

LAGUARDIA COMMUNITY COLLEGE
STUDENT HANDBOOK | 2021



DARE TO DO MORE



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Mission Statement

LaGuardia Community College of the City University of New York is named for Fiorello H. LaGuardia, New York City's New Deal mayor, who inspired a city of immigrants. Located at a transit hub that links Queens, the city's most ethnically diverse borough, with the world center of finance, commerce and the arts, the College provides access to higher education and serves New Yorkers of all backgrounds, ages and means.

Mission

LaGuardia Community College's mission is to educate and graduate one of the most diverse student populations in the country to become critical thinkers and socially responsible citizens who help to shape a rapidly evolving society.

These are the foundational elements that sustain our commitment:

Our Students

Our students are the energizing force behind the College. They seek knowledge, skills and credentials to transform their own lives, as well as impact their families and communities. Their dedication to the journey of lifelong learning and the richness they bring to the classroom and campus life are what define LaGuardia. Our alumni take an active role in the College community by sharing their stories and resources with current students and developing lasting relationships with the College.

Our Faculty & Staff

Our faculty and staff are passionate professionals constantly reflecting upon their training, experience, practice and goals to create challenging and engaging learning environments. They cherish their connections with students and enjoy learning with them and from them. Our faculty and staff are engaged in scholarly and artistic activities that reflect their intellectual excitement and rigor, their commitment to disciplinary knowledge and discovery, and their deep respect for all the communities of our city.

Our Programs

We offer a broad range of rigorous academic programs that promote inquiry, openness and a willingness to take on challenges. Areas include urban studies, liberal arts, business, the sciences, health, technology, developmental education, college and transfer preparation, experiential education, continuing education classes, workforce training and honors programs. Our leadership in technology-based learning has earned national and international recognition.

Our Community

We cultivate partnerships with businesses, civic and community groups, government, and public schools to enhance the economic, cultural, and educational development of Queens and New York City and State. We aspire to set an example as advocates of sustainable practices that contribute to a healthy urban environment.

Accreditation

LaGuardia Community College/CUNY is accredited by the Middle States Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, (267) 284-5000. The Middle States Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

Directions To Campus



By Car

From Queens and Brooklyn, take the Long Island Expressway and exit at Van Dam Street. From the Bronx, take the Brooklyn-Queens Expressway and exit at Queens Boulevard west, and from Manhattan, take the 59th Street Bridge to Queens Boulevard.



By Subway

- 7 train 33rd Street station
- N, Q train At Queensboro Plaza station, transfer to #7
- E, M trains Queens Plaza or 23rd-Ely/Court Square station
- R train Queens Plaza station
- G trains 23rd-Ely/Court Square station



By Bus

- Q60, Q32 Queens Boulevard and Skillman Avenue
- Q39 Thomson and Van Dam Street
- B62 Thomson and Jackson Avenue



Bike Parking

- Bike Parking: Racks are available on Van Dam Street, in front of the E building, and near the parking lot on 29th Street by the C building.
- Citibike: Stations are located at 31 St & Thomson Ave. and 47 Ave & 31 St. For more info, please [visit map](#).





Letter from the President

Welcome to LaGuardia Community College!

Your decision to pursue a college degree will open new paths for you and enable you to write your own future.

Providing opportunities is what LaGuardia is all about, and LaGuardia has a lot to offer you.

We know that many of you are coming to LaGuardia for a chance to make better lives for yourselves and your families. It is our honor to help each of you Dare to Do More, as our guiding principle states!

LaGuardia offers resources to help you navigate college life, succeed academically, plan your future, and make the most of your time at LaGuardia. Student support services are designed to help you take care of your basic needs so you can focus on studying and doing well in your classes, so you get to graduation. Extra-curricular activities are offered to enrich your undergraduate experience.

Because of the Covid-19 pandemic, many of these resources—like our classes—are available primarily online. Despite the mostly virtual format, I am confident that the promise and spirit of LaGuardia is alive and well.

I hope you will take some time to review the resources in this Student Handbook, as well as important college policies and expectations for student conduct.

Each day, students, faculty and staff at LaGuardia demonstrate the power of ordinary individuals making extraordinary things happen. On behalf of our outstanding faculty, dedicated staff, current students and alumni, welcome to LaGuardia Community College and to taking charge of your future!

Best wishes,

Kenneth Adams
President



Letter from Dr. Butler

Welcome to LaGuardia!

LaGuardia Community College and the Division of Student Success are dedicated to providing you with information and support to assist you in achieving your academic goals. The Student Handbook is our contract with you regarding process, policy, and services designed to assist you along your journey with us.

If you have questions about the handbook, or if you have concerns, send an email using the contact/concern link on your My LaGuardia page. I can also be reached at DeanofStudentSuccess@lagcc.cuny.edu

The Student Success team is committed to your success.

Wishing you the best,
Dr. Fay M. Butler
Interim Associate Dean for Student Success

Student Government Association

Student Government is an organization elected by students to represent the student body to the administration of the College, faculty, student organizations and the general college community. Student Government also sponsors a variety of institutional functions and activities in order to create services that will benefit the student body and enhance the entire College community. Elections are held annually. Student Government consists of 13 elected student members (Governors) selected through a democratic voting process open to the entire student body, which is coordinated by the Office of Campus Life. The Student Government Association is located in room M160 of the M-building. They can be reached by phone at (718) 482-5297.

Elections are held during Spring Session I of each academic year for SGA as well as the Faculty-Student Disciplinary Committee (FSDC). Find out more about the positions below.

Purpose of the SGA

To serve as the primary voice and representative of the student body to the College administration, faculty, various student organizations, CUNY and its constituent parts, and the general public

- To increase student interest and participation in educational, social, and cultural affairs at the College
- To promote academic freedom, student rights and general student welfare
- To inform itself on College programs and operations that impact student success

SGA has 13 positions available for election. There are five executive positions (president, vice president, executive secretary, executive treasurer and event and program coordinator), as well as a parliamentarian and seven academic department representatives (Business and Technology, Education and Language Acquisition, Health Sciences, Humanities, Liberal Arts and English, STEM, and Social Science). Academic department representatives also have responsibilities associated with academic affairs, clubs and ethnic affairs, international students and foreign affairs, political awareness, public relations, students with disabilities, sustainability, and part-time and evening students. The benefits of being an SGA Governor include a monthly stipend, invaluable leadership experience and countless networking opportunities.

Faculty-Student Disciplinary Committee (FSDC)

The FSDC conducts disciplinary hearings involving students who are charged with violating the various academic and social rules of conduct.

There are six positions available for election. On any given case, two of the six students are chosen in rotation to preside over FSDC hearings alongside two faculty and a chairperson.

For more information regarding the Student Government Association and the Faculty-Student Disciplinary Committee, please visit their webpage at www.laguardia.edu/SGA

SGA is your voice. We're devoted to representing, advocating and empowering every student at LaGuardia through leadership, resources and diverse and innovative ideas. We recognize tradition and embrace the future, seeking to unify students, faculty, staff and alumni while enhancing the campus community as a whole. Read the bylaws that guide SGA as well as the SGA Constitution.



2021 Student Government Association Officers:

Junayed Ahmed	President
Maham Naz	Vice President
Maya Demby	Treasurer
Saima Tarannum	Event and Program Coordinator
Jarin Tarannum	Academic Representative - Business and Technology
James Stuart	Academic Representative - Social Sciences
Shopna Mazumdar	Academic Representative - STEM



**LAGUARDIA COMMUNITY COLLEGE
ACADEMIC CALENDAR 2021-2022**

2021 FALL SEMESTER – SESSION I

Tuesday	August 31	New Student Orientation
Thursday	September 2	Opening Session for Faculty & Staff
Wednesday	September 1	New Student Orientation
Friday	September 3	Last day to apply for Readmission or Reinstatement from Suspension for Fall 2021 Session I
Wednesday	September 8	Last day to drop for 100% tuition refund
Thursday	September 9	First day of Weekday classes – Fall Session I
Saturday	September 11	First day of Saturday classes – Fall Session I
Sunday	September 12	First day of Sunday classes - Fall Session I
Tuesday	September 14	Last day to drop for 75% tuition refund
Wednesday	September 15	No classes scheduled / Last day to add a course or change course sections / Financial Aid Certification / Last day to submit Independent Study contract
Thursday	September 16	No classes scheduled / Course withdrawal drop “WD” period begins
Monday	September 20	Last day to drop for 50% tuition refund
Saturday	September 25	Last day to drop for 25% tuition refund / Verification of Enrollment Rosters due to the Registrar to assign WN grades / Last day to declare Major for Fall semester
Tuesday	September 28	Course withdrawal drop “WD” period ends
Wednesday	September 29	Withdrawal period begins
Monday	October 11	College closed
Thursday	October 14	Last day to apply for the following Candidacies: Nursing (not including LPN), Occupational Therapist Asst., Physical Therapist Asst., and Veterinary Technology / Last day to apply for Fall 2021 Graduation
Tuesday	November 23	Irregular day – Classes follow Thursday schedule
Thurs - Sun	Nov. 25 - 28	College closed
Saturday	December 4	Last day of Saturday classes / Fall Session I
Sunday	December 5	Last day of Sunday classes / Fall Session I
Wednesday	December 8	Withdrawal period ends / Last day of Weekday classes
Thursday	December 9	Reading day
Fri - Thurs	Dec. 10 - 16	Final Examinations / Fall Session I ends
Monday	December 20	Grades & Attendance due by 4 pm
Fri - Mon	Dec. 24 - 27	College closed
Thursday	December 30	Last day to apply for Readmission or Reinstatement from Suspension for Fall 2021 Session II
Friday	December 31	College closed

2021 FALL SEMESTER – SESSION II

Saturday	January 1	College Closed
Sunday	January 2	College Closed / Last day to drop for 100% tuition refund
Monday	January 3	First day of Weekday classes – Fall Session II
Wednesday	January 5	Last day to add a course or change course sections / Last day to submit Independent study contract
Thursday	January 6	Course withdrawal drop “WD” period begins
Friday	January 7	Last day to drop for 50% tuition refund
Saturday	January 8	First day of Saturday classes – Fall Session II
Sunday	January 9	First day of Sunday classes - Fall Session II
Tuesday	January 11	Last day to drop for 25% tuition refund / Course withdrawal drop “WD” period ends / Verification of Enrollment due to the Registrar to assign WN grades
Wednesday	January 12	Withdrawal period begins
Monday	January 17	College closed
Tuesday	January 18	Irregular day - Classes follow Friday schedule
Fri - Sat	Feb. 11 - 12	College closed
Sunday	February 13	Withdrawal period ends / Last day of Sunday classes
Tuesday	February 15	Last day of Weekday classes – Fall Session II
Wednesday	February 16	Reading day
Thurs – Wed	Feb. 17 – 23	Final Examinations / End of Fall 2021 Term
Monday	February 21	College closed
Friday	February 25	Grades & Attendance due by 4 pm
**Saturday	February 19	**Last day of Saturday classes – Fall Session II

**Variance apply to Saturday classes only – Final Exams for Saturday classes will be scheduled on Saturday, Feb. 26 – Grades are due on Monday, Feb. 28 for Saturday classes

Fall 2021 Session I & II registration begins on April 19, 2021

Spring 2022 Session I & II registration begins on Oct. 15, 2021

Evening Classes begin at 4:35pm. To learn if the College is closed due to severe weather register for CUNYAlert at <http://www.cuny.edu/alert>

2022 SPRING SEMESTER – SESSION I

Tuesday	March 1	New Student Orientation
Wednesday	March 2	Last day to apply for Readmission or Reinstatement from Suspension for Spring 2022 Session I / New Student Orientation
Thursday	March 3	Opening Session for Faculty & Staff
Friday	March 4	Last day to drop for 100% tuition refund
Saturday	March 5	First day of Saturday classes – Spring Session I
Sunday	March 6	First day of Sunday classes – Spring Session I
Monday	March 7	First day of Weekday classes – Spring Session I
Thursday	March 10	Last day to drop for 75% tuition refund
Friday	March 11	Last day to add a course or change course sections / Financial Aid Certification / Last day to submit Independent Study contract
Saturday	March 12	Course withdrawal drop “WD” period begins
Wednesday	March 16	Last day to drop for 50% tuition refund
Monday	March 21	Last day to drop for 25% tuition refund / Last day to declare Major for Spring semester / Verification of Enrollment Rosters due to the Registrar to assign WN grades / Course withdrawal drop “WD” period ends
Tuesday	March 22	Withdrawal period begins
Fri - Sun	April 15-24	No classes scheduled – Spring recess
Tuesday	April 26	Irregular day – classes follow Friday schedule
Thursday	April 28	Last day to apply for the following Candidacies: LPN, Nursing, Occupational Therapist Asst., Physical Therapist Asst., and Radiological Tech. / Last day to apply for Spring 2022 Graduation
Monday	May 30	College closed
Saturday	June 4	Last day of Saturday classes – Spring Session I
Sunday	June 5	Last day of Sunday classes – Spring Session I
Tuesday	June 7	Withdrawal period ends / Last day of Weekday classes
Wednesday	June 8	Reading day
Thurs - Wed	June 9 - 15	Final Examinations / Spring Session I ends
Friday	June 17	Grades and Attendance due by 4 PM
Monday	June 20	College closed
Tuesday	June 21	Graduation Ceremony / Commencement

2022 SPRING SEMESTER – SESSION II

Monday	June 20	Last day to apply for Readmission or Reinstatement from Suspension for Spring 2022 Session II
Tuesday	June 21	Last day to drop for 100% tuition refund
Wednesday	June 22	First day of Weekday classes – Spring Session II
Friday	June 24	Last day to add a course or change course sections / Last day to submit Independent study contract
Saturday	June 25	First day of Saturday classes - Spring Session II / Course withdrawal drop “WD” period begins
Sunday	June 26	First day of Sunday classes – Spring Session II / Last day to drop for 50% tuition refund
Thursday	June 30	Last day to drop for 25% tuition refund / Verification of Enrollment Rosters due to the Registrar to assign WN grades / Course withdrawal drop “WD” period ends
Friday	July 1	Withdrawal period begins
Monday	July 4	College closed
Wednesday	July 6	Irregular day – classes follow Monday schedule
Saturday	July 30	Last day of Saturday classes – Spring Session II
Sunday	July 31	Last day of Sunday classes – Spring Session II
Wednesday	August 3	Withdrawal period ends / Last day of Weekday classes
Thursday	August 4	Reading day
Fri - Thurs	Aug. 5 - 11	Final Examinations / End of Spring 2022 Term
Monday	August 15	Grades and Attendance due by 4 PM

Explanation of Terms

Withdrawal Drop – A “WD” grade is assigned to students who drop a course after Financial Aid Certification Day in Session I until the last day to drop a course for 25% Tuition Refund. A “WD” grade indicates that student attended a class at least once before dropping it. A “WD” grade does not appear on the transcript and is not calculated into GPA.

