



Student Anti-Discrimination and Anti-Harassment Policy

PREAMBLE

Discrimination and harassment interfere with the educational purpose of New York Law School ("NYLS" or the "Law School") and negatively affect all members of the Law School community. Faculty, staff, and students have a right to be free from discrimination and harassment, as defined below. Discrimination or harassment directed at any member of the Law School community within the context of the Law School or Law School-sponsored activities will not be permitted, and complaints will be investigated promptly and thoroughly. NYLS is proud of its policy of maintaining an academic and residential environment that encourages tolerance and respect for the dignity of each individual.

I. COORDINATION WITH OTHER POLICIES

Consistent with federal and state law requirements pertaining to sexual assault, non-consensual sexual contact, unwelcome conduct (per Title IX), sexual exploitation, stalking, dating violence, domestic violence, and *quid pro quo* sexual harassment (collectively, "Sex-Based Misconduct"), NYLS has adopted a Sexual Misconduct Policy that specifically addresses such conduct. All complaints pertaining to conduct that is prohibited by the Sexual Misconduct Policy shall be handled in accordance with the Sexual Misconduct Policy.

All other complaints of harassment and discrimination made by students, including complaints of sexual harassment or discrimination not covered by the Sexual Misconduct Policy, shall be handled in accordance with this Student Anti-Discrimination and Anti-Harassment Policy (the "Policy"). Any questions regarding which NYLS policy governs a particular situation should be referred to the Title IX Co-Coordinators, Associate Dean for Professional Development, or Associate Dean of Academic Affairs. Additional external resources and statutory references related to incidents of Sex-Based Misconduct can be found in the Sexual Misconduct Policy.

A particular situation may invoke one or more NYLS policies or processes. The Law School reserves the right to determine the most appropriate policy or process and to utilize that policy or process.

II. GENERAL HARASSMENT AND DISCRIMINATION POLICY

A. Prohibition Against Harassment and Discrimination

In compliance with federal, state, and local laws and guidance, the Law School does not discriminate on the basis of race, color, religion, creed, national or ethnic origin, sex, sexual orientation, gender (including gender identity), age, disability, military status, marital/partnership status, alienage, citizenship, or any other legally protected status ("Protected Characteristic") in the administration of any of its educational programs and activities.

B. Scope of This Policy

This Policy applies to all NYLS students, student workers, student visitors, and applicants for admission. Conduct that may violate this Policy could occur on-campus or off-campus, including on social media and other online platforms. NYLS may be

limited in what actions it may take when investigating or responding to a report of off-campus behavior or on-campus behavior of an individual not affiliated with NYLS, but in such cases NYLS will conduct an inquiry and respond to the best of its ability.

It is important to note that behavior that is not sufficiently severe or pervasive to constitute a violation of law may still violate this policy. Of course, NYLS may also discipline students for inappropriate behavior that is not a violation of this Policy under other applicable policies.

C. Definitions of Harassment and Discrimination

The following definitions apply to this Policy only. All conduct described in this section is collectively referred to as "Prohibited Conduct" hereinafter. Engaging in any Prohibited Conduct is a violation of this Policy.

Discrimination occurs when an individual experiences negative or adverse conduct based on a Protected Characteristic, where such conduct has the effect of denying or limiting an individual's ability to benefit from and fully participate in educational programs or activities.

Harassment is certain unwelcome conduct on the basis of a Protected Characteristic. It includes subjecting an individual to humiliating, offensive, abusive, or threatening conduct that creates an intimidating, hostile, or abusive residential, academic, or learning environment; or unreasonably interferes with an individual's academic performance on the basis of that individual's Protected Characteristic.

Harassment includes communicating, sharing, or displaying written or visual materials; making verbal comments; or engaging in physical conduct that is demeaning or derogatory to a person because of a Protected Characteristic. Examples of harassing behavior may include: communicating, sharing or displaying written or visual materials; epithets or slurs; negative stereotyping; denigrating jokes; and display or circulation in the working, learning, or living environment (including electronic transmission) of written or graphic material; making verbal comments; or engaging in physical conduct that is demeaning or derogatory to an individual because of a Protected Characteristic. Whether or not conduct is harassment will depend on the totality of the circumstances, including the frequency and severity of the discriminatory conduct; whether the conduct is physically threatening or humiliating, or a mere offensive utterance; and whether the conduct unreasonably interferes with the alleged victim's residential, academic, or learning or employment environment, if applicable.

