Entry: When any part of the entrant's body breaks the plane or passes through an opening into a confined space.

Hazardous atmosphere: An atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to escape unaided from a permit space, injury, or acute illness due to one or more of the following:

- Flammable gas, vapor, or mist in excess of 10% of its *Lower Flammable Limit (LFL)*
- Airborne combustible dust concentration that meets or exceeds it's LFL
- Atmospheric oxygen concentration below 19.5% or above 23.5%
- Atmospheric concentration of any substance that may exceed an OSHA published dose or permissible exposure limit (PEL)
- Any other atmospheric condition that is *immediately dangerous to life or health (IDLH)*

Non-permit confined space: A confined space where all serious hazards have been eliminated.

Permit-required confined space (PRCS): A confined space that has 1 or more of the following properties:

- Contains or has the potential to contain a hazardous atmosphere
- Contains a material that has the potential for engulfing an entrant
- Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section
- Contains any other recognized serious safety or health hazard

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division is the Responsible Individual.

Serious hazards: hazards in confined spaces that have the ability to incapacitate entrants and prevent their ability to self-rescue. Examples include oxygen concentrations below 19.5%, toxic

exposures that are high enough to incapacitate or disorient entrants, flammable vapors, fall hazards >6 feet, dangerous internal configuration, engulfment, and similar hazards.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Enforcing compliance with the Confined Space Entry program and taking disciplinary actions in accordance with collective bargaining agreement procedures, if any.
    2. Ensuring all permit-required confined spaces are identified and included in this program.
2. **Supervisors** are responsible for:
    1. Coordinating with the Assistant Director for Environmental Health & Safety (EHS to ensure employees attend confined space training.
    2. Enforcing compliance with safe work procedures or guidelines related to confined space entry.
3. **Employees** are responsible for:
    1. Complying with the policy: attending training and following required procedures for confined space entry.
    2. Notifying their Supervisor of safety issues pertaining to confined spaces.
4. **The Assistant Director for Environmental Health and Safety (EHS)** is responsible for:
    1. Implementing the Confined Space Entry policy.
    2. Reviewing the policy annually and updating it as needed.
    3. Providing training, technical assistance, and clarification of the policy.
    4. Evaluating confined spaces and maintaining the confined space inventory.
5. **The Project Manager** is a University employee who directs contractor activities. The Project Manager is responsible for:
    1. Informing the Contractor of the University's Confined Space Entry policy, any PRCS in which entry must be performed, the PRCS's identified hazards, and any precautions that will be taken by the University employees in the area of the PRCS.

Appendix A (Contractor Acknowledgement) **(https://drive.google.com/file/d/1_22U00SBP5Ycaka-Fw7UceqErgDLaH35/view?usp=drive_link)** must be completed by the Contractor and submitted to EHS.

2. Coordinating activities for preparation of PRCS entry by the Contractor and to prevent hazards to University employees working near the PRCS from the activities of the contractor, and vice versa.
3. Ensuring the Contractor complies with the policy.
4. Forwarding the original signed permit to EHS upon completion of the work or expiration of the permit, whichever comes first.

6. **Contractors** are responsible for:
    1. Developing their own health & safety plans compliant with applicable OSHA standards and ensuring their employees who enter confined spaces complies with this policy, at minimum.
    2. Arriving at The New School work sites with all necessary confined space entry training, equipment, and a full understanding of their responsibilities as Entrants, Attendants, and/or Entry Supervisors.
7. **Labor Relations** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving confined space entry.

Confined Space Inventory

The Buildings Department must report all known and suspected confined spaces to EHS for evaluation and inclusion in the confined space inventory. The inventory includes the following information: location, type of space, if a permit is required, known hazard(s), and if alternate entry can be used.

Permit-required confined spaces are labeled with the appropriate sign bearing the following language or its equivalent at minimum: **DANGER – CONFINED SPACE – AUTHORIZED PERSONNEL ONLY.**

Note: The Building Department must notify the University's authorized contractors in writing of PRCSs that are not labeled, such as elevator and escalator pits.

Reclassification of Confined Spaces

A confined space may be reclassified if any of the criteria that defines it as a non-permit confined space or PRCS is changed. The **Confined Space Decision Flow Chart (Appendix B) (https://drive.google.com/file/d/1MJula9N32WP4WHNxSNNPO_JSfbr0ujB8/view?usp=sharing)** can be used to determine if reclassification is possible.

A PRCS cannot be reclassified as a non-permit confined space if the hazards cannot be eliminated or controlled. In such cases, full PRCS entry procedures must be followed.

A PRCS can be reclassified as a non-permit confined space if serious hazard(s) can be eliminated prior to entry using lockout/tagout, guardrails, installing stairs or a ramp into a pit, or similar precautions.

Note: Ventilation and personal protective equipment (PPE) do not eliminate hazards.

Non-permit spaces must be reclassified as permit spaces when a new serious hazard is introduced into the space (e.g., welding, flooding, use of chemical, etc.).

Training

All employees who must enter and/or do work in PRCS must be trained before entering a permit-required confined space or using the alternate entry approach to confined spaces.

Training must be repeated when confined space duties change, when a change in permit space operations introduce a new hazard about which the employee was not previously trained, and when there are deviations from or inadequacies in knowledge of the required procedures.

Training includes the following information:

- An overview of the OSHA Permit-Required Confined Space standard
- How to identify, evaluate, and reclassify confined spaces
- Procedures for safe entry of confined spaces
- Location of the confined spaces on campus
- The University's written Confined Space Entry policy

Entry Permit

A **Confined Space Entry Permit (Appendix C)** **(https://drive.google.com/file/d/1Wnc7uX3W0RfICEGCjLmm1ELbtNKbrJgh/view?usp=sharing)** must be completed to document proper classification and applicable safety procedures for all permit-required confined spaces prior to entry. The entry team's supervisor/leader, all entrants, and the University's authorized representative must sign the permit. A copy of the completed permit must be sent to EHS.

The permit must be posted conspicuously near the entrance to the confined space. The permit is valid for only 1 work shift of the individual(s) entering the PRCS, or until completion of the work, whichever comes first.

The permit is rendered invalid if the space is reclassified or new hazards (not previously documented in the original permit) are introduced into or adjacent to the confined space. All work in the confined space must immediately stop and all entrants evacuated from the space. Work may resume only upon completion of a new permit.

Atmospheric Testing

Before an employee enters a PRCS, the internal atmosphere will be tested, with a calibrated, direct-reading instrument to determine if acceptable entry conditions exist. Testing will be for the following conditions, in the order given:

- Oxygen content - 19.5% - 23.0%;
- Flammable gases and vapors - <10% LEL
- Toxic air contaminants:
    - Carbon monoxide (CO) – 35 ppm
    - Hydrogen Sulfide (H2S) – 10 ppm
- Volatile Organic Compounds (VOCs) – Action or response level to be identified on the permit depending on the type of VOCs present. Consult with EHS when determining an acceptable action level.
- Other toxic hazards will be specified on the Confined Space Entry Permit

Confined Space Entry Procedures

1. **Non-Permit Confined Spaces:**

1. Non-permit confined space procedures may be used when the presence of a confined space is confirmed and there is a possibility that it may be designated as a non-permit confined space because serious hazards are not present or have been eliminated.
2. Only persons with confined space entry training may designate a confined space as a non-permit space in consultation with EHS.
3. If entry is required to determine if hazards are present, the space must be treated as PRCS until it can be determined that it meets the definition of a non-permit space.
4. The attendant and rescue team are not required when using non-permit entry procedures.
5. New School employees may enter non-permit confined spaces to perform inspections, preventive maintenance, and repairs. Where feasible, the entrances to these spaces may also labeled with a confined space sign to serve as a reminder to the entrant of the need to verify the absence of hazards prior to entry.
6. If hazards arise in a non-permit space, entrants must evacuate the space immediately and notify EHS. The space must then be re-evaluated to determine if the space must be reclassified as a PRCS.
7. Once the confined space is successfully designated as a non-permit space, persons who subsequently enter the confined space do not require confined space training.
8. Any changes to the scope of work or work methods that may increase hazards will void the prior Non-Permit Confined Space designation.