Withdraw – Students may withdraw from classes after the last day to drop for 25% tuition refund through the last day to Withdraw; receive a “W” grade that is not calculated into GPA. Students who officially withdraw from a course are NOT eligible for a tuition refund.

Academic Calendar

The academic year is divided into two semesters: Fall and Spring. Each semester is divided into two sessions: Fall I/ Spring I (12-week sessions) and Fall II/Spring II (6-week sessions).

Courses that are offered during Fall II and Spring II condense a 12-week session's worth of material into an intensive 6-week curriculum, which results in longer class periods and more class meetings.

Although these courses provide an excellent opportunity to focus on fewer courses in a shorter amount of time, we highly recommend that you consult an academic advisor before enrolling to ensure that these accelerated sessions are right for you.

LAGUARDIA COMMUNITY COLLEGE ACADEMIC CALENDAR 2021-2022



3 WEEKS CLASSES

2021 FALL SEMESTER – SESSION 3W1 (FIRST 3-WEEKS)

Sunday	January 2	Last day to drop for 100% tuition refund / Last day to add a course or change course sections
Monday	January 3	First day of classes
Tuesday	January 4	Last day to drop for 50% tuition refund
Thursday	January 6	Course withdrawal drop “WD” period begins
Saturday	January 8	Last day to drop for 25% tuition refund
Monday	January 10	Verification of Enrollment Rosters due to the Registrar to assign WN grades
Tuesday	January 11	Course Withdrawal Drop “WD” period ends
Wednesday	January 12	Withdrawal period begins
Monday	January 17	College closed
Wednesday	January 19	Withdrawal period ends
Monday	January 24	Last day of classes
Tuesday	January 25	Final Examinations / Fall Session 3W1 ends
Wednesday	January 26	Grades and Attendance due by 4 pm

2021 FALL SEMESTER – SESSION 3W2 (SECOND 3-WEEKS)

Sunday	January 30	Last day to drop for 100% tuition refund / Last day to add a course or change course sections
Monday	January 31	First day of classes
Tuesday	February 1	Last day to drop for 50% tuition refund
Thursday	February 3	Course withdrawal drop “WD” period begins
Saturday	February 5	Last day to drop for 25% tuition refund
Monday	February 7	Course withdrawal drop “WD” period ends
Tuesday	February 8	Verification of Enrollment Rosters due to the Registrar to assign WN grades
Wednesday	February 9	Withdrawal period begins
Sunday	February 13	Withdrawal period ends
Friday	February 18	Last day of classes
Monday	February 21	College closed
Tuesday	February 22	Final Examination
Wednesday	February 23	Grades and Attendance due by 4 PM

3WEEKS CLASSES

2022 SPRING SEMESTER – SESSION 3W1 (FIRST 3-WEEKS)

Tuesday	June 21	Last day to drop for 100% tuition refund / Last day to add a course or change course sections
Wednesday	June 22	First day of classes
Thursday	June 23	Last day to drop for 50% tuition refund
Friday	June 24	Course withdrawal drop “WD” period begins
Saturday	June 25	Last day to drop for 25% tuition refund
Sunday	June 26	Course withdrawal drop “WD” period ends / Verification of Enrollment Rosters due to the Registrar to assign WN grades
Monday	June 27	Withdrawal period begins
Monday	July 4	College closed
Wednesday	July 6	Withdrawal period ends
Wednesday	July 13	Irregular day – classes follow Monday schedule / Last day of classes
Thursday	July 14	Final Examinations / Spring Session 3W1 ends
Friday	July 15	Grades and Attendance due by 4 pm

2022 SPRING SEMESTER – SESSION 3W2 (SECOND 3-WEEKS)

Sunday	July 17	Last day to drop for 100% Tuition Refund / Last day to add a course or change course sections
Monday	July 18	First day of classes
Tuesday	July 19	Last day to drop for 50% tuition refund
Wednesday	July 20	Course withdrawal drop “WD” period begins
Thursday	July 21	Last day to drop for 25% Tuition Refund
Friday	July 22	Course withdrawal drop “WD” period ends / Verification of Enrollment Rosters due to the Registrar to assign WN grades
Saturday	July 23	Withdrawal period begins
Sunday	July 31	Withdrawal period ends
Friday	August 5	Last day of classes
Monday	August 8	Final Examinations / Spring Session 3W2 ends
Thursday	August 11	Grades and Attendance due by 4 pm

ID Cards

Room: C115

Phone: (718) 482-5554

Website: www.laguardia.edu/PublicSafety/CollegeID

LaGuardia ID cards are issued by the Public Safety Department and all persons entering a college building will be asked to show their college ID card upon entry. Your ID card is your official identification as a student and must be carried at all times while on campus. At the end of your first registration, your photo will be taken and a permanent card issued. This card must be validated each semester. If you lose your ID card, you will be charged a \$10.00 fee for a new one. A temporary ID card will be issued for 24 hours on an emergency basis, and only one temporary ID will be issued per semester.

ID Card Office Hours:

- ▶ Monday, Thursday: 9:00 AM - 7:00 PM
- ▶ Tuesday, Wednesday, Friday: 9:00 AM – 5:00 PM
- ▶ Saturday: 10:00 AM - 2:00 PM (only on the first day of Saturday class)
- ▶ Sundays and Holidays: Closed

Lockers

Room: C115

Phone: (718) 482-5554

Lockers are located in the M, E and C buildings. If you decide that a locker would come in handy, the cost is \$1.00 for the academic year. Lockers must be emptied or renewed at the end of each Spring semester. Padlocks may be placed on lockers. All lockers are issued in the ID Office, room C115. ADA compliant lockers are available to eligible students, please contact the Office of Accessibility (room M102) for further information.

Lost and Found

Room: E100

Phone: (718) 482-5558

A lost and found area is located at the Public Safety Office at the entrance of the E building. Inquiries may be made at this location or by calling the office.

Hours of Operation

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

- ▶ Monday to Friday 7:00 AM - 11:00 PM
- ▶ Saturday 7:00 AM - 7:00 PM
- ▶ Sunday 7:00 AM - 7:00 PM (for special programs only)

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

- ▶ **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.
- ▶ **Students** - Approval must be obtained from the Vice President of Student Affairs, or designee, and received by the Director of Security 24 hours beforehand.
- ▶ **Faculty** - Approval must be obtained from the faculty members Chairperson and Divisional Vice President and received by the Director of Security 24 hours beforehand.
- ▶ **Staff** - Approval must be obtained from the employees' immediate supervisor and Divisional Vice President and received by the Director of Security 24 hours beforehand.



Academic Life

Academic Peer Instruction (Tutoring)

Phone: (718) 482-5215

Website: www.laguardia.edu/api

Academic Peer Instruction (API) provides you with peer tutors if you are enrolled in difficult (“high risk”) courses. You will be tutored by a fellow LaGuardia student who has successfully completed one of these difficult courses and received a grade of B+ or higher, and has a minimum 3.0 GPA average.

Our tutors sit in, re-attending or auditing these API targeted courses. They take notes and organize weekly out-of-class API group study sessions which are open to all students in the course. They provide a minimum of three to five study hours a week depending on the semester. During these study sessions, our tutors work with you to help you learn and master the course materials so you can improve your grade.

Our statistics for the past 23 years show that students who attend API study sessions perform significantly better than those who do not. We therefore urge you to attend API sessions if they are available for your courses. We welcome all students. We encourage you to consider applying to be an API tutor. It is a paid position!

Academic Tutorial Services

Website: www.laguardia.edu/tutoring

Whether you prefer speaking to a professor, full-time staff member or fellow student, we offer many options for educational support.

Our free tutoring sessions are held during specified hours of the day, and we recommend that you speak to your instructors to find out about tutoring services in a specific department.

Professors also keep weekly office hours when you can visit and ask them questions about your class.

The following tutorial labs open on the second week of classes:

The following labs open on the second week of classes:

Area of Specialization	Location
Business & Technology Resource Lab	B327
College Discovery Resource Center <i>(College Discovery students only)</i>	B236
ESL Lab	B233
Math Tutoring Lab	MB44
Micro Lab	E256
Reading / Communication Skills Lab	E114
Speech Center	C242/C214/C216
Student Government Study Hall	M159
Writing Center	B200

The following labs are open to students, but they do not offer tutoring assistance:

Area of Specialization	Location
Math & Computer Center	MB94
Science Study Hall	E342
Study Hall / Computer Lab	B333
<ul style="list-style-type: none"> ▶ Anatomy and Physiology (A&P) Study Hall Room E-312 – provides peer tutoring for Health Science and related majors for both A&P I and II ▶ Science Study Center Rom E-342 – provides peer tutoring in biology, chemistry, physics and astronomy courses 	

Advisement Tools

Whether you are planning your steps alone or with an academic advisor, the following tools and materials are important for you to know.

Schedule of Classes

The Catalog contains all courses that the College offers (see <http://laguardia.edu/catalog>); a schedule of courses being offered next semester is viewable on CUNYfirst.

Student Advisement Degree Audit

You can view your audit online by logging into your CUNY Portal account. (cunyportal.cuny.edu)

Both Degree Audit and the Catalog help you to determine your degree requirements. You can also view Pathways requirements for your program on the College website.

Log into **My LaGuardia** to connect with your advisors, and visit <http://laguardia.edu/advising> for more information.

Dean's List

Jessica Zeichner-Saca
 Room: M401
 Phone: (718) 482-5457
 Email: jsaca@lagcc.cuny.edu

The LaGuardia Dean's List honors degree or certificate students every semester who have achieved academic excellence at the College. To be eligible, you must have earned at least 9 credits; achieved a semester GPA of 3.5; not received grades of D, F, FIN, INC, R, WU and Z; and maintained a cumulative GPA of 2.0. If you are placed on the Dean's List, you will receive a congratulatory letter and a certificate signed by the Provost and Senior Vice President for Academic Affairs and a notation on your transcripts. The Dean's List will be displayed in the lobby of the M-Building.

Directory of Student Support Services

OFFICE	Phone	E-Mail	Room
Admissions	(718) 482-7206	admissions@lagcc.cuny.edu	C102
Academic Affairs	(718) 482-5400	-	M400
Bursar (bill payment)	(718) 482-5524	bursar@lagcc.cuny.edu	C110
Center for Career & Professional Development	(718) 482-5235	career@lagcc.cuny.edu	B114
CUNY Start (Remedial prep)	(718) 482-5701	cunystart@lagcc.cuny.edu	C415
Office of the Vice President for Student Affairs	(718) 482-5180	iuribe@lagcc.cuny.edu	C317
Registrar (Student Records)	(718) 482-5085	registrar@lagcc.cuny.edu	C107
Student Advising Services	(718) 482-6070	"Ask My Advisor" on My LaGuardia	B100
Student Financial Services	(718) 482-7218	financialaid@lagcc.cuny.edu	C107
Student Information Center (S.I.C. Call Center)	(718) 482-5935	callcenter@lagcc.cuny.edu	C915
Testing	(718) 482-5146	testing@lagcc.cuny.edu	C428

For more info, visit: www.laguardia.edu

ePortfolio

Office: MB 57

Room: B121 (ePortfolio Open Lab)

Phone: (718) 482-5407

Email: eportfolio@lagcc.cuny.edu

Log in: <https://mail.lagcc.cuny.edu/viplogin/Default.aspx>

What is an ePortfolio?

An ePortfolio is your personal website that allows you to document, deepen, and reflect on your learning experiences during your time at LaGuardia. Using the ePortfolio allows you to connect your past and your future, your challenges and your growth, your learning and your life. Overall, ePortfolio is a process to help you tell your story.

How do LaGuardia students use ePortfolios?

Starting in the First Year Seminar, moving along courses in the discipline, and all the way to the Capstone in your major, your ePortfolio is the place to showcase projects and assignments, plan your degree, career and transfer goals, and develop core skills that will make you stand out among others. You will start with a template customized for your major that you can build over your time at LaGuardia.

Here are four tips to get you started:

1. **Create**

Create your ePortfolio using the template in your First Year Seminar. As you move along their degree maps, keep adding sections that represent your college experience inside and outside of the classroom.

2. **Edit and Publish**

You can add text, images, colors, and content that reflect who you are as a student and who you aspire to be in your future career. When working on any section, publish changes to capture your ideas.

3. **Update**

We encourage you to work with the same ePortfolio every semester, add coursework, co-curricular experiences, and other content. Sustained engagement will result in a robust ePortfolio when you graduate which can be shared with others.

4. **Share**

Review the privacy settings and share your ePortfolio with classmates in your course, your professor and advisor, and others you want to see your work. Sharing an ePortfolio with the appropriate audiences is a goal.