Discriminatory harassment includes but is not limited to: epithets or slurs; negative stereotyping; denigrating jokes; and display or circulation in the working, learning, or living environment (including electronic transmission) of written or graphic material.

Sexual Harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender (collectively, "Sex"). Such conduct may occur between any individuals, regardless of their sex or gender. Sexual harassment may also include unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile or offensive learning, residential, or academic environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of participation in academic activities or programs; or
- Submission to or rejection of such conduct is used as the basis for academic decisions with regard to the individual.

The following describes some of the types of sexual harassment prohibited under this Policy: offensive and unwelcome sexual invitations, whether or not the individual submits to the invitation, and particularly when a spoken or implied *quid pro quo* for

sexual favors is a benefit of academic, learning, and residential opportunities; sex stereotyping; hostile actions taken against an individual because of that individual's sex; unwelcome sexual flirtations, advances, questions, or propositions; requests or demands for sexual favors; graphic or degrading verbal comments or questions about an individual's appearance or their sexual conduct or relationships; sexually oriented gestures, noises, remarks or jokes, or comments about an individual's sexuality or sexual experience; unwanted, offensive, or abusive physical contact; words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, which cause the recipient discomfort or humiliation, and/or which interfere with the recipient's residential, academic, or learning environment. The above list is only illustrative of types of conduct that would violate this Policy and, as such, by no means represents an exclusive list of conduct or types of conduct that would violate this Policy.

It is important to note that behavior that is not sufficiently severe or pervasive to constitute a violation of law may still violate this policy. Of course, NYLS may also discipline students for inappropriate behavior that is not a violation of this Policy under other applicable policies.

III. HARASSMENT AND DISCRIMINATION COMPLAINT PROCEDURES

A. Reporting Options

Any student who feels they have been subjected to any kind Prohibited Conduct under this Policy should immediately contact the Associate Dean for Professional Development, Associate Dean of Academic Affairs, or the following Title IX Co-Coordinators:

Nina Jody '83

Title IX Co-Coordinator and Counsel
New York Law School
185 West Broadway, New York, NY 10013
Telephone: 212.431.2344 | Email: nina.jody@nyls.edu

Brian Kaszuba '04

Title IX Co-Coordinator/Deputy Equal Opportunity Coordinator
Associate Director of the Center for New York City Law and Adjunct Professor
New York Law School
185 West Broadway, Room E703B, New York, NY 10013
Telephone: 212.431.2817 | Email: brian.kaszuba@nyls.edu

If the alleged offender of this Policy is an employee of NYLS, students may also report the misconduct to the Vice President for Human Resources.

Students may also raise concerns about Prohibited Conduct to any faculty member, administrator or staff member, or any NYLS Security Officer ("Responsible Employee"). Whenever a Responsible Employee receives a complaint involving Prohibited Conduct from a student, the Responsible Employee is required to contact the Associate Dean for Professional Development, Associate Dean of Academic Affairs or a Title IX Co-Coordinator, even if that employee is the subject of the complaint. NYLS employees cannot guarantee confidentiality, even if that is the desire of the student; they will, however, maintain the student's privacy to the greatest extent possible. Please note that in all instances, the individual who receives the report may refer the report to, or consult with, another appropriate individual to ensure that the complaint is handled under the correct NYLS policy.

The Law School may investigate conduct potentially in violation of this policy regardless of whether a formal complaint is filed, even if that is not the desire of the student.

Anonymous reports may be made to Title IX Co-Coordinators. Individuals leaving an anonymous report should be aware that failure to disclose identifying information about the offender, the victim of the conduct, or the facts and circumstances regarding the conduct, severely limits the Law School's ability to respond and remedy the effects of the misconduct.

B. Harassment and Discrimination Advisors

Trained Discrimination and Harassment Advisors ("Trained Advisors") are available to talk with students who have questions or concerns about Prohibited Conduct, who believe they have been the victim of Prohibited Conduct. All Advisors will be selected by the Dean and appointed to an Advisor panel for renewable terms of two years. All Advisors will receive training in discrimination, harassment, and retaliation issues. The Advisors shall include both male and female persons. The Advisor panel should include individuals from each of the following groups: Administration, Faculty and Senior Staff. A list of Advisors will be available and maintained on the NYLS website and in the Student Affairs and Academic Affairs offices.

