

Appendices and Index -

College and University Policies

Affirmative Action Policy

LaGuardia Community College is committed to the principles and spirit of affirmative action and equal opportunity.

It is the policy of LaGuardia Community College to recruit, employ, train and promote employees on the basis of equal opportunity without regard to race, color, religion, sex, sexual orientation, age, national origin, disability, Acquired Immune Deficiency Syndrome, or status as a disabled or Vietnam Era veteran, marital status, gender identity, citizenship status or as a victim of domestic violence.

LaGuardia Community College recognizes its obligation to provide students with equal consideration when seeking admission, financial aid, and access to student services, and academic and athletic programs.

The College believes in a policy of nondiscrimination, and as an educational institution maintains an ongoing program to assure compliance with federal legislation and University guidelines. The Affirmative Action Program encourages positive practices and ensures equitable disciplinary procedures for any member of the college community who engages in harassment on the basis of race, sex, sexual orientation or disability, or any individual who reports such an incident.

It is the policy of LaGuardia Community College to operate and comply with the requirements of the Equal Pay Act of 1963, the Civil Rights Act of 1964, Title VI, Title VII, the Educational Amendment Act of 1972 (Title IX), Executive Order 11246 as amended by Executive Order 11375, the Rehabilitation Act of 1973 (503 and 504), Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Age Discrimination Act of 1974, the Immigration Reform and Control Act of 1987, the Civil Rights Restoration Act of 1987, and the Americans With Disabilities Act of 1990.

The protected classes as delineated in the Federal Executive Order 11246 [Black, Hispanic (including Puerto-Rican), Asian/Pacific Islander, American Indian/Alaskan Native and Women] were expanded on December 9, 1976, by the Chancellor of the City University of New York to include Italian-Americans. The University and the College have and will continue to exercise affirmative action for the protected classes including Italian-Americans.

The President, as Chief Executive Officer, has overall responsibility for the Affirmative Action Program. The President has designated the responsibility for the Affirmative Action Program to April Tucker, Affirmative Action/Equal Employment Officer, Room E-512, (718) 482-5057.

Policy Against Sexual Harassment

LaGuardia Community College is committed to the principles and spirit of compliance with the Equal Employment Opportunities Commission laws which govern sexual harassment. Sexual harassment is illegal under Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments Act of 1972. Sexual harassment occurs when unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are made a condition of employment or student status, are used in decisions affecting an employee or student, affect an employee's work performance or student's academic performance or create an overall intimidating, hostile or offensive working environment or student environment.

LaGuardia Community College is committed to maintaining and fostering a fair, humane and supportive environment for all of its students, faculty and staff. The college does not condone and will not tolerate sexual harassment.

The College adheres to the official policy of the Board of Trustees of the City University of New York, which explicitly prohibits sexual harassment throughout the University community. The policy is as follows:

It is the policy of The City University of New York to promote a cooperative work and academic environment in which there exists mutual respect for all University students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary

to the University policy of equal employment and academic opportunity without regard to age, sex, sexual orientation, alienage or citizenship, religion, race, color, national or ethnic origin, disability, and veteran or marital status, gender identity, citizenship status or as a victim of domestic violence. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated within the University.

The University, through its colleges, will disseminate this policy and take other steps to educate the University community about sexual harassment. The University will establish procedures to ensure that investigations of allegations of sexual harassment are conducted in a manner that is prompt, fair, thorough, and as confidential as possible under the circumstances, and that appropriate corrective and/or disciplinary action is taken as warranted by the circumstances when sexual harassment is determined to have occurred. Members of the University community who believe themselves to be aggrieved under this policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the college to investigate the allegations.

Complaints of sexual harassment by students and employees should be directed to the Sexual Harassment Awareness & Intake Committee Coordinator, Deputy Coordinators, or to any member of the Sexual Harassment Awareness & Intake Committee available to students and employees. Additionally, the Sexual Harassment Awareness & Intake Committee holds the responsibility for educating the college community about sexual harassment through printed materials, workshops, training sessions, and the like. All inquiries, complaints and concerns will be kept confidential.

The Affirmative Action Officer has overall responsibility for ensuring compliance with Sexual Harassment rules and regulations. Information, complaints, and concerns should be directed to the Coordinator of the Sexual Harassment Awareness & Intake Committee, April Tucker, Room E-512, (718) 482-5057, or to the Deputy Coordinators, Vanessa Bing, Room E-235Q, (718) 482-5787, or Harriet Mesulam, Room C-317, (718) 482-5414 and Jhony Nelson, Room M-102, (718)482-5260 or to any other member of the Sexual Harassment Awareness & Intake Committee. The names of these members may be found in the departmental and general public bulletin boards.