For more information about ePortfolio, including tutorials, visit the website: <http://www.laguardia.edu/eportfolio>.

First-Year Experience

Room: B100

Phone: (718) 482-5250

Website: www.laguardia.edu/first-year-experience

My First Day

My First Day is your opportunity to enjoy and interact with the LaGuardia community prior to the start of the semester.

- ▶ Meet other new students and current student leaders who will help you build your network.
- ▶ Get to know our campus and find your classrooms for the first day of classes.
- ▶ Handle any unfinished business regarding your registration and financial aid.
- ▶ Check out the LaGuardia social scene. Learn about clubs, organizations, athletics, and recreational resources on/off campus.
- ▶ Get cool LaGuardia prizes and giveaways!

The First Year Seminar (FYS)

The First Year Seminar (FYS) FYS is the gateway to adjusting to being a student at LaGuardia and remaining on track for graduation. Taught by faculty from your major, the class will be an opportunity for you to learn more about your major and develop your career plan. You'll strengthen your study skills to support your academic success and work with a Student Success Mentor who will share their experience-based strategies for taking advantage of all the resources available to you. The required lab component will help you master LaGuardia's digital tools, including ePortfolio.

My Campus Events

The College has planned a rich array of activities and events that will enhance your academic success, personal development and help you navigate our campus resources. Check your My LaGuardia page and email for events specifically for first year students.

Honors Program

Room: M201B (Honors House)

Phone: (718) 482-5225; (718) 482-5922; (718) 482-5658

E-mail: honorsprog@lagcc.cuny.edu; kkoh@lagcc.cuny.edu

Facebook: www.facebook.com/LaGuardiaHonors

Website: www.laguardia.edu/honors or www.laguardiahonors.com

LaGuardia Community College's growing Honors Program is designed to provide a rigorous and rich academic experience for talented, intellectually curious, motivated, and ambitious students. One of the fundamental goals of the Honors Program is to prepare students to be successful graduates and transfer students. Honors courses are smaller in size, and emphasize critical thinking, intensive analytical writing, speaking and research skills, including the use of primary source material and information literacy. These classes give students the tools to be successful in four-year colleges. Honors students also receive mentoring and advisement from Honors faculty. The Program also provides students with leadership and research opportunities through its inclusive, student-driven collective, the Honors Student Advisory Committee (HSAC).

Students with at least 12 completed credits and a minimum GPA of 3.2 are eligible to register for Honors courses. There are two ways to participate in the Program:

1. Enroll in an Honors course and get an "Honors course designation" on your transcript after completing the course and a "Certificate of Completion" at the annual Honors Ceremony.
2. Participate in the Honors Program Concentration. If you are a Liberal Arts (AA or AS) or Business (AS or AAS) student, you may take fuller advantage of the Program by completing 7 Honors courses (20-22 credits) to receive an Honors concentration transcript notation.

Registrar

Room: C107

Phone: (718) 482-5085

E-mail: registrar@lagcc.cuny.edu

Website: www.laguardia.edu/registrar

The mission of the Registrar's Office is to provide you with quality customer service. We record, update and maintain the integrity of your student record and the College's academic policies.

Our services include:

- ▶ Assistance with course registration in the College and its high school programs
- ▶ Class scheduling and room placements
- ▶ Maintenance and revision of DegreeWorks
- ▶ Performing allied health evaluations
- ▶ Processing the following data:
 - College transcript requests
 - Course withdrawals
 - Grades, grade changes and appeals
 - Graduation evaluations
 - Medical Leaves of Absence
 - Readmission and Reinstatement applications
 - Residency applications
 - Student information updates
- ▶ Verification of student enrollment

Student Advisement DegreeWorks

Your Student Advisement DegreeWorks, an online self-advisement tool, that can help answer many of your questions, including:

How do I see my grades?

How do I know which classes I need to take?

I'm thinking of changing my major. What happens to the classes I've already taken?

A Degree Audit offers you the following features:

- ▶ A listing of all your courses and grades.
- ▶ A comprehensive audit of your courses and how they apply to your current major.
- ▶ A “What if” option that displays how the courses you have already completed would apply to a different major.

To use Degree Audit, log into your CUNY portal account.

If you need assistance or have questions regarding your DegreeWorks, please visit your advisor or use the online request form: www.laguardia.edu/dahelp.

Student Advising Services

Room: B102

Phone: (718) 482-6070

Website: www.laguardia.edu/advising

You receive support throughout your educational journey, and LaGuardia's team approach to advising guides you from application to graduation. Advising Teams consist of Professional, Faculty and Peer Advisors, First Year Seminar Faculty and staff members from a variety of College offices and departments. They are ready to provide you with the personalized support, information, tools and resources you need to plan your success.

Business & Technology

- Accounting
- Business Administration
- Business Administration:
Healthcare Management Option
- Paralegal Studies
- Paralegal Certificate Program
- Travel, Tourism and
Hospitality Management

English Language Acquisition

- Childhood Education
- Deaf Studies
- Educational Associate:
The Bilingual Child
- Early Childhood Education
- International Studies
- Japanese
- Latin American Studies
- Secondary Education
- Spanish-English Translation

Health Science

- Human Services
- Nursing LPN
- Nursing RN
- Nutrition & Culinary Management
- Occupational Therapy Assistant
- Paramedic
- Physical Therapist Assistant
- Public and Community Health
- Radiologic Technology
- Therapeutic Recreation
- Veterinary Technology

Humanities

- Communication Studies
- Commercial Photography
- Digital Media Arts
- Film & Television
- Fine Arts
- Fine Arts: *Design Studies Option*
- Industrial Design
- Music
- Music Recording Technology
- New Media Technology:
Digital Media/ Entrepreneurship
- Philosophy
- Theater

Liberal Arts and English

- Creative Writing
- Journalism
- Latin American Studies
- Social Science & Humanities (AA)
- Women, Gender & Sexuality Studies
- Writing & Literature

Social Sciences

- Criminal Justice
- History
- Political Science
- Psychology

STEM

- Biology
- Civil Engineering
- Computer Programming
- Computer Science
- Computer Technology
- Electrical Engineering
- Engineering
- Environmental Science
- Energy Technician
- Liberal Arts: *Math & Science*
- Mechanical Engineering: *Earth System & Environmental Engineering Option*
- Network Administration
& Security Information
- New Media Technology
- Programming & Software Development

Tutorial Services

Website: www.laguardia.edu/tutoring

Whether you prefer speaking to a professor, full-time staff member or fellow student, we offer many options for educational support.

Our free tutoring sessions are held during specified hours of the day, and we recommend that you speak to your instructors to find out about tutoring services in a specific department.

Professors also keep weekly office hours when you can visit and ask them questions about your class.

The following tutorial labs open on the second week of classes:

The following labs open on the second week of classes:

Area of Specialization	Location
Business & Technology Resource Lab	B327
College Discovery Resource Center (<i>College Discovery students only</i>)	B236
ESL Lab	B233
Math Tutoring Lab	MB44
Micro Lab	E256
Reading / Communication Skills Lab	E114
Speech Center	C242/C214/C216
Student Government Study Hall	M159
Writing Center	B200

The following labs are open to students, but they do not offer tutoring assistance:

Area of Specialization	Location
Math & computer Center	MB94
Science Study Hall	E342
Study Hall / Computer Lab	B333

- ▶ Anatomy and Physiology (A&P) Study Hall Room E-312 – provides peer tutoring for Health Science and related majors for both A&P I and II
- ▶ Science Study Center Rom E-342 – provides peer tutoring in biology, chemistry, physics and astronomy courses



Student Life

Admissions

Room: C-102

Phone: (718) 482-7206

E-Mail: admissions@lagcc.cuny.edu

Website: www.laguardia.edu/Admissions

The Office of Admissions at LaGuardia seeks to enroll and assist in the graduation effort of applicants who will develop and grow educationally and personally and contribute to the college community and the broader society. To that end, the role of the Admissions Office is to recruit, admit, and encourage the enrollment of students who are academically admissible. The Office is committed to providing both effective and efficient service to applicants and to ensure that their admissions experience is a positive one. The Office provides service to students in the following areas:

Recruitment

Records – Processing and Maintenance Transfer Credit Evaluation

Cafeterias & Vending Machines

Shenker Dining Hall (room M164)

Starbucks (E-Building, Atrium)

Main Dining Hall (room C321)

Phone: (718) 482-0175

Cafeterias offer a wide selection of snacks, drinks, hot & cold meals. They also offer daily breakfast & lunch specials. Pizza is available in the M-Cafeteria. Microwave ovens are also available for heating meals. Vending machines are located throughout all the buildings & cafeterias.

College Discovery

Room: B236

Phone: (718) 482-5270

Website: www.laguardia.edu/Academics/College-Discovery

College Discovery (CD) is a special program of The City University of New York for students who need academic and financial support in order to succeed in their community college. This program provides its participants with specialized counseling, supplemental instruction, individual tutorial service, and a financial aid stipend.

All CD students who have been allocated to the program by CUNY are required to participate in the College's Pre-Freshman Summer Program. CD students can register for a CD New Student Seminar during their first semester at the college. The seminar instructor becomes the student's assigned counselor and will work with them on academic, career, transfer, financial, and personal issues until their graduation.

Student Financial Services

Room: C107

Phone: (718) 482-7218

Website: www.laguardia.edu/PayingforCollege

Our counselors will help you find grants, institutional scholarships and loan programs to help you pay for college. All United States citizens and eligible non-citizens working toward a degree are eligible and highly encouraged to apply for financial aid.

Our services include:

- ▶ Federal Student Aid (FAFSA) workshops
- ▶ Loan workshops
- ▶ Federal Work Study workshops
- ▶ Financial Planning
- ▶ TAP Certification
- ▶ Academic Progress Issues

The Resource Center in Room C109 can help you:

- ▶ File or update your online FAFSA
- ▶ Check status of financial aid application (Federal and State)
- ▶ Complete online entrance and exit interviews for Direct and Perkins Loans
- ▶ Receive loan account information
- ▶ Apply for the CUNY Scholar support Card
- ▶ Learn about the Veterans Administration
- ▶ Obtain information about Selective Service Registration
- ▶ Access financial aid transcript through the National Student Loan Database System (NSLDS)
- ▶ Find Institutional and private Scholarships

International Student Services

Room: B117

Phone: (718) 482-5145

Email: FSInformation@lagcc.cuny.edu

Website: www.laguardia.edu/Admissions/International-Student/

Our international students represent 159 countries around the world, enriching LaGuardia's campus and reminding us of the larger global community. The College has always celebrated its diversity and promoted the respect and understanding of all cultures.

International students, at LaGuardia, are those students who hold temporary F-1 status. International student advisers assist students in F-1 status on the immigration rules and procedures and help with personal and cultural adjustment problems. The Office provides advocacy, intervention, educational and information sessions for F-1 students.

International Student Services coordinate and ensure compliance with SEVIS, part of the federal agency of Homeland Security.

Office of Accessibility

Room: M102

Phone: (718) 482-5279

E-mail: OSD@lagcc.cuny.edu

Website: www.laguardia.edu/osd

Under Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008 (ADAAA) as amended, LaGuardia Community College has an implicit responsibility to ensure students with disabilities have equal access to its programs and services, and that the rights of students with disabilities are not denied. If you are a student with a disability requiring an accommodation to gain access to a program or service or feel that your rights as a student with a disability are being denied, please contact the Office of Accessibility.

The Office of Accessibility advocates for and assists students with disabilities to gain access to all College programs, and facilitates these students' transition to college life. All students are required to register with supporting documentation, which allows for the determination and provision of appropriate accommodations and services, including academic, career and personal counseling, registration, academic advisement, reasonable accommodations, and support services such as readers, note takers, tutors and exam proctors.

There is also an assistive technology lab to assist students with special needs. Professional staff is available to assist you with academic, personal and career issues, and will also facilitate appropriate accommodation needs, including special arrangements for advisement and registration. The staff can also function as a liaison between student, faculty, staff, and state agencies. The full time staff of the Office of Accessibility consists of the Director, the Disability Accommodations Specialist and the Tutor Coordinator. Part-time staff includes office assistants, interns, note-takers and tutors.

Student Information Center

In-Person Service: Welcome Center (M-Building, Lobby)

Telecounselor Hours: Monday, Thursday - 9:00am to 7:00pm; Tuesday, Wednesday, Friday - 9:00am to 5:00pm

Phone: (718) 482-5935

Email: CallCenter@lagcc.cuny.edu

The Student Information Center provides important college news and updates to prospective, newly accepted and current/continuing students.

The office stays in touch with students throughout the year via telephone calls, emails, text messages, and personally at our Welcome Center in the M-Building Lobby. We offer critical information and assistance about admissions, testing, registration, financial aid, schedule changes, tuition payment and other academic enrichment programs.

It also offers a variety of customized information and resources to help students track their academic progress and get the most out of the LaGuardia experience. **My LaGuardia** can be accessed from the College website or by visiting <http://my.laguardia.edu>.

Stay Connected: Download and use the LaGuardia mobile app for iOS and Android daily. Check your **My LaGuardia** account and student email at least once a week. The College regularly sends announcements and reminders that are essential to your success at LaGuardia, including:

- ▶ Academic status
- ▶ Financial aid updates
- ▶ Advising info
- ▶ Registration deadlines
- ▶ Scholarships
- ▶ Class schedule changes
- ▶ Overdue notices
- ▶ Tuition info
- ▶ Campus discounts

Be sure to stay connected:

- ▶ E-signs: Located in the E-Building, Atrium and the C-Building, Lobby.
- ▶ Posters: On display in the entrances of each building and throughout the campus.
- ▶ LaGuardia News You Can Use (weekly email)
- ▶ Student News (Semester newsletter)
- ▶ Student Events Calendar

Having trouble accessing your LaGuardia related e-Tools? Submit a help request at: www.laguardia.edu/home/Student-Help/

Have questions, especially outside of business hours, email callcenter@lagcc.cuny.edu and use Ask LaGuardia at www.laguardia.edu or Ask Us from the mobile app.