2. **Permit-Required Confined Spaces (PRCS):**
    1. PRCS entry procedures are required for entry in a confined space where a serious hazard cannot be eliminated and alternate entry is not an option (i.e., a physical hazard remains).
    2. If entry in a PRCS is required to eliminate the hazard(s), PRCS entry procedures must be followed.
    3. New School employees are prohibited from entering a PRCS in which alternate entry procedures cannot be used. Such spaces generally fall into the following categories: roof gravity tank, fuel oil tank, elevator shafts/pits, escalator pits, and sewer ejector pits.

4. As a rule, any work activity to be conducted in a PRCS must be contracted to a qualified firm and in compliance with OSHA's PRCS requirements.
5. Contractors are responsible for developing permit-required confined space procedures for their employees and providing all necessary equipment for entry. PRCS entry procedures must include the following elements as required by OSHA:
    1. Written permit entry system
    2. Training of entrant, attendant, and entry supervisor
    3. Air monitoring by an entrant outside of the PRCS prior to entry
    4. Provisions for rescue in the event of an emergency
    5. Facilitation of rescue with a non-entry retrieval system (e.g., harness and cable attached to a mechanical hoist), where feasible
6. A confined space entry permit must be completed by the Contractor and co-signed by an authorized University representative:
    1. The Contractor's Entry Supervisor will complete the University's permit.
    2. Entry must be coordinated by the University's Project Manager supervising the Contractor's activities.
    3. Obtain available information regarding the scope of work and potential hazards that may be introduced into the confined space. Complete the "General Information & Hazard Review" section of the permit.
    4. Complete the "Safety Checklist" section.
    5. Complete the "Safety Equipment" section. Identify all safety equipment necessary; include any equipment not listed on the form.
    6. Complete the "Air Monitoring" section. The Entry Supervisor will specify what equipment is to be used, the particular tests to be conducted, and the frequency of monitoring. The Entrant, Attendant, or Entry Supervisor will then write the pre-entry air monitoring results in the "Results" column. Additional air monitoring results will be recorded on the permit for any alarm condition or significant changes in air

concentrations from the pre-entry air monitoring results.

7. Complete the "Entrant & Attendant Review and Pre-Entry Briefing" section of the permit. All Entrants and Attendants will print and sign this section ONLY if they have reviewed the permit and verified that all safety equipment and procedures required by the permit are in place and they have had a Pre-Entry Briefing by the Entry Supervisor;
8. Complete the "Entry Supervisor/Permit Authorization" section of the permit. The University's authorized representative will sign the permit after all previous sections have been completed and a Pre-Entry Briefing has been conducted. Authorized representatives include: EHS, the Fire/Life Safety Director, and the VP of Buildings or his designee.
9. Complete the "Permit Duration" section of the permit. Permits must be retained on site for the duration of the project. When the project is complete, the permit must be sent to EHS for record keeping and auditing purposes.
10. Permits may be issued for 1 shift only, after which they expire. A new permit is required for work in the PRCS to resume.
11. Permits are cancelled if any of the following occurs: a new hazard is encountered that was not previously identified in the "Potential Hazards" section of the permit OR any Entrant, Attendant, or Entry Supervisor initiates an evacuation. The reason for the evacuation must be investigated and a new permit issued that includes the changes (if any) to safety controls or procedures.

3. **Alternate Entry Procedure**
    1. This procedure may only be used for confined spaces where all serious physical hazards have been eliminated and the only potential serious hazards are atmospheric. Both mechanical ventilation and air monitoring equipment (i.e., gas meters) must then be used to effectively control atmospheric hazards.

2. The attendant and rescue team are not required if the alternate entry approach can be used. However, all entrants must still have confined space entry training.
3. New School employees may enter PRCS's where the only serious hazard is atmospheric and forced mechanical ventilation and air monitoring can control the hazard.
4. Forced ventilation is required during entry.
    1. **Note:** Natural ventilation may not be substituted for mechanical ventilation.
5. Air monitoring must be conducted continuously throughout the entry.
6. A confined space entry permit must be completed to document and authorize use of the alternate entry procedure:
    1. Mark the box for "Alternate Entry Approach" in the "General Information & Hazard Review" section at the top of the Confined Space Entry Permit;
    2. If no serious physical hazards are identified or they have been eliminated, then mark the box for "Physical Hazards Eliminated" in the "Potential Hazards" section of the permit;
    3. Perform a careful hazard review of confined space entry activities by reviewing the list of "Potential Hazards" on the permit. Mark all hazards that cannot be eliminated. For alternate entry, physical hazards must be eliminated while atmospheric hazards must be adequately controlled using mechanical ventilation and air monitoring. If any physical hazards cannot be eliminated, then alternate entry may not be used.
    4. Complete the remainder of the "General Information & Hazard Review" section on the permit;
    5. Complete the "Safety Checklist" section on the permit. Several questions in this permit deal with the elimination (or control) of physical hazards.
    6. Complete the "Safety Equipment" section of the permit. At a minimum for Alternate Entry, require mechanical ventilation by checking "Ventilation Equip. -blower & duct."
    7. Complete the "Air Monitoring" section of the permit. Record pre-entry air monitoring results on the permit in the "Results" column and check off the "continuous" box;

8. The person that is evaluating the confined space and authorizing the use of Alternate Entry must have confined space training and print, sign, and date in the "Entry Supervisor/Permit Authorization" section of the permit.

7. If hazards arise (e.g., gas meter alarm goes off), entrants must evacuate the space immediately and notify EHS. The space must then be re-evaluated and hazards controlled (if atmospheric) or eliminated (if physical) before re-entry.

Recordkeeping

Expired and cancelled permits will be kept for 1 year by EHS. Employee training records will be kept by EHS.

Program Evaluation

EHS will evaluate the Confined Space Entry policy annually and make changes as necessary.

Additional Information

Appendices

- **Appendix A - Contractor Acknowledgement (https://drive.google.com/file/d/1_22U00SBP5Ycaka-Fw7UceqErgDLaH35/view?usp=drive_link)**
- **Appendix B - Confined Space Decision Flow Chart (https://drive.google.com/file/d/1MJula9N32WP4WHNxSNNPO_JSfbr0ujB8/view?usp=sharing)**
- **Appendix C - Confined Space Entry Permit (https://drive.google.com/file/d/1Wnc7uX3W0RfICEGCjLmm1ELbtNKbrJgh/view?usp=sh**

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References

OSHA Permit-Required Confined Spaces Standard (29 CRF 1910.146)

HAZARD COMMUNICATION POLICY

Safety & Facilities > Health & Safety

Purpose

- To establish a comprehensive hazard communication program to ensure employees, students, and contractors are informed about the hazards of chemicals they handle, use, or may be exposed to during the course of their normal work activities safe work practices and precautions to protect themselves against these chemicals.
- To comply with the requirements of the Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard.