Statement of Nondiscrimination

LaGuardia Community College/CUNY is an Equal Opportunity and Affirmative Action Institution. The college does not discriminate on the basis of race, color, national or ethnic origin, religion, age, sex, sexual orientation, transgender, marital status, disability, genetic predisposition or carrier status, alienage or citizenship, military or veteran status, or status as victim of domestic violence in its student admission, employment, access to programs, and administration of educational policies.

Ms. April Tucker is the college Affirmative Action/EEO Officer, and the Coordinator for Title IX, which prohibits sex discrimination in federally assisted education programs, and the Coordinator for the Age Discrimination Act, which prohibits age discrimination in federally assisted education programs. Her office is located in E-512, Room C and her telephone number is (718) 482-5057.

Mr. Mathew S. Joffe is the college Coordinator for the Americans with Disabilities Act and Section 504, which prohibits discrimination on the basis of disability. His office is located in M-102, and his telephone number is (718) 482-5278.

Declaration of Pluralism

We are a diverse community at LaGuardia Community College. We strive to become a pluralistic community.

We respect diversity as reflected in such areas as race, culture, ethnicity, gender, religion, age, sexual orientation, disability and social class.

As a pluralistic community we will:

- Celebrate: individual and group diversity. Honor: the rights of people to speak and be heard on behalf of pluralism.
- Promote: inter-group cooperation, understanding and communication.
- Acknowledge: each others contributions to the community.
- Share: beliefs, customs and experiences which enlighten us about members of our community.
- Affirm: each others dignity.
- Seek: further ways to learn about and appreciate one another.
- Confront: the expression of de-humanizing stereotypes, incidents where individuals or groups are excluded because of difference, the intolerance of diversity and

the forces of racism, sexism, heterosexism, homophobia, disability discrimination, ageism, classism and ethnocentrism that fragment the community into antagonistic individuals and groups.

We believe by carrying out these actions we, as students, faculty and staff can achieve social change and the development of a society in which each individual can achieve her or his maximum potential.

Family Educational Rights and Privacy Act of 1974 as Amended. Annual Notice to Students.

Model Notification Under FERPA of Student Rights Concerning Education Records and Directory Information

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review your education records.

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

All requests shall be granted or denied in writing within 45 days of receipt. In the request is granted, you will be notified of the time and place where the records may be inspected. If the request is denied or not responded to within 45 days, you may appeal to the college's FERPA appeals officer (Ms. Jemma Robain LaCaille, Esq., Room E-512). Additional information regarding the appeal procedures will be provided to you if a request is denied.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

You may ask the college to amend a record that you believe is inaccurate or misleading. You should write to the college official responsible for the record, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading.

If the college decides not to amend the record as requested by you, the college will notify you of the decision and advise you of your right to a hearing before the

college's FERPA appeals officer regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of your right to a hearing.

3. The right to consent to disclosure of personally identifiable information contained in your education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to college officials with legitimate educational interests. A college official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted; a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another college official in performing his or her tasks.

A college official has a legitimate educational interest if access is reasonably necessary in order to perform his/her instructional, research, administrative or other duties and responsibilities.

Upon request, the college discloses education records without consent to officials of another college or school in which a student seeks or intends to enroll.

4. You may appeal the alleged denial of FERPA rights to the:

General Counsel and Vice Chancellor
for Legal Affairs
The City University of New York
535 East 80th Street
New York, NY 10021

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education -
600 Independence Avenue, SW -
Washington, D.C. 20202-4605 -

6. The college will make the following directory information concerning current and former students available to those parties having a legitimate interest in the information: name, attendance dates, home address, present address, telephone number, date and place of birth, photograph, e-mail address, full or part-time status, class schedule, class roster

(list), major and minor fields of study, participation in officially recognized activities and sports, height and weight of athletic team members, degrees, previous schools attended, and honors and awards received. By filing a form with the Registrar's Office, you may request that any or all of the above information not be released without your prior written consent. This form may be filed, withdrawn, or modified at any time.