Testing Services

Room: C460

Phone: (718) 482-5146

Email: testing@lagcc.cuny.edu

Website: www.cuny.edu/academics/testing

The Office of Testing Services provides evaluation of developmental skills through academic testing. The College requires that you take a placement exam in reading, writing, and mathematics or provide proof of exemption eligibility. If you enroll in developmental skills courses in reading and writing, you are also required to re-test with the Office.

The department provides special workshops and programs designed to help you build developmental skills. Testing Services also administers the Ability-to-Benefit examination if you are applying for the New York State Tuition Assistance Program and received your high school diploma outside the United States.

Transfer Services

Website: www.laguardia.edu/transferservices

Transfer Services (TS) provides you with keen insight, critical information, resources and support to guide your successful transfer, transition, persistence, and graduation.

Transfer In Credit Evaluation Services

Room: C102

Phone: (718) 482-6103

E-mail: creditevaluation@lagcc.cuny.edu

Website: www.laguardia.edu/transferservices

Transfer Services' Credit Evaluators review and evaluate courses for Transfer in credits from accredited higher education institutions, College Now courses, performs Military, Advanced Placement, and CLEP (College Level Examination Program) credit evaluations.

Four-Year College Transfer Services

Room: B215

Phone: (718) 482-5185

Email: Transfer@lagcc.cuny.edu

Website: www.laguardia.edu/transferservices

Transfer Advisors help you to explore your transfer options and assist you with making informed decisions about the transfer process and the opportunities available when transferring to 4-Year colleges, including the City University of New York (CUNY), the State University of New York (SUNY), and any other public, private and/or Ivy League institution.

Transfer Services provides extensive in-person support regarding the transfer process, senior colleges, the application process, transfer and scholarship essay reviews. You may request fee waiver applications for private schools and SUNY.

Transfer Services coordinates and hosts:

▶ **Transfer Fairs**

Transfer Fairs in the Fall and Spring semesters. These fairs bring together more than 60 public, private and comprehensive senior colleges to provide you with critical information about their academic programs, admission policies, financial aid and scholarships.

▶ **Information Tables**

Information Tables year round are scheduled at the request of the four year institutions to meet and greet LaGuardia students. You can stop by the table stationed in the open spaces of one or more of our buildings and ask questions about that college's academic programs, admissions, financial aid and scholarship opportunities.

▶ **Individual Four Year College Advisement Sessions**

Students meet with 4-year college Admission counselors privately to discuss application procedures, potential transfer credit evaluations, majors and program requirements information, as well as financial aid packages with participating institutions.

▶ **Direct Admissions**

Graduating students and alumni make appointments to meet with participating four year college admission counselors on LaGuardia's campus to receive on the spot admission decisions and credit evaluations.

▶ **Information Sessions**

Information Sessions are four year college presentations in a group setting with an opportunity for you to attend the college presentation of your interest. The sessions include a Q & A.

Check our events calendar on our website www.laguardia.edu/calendar for the schedule of all of TS' events and participating colleges.

Exploring Transfer: Summer Program at Vassar

Room: B215

Phone: (718) 482-5185

Email: Transfer@lagcc.cuny.edu (*add Vassar in the subject line*)

The Vassar College Exploring Transfer program is a five-week summer program designed to give you the opportunity to explore their transfer opportunities while experiencing education at a four-year residential college. The curriculum consists of two interdisciplinary courses team taught by Vassar faculty and community college faculty, equivalent to six academic credits.

All expenses are paid, and the program is open to all qualified, matriculated LaGuardia students. Since 1985, over 600 LaGuardia students have benefited from this award winning program, going on to continue their education at outstanding colleges including Vassar, Columbia, Yale, Smith, Mount Holyoke, Middlebury, and Swarthmore. For further information, contact Transfer Services at: Transfer@lagcc.cuny.edu or call (718) 482-5185.

Transfer Services FAQ

When can I apply for transfer?

You may apply for transfer anytime during your LaGuardia career. You are encouraged to graduate before transferring. If you are applying for a senior college, we urge you to apply as early as possible. Students planning to transfer to private colleges should begin planning 9-12 months in advance. Students transferring to CUNY schools, 4-6 months in advance. SUNY schools have varying deadlines, so students should know deadlines and plan accordingly. If you decide to transfer from LaGuardia before completing 24 credits, schools will use your high school record to evaluate you.

What kind of grade point average do I need to transfer?

To transfer, you need a cumulative GPA of 2.0 from all colleges you have attended. Different colleges and programs have their own requirements and may seek higher student GPAs. If you are applying to a 4-year CUNY college, you must also pass all basic skills (remedial) classes and have a “C” grade or higher in a college-level English course and a college-level math course. If you are applying to a private school, a 3.0 GPA or higher gives you a competitive edge and increases your chances of receiving more grants or scholarships.

What happens if I transfer out of LaGuardia early?

If you have fewer than 24 credits and apply to a senior college, CUNY reviews your high school transcript to determine your acceptance. Graduation matters! The number of transfer credits accepted and how those credits apply to your four year degree works more to your advantage when you complete your Associate degree.

If I transfer to LaGuardia, will my former CUNY School still have my placement test scores?

LaGuardia will accept placement test scores from any CUNY college if they are presented on an official transcript.

Do I have to pay the application fee?

As long as you were a LaGuardia student in the semester immediately preceding your transfer to a CUNY senior college, you do not have pay the application fee. If you take a break between the time you graduate from LaGuardia and the semester you are applying for, you will be required to pay the fee. If you are applying to SUNY schools and Intend to Graduate, you can apply for a fee waiver in Room B215), as long as you meet the income eligibility. If you are applying to private schools, you can fill out the fee waiver form, and we will send a formal request to each school on your behalf.



Student Engagement

Adult & Continuing Education

Room: C227

Phone: (718) 482-5300

Email: ACEreg@lagcc.cuny.edu

Website: www.laguardia.edu/ace/

The College's Division of Adult and Continuing Education offers an array of classes, workshops, certificate programs and services (including career counseling and job placement) for College members and the local community. If you are interested in taking non-matriculated courses, please contact the office directly.

Alumni Association

Room: M116

Phone: (718) 482-5984

E-mail: alumni_association@lagcc.cuny.edu

The LaGuardia Community College Alumni Association has been a vital part of the College since 1977 and was created for students to stay connected to the College after graduation. It is a not-for-profit organization whose mission is to encourage and cultivate lifelong, quality education, social activity, and good fellowship among the graduates of LaGuardia and to assist and promote the interests of the College.

The Association's support is generated solely through membership dues and donations. Governed by an elected volunteer alumni executive board, the association is a growing organization of active members who continue to value the multifaceted experience of a LaGuardia Community College education.

Membership is open to students who have completed at least 55 credits toward their Associate Degree. Membership dues are: \$20 for one year; \$30 for two years; \$50 for five years; and \$225 for lifetime membership. Members receive a variety of benefits including discounts on the College's recreational facilities, most continuing education courses, and LPAC program tickets; free Placement Office Service and access to the College's computer labs and library, among other resources. Members are also invited to seminars and workshops; as well as educational, networking and social events.

Campus Life

Room: M115

Phone: (718) 482-5190

E-mail: campuslife@lagcc.cuny.edu

The Office of Campus Life, part of the division of Student Affairs, is located in office suite M115. The department is involved in a variety of campus wide-events that range from new student orientation all the way to commencement. Campus Life helps enrich the college experience by offering leadership development programming, civic engagement, academic support, student clubs and organizations in addition to peer mentoring programs. Campus Life can assist in enhancing your social, intellectual and professional development by offering opportunities that get you involved in the college community. Here are a few of the programs that are offered:

Black Male Empowerment Cooperative

Room: M114

Phone: (718) 482-5727

Website: [www.laguardia.edu/Student-Services/Black-Male-Empowerment-Cooperative-\(BMEC\)/](http://www.laguardia.edu/Student-Services/Black-Male-Empowerment-Cooperative-(BMEC)/)

The Black Male Empowerment Cooperative (BMEC) is funded by the Black Male Empowerment Initiative (BMI). The program is designed to help students achieve at high levels of semester to semester retention and community engagement while pursuing their degrees. Participants, mentors and mentees, meet every week to discuss issues that are pertinent to students in the program, and participate in events sponsored by BMEC for the entire campus community.

Clubs and Organizations

The formation of clubs depends upon the interests of students involved. Club members plan and implement social, cultural, educational and creative ventures outside the classroom. New clubs are organized through the Student Advisory Council. An average of 35 clubs and organizations are chartered within the college. The organizations stem from the social, academic and cultural interests of our students. In addition, if a student would like to start a club, they will be provided with the necessary assistance for its development. For a list of clubs that are active during each term, please visit the Office of Campus Life in room M115.

For more information on how to become involved in any of the organizations, contact the Office of Campus Life.

Crear Futuros

Room: M112

Phone: (718) 482-5192

Website: <https://www.laguardia.edu/Student-Services/Multicultural-Exchange/>

Associated with the Hispanic Federation, CREAR (College Readiness, Achievement and Retention) students are paired with knowledgeable and highly trained upper-classmen peer mentors that will introduce them to campus resources, provide tips on how to reduce stress, manage time wisely and offer expert insight on how to make the most out of their time at LaGuardia. This mentoring program also introduces participants to a variety of networking and development opportunities on and off campus.

LGBTQIA Safe Zone Hub

Room: MB10

Phone: (718) 482-5320

The LGBTQIA Safe Zone Hub is an open, inclusive, and safe space dedicated to improving the educational environment for Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, Questioning and Ally students, faculty, staff and administrators at LaGuardia Community College.

Phi Theta Kappa International Honor Society

Room: M222, Office A

Phone: (718) 482-5220

E-mail: ptk@lagcc.cuny.edu or pdoctor@lagcc.cuny.edu

Website: <http://www.laguardia.edu/ptk> or www.ptk.org

Phi Theta Kappa is the international honor society for community colleges. Founded in 1918 to recognize academically high-achieving and motivated community college students, Phi Theta Kappa offers members the opportunity to develop in areas that its founders have designated as the Society's four Hallmarks: Scholarship, Leadership, Service and Fellowship. Members are also eligible for special Phi Theta Kappa transfer scholarships offered by four-year colleges across the country.

The Phi Theta Kappa Chapter at LaGuardia Community College is named Alpha Theta Phi and it was chartered in 1983. The Chapter, which converted from "club" to "organization" status in 2000, has been a dynamic presence on the college campus, and has been involved in a range of service and scholarly activities. Students who have earned 12 credits with a GPA of 3.50 or higher are eligible to become Phi Theta Kappa members. Qualified students are automatically invited at the end of each semester. There is a one-time membership fee of \$70.

Student Government Association

Room: M160

Phone: (718) 482-5297

Student Government is an organization elected by students to represent the student body to the administration of the College, faculty, student organizations and the general college community. Elections are held annually. Student Government consists of 12 elected student members (Governors) selected through a democratic voting process open to the entire student body, which is coordinated by the Office of Campus Life. Student Government also sponsors a variety of institutional functions and activities in order to create services that will benefit the student body and enhance the entire College community.

Women's Center

Room: MB10

Phone: (718) 482-5188

Website: www.laguardia.edu/Student-Services/Women-s-Center/

The Women's Center enhances and encourages the intellectual, social, and emotional development of women, and their allies, while embracing attributes of the holistic personal wellness model via the physical, socio-emotional, intellectual and academic aspects of a student's life. The Women's Center provides a multitude of programs, amongst them cultural presentations, career panel discussions and workshops, feature and documentary film screenings with Q&A, and referrals for domestic, intimate partner violence and sexual harassment. These and other Women's Center programs

and services assist students with self-advocacy, stress relief, and cultivating work/life balance, all in an effort to enhance student progress towards graduation and life beyond the classroom.



LaGuardia Community College
New Student Orientation

Center for Career & Professional Development (CCPD)

Room: B114

Phone: (718) 482-5235

Email: career@lagcc.cuny.edu

Facebook: www.facebook.com/LaGuardiaCareerServices

Twitter: www.twitter.com/LaGuardiaCareer

LinkedIn Group: Center for Career & Professional Development at LaGuardia

Website: www.laguardia.edu/CareerServices

The Center for Career & Professional Development (CCPD) offers a variety of career-related and job readiness services designed to prepare students and alumni to set career goals and become competitive and successful job seekers. CCPD can assist you in polishing your resume, interviewing techniques and professional branding.

In addition, you can use their online job resource, Career Connect, to search and secure internships and part-time and full-time employment opportunities. CCPD also hosts a variety of on-campus recruitment opportunities such as industry fairs and panels. See the Events > Workshop section in Career Connect for upcoming dates.

Getting Started on Career Connect:

- ▶ Log in to your My LaGuardia Page at <https://my.laguardia.edu>
 - Username: FIRSTNAME.LASTNAME
 - Password: Eight digits of your CUNY ID and last two digits of your birth year
- ▶ Click on Career Connect icon under e-Tools
- ▶ Complete your Academic Profile

CUNY LEADS Program:

For referral assistance and special accommodations for students with disabilities and veterans.
<https://www2.cuny.edu/current-students/student-affairs/student-services/disability/cuny-leads/>

CUNY Service Corps Program:

A community and service learning opportunity for students to work on projects that improve city's short and long-term civic, economic and environmental sustainability.
<http://www1.cuny.edu/sites/servicecorps/about/>

America Needs You Fellows Program (ANY):

provides intensive career and professional development, internships, mentoring and academic support to students.
<https://www.americanneedsyou.org/locations/laguardia-community-college/>

Whether you're undecided about your career or want to enhance your job skills, let us help you prepare for success. Contact CCPD for individual assistance with your career planning or job search.