All students have a right to be accompanied to any meeting or proceeding under this Policy by an advisor of their choice ("Student-Chosen Advisor"). The objective of a Student-Chosen Advisor is to provide advice and guidance to the student during the process, not to advocate for the student. Consistent with this objective, a Student-Chosen Advisor may accompany the student as a supportive presence only. A Student-Chosen Advisor may take notes and quietly confer with the individual being advised, but may not speak on behalf of the individual or in any way disrupt any meeting or the resolution procedure. Individuals who may have factual information relevant to the complaint may not serve as Student-Chosen Advisors.

Although students are not required to have a Trained Advisor or Student-Chosen Advisor or to bring a Trained Advisor or Student-Chosen Advisor to all meetings, utilizing the same Advisor throughout the process, unless there are extenuating circumstances, allows the process to move forward in the most efficient fashion. In the event that a student wants to make a change to their Trained Advisor or Student-Chosen Advisor, they must provide written notice to the Associate Dean of Academic Affairs. Although reasonable attempts will be made to schedule proceedings consistent with the Advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the Trained Advisor or Student-Chosen Advisor.

If a Trained Advisor or Student-Chosen Advisor fails to comply with the procedures set forth herein, including through a material breach of confidentiality, the Law School reserves the right to exclude the Trained Advisor or Student-Chosen Advisor from further participation in the process.

C. Harassment and Discrimination Review Board

NYLS has established a Harassment and Discrimination Review Board ("Review Board") for the purpose of carrying out its obligations in investigating complaints of Prohibited Conduct it receives under the Formal Resolution process discussed herein. The function of the Review Board, through a two-person investigation team, is to conduct a thorough investigation of allegations contained in any formal complaint to determine whether any conduct alleged in the complaint occurred in the manner and under the circumstances alleged; and whether the alleged conduct constitutes Prohibited Conduct under this Policy. The Review Board produces recommendations for appropriate corrective action, conducts hearings as outlined below, and maintains investigation files and any other procedural documentation including appeals and appeal outcomes.

The Review Board shall consist of six (6) members (or five members if there is only one Title IX Coordinator then serving): one Dean or Associate Dean, one Faculty member, one representative from Human Resources, the Title IX Co-Coordinators and one member of the NYLS Administration. The Review Board will be selected by the Dean of the Law School. One member of the Review Board, appointed by the Dean, will serve as Chair of the Review Board. All members of the Review Board shall receive training in harassment discrimination, and retaliation issues.

IV. HARASSMENT AND DISCRIMINATION RESOLUTION PROCEDURES

A. Initial Meeting

If deemed necessary and appropriate after receiving a complaint, the Associate Dean for Professional Development, Associate Dean of Academic Affairs and/or the Title IX Co-Coordinators will meet with the complaining student ("Complainant") to request additional information relevant to the complaint and to discuss potential immediate temporary restrictions, (such as instructing students not to speak with each other, reassigning class schedules, or providing academic support resources, "Interim Measures"), pending resolution of the complaint.

During this initial meeting, the Associate Deans or the Title IX Co-Coordinators will also inform the Complainant about their options to resolve the complaint (*see* Sections IV (C) and (D) below) and will refer the Complainant to the list of available NYLS Discrimination and Harassment Advisors. *See* Section III(B).

If a Complainant requests that the complaint remain confidential, and/or later withdraws the complaint, the Associate Deans and/or the Title IX Co-Coordinators will weigh the request against the Law School's obligation to provide a safe, non-discriminatory environment for all members of its community. If the Complainant does not wish to pursue resolution or requests that the complaint remain confidential, NYLS's ability to respond to the complaint may be limited.

If appropriate, the Associate Deans and/or the Title IX Co-Coordinators will notify the alleged offender ("Respondent") and any other necessary individuals of the complaint and proposed method of resolution, per the options below, and refer the Respondent to the list of available NYLS Discrimination and Harassment Advisors. *See* Section III(B).

B. Interim Measures/Emergency Action

The Dean of the Law School (or their designee) may take action to deal with situations of an emergency nature posing a threat to the safety or health of the Law School community or the integrity of its programs. The Dean, after consultation with the Associate Dean for Professional Development, the Associate Dean of Academic Affairs and/or the Title IX Coordinator will determine whether and which emergency action is required ("Interim Measures").