CUNY Office of General Counsel
April 19, 1999

Student Rights and Responsibilities

Student rules of conduct and disciplinary procedures are printed in the Student Handbook, which is distributed by the Office of Student Life, Division of EM&SD, Room M-115. Rules for the Maintenance of Public Order (Pursuant to Article 129-A of the Education Law Henderson Rules)

The tradition of the University as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedom: the rights of professors to teach, of scholars to engage in the advancement of knowledge, of students to learn and to express their views, free from external pressures or interference. These freedoms can flourish only in an atmosphere of mutual respect, civility, and trust among teachers and students, only when members of the University community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

Academic freedom and the sanctuary of the University campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom. Against such offenders the University has the right, and indeed the obligation, to defend itself. We accordingly announce the following rules to be in effect at each of our colleges which are to be administered in accordance with the requirements of due process as provided in the Bylaws of the Board of Higher Education.

With respect to enforcement of these rules we note that the Bylaws of the Board of Higher Education provide that:

THE PRESIDENT. The president, with the respect to his education unit, shall:

- a. have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his jurisdiction;
- b. be the advisor and executive agent of the Board of his respective College Committee and as such shall have the immediate supervision with full discretionary power in carrying into effect the Bylaws, resolutions, and policies of the Board, the lawful resolutions of the several faculties;
- c. exercise general superintendence over the concerns, offices, employees, and students of his educational unit.

to deny admission to any student if in its judgement, the presence of that student on campus poses an undue risk to the safety or security of the college or the college community. That judgement will be based on an individualized determination taking into account any information the college has about a student's criminal record and the particular circumstances of the college, including the presence of a child care center, a public school or public school students on the campus.

I. Rules

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.
2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.
4. Theft from, or damage to University/college premises or property, or theft of or damage to property of any person on

University/college premises is prohibited.

5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.
6. I.D. Policy: All members of the college community are required to wear valid college IDs on campus. Individuals who do not have an ID can obtain one at the ID office in C-101. Visitors will be issued temporary IDs at the security desk at each entrance to the college.
7. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.
8. -Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.
9. -No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.
10. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
11. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University employees in the workplace is

prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.

II. Penalties

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1-9 shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, and/or arrest by the civil authorities.
2. Any - tenured or non-tenured faculty member, or tenured or non-tenured member of the administrative or custodial staff engaging in any manner in conduct prohibited under substantive Rules 1-10 shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of the Board of Higher Education, or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive Rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. In addition, in the case of a tenured faculty member, or tenured member of the administrative or custodial staff engaging in any manner in conduct prohibited under substantive Rules 1-10, he or she shall be entitled to be treated in accordance with applicable provisions of the Education Law or Civil Service Law.
3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under substantive Rules 1-9 shall be subject to ejection, and/or arrest by the civil authorities.
4. Any organization which authorized the conduct prohibited under substantive Rules 1-10 shall have its permission to operate on campus rescinded.

Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

SANCTIONS DEFINED:

A. Admonition

An oral statement to the offender that he has violated University rules.

B. Warning

Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may cause far more severe disciplinary action.

C. Censure.

Written reprimand for violation of specified rule, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any University regulation within a period stated in the letter of reprimand.

D. Disciplinary Probation.

Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.

E. Restitution.

Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

F. Suspension.

Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

G. Expulsion.

Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.

H. Complaint to Civil Authorities.

I. Ejection and/or Arrest.



Except during holidays when the College's buildings are closed, the College's Hours of Operation are:

Monday - Friday: 7 am to 11 pm
Saturday - Sunday: 7 am to 7 pm

Access to the College's facilities at other times is prohibited, unless permission for each occurrence is granted as follows.

1. -Events - Approval to hold events such as concerts, dances, athletic events and meetings must be obtained through the Events Office. Scheduling of events requires completion of a form describing the event, location and authorized hours, and requires sign-off by offices that provide services for the event. If the hours extend beyond the College's normal hours of operation, the attendees will be required to leave the College's premises at the end of the event.
2. -Students - Approval must be obtained from the Vice President of Enrollment Management and Student Development, or designee, and received by the Director of Security 24 hours beforehand.
3. -Faculty - Approval must be obtained from the faculty member's Chairperson and Divisional Vice President and received by the Director of Security 24 hours beforehand.
4. -Staff - Approval must be obtained from the employee's immediate supervisor and Divisional Vice President and received by the Director of Security 24 hours beforehand.

Sign In & Sign Out Policy

Whenever early arrival time or extended time is granted to an individual, the individual(s) entering or leaving a campus building will be required to enter their name (print and signature), the time of day, telephone extension and room number on the form provided at the Security Desk in the building's Main lobby. The information contained in the Sign-in sheet is especially important to provide Security personnel with the knowledge of how to contact each person in the event of an emergency situation occurring on campus.