CUNY EDGE (formerly the COPE Program)

Room: MB13

Phone: (718) 482-5479

E-mail: adab@lagc.cuny.edu

CUNY EDGE has expanded its student services to provide new benefits and support. CUNY EDGE's mission is to help CUNY students achieve academic excellence, graduate on time, and find employment.

CUNY EDGE provides academic, personal and career planning support; encourages full-time enrollment in courses each semester and enrollment in intersession classes, as needed, so that students complete their degree in a timely manner.

Tools and procedures are incorporated to help students remain compliant with all HRA rules and regulations. HRA school letters are completed at least once a semester during the academic year.

CUNY EDGE is a partnership between the New York City Human Resources Administration (HRA) and the University. In order to qualify for CUNY EDGE, you must be a matriculated CUNY undergraduate student who receives cash assistance from HRA.

Early Childhood Learning Programs Inc.

Room: MB09

Phone: (718) 482-5295

E-mail: childcare@lagcc.cuny.edu

Website: www.laguardia.edu/student-services/child-care

The Early Childhood Learning Center (ECLC) is an on-campus childcare facility for the children of LaGuardia students. The program's curriculum integrates opportunities for autonomy, problem-solving, socialization and decision-making processes into the classroom environment.

The philosophy of the Early Childhood Learning Center Programs is learning through play.

The ECLC operates on a flexible time system. Student parents register based on their college schedule with priority given to current ECLC parents. New Student registration will be on a first- come, first-served basis and will close when all available spaces are filled. All new applicants requesting services are required to attend the New Parent Orientation.

At the time of registration, a non-refundable registration fee must be paid. The fees charged by the center are based on the cost-of-care rate, and subsidized rates are available to eligible parents. Each child must register for a minimum of five hours per week, three of which must be consecutive hours. Twelve hours is the maximum amount of hours a child can be registered for one day. ECLC follows the College calendar.

The ECLC offers the following services and programs with the age requirements:

- ▶ Infant Toddler Program: 1 year – 2 years and 9 months old
- ▶ Preschool Program: 2 years and 10 months – 5-years old
- ▶ Universal Pre-Kindergarten Program: 4 year olds (6 hours and 20 minutes free)
- ▶ Extended Day and Saturday Program: 3 – 12 years old
- ▶ Holiday Camp/Summer camp school age population
- ▶ Faculty/ staff childcare
- ▶ Parent Wellness Program (open to all students)

Childcare scholarships are available to eligible students. To enroll your child in one of ECLC's Programs, you must be currently enrolled as a LaGuardia student and provide your College schedule. The child's original Birth Certificate and Immunization Record must be presented. Faculty and staff childcare available after student priority has been accommodated, varies space availability.

Health Services

Room: MB40 (Health Center)
 Phone: (718) 482-5280 (Health Center)
 E-mail: Health-Center@lagcc.cuny.edu
 Website: www.laguardia.edu/healthservices

The Health Services Center offers a variety of free, quality health care and health education services to you and the entire college community. The Health Center works to minimize your health problems and risks, helping you attain their academic goals. The Center's staff aims to improve lives through preventive education by collaborating with on-campus and off-campus resources.

The Center coordinates the college's immunization program, which includes Measles, Mumps, Rubella, Hepatitis B, and Influenza vaccines. It disseminates information about meningitis, facilitates medical leaves of absence, monitors over-the-counter medication, and provides blood pressure and glucose monitoring. The Staff also coordinates on-campus health fairs and manages a comprehensive HIV\STI prevention education program Titled "Health Education Learning Project and Services" (HELPS).

If you are without medical insurance, you are encouraged to visit Room MB40 for assistance in obtaining low-cost or no-cost health insurance. The Center also coordinates the NYC Human Resources Administration's on-campus SNAP food stamp program enrollment and the Elmhurst Hospital's Smoking Cessation initiative.

The Registered Nurse, Paramedic and the Emergency Medical Technician (EMT) provide medical treatment during emergencies within the college.

LaGuardia Performing Arts Center (LPAC)

Room: E241
 Phone: (718) 482-5151
 E-mail: lpac@lagcc.cuny.edu

LPAC is committed to presenting high-quality and culturally diverse programs for the College community, residents of Western Queens and the tri-state area. LPAC consists of a 740-seat state-of-the-art proscenium theatre, a 220-seat multi-purpose theatre, as well as exhibition space.

The facilities are used by the students, faculty, staff and alumni of the College for a variety of cultural activities. LPAC presents seven different series including: Jazz Jam, Performance Planet, Weekend Family, School-Time, Teen Pointe, Our Town, and the Foundry Series. LPAC also offers the Arts Administration Certificate Program in conjunction with the Division of Adult and Continuing Education.

All programs offer you discounts as a College student. You are welcome to contact the center or visit our website at <http://www.lpac.nyc/> for more information about programs, performances, and rentals.

Programs for Deaf Adults (PDA)

Room: C203

Phone: (718) 482-5324; 917-832-1203 (Video)

E-mail: pda@lagcc.cuny.edu

Website: www.laguardia.edu/pda

Under Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008 (ADAAA) as amended, LaGuardia Community College has an implicit responsibility to ensure students with disabilities have equal access to its programs and services, and that the rights of students with disabilities are not denied. If you are a Deaf/Hard-of-Hearing student requiring an accommodation to gain access to a program or service or feel that your rights as a student with a hearing loss is being denied, please contact the Program for Deaf Adults.

PDA offers assistance to LaGuardia Community College's deaf and hard-of-hearing degree-seeking students. All students are required to register with supporting documentations, which allows for the program's Academic Advisor to ensure that deaf and hard-of-hearing students receive the accommodations and support services they may need in order to access all college programs and services. Program staff members are fluent in American Sign Language.

Services include:

- ▶ Pre-admission counseling
- ▶ Academic advisement and planning
- ▶ Priority registration

Accommodation and support services include:

- ▶ Sign-Language Interpreting
- ▶ Captioning
- ▶ Tutoring / Academic Peer Instruction
- ▶ Note-taking
- ▶ Assistive technology
- ▶ Placement into special sections of Basic Skills Reading, Writing, MAT95 and MAT96 created specifically for deaf and hard-of-hearing students
- ▶ Testing accommodations

Recreation Department: Aquatics, Sports & Fitness

Room: MB42

Phone: (718) 482-5044

E-mail: pbriguglio@lagcc.cuny.edu

Website: www.lagcc.cuny.edu/recreation

As a part of LaGuardia Community College's Division of Student Affairs, the Athletics and Recreation Department offers a wide variety of sports and fitness activities for the entire College population, throughout the day, evening, and on weekends. The facility includes a multi-purpose Sports Gymnasium, Fitness Center, a six-lane, regulation-size swimming pool and a Movement Studio. We are health and fitness educators, promoting the benefits of physical activity.

Fitness Center

The Fitness Center is equipped with Cybex, Flex, and Universal machines, free weights, treadmills, stair climbers, stationary bikes, and elliptical cross-trainers.

Group Fitness

Campus Recreation offers group fitness classes such as Zumba, Pilates and High-Interval Circuit Training in our gym and Movement Studio throughout the year. Classes are open to all students, staff, and gym members for free. A full semester class schedule is available at the gym desk.

Swimming Pool

Enjoy our 25-yard, six-lane indoor swimming pool seven days a week year round. Staffed by certified aquatic specialists and qualified instructors, we offer swimming classes for all levels of ability, from beginner to advanced.

Swim on your own during lap swim and open swim times, or take advantage of one of our classes to improve your swimming stroke and increase your stamina. Whatever your goal, you'll leave relaxed and refreshed.

Intramural Sports

We provide a competitive intramural sports experience in such sports as basketball, volleyball, indoor soccer. Students can sign up for any of our intramural leagues at www.imleagues.com/lagcc.

Following is a sample of our activities:

▶ Leagues:

Indoor Soccer

▶ Tournaments:

3-on-3 Basketball, Volleyball

Community Age Group Swim Team

Our age group swim team (5-16 years), the Twisters, is a metropolitan area swimming powerhouse. The team practices 6-days per week and many of our swim program graduates go on to compete in area competitions. We regularly send swimmers to junior Olympic swim meets and have even sent one swimmer to the Olympic trials. With over 140 swim team members, children and teenagers build friendships as well as a physical and mental discipline that serves them for their entire lives.

Red Hawks Basketball Academy

Designed for boys and girls ages 8-15 and led by our team of professional instructors, the monthly Red Hawks Basketball Academy offers hands-on, individual training and simulated games. Your child will improve their dribbling, passing, shooting, offense, defense, agility training and more. The monthly program starts on the first Saturday of each month. Each session starts at 9 a.m. and ends at 11 a.m. every Saturday.

Contact Information:

- ▶ Recreation Office (718) 482-5044
- ▶ Gymnasium (718) 482-5043
- ▶ Fitness Center (718) 482-5963
- ▶ Swimming Pool (718) 482-5020

Veteran's Resource Center (VRC)

Room: C371

Phone: (718) 482-5386

E-mail: dgriffin@lagcc.cuny.edu

Website: www.laguardia.edu/veteranservices

The VRC is committed to advancing veterans, reservists, military personnel, and their families into the future. We provide dedicated assistance in the transition from military life to academic life, transferring to a four-year school and on to careers. The VRC directs the planning, development, and implementation of veteran-focused co-curricular and extra-curricular programs. We partner with community-based organizations, the private sector and liaison with national, state and local veteran's agencies to develop programs, services and implement policies and procedures to effectively serve the LaGuardia C.C. veteran community. The Veteran Resource Center services include:

- ▶ Help with GI Bill applications
- ▶ College admission forms assistance
- ▶ Up to date information on benefits, services and events
- ▶ Financial aid applications assistance
- ▶ Scholarship research assistance
- ▶ Explore civilian career options, career counseling and job search tools
- ▶ Referrals to community agencies
- ▶ Dedicated veterans space with computer and printer access
- ▶ Case management services while enrolled in ACE programs
- ▶ A network with other veterans at LaGuardia who share common experiences

Education Benefits

E-mail: veteransresourcecenter@lagcc.cuny.edu

Wellness Center

Room: C249

Phone: (718) 482-5471

E-mail: WellnessCenter@lagcc.cuny.edu

Website: www.laguardia.edu/WellnessCenter

At the Wellness Center, we know that a vital part of your academic success is your emotional well-being. It can be extremely difficult to focus on your goals, even simple tasks or activities, when you are feeling stressed, anxious, angry or depressed.

We want to provide you with the guidance, information, resources and support needed to make college life more manageable and successful. Our counselors are available to help you overcome personal, social and academic issues in a safe and confidential environment.

The Wellness Center provides the following services to support student needs:

- ▶ Short-term, individual counseling sessions
- ▶ Referrals to external mental health agencies for long-term care
- ▶ Crisis Intervention support for students who may have concerns including, but not limited to, depression and anxiety
- ▶ Educational Workshops about stress management, depression, anxiety and other mental health concerns
- ▶ Guidance and support with managing academic, personal, and career goals in order to achieve success at LaGuardia



Resources

Bookstore

Room: MB05
 Phone: (718) 392-3800
 E-mail: sm299@bncollege.com

The College bookstore provides the correct materials at the most affordable prices. Students can rent, purchase new, used and digital textbooks. The bookstore will also Price Match Amazon and BN.com. Please visit us at our website at LAGCC.bncollege.com

Campus Public Safety

Room: M145
 Phone: (718) 482-5558
 E-mail: ygaul@lagcc.cuny.edu
 Website: www.laguardia.edu/publicsafety

The Campus Public Safety Department, part of the Administration Division, is responsible for enforcing all rules and regulations of LaGuardia, City University and the Penal Law of the State of New York. It is by the policy of the City University and the College that faculty, staff and visitors should report safety hazards, crime, loss of property, and illness or injury.

Proper reporting contributes to making the campus a safe place to learn and work by preventing danger and apprehending and prosecuting violators. Please report related incidents to any uniformed Peace Officer or Security Officer, or by calling extension 5555 for emergencies, or extension 5558 for non-emergencies.

Library Media Resources Center

Room: E101
 Phone: (718) 482-5426
 E-mail: library_circulation@lagcc.cuny.edu
 Facebook: www.facebook.com/LAGCClibrary
 Twitter: www.twitter.com/LAGCClibrary
 Instagram: www.instagram.com/LAGCClibrary
 Website: <https://library.laguardia.edu>

You can use your College ID to borrow books from the Library Media Resources Center or any of the City University of New York's campus libraries. Course textbooks are available in the Library's Reserve Collection for two-hour in-library use. You can also request books from other campuses to be delivered to the LaGuardia Library by using the CLICS system available through the CUNY catalog. Some reserve books may also be borrowed for three days or 14 days.

Other books have a three-week loan period with the option of renewal, and can return them at any CUNY library. The Library also offers a vast collection of e-books available for you to use through its catalog.

Librarians can help you find information at the Library's Reference Desk, via email by using the "Ask a Librarian" feature on the Library's website, and via chat, which is also on the Library site. You can set an appointment to see a librarian for in-depth reference help. In addition to its print collections of books, journals, magazines and newspapers, the Library offers access to many online publications and information databases. These electronic resources may also be used off campus through the Library's website by selecting the "Find Articles and Books Online" link. Students will be asked to

provide their student e-mail account information in order to logon.

The Library lets you borrow things besides books. You can also borrow laptops, calculators, and iPads for up to three days. There are also DVDs, CDs, and audio books you can take home. The Library also has a Media Lab with viewing and listening stations and hosts a large IT computer lab.