Based upon the nature of the conduct alleged, NYLS may impose the following Interim Measures after a complaint has been made, including, but not limited to:

- Suspension
- No contact orders
- Other campus access restrictions
- Changing or modifying class schedules
- Providing alternate course completion options
- Changes in work schedules
- Changes in housing assignments
- Assistance with housing relocation
- Interim suspension
- Leave of absence

- Providing an escort to ensure safe movement on campus
- Providing academic services (including tutoring)
- Any other remedy that can be tailored to the individuals and which reasonably helps to achieve the goals of this Policy.

C. Resolution (Investigation)

The goal of the Resolution is to conduct a prompt, thorough, and impartial investigation of the allegations to determine whether such conduct occurred, whether that conduct violates this Policy, and to recommend appropriate corrective action. Reports of Prohibited Conduct will remain confidential to the greatest extent possible, but NYLS cannot guarantee absolute confidentiality.

An investigation is initiated when a Complainant lodges a formal complaint, as outlined in the complaint procedures above. The formal complaint can be written or oral and must include the relevant allegations against the Respondent. The Law School may also investigate conduct potentially in violation of this Policy regardless of whether a formal complaint is filed.

After receiving a formal complaint, the Chair of the Review Board shall convene a two-person investigation team ("Investigation Team"). The Investigation Team will be selected from the Review Board, excluding the Chair of the Review Board. If an employee is the Respondent, Human Resources will be a member of the Investigation Team. If the Formal Complaint involves potential sex or gender-based discrimination, a Title IX Co-Coordinator must be a member of the Investigation Team. Any individual determined to have a real or perceived conflict of interest or bias will not be permitted to serve on the Investigation Team or the Review Board for a particular case; if conflicts of interest arise, the Chair may select appropriate individuals from outside the Review Board to serve in a matter (including, as applicable, other members of the Human Resources office, the Title IX Hearing Board, or the Administration).

While the process may vary from case to case depending on the circumstances, most investigations of Formal Complaints will be conducted as follows:

- The Investigation Team will interview all relevant parties involved, including any relevant witnesses, and may collect or review any relevant documents (the "Investigation"). While the sequence of interviews must be flexible, the Investigation Team should try to meet with the Complainant first to ensure they have received all information relevant to the Formal Complaint. All parties will have an equal opportunity to offer statements, witnesses, and other evidence. The parties must cooperate with the Investigation Team by providing any additional information if requested.
- All participants in the Investigation are free to consult personal advisors. Students may have one Advisor of their choice present in meetings/interviews during the investigative process, subject to the Advisor guidelines set forth above.
- Based on the information gathered, the Investigation Team shall determine whether a violation of this Policy occurred under the "preponderance of the evidence" standard. Under this standard, it must be more likely than not that a violation of the Policy occurred.
- The Investigation Team will create written documentation of the investigation (such as a letter, memo or email), which details the steps taken, including documents reviewed and persons interviewed; summaries and statements related to the incident(s); and the Investigation Team's determination of culpability, including recommendations as to corrective action, as applicable ("Draft Report").

The Investigation Team's Draft Report will be submitted to the Review Board for finalization and approval. The Review Board will make a decision based on majority vote, and may choose to adopt the recommendations of the Investigation Team in the Draft Report, request that the Investigation Team gather additional facts, or adopt a different conclusion from the Draft Report, as appropriate.

The final report adopted by the Review Board ("Final Report") will be directed to the appropriate NYLS Dean, Vice President, unit head, or designee, who will ensure appropriate corrective action is taken. The Complainant and Respondent will be informed that the investigation has concluded and, to the extent appropriate, of the results of the investigation and any corrective action.

The Formal Resolution process should be completed as expeditiously as possible, and generally within a period of sixty (60) calendar days from the time the Review Board receives a complaint.

D. Hearing Procedure (If Applicable in Limited Circumstances)

If necessary, and in exceptional cases only, the Investigation Team may recommend to the Chair that the Review Board hold a hearing ("Hearing"). Exceptional cases requiring a Hearing include cases in which a student may face severe disciplinary action such as permanent expulsion from NYLS. Hearings shall take place pursuant to the procedures set forth below. After a Hearing, the Review Board must reach a conclusion and finalize a Report and Decision by majority vote.