Scope

The **Hazard Communication Policy** applies to:

- All employees of the University, including but not limited to full-time and part-time faculty, staff, and technicians; temporary/seasonal employees; and student employees
- Interns and volunteers
- Contractors, vendors and sub-contractors
- Other individuals who have business with The New School

Note: Laboratory employees are covered by the **Chemical Hygiene Plan (https://app.getguru.com/card/c94G7xxi/Chemical-Hygiene-Plan)** .

Definitions

Container: Any bag, barrel, bottle, box, can, cylinder, drum, jar, storage tank or vessel that contains a hazardous chemical.

Hazardous chemical: a chemical that poses a physical or health hazard.

Hazard warning: words, pictures, or symbols on a container label that communicates the physical or health hazard of a chemical.

Health hazard: chemicals from which exposure can lead to adverse health effects. Examples of health hazards include irritants, toxic substances, corrosives, carcinogens, sensitizers, and chemicals that target specific body organs or systems.

Safety Data Sheet (SDS): a written document prepared by a hazardous product's manufacturer or distributor as required by the OSHA Hazard Communication Standard. The SDS conveys to the user information on the hazard of a chemical; proper storage & disposal; emergency response procedures involving spills and fires; its chemical properties; safe work practices and other protective measures to work safely with the chemical; and applicable regulatory information.
Physical hazard: hazardous materials that threaten your physical safety. Physical hazards include materials that are flammable, combustible, reactive, explosive, oxidizer, water or chemical sensitive, and compressed gas.

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Enforcing compliance with the Hazard Communication program and taking disciplinary actions in accordance with collective bargaining agreement procedures, if any.
    2. Informing contractors, vendors or visitors of the need to comply with this policy
2. **Supervisors** are responsible for:
    1. Coordinating with the Assistant Director for Environmental Health & Safety (EHS) to ensure all employees complete initial hazard communication training and whenever a new category of hazardous chemical is introduced.
    2. Maintaining a hazardous chemical inventory annually and submitting a copy **(Appendix A)** **(https://docs.google.com/spreadsheets/d/1sUIVCemCitnzc9alRZtt_IGuXWEd0Zy0GPGTo8nk-sk/edit?usp=sharing)** to the EHS office.
        1. **Note:** Inventories are due to EHS every year before the end of December.
    3. Verifying all containers of hazardous chemicals in their respective area(s) are labeled legibly with the contents, appropriate hazard warning, and manufacturer's name and address.
    4. Ensuring copies of SDSs for hazardous chemicals used and stored in their respective area(s) are readily available during employees' work shift(s). Copies of all SDSs must be forwarded to EHS.
    5. Ensuring appropriate personal protective equipment (such as gloves and safety glasses) is available and worn by employees, if needed. Refer to the **Personal Protective Equipment (PPE) Policy** **(https://app.getguru.com/card/Tpjkno6c/Personal-Protective-Equipment-PPE-Policy)** for details.
    6. Enforcing compliance with this Policy and adherence to safe work procedures or guidelines related to chemical use.

3. **All Employees** are responsible for:
    1. Complying with the policy: attending training, reading labels and SDSs for chemicals used, keeping containers of chemicals closed when not in use, wearing personal protective equipment as needed, and following other safety rules and guidelines related to chemical use.
    2. Notifying their Supervisor of issues pertaining to the use of hazardous chemicals.
4. **The Assistant Director for Environmental Health and Safety (EHS)** is responsible for:
    1. Implementing the Hazard Communication Policy.
    2. Reviewing the policy periodically and updating it as needed.
    3. Providing training, technical assistance, and clarification of the policy.
    4. Reviewing hazardous chemical inventories submitted by Supervisors and filing them with regulatory agencies as required.
    5. Maintaining copies of all SDSs and providing copies as requested.
    6. Screening SDSs for new or significant hazard information and notifying affected employees.
    7. Monitoring employee exposure to hazardous chemicals as needed.
5. **Labor Relations** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving the use of hazardous chemicals.
6. **Project Manager or Coordinator** is responsible for:
    1. Notifying the Contractor of hazardous chemicals used or stored by the University that the contractor's employees may be potentially exposed to in the job site and any necessary precautionary measures to protect the employees.
    2. Informing the contractor how to access the SDS for hazardous chemicals the Contractor's employees may be potentially exposed to in the job site. The Project Manager or Coordinator may submit a written request to EHS if copies of the SDS are needed.

3. Obtaining (1) an inventory of hazardous chemicals to be used by the Contractor at the University job site and (2) copies of the SDSs for such chemicals. This information must be available upon request by EHS and affected Departments.

Inventory

Supervisors must compile and maintain an inventory of all known hazardous chemicals and submit it to EHS annually before the end of December. **Appendix A (https://docs.google.com/spreadsheets/d/1sUIVCemCitnzc9alRZtt_IGuXWEd0Zy0GPGTo8nk-sk/edit?usp=sharing)** must be used to submit the annual inventory. The inventory includes the name of the chemical, the manufacturer, storage locations, container type, quantity stored and the link to the SDS.

When new chemicals are received, the inventory must be updated (including date the chemicals were introduced) within 30 days. A copy of the updated inventory and SDS must be forwarded to EHS.

The inventories are filed with regulatory agencies by EHS annually, as required.

Safety Data Sheets (SDS)

The SDS should arrive with the shipment of a hazardous chemical. If it does not, the Supervisor must contact the manufacturer or distributor to obtain a copy of the SDS.

The SDS must be readily available for review by employees (and students) in areas where hazardous chemicals are used. If revised SDSs are received, copies must be forwarded to EHS and included in the work area's SDS binder or virtual SDS folder. Electronic copies of the SDSs may also be available on the internet or from the product's manufacturer and/or distributor.

If revised SDSs are received, copies must be forwarded to EHS and included in the work area's SDS binder or folder.

Container Labeling

All containers must be labeled legibly with the name of the chemicals, appropriate hazard warning, and the manufacturer's contact information including their name and address. Secondary containers into which chemicals were transferred (e.g., spray bottles, small squeeze bottles) must be labeled with the name of the chemicals and appropriate hazard warning(s).

Training

All employees who work with or are potentially exposed to hazardous chemicals during the course of their normal work activities will receive initial training on the Hazard Communication standard and Hazard Communication Policy before working with the chemicals. Supervisors must coordinate with EHS to arrange for the training.

Prior to introducing a new chemical hazard category into the work area, each affected employee will be given information and training as outlined below for the new chemical hazard.

Training includes the following information:

- An overview of the OSHA Hazard Communication standard
- The hazardous chemicals present in work area
- The physical and health risks of the hazardous chemicals
- How to determine the presence or release of hazardous chemicals in the work area

- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices and personal protective equipment
- Steps the University has taken to reduce or prevent exposure to hazardous chemicals
- Procedures to follow if employees are overexposed to hazardous chemicals
- How to read labels and SDSs to obtain hazard information
- Location of the SDS files and written Hazard Communication Policy

Hazardous Non-Routine Tasks

Periodically, employees are required to perform non-routine tasks that are hazardous, such as confined space entry. Prior to starting work on such projects, the Supervisor must notify affected employee(s) about the specific chemical hazards, protective and safety measures the employee should use, and steps the University is taking to reduce the hazards. Employees must wear the issued PPE properly when performing tasks that put them at risk of recognized hazards identified in the hazard assessment.