LaGuardia CARES (Personal support services for students)

Room: C107

Phone: (718) 482-5129

E-mail: laguardiacares@lagcc.cuny.edu

Website: www.laguardia.edu/cares

Single Stop harnesses America's most effective anti-poverty tools to create economic mobility for low-income families and individuals. Single Stop provides supportive services to students with unmet needs in the areas of finances, legal, healthcare, public benefits, food, tax preparation and more.

Social Media

Official College Social Media Pages:

Facebook: www.facebook.com/LaGuardiaCC

Twitter: www.twitter.com/LaGuardiaCC

Instagram: www.instagram.com/laguardiacc

Flickr: www.flickr.com/photos/laguardiacollege/sets/

YouTube: www.youtube.com/user/LaGuardiaCCollege

LinkedIn: www.linkedin.com/school/laguardia-community-college/

The official social media pages for LaGuardia Community College serve as an interactive place where you, faculty, staff, parents, alumni and friends share information and stay connected. We invite you to join our online community for up-to-date College news, events, stories, pictures, videos, resources, and more.

Student Communication

Your official LaGuardia e-mail address (firstname.lastname@live.lagcc.cuny.edu) is where we send you important information regarding your student life at the College as well as the communication platform for you and your professors. It is important that you activate your student email and check it frequently. Access your student email through My LaGuardia and download the Outlook mobile app for easy access right on your phone.

My LaGuardia

My LaGuardia is your "one-stop-shop" online portal. It offers customized information and resources to help you track your academic progress and get the most out of your experience at LaGuardia. My LaGuardia can be accessed from the College website or <http://my.laguardia.edu>

LaGuardia will regularly send you announcements and reminders that are essential to your success at LaGuardia, including:

- ▶ Academic status
- ▶ Financial aid updates
- ▶ Advising info
- ▶ Registration deadlines
- ▶ Scholarships
- ▶ Class schedule changes
- ▶ Tuition info and due dates

Sometimes, we also mail important information to your street address; post messages on your My LaGuardia page; send text messages to your listed cell phone number; or call your listed phone number.

Ombuds / Student Advocacy Office

Room: M103C

Phone: (718) 482-5414

E-mail: rwalton@lagcc.cuny.edu

The Student Ombuds Office provides help to students who are having difficulty resolving an issue. The Student Ombuds Officer mediates the conflict by addressing concerns, facilitating communication and alleviating disputes in a fair and equitable manner.

* For information regarding the procedures involved in the handling of student complaints about faculty conduct in academic settings please refer to [page 76](#) of this handbook.



Policies

Student Behavioral Intervention Team (SBIT)

Colleges and universities around the country have been concerned about suicides, campus shootings, and students who exhibit inappropriate or unusual behaviors that might present a danger or threat to them or their campus communities. Across CUNY, we share this concern and many of our campuses have established Student Behavioral Intervention Teams (SBIT) to address this concern.

Behavioral Intervention Teams (BIT)

The purpose of LaGuardia's SBIT is to formalize a method (1) foster a culture of Caring for students whose behavior might present a risk or threat to themselves or the campus community; (2) facilitate the early recognition of inappropriate or unusual student behavior or patterns of behavior; (3) coordinate campus support and assistance to address inappropriate or unusual behavior.

Role of BITs

- ▶ Provide consultation and support to faculty, staff, administration and students in assisting individuals who display behaviors of concern;
- ▶ Serve as the central point of contact for concerned individuals reporting aberrant student behavior;
- ▶ Identify patterns of aberrant behaviors that might suggest the need for an intervention;
- ▶ Follow a formalized protocol for communication, coordination and intervention;
- ▶ Recommend appropriate intervention strategies or disciplinary sanctions;
- ▶ Connect individuals with needed campus and community resources;
- ▶ Monitor ongoing behavior of individuals who have displayed disruptive or concerning behavior that might present a risk or threat to themselves or the campus community; and
- ▶ Educate the campus community about behaviors of concern.

Student Behavioral Intervention Team Contact SBIT@lagcc.cuny.edu

SBIT Members:

- | | | |
|---|--|--|
| ▶ Luis A. Merchant
Student Judiciary Officer
SBIT Chairperson
Room C-317
(718) 482-5180
luism@lagcc.cuny.edu | ▶ Peter Briguglio
Coordinator of Intramurals &
Sports Administration
Room MB-42
(718) 730-7589
pbriguglio@lagcc.cuny.edu | ▶ Luz M. Ruyol
Emergency Services Technician
Health Center
Room MB-40
(718) 482-5280
lruyol@lagcc.cuny.edu |
| ▶ Regina Varin-Mignano
Health & Wellness
Room C-249
(718) 482-5253
rvarin-mignano@lagcc.cuny.edu | ▶ Yvonne Gaul
Interim Director,
Public Safety Office
Room M-145A
(718) 482-5559
ygaul@lagcc.cuny.edu | ▶ Robert Walton
Student Advocate/Ombudsman
Office of Student Rights
Responsibilities & Advocacy
Room C-317
(718) 482-5414 |

Student Conduct Administration

Room: C317

Phone: (718) 482-5180

E-mail: luism@lagcc.cuny.edu

The office of the Vice President or designee (Student Judiciary Officer) for Student Affairs is responsible for administering student conduct and related judiciary affairs according to the Rules and Regulations for the Maintenance of Public Order pursuant to Article 129-A of the Education Law as amended (The Henderson Rules), the Board of Trustees Bylaws under Article 15, Section 15.3, and other University/College Regulations and Policies.

The office or designee also investigates written complaints against students for alleged violations of the stated rules, regulations and policies. The violations are held before the Faculty Student Disciplinary Committee that may result in disciplinary sanctions, including suspension and expulsion from the College/University.

Maintenance of Campus Order

Adopted by the Board of Higher Education at its meeting held November 23, 1970. In adopting the student process bylaws (Article XV) it was the intention of this Board to provide the means to enable the administration, faculty, and students of each college of the University to administer a system of student conduct and discipline designed to maintain campus order and protect the rights of members of the college community.

The legislation creating the Board of Higher Education granted to the Board the power and the responsibility to govern and administer the college system under its jurisdiction and to prescribe the conditions of student admission, attendance and discharge. Accordingly, the Board, mindful of this responsibility provided in Bylaws (Section 15.6) that The Board reserves full power to dismiss or suspend a student or suspend a student organization for conduct which impedes, obstructs or interferes with the orderly and continuous administration and operation of any college, school, or unit of the University in the use of its facilities or in the achievement of its purposes as an education institution.

The Board believes that in situations involving the enforcement of its Rules for the Maintenance of Public Order pursuant to Article 129A of the Education Law (popularly known as the Henderson Rules), the procedures outlined in Article XV will be inadequate to the protection of individual rights and the maintenance of order at a particular campus and that in such cases the Board has the responsibility to exercise the powers reserved in Section 15.6. Accordingly, the Board now serves notice that it will exercise its powers under Section 15.6 when the Chancellor determines, on his/her own motion or when a president so certifies to the Chancellor, that a violation of the Henderson Rules exists, and that such violation constitutes conduct which impedes, obstructs, or interferes with the orderly and continuous administration of a unit of the University in the use of its facilities or in the achievement of its purposes as an educational institution and requests the Chancellor to constitute a hearing panel as hereinafter described. In such cases the Board will invoke the following procedures:

1. Written charges assigned by the president, the acting president or full vice president shall be personally delivered or sent to the student at the address appearing on the records of the college by registered or certified mail. The charges shall contain a complete and itemized statement of the charges being brought against the student including the rule which he is charged with violating and the possible penalties for such violation.
2. Along with the charges there shall be served upon the student involved a written direction to appear at a time and place to be designated by the chairman of the hearing panel for a hearing upon such charges and statement of the students' rights in the proceeding and possible consequence. The student shall be notified that anything he may say at the hearing may be used against him at a non-University hearing, that he may remain silent at the hearing without assumption of guilt, and that he has a right to have legal counsel and witnesses participate at the hearing.
3. The student shall be notified of the time, place and date of the hearing at least five school days prior thereto unless the student consents to an earlier hearing. The notice may be personally delivered or sent to the student by first-class mail to the address appearing on the college records. In the event the student has been temporarily suspended by the president or a full dean the hearing shall be scheduled for a date not later than seven school days after the effective date of the suspension.
4. At the hearing the proof in support of the charges will be adduced and the student, with such adviser as he deems appropriate, shall have the opportunity to controvert the charges or to make such explanation as he deems appropriate. Both sides may introduce evidence and cross-examine witnesses. In the event the student does not appear the hearing nevertheless shall proceed.
5. A record of each such hearing by some means such as a stenographic transcript, a tape recording or the equivalent shall be made. The student involved is entitled, upon request, to a copy of such a transcript without cost.
6. The hearing shall be public or private as the hearing panel as hereinafter provided shall determine, except that the hearing shall be private if the student so requests.

7. As soon after the conclusion of the hearing as may be practical the hearing panel shall make a decision and shall communicate it to the president and to each student involved. The decision shall be that the charges or any of them are sustained or dismissed. If the charges or any of them are sustained, the hearing panel shall state the penalty therefore. The penalty may consist of censure, disciplinary probation, restitution, suspension for a period of time, or expulsion. The decision of the hearing panel shall be final except that a suspension for a year or longer or expulsion shall be appealable to a committee designated by the Board. Any appeal under this Section shall be made in writing within fifteen days after the delivery of the hearing panel's decision. This requirement may be waived in a particular case for good cause by the Board Committee.
8. The hearing panel shall consist of such persons as the Chancellor may designate. One such person shall be designated by the Chancellor as the presiding officer. One person shall be a student selected from a roster submitted by the University Student Senate, but such a student shall not be from the college attended by the student under charges. One person shall be a member of the permanent instructional staff selected from a roster submitted by the University Faculty Senate, but such faculty member shall not be from the college attended by the student under charges. In the event that no roster has been submitted by the University Student Senate or by the University Faculty Senate, or in the event that no person on one or the other rosters is available or willing to serve in a particular case, the Chancellor shall designate a student or a member of the permanent instructional staff, as the case may be to serve on the hearing panel. The presiding officer shall be in charge of the hearing and shall make such rulings in the course of the hearing as he deems appropriate for a fair hearing. The presiding officer shall be empowered to proceed in the absence of the faculty or student member or both.
9. A request by the President that the hearing panel be constituted under the provisions of this statement shall not affect the power of a President or full dean temporarily to suspend a student or temporarily suspend the privileges of a student organization as provided in Section 15.5 of the bylaws.
10. In the event that a student is suspended or expelled under these procedures or the procedures of Section 15.3 of the bylaws and the suspension or expulsion is subsequently vacated on appeal or by the courts, the college will provide at no cost to the student the academic services lost as a result and will delete the suspension or expulsion from the student's academic record.

“Definition of “College Community”

Every member of the Student Body, the Faculty and the Administration is considered a Member of the “College Community.” Any and all persons registered at the College for any and all credit and non-credit bearing programs and courses shall hereby be considered a student. Any and all persons, contracted or otherwise, employed by the College in any and all areas of the College's operation, shall fall under the category of faculty and administration.

Board of Higher Education (Henderson) Rules on Public Order

The following resolution (sometimes called the Henderson Rules) was adopted for all units of the City University by the Board of Higher Education on June 23, 1969.

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, 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 would 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 with respect to his/her educational unit shall:

- ▶ Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his jurisdiction;
- ▶ Be the advisor and executive agent of the Board or 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 any of its committees and the policies, programs and lawful resolutions of the several faculties;
- ▶ Exercise general superintendence over the concerns, offices, employees and students of his education unit.

A. RULES

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 education 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.

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.

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.

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.

Each member of the academic community, or any 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 likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.

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 their 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.

Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.

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 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.

An 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.

The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances, or as part of any University/college activities 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.

The unlawful possession, use or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

B. PENALTIES

Any student engaging in any manner of conduct prohibited under Substantive Rules 1-11 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.
- ▶ Any tenured or non-tenured faculty member, or tenured or non-tenured member of the administrative or custodial staff engaging in any manner of conduct prohibited under Substantive Rules 1-11 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. In addition, in the case of a tenured faculty member, or tenured member of the administrative or custodial staff engaging in any manner of conduct prohibited under Substantive Rules 1-11 shall be entitled to be treated in accordance with applicable provisions of the Education Law or Civil Service Law, or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.
- ▶ Any visitor, licensee, or invitee, engaging in any manner of conduct prohibited under Substantive Rules 1-11 shall be subject to ejection, and/or arrest by the civil authorities.

- ▶ Any organization which authorized the conduct prohibited under substantive rules 1-11 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:

- ▶ **Admonition:** An oral statement to the offender that he has violated University rules.
- ▶ **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 for more severe disciplinary action.
- ▶ **Censure:** Written reprimand for violation of specified regulation, 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.
- ▶ **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.
- ▶ **Restitution:** Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.
- ▶ **Suspension:** Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.
- ▶ **Expulsion:** Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order or expulsion.
- ▶ Complaint to Civil Authorities.
- ▶ Ejection.

Student Rights and Responsibilities

Statement of Personal Responsibility: Students must accept personal responsibility for fulfilling their individual program, admission, degree and graduation requirements, for meeting college deadline and attendance dates, for abiding by the rules and regulations as printed in official LaGuardia publications and announcements.

The Family Educational Rights and Privacy Act (FERPA):

Notice to all Students and Former Students: The Family Educational Rights and Privacy Act (FERPA) of 1974 and regulations pursuant thereto, affords students certain rights with respect to their educational records as listed below. Please note that LaGuardia releases information to third parties only if there is a written request from the student or a legally issued subpoena.

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.

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. The University Official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

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

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the records as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing process will be provided to the student when notified of the right to a hearing.