In the event a Hearing before the Review Board is necessary, the Review Board may question the parties and other witnesses, and may request and/or accept evidence. The formal rules of evidence and other judicial formalities do not apply to the Hearing procedure under this Policy. All parties will have an equal opportunity to offer witnesses and other evidence. Only members of the Review Board may ask questions of the parties and witnesses. Both parties may submit written questions to the Chair of the Review Board in advance of the hearing for the Review Board to consider asking of the other party and of witnesses. The Review Board may determine which questions are relevant, and reserves the right to revise or remove submitted questions. For each written question submitted by a party, the Review Board shall maintain a record as to whether the question was asked at the hearing. If the Review Board asks a revised version of the question at the hearing, the Review Board shall maintain a record of how the question was revised. To the extent practicable, the Hearing should be held in one business day.

The Review Board will use its best efforts to ensure the appearance of witnesses and the production of documents relevant to any matter before it. The Law School will cooperate with the Review Board and will use sanctions at its disposal in ensuring the appearance of witnesses and the production of documents in all proceedings before the Review Board.

The Complainant and Respondent, and their Advisors, may, if they choose, observe the proceeding; neither party is required to be present for the Hearing, other than to provide relevant testimony. Upon timely request by either party, the Chair of the Review Board may, in their discretion, accommodate concerns for a party's personal safety, well-being, and/or fears of confrontation during the Hearing by permitting the use of available technology to conduct the Hearing while allowing the Complainant and Respondent to be in separate rooms.

Hearings are closed to the public. Witnesses (other than the Complainant, the Respondent, and their Advisors, as discussed above) are not permitted to observe the Hearing before or after their questioning. Any student witness, including the Complainant and Respondent, has the right to be accompanied to the hearing by an Advisor subject to the Advisor guidelines set forth above. Advisors may not address the Review Board, may not ask questions, and may not serve as witnesses. The Chair of the Review Board may remove any individual from the Hearing who is disrupting the proceeding or is not abiding by the rules of the hearing.

At the conclusion of the Hearing, the Review Board will deliberate in private to determine if there was a violation of this Policy. The Review Board's deliberations will not be recorded. The Review Board shall determine whether a violation of this Policy occurred under the "preponderance of the evidence" standard. Under this standard, it must be more likely than not that a violation of the Policy occurred. Based on this standard, the Review Board may find the Respondent responsible for a violation of a Policy or not responsible, based on a majority vote.

The Review Board will incorporate its findings and recommendations into the final report ("Report and Decision"), which shall include the corrective action and sanctions pursuant to the section below, and will direct the Report and Decision to the appropriate NYLS Dean, Vice President, unit head, or designee, who will ensure appropriate corrective action is taken. The Complainant and Respondent will be informed that the Hearing has concluded and, to the extent appropriate, of the results of the Hearing and any corrective action.

The Hearing process should be completed as expeditiously as possible, generally within a period of sixty (60) calendar days from the time the Investigation Team recommends to the Chair that the Review Board hold a Hearing.

V. CORRECTIVE ACTION AND SANCTIONS

If NYLS determines that Prohibited Conduct occurred in violation of this Policy, it will take measures to stop the Prohibited Conduct and ensure that it does not recur. NYLS will also take steps to correct any effects of Prohibited Conduct.

The Review Board will work with the NYLS Administration to recommend the appropriate corrective action based on the circumstances surrounding the Formal Complaint. NYLS will ensure that disciplinary measures are proportional to the seriousness of the offense, taking into consideration factors such as prior disciplinary history, as appropriate.

All sanctions as to students will be noted in the student's academic file, along with a concise written statement as to the circumstances. The statement shall be written by the Dean of the Law School. Should the Respondent seek admission to a bar of any jurisdiction, information about proceedings or sanctions under this Policy will be reported to the appropriate committee of that jurisdiction in accordance with the jurisdiction's requirements. Certain sanctions for students may also be subject to transcript notation.