EHS is available to assist in evaluating hazards of non-routine tasks and recommending appropriate safety precautions upon request.

Contractor Notification

The Project Manager or Coordinator must notify the Contractor of the University's chemical hazards as it relates to the job site, how to access SDSs for hazardous chemicals used or stored by the University, and any precautionary measures to take to protect the Contractor's employees.

Contractors must notify the Project Manager or Coordinator of hazardous chemicals to be used on the job site by providing a chemical inventory and copies of the SDSs.

Program Evaluation

EHS will periodically evaluate the Hazard Communication Policy and make changes as necessary.

Additional Information

Program Availability

A copy of this policy will be made available, upon request, to employees and their representatives.

A written request should be submitted to EHS.

Appendices

- **Appendix A (https://docs.google.com/spreadsheets/d/1sUIVCemCitnzc9alRZtt_IGuXWEd0Zy0GPGTo8nk-sk/edit?usp=sharing)**

References

OSHA Hazard Communication Standard (29 CRF 1910.1200)

LOCKOUT/TAGOUT POLICY

Safety & Facilities > Health & Safety

Purpose

The **Lockout/Tagout (LOTO) Policy** is designed to prevent injuries and stop accidental release of potentially hazardous energy (e.g., electrical, mechanical, hydraulic, pneumatic, chemical, thermal) during servicing or maintenance on machinery and equipment through the use of energy control procedures.

The purpose of this policy is:

- To establish a program to protect employees from unexpected energization, startup, or release of stored energy.
- To comply with the Occupational Health and Safety Administration (OSHA) **Standard for the Control of Hazardous Energy (lockout/tagout) (https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.147)** .

Scope

The lockout/tagout policy applies to all employees and contractors who work on or near machinery and equipment during servicing or maintenance. This policy does not apply to:

- Plug and cord electrical equipment for which hazards can be controlled by unplugging the equipment from the energy source and if the plug is exclusively under the control of the employee performing the servicing or maintenance.
- Hot tap operations involving transmission and distribution systems for gas, steam, water, or petroleum products when they are performed on pressurized pipelines, provided it can be demonstrated that continuity of service is essential, shutdown of the system is impractical, and documented procedures are followed and special equipment is used to provide proven, effective protection for authorized employees.

Definitions

Responsible individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Affected employee: an employee whose work operation is or may be in an area where energy control procedures may be utilized, but does not perform servicing or maintenance on machines or equipment that would require LOTO.

Authorized employee: a person who locks out or tags out machines or equipment in order to perform servicing or maintenance on that machine or equipment.

Disconnecting means: the switch or device used to disconnect the circuit from the power source.

Energy isolating device: a mechanical device that physically prevents the transmission or release of energy (e.g., a disconnect switch, manually operated circuit breaker, line valve, etc.). **Note:** Push buttons, selector switches, and other control circuit type devices are not energy isolating devices.

Responsibilities

1. **Responsible individuals** have the following responsibilities:
    1. Allocating necessary funds to support compliance with the LOTO program.
    2. Enforcing compliance with the LOTO program and, where necessary, taking disciplinary actions in accordance with the relevant university policies, handbooks, and collective bargaining agreements.
2. **Supervisors** are responsible for:
    1. Informing Environmental Health and Safety of changes in job assignments, machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.
    2. Establishing written energy control procedures to be utilized by their authorized employees during servicing and repair of specific machinery and equipment.

3. Purchasing appropriate lockout/tagout devices where necessary for equipment owned or operated by their department.
4. Monitoring and enforcing compliance with the policy including, but not limited to: training, periodic inspection, selection and use of LOTO devices by affected and authorized employees that they supervise.

3. **Authorized employees** are responsible for:
    1. Complying with the policy: adhering to energy control procedures, attending training, properly using LOTO devices, and reporting safety concerns to their Supervisor.
4. **Affected employees** are responsible for:
    1. Complying with the policy: adhering to energy control procedures, attending training, and reporting safety concerns to their Supervisor.
5. **Vice President of Buildings and Campus Operations (or this designee)** is responsible for:
    1. Ensuring maintenance staff and contractors hired by department comply with LOTO procedures.
6. **Environmental Health and Safety (EHS)** is responsible for:
    1. Conducting periodic inspections of the energy control procedures with supervisors of authorized employees.
    2. Providing technical support and training as needed.
    3. Maintaining centralized training records for training and periodic inspection of energy control procedures.
    4. Periodically reviewing effectiveness of the policy and updating it as needed.
7. **Project Managers** are responsible for:
    1. Ensuring contractors are informed of and comply with the requirements of this policy and provide information on their specific energy control procedures.
8. **Contractors** are responsible for:
    1. Complying with all applicable OSHA regulations including the LOTO Standard.

2. Ensuring all their employees performing work at The New School's campus have been suitably trained on both LOTO procedures specific to the contractor and The New School.

9. **Human Resources** is responsible for:
    1. Reviewing and responding to communications from labor unions, or from health care providers or employees raising personal medical issues/concerns regarding issues related to this policy and/or its application to an employee or employees.

Energy Control Procedures

1. **Written Energy Control Procedures**
    1. Supervisors of authorized and affected employees must establish and implement a written energy control procedures for a particular machine or equipment during servicing or repair.
    2. The procedures must clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited, to following:
        1. A specific statement of the intended use of the procedure,
        2. Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy,
        3. Specific procedural steps for the placement, removal, and transfer of LOTO devices and the responsibility for them, and
        4. Specific requirements for testing a machine or equipment to determine and verify the effectiveness of LOTO devices and other energy control measures.
    3. Written procedures for a particular machine or equipment are not required if all of the following conditions for this exception are met:
        1. The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees,

2. The machine or equipment has a single energy source which can be readily identified and isolated,
3. The isolation and locking out of the single energy source will completely de-energize and deactivate the machine or equipment,
4. The machine or equipment is isolated from the single energy source and locked out during servicing or maintenance,
5. A single lockout device will achieve a locked-out condition,
6. The lockout device is under the exclusive control of the authorized employee performing the servicing and maintenance,
7. The servicing and maintenance does not create hazards for other employees, and
8. The department using this exception has had no accidents involving the unexpected activation or reenergization of the machine or equipment during servicing or maintenance.

2. **De-Energization**
    1. As a rule, all powered or energized electrical machinery and equipment should be de-energized or shut down before work is performed on or near them. Energized electrical parts of 50 volts or more must be isolated and de-energized due to increased risk of electrical shock or other injuries resulting from direct or indirect electrical contact.
    2. The circuits and equipment to be worked on must be disconnected from all energy sources.
    3. Control circuit devices such as push buttons, selector switches, and interlocks must not be used as the sole means of de-energizing circuits or equipment.
3. **Lockout/Tagout (LOTO)**
    1. LOTO is to be used if machine guards or other safety devices must be by-passed during the work, or if the authorized employee must place any part of his or her body into the point of operation or into an area on the machine or equipment where work is performed.