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

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); 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 school official in the performance of his or her tasks.

A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the University discloses education records without consent to officials of another school in which the student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by LaGuardia Community College to comply with the requirements of FERPA. The office that administers FERPA is the Family Policy Compliance Office located at: U.S. Department of Education; 600 Independence Avenue; SW Washington, DC 20202-4605

Student Rights and Responsibilities (Rules)

Rules for the Maintenance of Public Order:

ALERT: COVID-19 Student Conduct Protocol:

LaGuardia Community College of The City University of New York takes the wellbeing and safety of our students, faculty, and staff very seriously. During the pandemic, we all have an obligation to behave in a responsible manner per the guidance approved on campus per the re-opening plan to prevent the spread of corona virus. Responsible behavior extends to you off campus, including at a minimum:

- Always wearing a mask when on campus and when gathering with other individuals
- Maintaining physical distance of at least six feet on campus and when gathering with individuals outside the classroom and other areas
- Limiting the size of gatherings
- Minimizing and limiting the size of events gathering with other students

Student Code of Conduct (Prohibited Activities and Behaviors)

Adopted by the Board of Higher Education at its meeting held November 23, 1970. In adopting the student process bylaws (Article XV) it was the intention of this Board to provide the means to enable the administration, faculty, and students of each college of the University to administer a system of student conduct and discipline designed to maintain campus order and protect the rights of members of the college community.

The following behaviors are considered violations of the Code of Conduct and are subject to the disciplinary process and sanctions:

1. Obstruction of or interference with institutional educational processes or facilities and the prevention of others from exercising their rights;
2. Failure to comply with lawful directions of College officials acting in the performance of their duties, including failure to comply with the reasonable directions of a member or agent of the College acting in the performance of his or her duty;
3. Any unauthorized occupancy of facilities owned or controlled by the institution or blockage of access to or from such facilities;
4. Theft, misappropriation, damage, or unauthorized sale of College property;
5. Intimidation or abuse of others who advocate their positions;
6. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by the institution;
7. Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals (e.g. public urination/defecation, participation in a disruptive or coercive demonstration);

8. **Firearms, Ammunition and Other Dangerous Weapons.** Possession of or use of firearms, ammunition, dangerous weapons of any kind, as well as replica/toy weapons. (Examples of prohibited items include but are not limited to: BB guns, pellet guns, explosive materials, paintball guns, water guns, cap guns, stun guns, Tasers, toy knives or other items that simulate firearms or dangerous weapons);
9. **Recklessly or intentionally endangering the physical or mental health of others.** These behaviors include but are not limited to actions causing bodily harm to another person, or reckless disregard for the health, safety and welfare of any person. Also, engaging in threatening/intimidating or bullying behavior which is so persistent, pervasive, or severe as to deny a person's ability to participate in the College community, and verbal threats and/or attempts to intimidate, including, but not limited to statements meant to provoke conflict with another person or which cause a reasonable fear for a person's safety;
10. **Drugs and other Controlled Substances.** The unlawful possession, use, or sale of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic, hallucinogenic drug, or marijuana). This offense includes the violation of any local ordinance, state, or federal law concerning drugs or controlled substances, on or off College- owned or controlled property.
11. **Alcoholic Beverages.** The use and/or possession of alcoholic beverages on or off (ex. College sponsored events or trips off campus) institution owned or controlled property. This offense includes the violation of any University policy, local ordinance, state, or federal law concerning alcoholic beverages, on or off (ex. College sponsored event or trip off campus) College-owned or controlled property. See [CUNY's Drug and Alcohol Policy](#) for more details.
12. **Sexual Harassment (Misconduct).** Includes unwelcome conduct of a sexual nature, such as unwelcome sexual advances, request for sexual favors, and other verbal, nonverbal, graphic and electronic communications or physical conduct that is sufficiently serious to adversely affect an individual's participation in employment, education or other College activities. See [CUNY's Sexual Misconduct Policy](#) for more details.

Article XV Students

ARTICLE XV.

SECTION 15.

SECTION 15.0. PREAMBLE

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Student participation, responsibility, academic freedom, and due process are essential to the operation of the academic enterprise. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to learn and to explore major social, political, and economic issues are necessary adjuncts to student academic freedom, as is freedom from discrimination, as set forth in the university's non-discrimination policy.

Freedom to learn and freedom to teach are inseparable facets of academic freedom. The concomitant of this freedom is responsibility. If members of the academic community are to develop positively in their freedom; if these rights are to be secure, then students should exercise their freedom with responsibility.

SECTION 15.1. CONDUCT STANDARD DEFINED.

Each student enrolled or in attendance in any college, school or unit under the control of the board and every student organization, association, publication, club or chapter shall obey (1) the laws of the city, state and nation; (2) the bylaws and resolutions of the board, including the rules and regulations for the maintenance of public order pursuant to Article 129-a of the education law ("Henderson rules"); and (3) the governance plan, policies, regulations, and orders of the college.

Such laws, bylaws, resolutions, policies, rules, regulations and orders shall, of course, be limited by the right of students to the freedoms of speech, press, assembly and petition as construed by the courts.

SECTION 15.2. STUDENT ORGANIZATIONS.

- A. Any group of students may form an organization, association, club or chapter by filing with the duly elected student government organization of the college or school at which they are enrolled or in attendance and with an officer to be designated by the chief student affairs officer of the college or school at which they are enrolled or in attendance (1) the name and purposes of the organization, association, club or chapter, (2) the names and addresses of its president and secretary or other officers corresponding in function to president and secretary.

The board recognizes that students have rights to free expression and association. At the same time, the board strongly believes that respect for all members of the university's diverse community is an essential attribute of a great university.

- B. Extra-curricular activities at each college or school shall be regulated by the duly elected student government organization to insure the effective conduct of such college or school as an institution of higher learning and for the prevention of activities which are hereafter proscribed or which violate the standards of conduct of the character set forth in bylaw 15.1. Such powers shall include:
 - 1. The power to charter or otherwise authorize teams (excluding intercollegiate athletics), publications,

organizations, associations, clubs or chapters, and, when appropriate in the exercise of such regulatory power, the power to refuse, suspend or revoke any charter or other authorization for cause after hearing on notice.

2. The power to delegate responsibility for the effective implementation of its regulatory functions hereunder to any officer or committee which it may appoint.

C.

1. Any person or organization affiliated with the college may file a complaint with the chief student affairs officer if there is reason to believe that a student organization has violated any of the standards of conduct set forth in section 15.1 above. The chief student affairs officer shall promptly notify the affected organization, investigate any complaint and report the results of that investigation along with a recommendation for appropriate action to the complainant and the student government which shall take action as it deems appropriate, except that in the case of a complaint against the student government itself, the chief student affairs officer shall report the results of the investigation and the recommendation for appropriate action directly to the president.
2. The complainant or any student organization adversely affected pursuant to paragraph c (1) above may appeal to the president. The president may take such action as he or she deems appropriate, and such action shall be final.

D. Each college shall establish a student elections review committee in consultation with the various student governments. The student elections review committee shall approve the election procedures and certify the results of elections for student governments, and student body referenda. Decisions of the student elections review committee may be appealed to the college president, whose decision shall be final. An appeal from the decision of the student elections review committee must be made in writing to the President within ten (10) calendar days of the decision. The President shall consult with the student elections review committee and render a decision as expeditiously as possible which may affirm, reverse, or modify the decision of the student elections review committee.

E. Student government elections shall be scheduled and conducted, and newly elected student governments shall take office, in accordance with policies of the board, and implementing regulations.

SECTION 15.3. THE UNIVERSITY STUDENT SENATE.

There shall be a university student senate responsible, subject to the board of trustees, for the formulation of university-wide student policy relating to the academic status, role, rights and freedoms of the student. The authority and duties of the university student senate shall not extend to areas of interest which fall exclusively within the domain of the student governments of the constituent units of the university. Consistent with the authority of the board of trustees in accordance with the education law and the bylaws of the board of trustees, the university student senate shall make its own bylaws providing for the election of its own officers, the establishment of its own rules and procedures, for its internal administration and for such other matters as is necessary for its existence. The university student senate shall have the full rights and responsibilities accorded student organizations as provided in these bylaws. The delegates and alternate delegates to the university student senate shall be elected by their respective constituencies, or by their student governments from the elected members of the respective student governments.

SECTION 15.4. STUDENT DISCIPLINARY PROCEDURES.**Complaint Procedures:**

- A.** A University student, employee, visitor, organization or department who/which believes she/he/it is the victim of a student's misconduct (hereinafter "complainant") may make a charge, accusation, or allegation against a student (hereinafter "respondent") which if proved, may subject the respondent to disciplinary action. Such charge, accusation, or allegation must be communicated to the chief student affairs officer of the college the respondent attends.
- B.** The chief student affairs officer of the college or her or his designee shall conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The chief student affairs officer or her or his designee shall advise the respondent of the allegation against her or him, explain to the respondent and the complainant their rights, consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. The preliminary investigation shall be concluded within thirty (30) calendar days of the filing of the complaint, unless: (i) said complaint involves two or more complainants or respondents; or (ii) said complaint involves a matter that is also under investigation by law enforcement authorities. In those cases, the preliminary investigation shall be completed within sixty (60) calendar days. Further, if the matter has been previously investigated pursuant to the Board of Trustees Policy on Sexual Misconduct, the chief student affairs officer shall dispense with a preliminary investigation and rely on the report completed by the Title IX Coordinator. Following the completion of the preliminary investigation, the chief student affairs officer or designee shall take one of the following actions:
- (i)** Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary action. The individuals involved shall be notified that the complaint has been dismissed;
 - (ii)** Refer the matter to mediation (except in cases involving allegations of sexual assault, stalking or other forms of sexual violence); or
 - (iii)** Prefer formal disciplinary charges.
- C.** In the event that a respondent withdraws from the college after a charge, accusation or allegation against a respondent has been made, and the college prefers formal disciplinary charges, the respondent is required to participate in the disciplinary hearing or otherwise to resolve the pending charges and shall be barred from attending any other unit of the university until a decision on the charges is made or the charges are otherwise resolved. If the respondent fails to appear the college may proceed with the disciplinary hearing in absentia, and any decision and sanction shall be binding.

Mediation Conference:

- D.** The college may offer the respondent and the complainant the opportunity to participate in a mediation conference prior to the time the disciplinary hearing takes place in an effort to resolve the matter by mutual agreement (except in cases involving sexual assault, stalking and other forms of sexual violence). The conference shall be conducted by a qualified staff or faculty member designated by the chief student affairs officer. The following procedures shall be in effect at this conference:
- 1.** An effort shall be made to resolve the matter by mutual agreement.
 - 2.** If an agreement is reached, the faculty or staff member conducting the conference shall report her/his recommendation to the chief student affairs officer for approval and, if approved, the

complainant and the respondent shall be notified, and a written memorandum shall be created memorializing the resolution and any consequences for non-compliance.

3. If no agreement is reached within a reasonable time, or if the respondent fails to appear, the faculty or staff member conducting the conference shall refer the matter back to the chief student affairs officer who may prefer disciplinary charges.
4. The faculty or staff member conducting the mediation conference is precluded from testifying at a college hearing regarding information received during the mediation conference, or presenting the case on behalf of the college.

Notice of Hearing and Charges, and Pre-Hearing Document Inspection:

- E. Notice of the charge(s) and of the time and place of the hearing shall be personally delivered to the respondent, or sent by certified or overnight mail and email to the respondent's CUNY-assigned email address. Notice shall also be sent in a similar manner to the complainant to the extent the charges relate to her/him/it. The chief student affairs officer is also encouraged to send the notice of charges to any other e-mail address that he or she may have for the respondent and the complainant. The hearing shall be scheduled within a reasonable time following the filing of the charges or the mediation conference. Notice of at least seven (7) calendar days shall be given to the respondent in advance of the hearing unless the respondent consents to an earlier hearing. The respondent is permitted one (1) adjournment as of right. Additional requests for an adjournment must be made at least five (5) calendar days prior to the hearing date, and shall be granted or denied at the discretion of the chairperson of the faculty-student disciplinary committee. If the respondent fails to respond to the notice, appear on the adjourned date, or request an extension, the college may proceed in absentia, and any decision and sanction shall be binding.
- F. The notice shall contain the following:
 1. A complete and itemized statement of the charge(s) being brought against the respondent including the rule, bylaw or regulation she/he is charged with violating, and the possible penalties for such violation.
 2. A statement that the respondent and the complainant have the right to attend and participate fully in the hearing including the right:
 - (i) to present their side of the story;
 - (ii) to present witnesses and evidence on their behalf;
 - (iii) to cross-examine witnesses presenting evidence;
 - (iv) to remain silent without assumption of guilt; and
 - (v) to be represented by an advisor or legal counsel at their expense; if the respondent or the complainant request it, the college shall assist in finding a legal counsel or advisor.
 3. A warning that anything the respondent says may be used against her/him at a non-college hearing.
 4. At least five (5) calendar days prior to the commencement of a student disciplinary hearing, the college shall provide the respondent and the complainant and/or their designated representative,

with similar and timely access to review any documents or other tangible evidence that the college intends to use at the disciplinary hearing, consistent with the restrictions imposed by Family Education Rights and Privacy Act (“FERPA”). Should the college seek to introduce additional documents or other tangible evidence during, or some time prior to, the disciplinary hearing, the respondent and the complainant shall be afforded the opportunity to review the additional documents or tangible evidence. If during the hearing the respondent submits documentary evidence, the chairperson may, at the request of either the college or the complainant, direct the respondent to produce such other documents as may be necessary in the interest of fairness.