Sanctions may include, but are not limited to the following:

Current Students or Applicants:

- Warning, with appropriate documentation of the circumstances
- Restitution
- Probation, for a time certain, with terms and conditions set forth by the Review Board as to termination of probation
- Suspension, for a time certain
- Revocation of admission (if the individual is an admitted student) or denial of admission
- Removal from an academic journal or other student organization, or from a leadership position within such organization
- Revocation or non-renewal of credits for participation in an academic journal or other student organization
- Expulsion, with or without terms and conditions as to any application for re-admission
- Withholding of degree

Former Students or Graduates:

- Warning
- Restitution
- Revocation of degree
- Persona non grata order

- In the case of a graduate not yet admitted to practice, the Law School may withhold certification of the student to the appropriate bar admission entity
- In the case of a graduate already admitted to practice, the Law School may notify the appropriate bar disciplinary entity of the proceeding outcome

VI. APPEAL

Either party to a Formal Complaint under this Policy has the limited ability to appeal from the decision of the Review Board, and the sanction or remedy. In order to appeal, the party must submit a written appeal request to the Chair of the Review Board within ten (10) business days of being notified of the results of the investigation or of the sanction determination, whichever occurs later. An appeal of the outcome of the Investigation and/or Hearing shall be based only on: (1) insufficient evidence to support the determination and/or (2) the discovery of new, relevant evidence that was not available during the investigation and which could affect the outcome of the case. A party may appeal the sanction or remedy if the party feels that the severity of the sanction or remedy is substantially disproportionate given the details of the situation. Disagreement with the finding or sanction is not, by itself, grounds for an appeal.

Upon receiving an appeal, the Chair of the Review Board shall convene an Appeal Panel to review the appeal. The Appeal Panel will consist of three (3) administrators who oversee the Law School's academics, administration and/or operations (for example, the Senior Vice President or Chief Financial Officer). Anyone involved in the incident or its Investigation or Hearing, if applicable, cannot sit on the Appeal Panel.

Appeals are not an opportunity to reinvestigate the Formal Complaint. The Appeal Panel will have the opportunity to review the Review Board's file, notes, evidence, and any other information collected during the Investigation and/or Hearing. Any findings of fact determined by the Investigation Team and Review Board are presumed to have been decided reasonably and appropriately. The Appeal Panel shall determine, by a simple majority vote, whether it believes a violation of the Policy occurred. If the Appeal Panel believes that a violation of the Policy has occurred, the Appeal Panel may also review the propriety of the sanction or remedy determination. The Appeal Panel may recommend either to uphold the sanction or remedy, or may recommend a new sanction or remedy.

The Appeal process should be completed as expeditiously as possible, generally within a period of sixty (60) calendar days from the date the Appeal is made to the Chair of the Review Board

VII. PROHIBITION ON RETALIATION

No individual covered by this Policy shall be subject to adverse actions because the individual reports an incident of harassment or discrimination, provides information, or otherwise assists in any investigation of a complaint, or testifies or assists with any such proceeding under the law. New York Law School will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected harassment or discrimination. The Law School will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate.

VIII. LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Prohibited Conduct is not only prohibited by NYLS but is also prohibited by state, federal, and, where applicable, local law. Aside from the process described in this Policy, students and other individuals covered under this policy may also choose to pursue legal remedies with outside governmental entities, including federal, state, and local governmental agencies, such as the Office of Civil Rights and Division on Human Rights. While a private attorney is not required to file a complaint with

a governmental agency, Complainants may seek the legal advice of an attorney. Contact information for these entities is available online, and can also be found in the Sexual Misconduct Policy.

Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime.

In addition to notifying the local police department, or the government agencies listed above, employees can also file a complaint in federal or state court under federal and/or state anti-discrimination and anti-harassment laws.

IX. ACADEMIC FREEDOM

This Policy is intended to compliment and support New York Law School's educational mission. The Law School believes it can only be successful, and that its students, employees, and visitors can reach their full potential, when all people in the Law School community are treated fairly and equitably. Accordingly, the Law School recognizes a distinction between violations of this Policy and statements and materials which are relevant and appropriately related to the subject matter of a course or academic scholarship. Consistent with these principles, no provision of this Policy is intended to prohibit conduct that is legitimately related to the course content, class discussion, academic scholarship, or the research of students in the Law School. However, academic freedoms do not protect speech or expressive conduct that violates federal, state or local anti-discrimination laws.

X. DISCLAIMER

NYLS reserves the right to take whatever actions it deems appropriate to best educate students, resolve conflict, and maintain an environment free of discrimination and harassment. The Law School therefore reserves the right to alter, amend, modify, or interpret these provisions within its sole discretion, unless such action or interpretation would violate applicable laws, collective bargaining agreements, written employment contracts, or other such requirements.