2. An authorized employee must securely attach the LOTO device directly on each energy-isolating device on the machinery or equipment on which work is to be performed in a manner that will hold it in a "safe" or "off" position. The lock is attached to prevent others from operating the disconnecting means unless they resort to undue force or the use of tools. The tag contains a statement prohibiting unauthorized operation of the disconnecting means and removal of the tag.
    1. **Note:** Both a lock and tag must be used together; a tagout device is acceptable only when the machine or equipment cannot be locked out. The tag must be attached securely on the energy-isolating device or visibly posted nearby to anyone who attempts to operate the machine or equipment.
3. Group lockout/tagout devices and procedures that afford the authorized employees the same level of protection as individual LOTO devices and procedures must be used when several authorized employees (e.g., crew, department, etc.) are performing servicing and/or maintenance:
    1. The primary responsibility of group LOTO is vested in an authorized employee (e.g., the crew's Supervisor) for a set number of employees working under the protection of a group LOTO device.
    2. The authorized employee with primary responsibility for the employees using the group LOTO device must ascertain the exposure status of each employee with regard to LOTO of the machine or equipment.
    3. Each authorized employee must affix a personal LOTO device to the group LOTO device when he/she begins work and must remove the device when he/she stops working on the machine or equipment being serviced/maintained.
    4. When multiple crews or groups are involved, assignment of overall job-associated LOTO control responsibility must be delegated to an authorized employee designated to coordinate affected groups and ensure continuity of protection.

4. The Supervisor of an authorized employee(s) or an authorized employee designated by the Supervisor must ensure the continuity of LOTO protection during shift or personnel changes, including transfer and/or application of LOTO device between employees starting or ending their shifts.
5. Electric parts that have been de-energized but have not been locked and tagged out must be treated as energized parts.
6. Interlocks for electric equipment may not be used as substitutes for LOTO.
7. Elevators are to be de-energized at the main electrical source disconnect and locked out/tagged out before entry into elevator pits.
    1. **Note:** The pit stop switch is not an acceptable method to lockout (isolate) the elevator as it is not the main electrical disconnect.

4. **Verification of De-Energized Condition**
    1. Once the machine or equipment has been de-energized and locked out/tagged out, the qualified person performing the work must verify de-energization by (1) using test equipment (i.e., appropriately rated voltage detector) and (2) using the equipment's operational controls or otherwise verify the equipment cannot be restarted.
5. **Release from Lockout/Tagout**
    1. The work area must be inspected to ensure nonessential materials have been removed and that all the machine and equipment components are operationally intact.
    2. Ensure all employees are safely positioned and clear of the area.
    3. Removal of LOTO devices:
        1. The employee who applied the LOTO device or an employee under his/her direct supervision must remove it from the energy-isolating device.
        2. Other authorized employees may remove the LOTO device when the employee who applied it is unavailable and only if all of the following conditions are met: he/she has been verified to be absent from the facility and reasonable efforts were made to contact the employee to inform him/her that the LOTO device has been removed

before he/she resumes work at that facility.

3. If the LOTO device must be temporarily removed from the energy isolating device and the machine or equipment energized to test or position the machine, equipment, or any of its components, the following sequence of actions must be followed:
    1. Clear the machine or equipment of tools, materials, or other nonessential items and ensure the machine or equipment is operationally intact.
    2. Remove employees from the machine or equipment area.
    3. Remove the LOTO device as described above.
    4. Energize and proceed with testing and positioning.
    5. De-energize all systems and reapply energy control measures to continue servicing and/or maintenance
4. Notify all affected employees that lockout/tagout devices have been removed before the equipment is re-energized.

6. **Re-Energization**
    1. Before circuits or equipment are re-energized, even temporarily, the qualified person must conduct tests and visual inspections to verify that all devices (e.g., tools, grounds, etc.) have been removed so they can be safely energized.
    2. Employees exposed to the hazards associated with re-energizing the circuit or equipment must be warned to stay clear of these circuits and equipment.

Materials and Hardware

Lockout/tagout devices must be standardized (either of the same color, size, or shape), and tagout devices must have standardized print and format. Lockout/tagout devices must be durable to withstand the environment to which they will be exposed and for the maximum period of time that exposure is expected.

- Lockout devices must be substantial enough to prevent removal without the use of excessive force or techniques like use of cutting tools.
- Tagout devices must be substantial enough to prevent inadvertent or accidental removal.

Tagout devices must be non-reusable, attachable by hand, self-locking, non-releasable with an unlocking strength of at least 50 pounds, and having the general design and basic characteristics at least equivalent to a single nylon cable tie.

Lockout/tagout devices must be able to indicate the identity of the employee applying the device and warn against hazardous conditions if the machine or equipment is energized and must include warnings such as: *Do Not Start. Do Not Open. Do Not Close. Do Not Energize. Do Not Operate.*

Periodic Inspection

EHS and authorized employees who do not utilize the energy control procedure will conduct periodic inspections of the energy control procedure at least annually to ensure compliance. The periodic inspection must be conducted to correct any deviations or inadequacies identified. The periodic inspection must include a review between the person(s) conducting the inspection and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.

EHS and the supervisors must certify that the periodic inspections have been performed using **Appendix A (https://drive.google.com/file/d/1jNelp0YsnLL2UJfkVBg96VSv6MqrPinx/view?usp=sharing)** .

Training

Supervisors must schedule all authorized and affected employees for training with EHS. The training will ensure authorized employees understand the purpose and function of the energy control program, and acquire the knowledge and skills required for the safe application, usage, and removal of the energy controls.

The training for authorized employees will include:

- Recognition of applicable hazard energy sources
- Type and magnitude of energy available in the workplace
- Methods and means necessary for energy isolation and control
- Purpose and use of energy control procedure
- Limitations of tags when machines or equipment are incapable of being locked out

Affected employees whose work operations are or may be in an area where energy control procedures may be utilized must be instructed about the procedure and about the prohibitions relating to attempts to restart or re-energize machines or equipment that are locked out or tagged out.

Authorized and affected employees must be retrained whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

Program Evaluation

EHS will periodically evaluate the policy and make changes as necessary.

References

29 CFR 1910.147 (https://www.osha.gov/laws-regs/regs/regulations/standardnumber/1910/1910.147)

regs/regulations/standardnumber/1910/1910.147)

OZONE-DEPLETING SUBSTANCES POLICY

Purpose

- To ensure the recovery and recycling of refrigerants, which are known *ozone-depleting substances (ODS),* during servicing and disposal of refrigeration and air conditioning equipment. ODS includes chlorofluorocarbons (CFC), hydrochlorofluorocarbons (HCFC), and their blends.
- To comply with the applicable requirements of the Environmental Protection Agency's (EPA) Clean Air Act.

Scope

This policy applies to:

- All maintenance staff in the Facilities Management Department, particularly the Heating, Ventilation, & Air Conditioning (HVAC) staff.
- Contractors and sub-contractors that may maintain applicable equipment.

Certification

HVAC staff must possess the appropriate EPA Technician certification for proper refrigerant practices (e.g., Universal certification for servicing all types of equipment). Only EPA-certified refrigerant recovery machines must be used. The office of Environmental Health & Safety (EHS)

shall file this certification with EPA as needed.

Contractors who service or repair air-conditioning or refrigeration equipment must provide proof of possessing appropriate EPA certifications for their technicians and recovery machines.

Refrigerant Sales Restrictions

Only EPA-certified HVAC technicians may purchase ozone-depleting refrigerants such as R-22.
Note: This does not apply to refrigerants contained in fully assembled refrigerant circuits such as household refrigerators and window/packaged air conditioning units.

Prohibition of Venting

Intentional venting of ODS used as refrigerant is prohibited.
Exemptions: small emissions from connecting/disconnecting/purging hoses during charging or servicing, “de minimus” releases during good faith attempts to recapture/recycle/safety dispose of refrigerant, or releases of ODS that are not used as refrigerants (e.g., purging or leak test gases).

Service Practice Requirements

Evacuate air-conditioning and refrigeration equipment to established vacuum levels when opening the equipment for maintenance, service, repair, or disposal.
Note: Connecting and disconnecting hoses and gauges to and from the appliance to measure pressures within the appliance and to add refrigerant to or recover refrigerant from the appliance shall not be considered "opening."

The equipment must be evacuated to the levels specified in the table below if manufactured on or after November 15, 1993, except for small appliances, MVACs, and MVAC-like appliances. For small appliances such as household refrigerators, window air conditioners, and water coolers, 90%

of the refrigerant must be recovered and when the compressor in the appliance is working.

Type of appliance with which recovery or recycling machine is intended to be used	**Inches of Hg vaccum**
HCFC-22 appliances, or isolated component of such appliances, normally containing less than 200 pounds of refrigerant	0
HCFC-22 appliances, or isolated component of such appliances, normally containing 200 pounds or more of refrigerant	10
Very high pressure appliances	0
Other high-pressure appliances, or isolated components of such appliances, normally containing less than 200 pounds of refrigerant	10
Other high-pressure appliances, or isolated component of such appliances, normally containing 200 pounds or more of refrigerant	15
Low pressure appliances	25*

*mm Hg absolute (gauge pressure plus ambient pressure)

HVAC technicians must ensure that they are recovering the correct percentage of refrigerant using EPA-certified recovery equipment according to the manufacturer's directions.

The only acceptable instances where equipment evacuation do not need to be done to the extent specified above are: (1) if the maintenance, service, or repair does not involve removal of the appliance compressor, condenser, evaporator, or auxiliary heat exchanger coil, AND (2) the work is not followed by evacuation of the equipment to the environment. *In these instances, high- or very-high pressure equipment must be evacuated to at least 0 psig before opening and low-pressure appliances pressurized to 0 psig before opening.*

Refrigerant Leaks

Refrigeration and air-conditioning equipment containing 50 pounds or more of refrigerant must have leaks repaired within 30 days of discovery. The trigger for repair requirements is the current leak rate projected over a consecutive 12-month period rather than the total quantity of refrigerant lost.

HVAC staff must maintain records of refrigerant added to equipment and calculate the leak rate. If the leak rate is 15% or greater, the repair must be done within 30 days.

Recovery/Recycling

Used refrigerant may be recovered and/or recycled and returned to the same or other equipment without restriction by HVAC staff or certified contractors, however, if the refrigerant changes ownership it must be reclaimed.

Appliances containing refrigerants (such as refrigerators, air conditioning units, water coolers, and ice makers) must have the refrigerant evacuated before disposal. Submit a **NetFacilities Work Order** **(https://app.getguru.com/card/TgB9dRzc/NetFacilities-Work-Order-System)** to request assistance with refrigerant-containing appliances or equipment.

Reclamation

Refrigerant must be reclaimed to the required purity only by a general reclaimer or the refrigerant manufacturer approved by Facilities Management.

Safe Disposal Requirements

HVAC staff must evacuate and tag refrigeration and air-conditioning equipment using EPA certified equipment to the specified service levels prior to disposal. The tag must be completed with the date of the evacuation and the technician's signature.

Facilities Management's Supervisors are responsible for requesting evacuation of equipment by HVAC staff and making disposal arrangements after the equipment is evacuated and tagged.

Recordkeeping

HVAC staff must maintain a service log for appliances containing 50 pounds or more of refrigerant. The log must record type of equipment, its location, manufacturer, model, date and type of service, and the quantity of refrigerant added.

Contractors must also maintain records of the quantity of refrigerant added for appliances containing 50 pounds or more of refrigerant. HVAC technicians must submit copies of all certificates and service logs to the office of EHS.

References

40 CFR Part 82

PERSONAL PROTECTIVE EQUIPMENT (PPE) POLICY

Purpose

- To establish minimum personal protective equipment requirements to be followed when performing hazardous or potentially hazardous tasks.
- To comply with applicable Occupational Health and Safety Administration (OSHA) regulations.

Scope

The **Personal Protective Equipment (PPE) Policy** applies to all employees whose responsibilities put them at risk of exposure to recognized hazards that require the use of personal protective equipment (PPE). Personal protective equipment is to be used as a barrier between the employee and the hazard(s) when engineering (e.g., ventilation) or administrative controls (e.g., job rotation) are not feasible to provide adequate protection.

This policy applies to:

- All employees of the University, including but not limited to full-time and part-time faculty, staff, and technicians; temporary/seasonal employees; and student employees
- Interns and volunteers
- Contractors, vendors and sub-contractors (these individuals must provide their own PPE)

Definitions

PPE: Personal Protective Equipment

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Enforcing compliance with the PPE program and taking disciplinary actions in accordance with collective bargaining agreement procedures, if any.
    2. Informing contractors, vendors or visitors of the need to comply with this policy.
2. **Supervisors** are responsible for:
    1. Identifying hazards and potential hazards by completing the **PPE Hazard Assessment Form (Appendix A)** **(https://drive.google.com/file/d/1fG2-zu5fWCihZjDs5ILK9f_XmOk_-OJQ/view?usp=drive_link)** for each location they supervise and submitting it to Environmental Health & Safety (EHS).
    2. Notifying EHS of changes in the work area(s) and/or its processes/procedures that may introduce new hazards and require different or additional PPE. Such instances will require submission of an updated Hazard Assessment Form.
    3. Purchasing PPE for employees as needed.
    4. Communicating hazards, acceptable work practices, and PPE requirements to all employees.
    5. Monitoring and enforcing compliance with the PPE policy including, but not limited to: inspection, use, proper maintenance, storage, disposal, and replacement of issued PPE.
    6. Providing specific training to their employees on the types of PPE available for each task; the rationale for the selected PPE (including their limitations); proper fit, use, care and disposal of PPE. EHS is available to conduct training upon request.
3. **All Employees** are responsible for:
    1. Complying with the policy: adhering to acceptable work practices; attending training; using, inspecting, properly maintaining, storing, and disposing of PPE.
    2. Notifying their supervisor of issues pertaining to the PPE such as improper fit, defects, or medical conditions that may affect use of PPE.
4. **Environmental Health and Safety (EHS)** is responsible for:

1. Reviewing and selecting appropriate PPE compliant with OSHA regulations based on hazard assessments.
2. Providing technical assistance with hazard assessment and training upon request by Supervisors.
3. Administration of the PPE program including but not limited to: recordkeeping, periodically reviewing effectiveness of the policy, and updating it as needed.

5. **Human Resources** is responsible for:
    1. Reviewing letters from labor unions or healthcare providers, if any, regarding issues involving the use of PPE.

Hazard Assessment

A written **Hazard Assessment Form (Appendix A)** **(https://drive.google.com/file/d/1fG2-zu5fWCihZjDs5ILK9f_XmOk_-OJQ/view?usp=drive_link)** is required of the employee's workplace to determine hazards and the appropriate PPE. The form must be completed by the Supervisor and submitted to EHS. One completed form can be submitted if it includes all tasks performed by all employees in a given work area. A separate written hazard assessment is required for unusual tasks that arise and were excluded from the previously submitted hazard assessment.

Obtaining PPE

Supervisors must purchase necessary PPE identified in the hazard assessment form and/or approved by EHS.

Training

Supervisors shall ensure their employees are trained on task-specific PPE including availability, rationale for the selection, proper fitting/use, maintenance/storage, and limitations of the PPE. EHS is available to assist with this training upon request.

Retraining

When the Supervisor has reason to believe that any previously trained employee does not understand or have the skill required to use PPE, the Supervisor must retrain the employee. These circumstances include, but are not limited to:

- Changes in the workplace that make previous training obsolete.
- Change in the types of PPE that make previous training obsolete.
- Inadequacies in an affected employee's knowledge or use of assigned PPE indicating that the employee has not been trained properly.

Using PPE

Employees must inspect their issued PPE for defects prior to putting them on each time. Employees must wear the issued PPE properly when performing tasks that put them at risk of recognized hazards identified in the hazard assessment. Employees must not perform a task when required PPE is unavailable nor use damaged or improperly fitting PPE.

Maintaining & Storing PPE

It is the responsibility of the employee to properly maintain (e.g., store, clean) his/her issued PPE in a sanitary manner.

Replacing PPE

Supervisors must provide replacements for PPE as needed due to damage or improper fit.

Program Evaluation

EHS will periodically evaluate the PPE policy and make changes as necessary.

References

OSHA Regulations: Personal Protective Equipment-General Requirements (29 CFR 1910. 132), Hand Protection (29 CFR 1910.138), Head Protection (29 CFR 1910.135), Eye & Face Protection (29 CFR 1910.133), Foot Protection (29 CRF 1910.136), Electrical Protective Devices (29 CFR 1910.137), Respiratory Protection (1910.134), Occupational Noise Exposure (29 CRF 1910.95).

RESPIRATORY PROTECTION POLICY

Safety & Facilities > Health & Safety

Purpose

- To establish a respiratory protection program to protect employees exposed to hazardous levels of air contaminants.
- To comply with the Occupational Health and Safety Administration's (OSHA) **Respiratory Protection Standard (29 CFR 1910.134)** **(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134)** .

Scope

The respiratory protection policy applies to all employees who wear respirators to prevent overexposures to harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors. Respirators are to be used when engineering controls (e.g., ventilation) are not feasible or while they are being instituted.

This policy applies to:

- All employees of the University, including but not limited to full-time and part-time faculty, staff, and technicians; temporary/seasonal employees; and student employees
- Interns and volunteers
- Contractors and vendors (these individuals must provide their own respiratory protection)

Definitions

Responsible Individual: The highest-ranking individual serving in a management capacity within each Program, Department, School or Division (e.g., Directors (program or facilities) and School or Divisional Deans) is the Responsible Individual.

Responsibilities

1. **Responsible Individuals** have the following responsibilities:
    1. Allocating necessary funds to support compliance with the respiratory protection program.
    2. Enforcing compliance with the respiratory protection program and, where necessary, taking disciplinary actions in accordance with university policies and procedures as well as the relevant handbooks and collective bargaining agreements.
2. **Supervisors** are responsible for:
    1. Identifying potential airborne contaminants in each location they supervise and requesting a hazard evaluation by Environmental Health & Safety (EHS) to determine the

need for respirator use.

2. Notifying EHS of changes in the work area(s) and/or its processes/procedures that may introduce new or increased levels of airborne contaminants.
3. Purchasing appropriate respirators identified by EHS for employees.
4. Monitoring and enforcing compliance with the policy including, but not limited to: inspection, use, proper maintenance, storage, disposal, and replacement of issued respirators as needed.
5. Scheduling initial and annual respiratory protection training for employees with EHS.
6. Coordinating with EHS for mandatory medical evaluation and fit-testing for employees. Fit-testing is not required for voluntary respiratory use.
7. Ensuring engineering controls that prevent or minimize airborne contaminants are maintained and notifying EHS of issues in a timely manner.

3. **All Employees** are responsible for:
    1. Complying with the policy: adhering to acceptable work practices; attending training; completing medical evaluation; completing fit-testing (if required); using, inspecting, properly maintaining, storing, and disposing of respirators.
    2. Notifying their supervisor of issues pertaining to the respirator such as improper fit, respirator defects, or medical conditions that may affect respirator use.
4. **Environmental Health and Safety (EHS)** is responsible for:
    1. Conducting exposure evaluations and selecting appropriate respirators.
    2. Providing training, fit-testing, and coordinating medical evaluations.
    3. Maintaining required records, periodically reviewing effectiveness of the policy, and updating it as needed.
5. **Human Resources** is responsible for:
    1. Reviewing and responding to communications from labor unions, health care providers, or employees raising personal medical issues/concerns regarding issues related to this policy and/or its application to an employee or employees.

Exposure Assessment

An exposure assessment is required to evaluate respiratory hazards and the necessity of respirator use. The **Exposure Assessment Form (Appendix A) (https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:96b642bf-8e06-478f-84fe-a6df39c0d7a2)** must be completed by the Supervisor and submitted to EHS.

Employees must wear respirators if the exposure assessment determines that the employees' exposure exceed established occupational exposure limits (OELs). Employees whose exposures do not exceed OELs may wear respirators voluntarily provided that respirator use will not in itself create a hazard.

Respirator Selection

EHS will select the appropriate NIOSH-certified respirator based on the exposure assessment.

Medical Evaluation

Employees who wear elastomeric (reusable) respirators either on a mandatory or voluntary basis, or disposable respirators on a mandatory basis, must be medically evaluated at no cost to the employees to determine their ability to use the respirator safely.

The medical evaluation consists of completing the OSHA Respirator Medical Questionnaire (available through EHS) and possibly a medical examination if deemed necessary by the University's authorized *physician or other licensed health care professional (PLHCP*).

The medical evaluation must be conducted before the employee begins wearing the respirator, and must be repeated if any of the following conditions occur:

- The employee reports medical symptoms related to the ability to wear a respirator,

- Changes in workplace conditions may result in a substantial increase in the physiological burden placed on the employee,
- If the PLHCP or EHS deems re-evaluation is necessary

All medical information will be kept strictly confidential by the PLHCP. However, the PLHCP must inform EHS if the employee is medically cleared or approved to wear the issued respirator.

Employees who do not pass medical clearance must not perform tasks that require respirator use until an alternative option is approved and provided.

Fit-Testing

Fit-testing must be completed after the employee has been medically cleared and before the employee is required to use a negative or positive pressure tight-fitting respirator to ensure a tight seal can be maintained between the facepiece and the employee's face.

Fit-testing must be repeated annually, when a different respirator model and/or size is used, and when there are changes in the user's physical conditions that could affect the tightness of the respirator's fit, including but not limited to: obvious weight gain/loss, facial scarring, cosmetic surgery or dental changes.

Employees cannot be fit-tested if there is facial hair that comes between the sealing surface of the respirator and the face or that interferes with valve function. If the employee cannot pass the fit-test, retesting must be done with a different respirator model and/or size.

Training

Supervisors must coordinate with EHS to ensure employees are trained on the respiratory hazards they are at risk of being exposed to and the specific respirator to be used.

Employees must be trained on the proper use of the respirator (including how to put it on and take it off), proper maintenance, limitations of the respirator, and respiratory hazards to which the employee may be potentially exposed to during routine and emergency situations.

Training must be conducted before the employee begins wearing the respirator and annually thereafter. Instances that warrant additional training include:

- Changes in the workplace or specific task that requires respirator use which may affect worker exposure.
- Change in the type of respirator, rendering previous training obsolete.
- Inadequacies in an employee's knowledge or use of assigned respirator indicating the employee has not been trained properly.

Employees who use respirators on a voluntarily basis must be provided a copy of **Appendix D: (Mandatory) Information for Employees Using Respirators When Not Required Under the Standard** **(https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134AppD)** .

Respirator Use and Care

Respirators must be worn when employee exposure to airborne contaminants exceed established OELs, as confirmed by EHS. Respirators may be worn voluntarily when OELs are not exceeded.

Employees must inspect their issued respirators for defects prior to putting them on each time.

Employees who wear tight-fitting respirators must perform a seal check, per the manufacturer's instructions, to ensure a tight fit each time the respirators are worn.

Employees must wear the issued respirator properly, by following the manufacturer's instructions, when performing tasks that warrant its use.

Employees must not perform a task when the required respirator or appropriate cartridge/canister/filter is unavailable nor use a damaged or improperly fitting respirator.

Employees are responsible for properly storing, maintaining, and cleaning their issued respirators in accordance with the manufacturer's instructions.

Canister/Cartridge Change Schedule

Respirator canisters/cartridges must be replaced per the manufacturer's *end-of-service-life indicator (ESLI)*, if any, or based on a consultation with EHS to determine the appropriate change-out schedule.

Employees must not rely on odor thresholds or other warning properties (e.g., taste, respiratory irritation, etc.) as the basis for determining when the canisters/cartridges must be replaced.

Program Evaluation

EHS will periodically evaluate the respiratory protection policy and make changes as necessary.

References

29 CFR 1910.134 (https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134)

ALL GENDER RESTROOM MAP

All Gender Restrooms have gained prominence in recent years as a progressive step towards creating more inclusive environments. With half of the restrooms on our campus now designated as All Gender Restrooms, these facilities offer an inclusive and accommodating space for individuals of all gender identities. This article aims to discuss the goals and benefits associated with All Gender Restrooms, highlighting their capacity and fixture signage as key elements in promoting accessibility and fostering a more inclusive campus community.

The presence of All Gender Restrooms brings about several benefits, both for individuals and the campus community as a whole:

1. Accessibility and Convenience: All Gender Restrooms increase restroom availability for individuals who may encounter difficulties or discomfort when using gender-specific facilities. This enhanced accessibility ensures that everyone has equal access to restroom facilities, regardless of their gender identity or expression.
2. Privacy and Safety: All Gender Restrooms prioritize privacy and safety by providing individual enclosed spaces or stalls. This feature addresses concerns regarding personal security and allows individuals to use the restroom without fear of judgment or harassment, fostering a sense of safety and comfort.
3. Nurturing Inclusivity and Understanding: All Gender Restrooms encourage dialogue, awareness, and understanding about diverse gender identities. By promoting a campus environment that acknowledges and respects individual differences, these facilities contribute to the overall cultural competency and inclusivity of the campus community.

Signages and Communication:

The signage of All Gender Restrooms plays a vital role in communicating important information to users. Signage typically includes indicators of capacity and fixtures, such as the number of stalls, urinals, and sinks, allowing individuals to make informed decisions based on their personal needs. This transparent approach empowers users to navigate restroom facilities comfortably, fostering a

sense of control and understanding.

CAREGIVERS SUPPORT MAP

Safety & Facilities > Space Planning

The **Caregivers Support Map** is a valuable resource designed to assist caregivers in finding lactation rooms and changing tables within our facilities. Its purpose is to enhance convenience and accessibility for caregivers, empowering them with knowledge and supporting their caregiving responsibilities. By highlighting the locations of these facilities, the map promotes inclusivity, improves the caregiver experience, and fosters a nurturing environment.

The Caregivers Support Map utilizes an interactive digital platform, allowing caregivers to easily search for lactation rooms and changing tables based on their current location or specific facilities. Clear markers and indicators on the map facilitate swift and accurate identification of these amenities. Our organization is committed to supporting caregivers and their diverse needs, and the Caregivers Support Map is a testament to this dedication. Through its use, we aim to create a culture of compassion and understanding while providing caregivers with the information they need to enhance their caregiving experience.

Click here to download a copy. (https://content.api.getguru.com/files/view/8dca52fe-7201-4edf-81ac-d0c8b84f24c1)

GENERAL ADVISORY ON FULL-TIME EMPLOYMENT

University Policies > 03 - Employment

Policy Number: 03.0001

Purpose

This Advisory concerns the university's basic standard for faculty and administrators who have full-time positions at the university.

Scope

This policy applies to all full-time administrative staff and faculty of The New School.

Responsibilities

Human Resources: Authorization of additional instructional positions.

Supervisors, Unit Heads, and Chiefs/Deans: Approval of instructional duties for administrators and ensuring administrative work continues during the appointment.

Policy

Both faculty and administrators who are invited to join the collegial enterprise of the University on a full-time basis are expected to make a professional commitment to dedicate themselves to the pursuit of the university's mission and purposes. Administrators work on a twelve-month schedule, and it is expected that they will be fully and actively engaged in their position responsibilities for the University throughout the calendar year, including during the summer months (i.e., during all terms of the academic calendar: fall, spring, and summer terms). Full-time employees are not permitted to hold any other position of employment with the University, except as provided below, without express permission from the Vice President of Human Resources.

From time to time, administrators who have relevant academic training or experience may be invited to teach a course as part-time faculty in one of the university's academic programs. This opportunity is one of the special privileges of working at a university. Administrators who wish to teach may do so only after consulting with and obtaining the approval of their supervisor(s). Once

they have received the appropriate approval(s), those successfully appointed must continue to fulfill all the responsibilities of their administrative positions.

Effective January 1, 2020, full-time Administrators appointed to teach will be included in the ACT-UAW, Local 7902, Part-time Faculty Unit in their capacity as teachers and will be subject to the terms of and compensated at the appropriate rates outlined in the **Collective Bargaining Agreement** (https://www.newschool.edu/human-resources/labor-relations-part-time-faculty) , excluding those assigned to teach in the Jazz and Contemporary Music Program. All such administrators will be designated as probationary faculty, with a permanent zero semester count for all purposes with respect to the CBA and for the duration of any and all such teaching assignments.

Procedure

Full-time administrators who receive an invitation to provide instructional services must obtain approval in advance from their Supervisor and Department/Unit Head, with final approval by the Chief/Dean. Please complete the **Administrator/Instructional Services Approval Form** (https://drive.google.com/file/d/1Wyjm3Hj6sOKYQp1nt1LARNjHR6Wc2Lyq/view?usp=sharing) and submit a signed copy to Human Resources at **hrhelp@newschool.edu** (mailto:hrhelp@newschool.edu) .

Policy Administration

Responsible University Official: VP of Human Resources

Responsible Office: Human Resources

Contact Information: **hrhelp@newschool.edu** (mailto:hrhelp@newschool.edu)

Policy History

Effective Date: July 23, 2024

Last Reviewed Date: July 23, 2024

Next Review Date: July 23, 2029

Revision History: N/A

Related Topics

- **Outside Work Policy** (https://app.getguru.com/card/ce8gXX4i/Outside-Work-Policy)
- **At Will Employment** (https://app.getguru.com/card/Tr8GKMBc/At-Will-Employment)
- **Flexible and Telework Arrangements Policy** (https://app.getguru.com/card/c9p7gqGi/Flexible-and-Telework-Arrangements-Policy)