Emergency Suspension:

- G.** The president or her/his designee may in emergency or extraordinary circumstances, temporarily suspend a student pending an early hearing as provided in this bylaw section 15.4. to take place within not more than twelve (12) calendar days, unless the student requests an adjournment. Such suspension shall be for conduct which impedes, obstructs, impairs or interferes with the orderly and continuous administration and operation of any college, school, or unit of the university in the use of its facilities or in the achievement of its purposes as an educational institution. Prior to the commencement of a temporary suspension of a student, the college shall give the student oral notice (which shall be confirmed via email to the address appearing on the records of the college) or written notice of the charges against her/him and, if she/he denies them, the college shall forthwith give the student an informal oral explanation of the evidence supporting the charges and the student may present informally her/his explanation or theory of the matter. When a student’s presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter. The complainant shall be notified in the event that an emergency suspension is imposed against a student, and/or when the suspension is subsequently lifted to the extent that the suspension involves the complainant in the same manner notice is given to the student.

Faculty-Student Disciplinary Committee Structure:

- H.** Each faculty-student disciplinary committee shall consist of two (2) faculty members or one (1) faculty member and one (1) member of the Higher Education Officer series (HEO), and two (2) student members and a chairperson, who shall be a faculty member. A quorum shall consist of the chairperson and any two (2) members, one of whom must be a student. Hearings shall be scheduled promptly (including during the summers) at a convenient time and efforts shall be made to insure full student and faculty representation.
- I.** The president shall select in consultation with the head of the appropriate campus governance body or where the president is the head of the governance body, its executive committee, three (3) members of the faculty of that college to receive training and to serve in rotation as chairperson of the disciplinary committee. The following schools shall be required to select two (2) chairpersons; CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism. If none of the chairpersons appointed from the campus can serve, the president, at her/his discretion, may request that a chairperson be selected by lottery from the entire group of chairpersons appointed by other colleges. The chairperson shall preside at all meetings of the faculty-student disciplinary committee and decide and make all rulings for the committee. She/he shall not be a voting member of the committee but shall vote in the event of a tie.
- J.** The faculty members shall be selected by lot from a panel of six (6) elected biennially by the appropriate faculty body from among the persons having faculty rank or faculty status. CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism shall be required to select four (4) faculty members. The HEO members shall be selected by lot from a panel of six

- (6) HEO appointed biennially by the president. CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism shall be required to select four (4) HEO's. The student members shall be selected by lot from a panel of six (6) elected annually in an election in which all students registered at the college shall be eligible to vote. CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism shall be required to select four (4) students. In the event that the student or faculty panel or both are not elected, or if more panel members are needed, the president shall have the duty to select the panel or panels which have not been elected. No individuals on the panel shall serve on the panel for more than four (4) consecutive years. Notwithstanding the above, in cases of sexual assault, stalking and other forms of sexual violence, the president shall designate one (1) chairperson, two (2) faculty/HEO members, and two (2) students, who shall be specially trained, and who shall constitute the faculty-student disciplinary committee in all such cases.
- K.** In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the respective faculty, HEO, or student panel by lottery.
- L.** Each academic year, the chief student affairs officer, and her or his designee, shall appoint/identify one or more college employees to serve as presenters for the hearings. This list shall be forwarded to the Office of the Vice Chancellor for Student Affairs, and the Office of the General Counsel and Sr. Vice Chancellor for Legal Affairs prior to the first day of the academic year.
- M.** Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.

Faculty-Student Disciplinary Committee Procedures:

- N.** The following procedures shall apply at the hearing before the faculty-student disciplinary committee:
- 1.** The chairperson shall preside at the hearing. The chairperson shall inform the respondent of the charges, the hearing procedures and her or his rights.
 - 2.** All faculty student disciplinary committee hearings are closed hearings, but the respondent has the right to request an open public hearing. However, the chairperson has the right to deny the request and hold a closed hearing when an open public hearing would adversely affect and be disruptive to the committee's normal operations, or when the complainant in a case involving allegations of sexual assault, stalking, or other forms of sexual violence requests a closed hearing. In the event of an open hearing, the respondent must sign a written waiver acknowledging that those present will hear the evidence introduced at the hearing.
 - 3.** After informing the respondent of the charges, the hearing procedures, and her or his rights, the chairperson shall ask the respondent to respond. If the respondent admits the conduct charged, the respondent shall be given an opportunity to explain her/his actions before the committee and the college shall be given an opportunity to respond and present evidence regarding the appropriate penalty. If the respondent denies the conduct charged, the college shall present its case. At the conclusion of the college's case, the respondent may move to dismiss the charges. If the motion is denied by the committee, the respondent shall be given an opportunity to present her or his defense.
 - 4.** Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent

thereto, the chairperson may rule on the admissibility of the evidence and may exclude irrelevant, unreliable or unduly repetitive evidence. In addition, if either party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude from the hearing room all persons who are to appear as witnesses, except the respondent and the complainant.

5. The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, an audio recording or the equivalent. The college must assign a staff member for each hearing, with the sole responsibility of ensuring that the hearing is recorded in its entirety. No other recording of the proceedings may be permitted. A respondent who has been found to have committed the conduct charged after a hearing is entitled upon request to a copy of such a record without cost upon the condition that it is not to be disseminated except to the respondent's representative or attorney. In the event of an appeal, both the respondent and the complainant are entitled upon request to a copy of such a record without cost, upon the condition that it is not to be disseminated except to their representatives or attorneys.
6. The college bears the burden of proving the charge(s) by a preponderance of the evidence.
7. The role of the faculty-student disciplinary committee is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a determination. In the event the respondent is found to have committed the conduct charged, the committee shall then determine the penalty to be imposed.
8. The college, the respondent and the complainant are permitted to have lawyers or other representatives act on their behalf during the pendency of a disciplinary action, which shall include the calling and examining of witnesses, and presenting other evidence. Any party intending to appear with an attorney shall give the other party 5 (five) calendar days' notice of such representation.
9. The chairperson of the faculty-student disciplinary committee retains discretion to limit the number of witnesses and the time of testimony for the presentations by any party and/or their representative.
10. In the event that the respondent is charged with a sexual assault, stalking or other forms of sexual violence, neither the respondent nor the complainant shall be permitted to cross-examine the other directly. Rather, if they wish to, the respondent and the complainant may cross-examine each other only through a representative. If either or both of them do not have a representative, the college shall work with them to find a representative to conduct such cross-examination. In the alternative, either party may provide written questions to the chairperson to be posed to the witness.
11. At the end of the presentations, the respondent and the complainant may introduce individual character references. The college may introduce a copy of the respondent's previous disciplinary record, including records from any CUNY institution the respondent has attended, where applicable, provided the respondent was shown a copy of the record prior to the commencement of the hearing. The previous disciplinary record shall be submitted to the committee in a sealed envelope, bearing the respondent's signature across the seal, and shall only be opened if the respondent has been found to have committed the conduct charged. The previous disciplinary records, as well as documents and character evidence introduced by the respondent, the complainant, and the college shall be opened and used by the committee for dispositional purposes, i.e., to determine an appropriate penalty if the charges are sustained.

12. The committee shall deliberate in closed session. The committee shall issue a written decision, which shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.
13. The respondent shall be sent a copy of the faculty-student disciplinary committee's decision within seven (7) calendar days of the conclusion of the hearing, by regular mail and e-mail to the address appearing on the records of the college. In cases involving two or more complainants or respondents, the respondent shall be sent a copy of faculty-student disciplinary committee's decision within fourteen (14) calendar days of the conclusion of the hearing. The chief student affairs officer is also encouraged to send the decision to any other e-mail address that he or she may have for the respondent. The decision shall be final subject to any appeal. In cases involving a crime of violence or a non-forcible sex offense, as set forth in FERPA, the complainant shall simultaneously receive notice of the outcome of the faculty-student disciplinary committee's decision as it relates to the offense(s) committed against the complainant, in the same manner as notice is given to the respondent.
14. When a disciplinary hearing results in a penalty of dismissal or suspension for one term or more, the decision is a university-wide penalty and the respondent shall be barred from admission to, or attendance at, any other unit of the university while the penalty is being served.
15. Disciplinary penalties shall be placed on a respondent's transcript unless a mediation agreement, the committee's decision, or the decision on any appeal under section 15.4(o) below, expressly indicate otherwise. For all undergraduate students, a penalty other than suspension or expulsion shall be removed from the respondent's transcript upon the request of the respondent after at least four (4) years have elapsed since the penalty was completed, unless the respondent has been found to have committed a subsequent violation pursuant to this Article. The chief student affairs officer shall be responsible for having any penalty removed from a student's transcript as provided above.

Appeals.

- O. A respondent or a complainant may appeal a decision of the faculty-student disciplinary committee to the president on the following grounds: (i) procedural error, (ii) newly discovered evidence that was not reasonably available at the time of the hearing, or (iii) the disproportionate nature of the penalty. The president may remand for a new hearing or may modify the penalty either by decreasing it (on an appeal by the respondent) or increasing it (on an appeal by the complainant). If the president is a party to the dispute, her/his functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor or her or his designee. If the penalty after appeal to the president is one of dismissal or suspension for one term or more, a respondent or a complainant may appeal to the board committee on student affairs and special programs. The board may dispose of the appeal in the same manner as the president.
- P. An appeal under this section shall be made in writing within fifteen (15) calendar days after the delivery of the decision appealed from. This requirement may be waived in a particular case for good cause by the president or the board committee as the case may be. Within three (3) calendar days of the receipt of any appeal, either to the president or the board committee on student affairs and special programs, the appealing party shall be sent a written notice of the other party's appeal. In addition, the respondent and/or the complainant shall have the opportunity to submit a written opposition to the other party's appeal within fifteen (15) calendar days of the delivery of the notice of receipt of such appeal.

- Q.** The president shall decide and issue a decision within fifteen (15) calendar days of receiving the appeal or within fifteen (15) calendar days of receiving papers in opposition to the appeal, whichever is longer. The board committee shall decide and issue a decision within five (5) calendar days of the meeting at which it hears the appeal.

SECTION 15.5. ACTION BY THE BOARD OF TRUSTEES.

Notwithstanding the foregoing provisions of this Article, the board of trustees reserves full power to suspend or take other appropriate action against a student or a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or units of the university in the use of its facilities or in the achievement of its purposes as an educational institution in accordance with procedures established by the board of trustees.

SECTION 15.6. COLLEGE GOVERNANCE PLANS.

The provisions in a duly adopted college governance plan shall not be inconsistent with the provisions contained in this Article.

Procedures for Handling Student Complaints About Faculty Conduct in Academic Settings

Introduction. The University and its Colleges have a variety of procedures for dealing with student-related issues, including grade appeals, academic integrity violations, student discipline, disclosure of student records, student elections, sexual harassment complaints, disability accommodations, and discrimination. One area not generally covered by other procedures concerns student complaints about faculty conduct in the classroom or other formal academic settings. The University respects the academic freedom of the faculty and will not interfere with it as it relates to the content or style of teaching activities. Indeed, academic freedom is and should be of paramount importance. At the same time the University recognizes its responsibility to provide students with a procedure for addressing complaints about faculty treatment of students that are not protected by academic freedom and are not covered by other procedures.

Examples might include incompetent or inefficient service, neglect of duty, physical or mental incapacity and conduct unbecoming a member of the staff.

Determination of Appropriate Procedure. If students have any question about the applicable procedure to follow for a particular complaint, they should consult with the chief student affairs officer. In particular, the chief student affairs officer should advise a student if some other procedure is applicable to the type of complaint the student has.

Informal Resolution. Students are encouraged to attempt to resolve complaints informally with the faculty member or to seek the assistance of the department chairperson or campus ombudsman to facilitate informal resolution.

Formal Complaint. If the student does not pursue informal resolution, or if informal resolution is unsuccessful, the student may file a written complaint with the department chairperson or, if the chairperson is the subject of the complaint, with the academic dean or a senior faculty member designated by the college president (this person will be referred to below as the “Fact Finder”).

The complaint shall be filed within 30 calendar days of the alleged conduct unless there is good cause shown for delay, including but not limited to delay caused by an attempt at informal resolution. The complaint shall be as specific as possible in describing the conduct complained of.

The Fact Finder shall promptly send a copy to the faculty member about whom the complaint is made, along with a letter stating that the filing of the complaint does not imply that any wrongdoing has occurred and that a faculty member must not retaliate in any way against a student for having made a complaint. If either the student or the faculty member has reason to believe that the department chairperson may be biased or otherwise unable to deal with the complaint in a fair and objective manner, he or she may submit to the academic dean or the senior faculty member designated by the college president a written request stating the reasons for that belief; if the request appears to have merit, that person may, in his or her sole discretion, replace the department chairperson as the Fact Finder.

The Fact Finder shall meet with the complaining student and faculty member, either separately or together, to discuss the complaint and to try to resolve it. The Fact Finder may seek the assistance of the campus ombudsman or other appropriate person to facilitate informal resolution.

If resolution is not possible, and the Fact Finder concludes that the facts alleged by the student, taken as true and viewed in the light most favorable to the student, establish that the conduct complained of is clearly protected by academic freedom, he or she shall issue a written report dismissing the complaint and setting forth the reasons for dismissal and send a copy to the complaining student, the faculty member, the chief academic officer and the chief student affairs officer. Otherwise, the Fact Finder shall conduct an investigation. The Fact Finder shall separately

interview the complaining student, the faculty member and other persons with relevant knowledge and information and shall also consult with the chief student affairs officer and, if appropriate, the college ombudsman. The Fact Finder shall not reveal the identity of the complaining student and the faculty member to others except to the extent necessary to conduct the investigation. If the Fact Finder believes it would be helpful, he or she may meet again with the student and faculty member after completing the investigation in an effort to resolve the matter. The complaining student and the faculty member shall have the right to have a representative (including a union representative, student government representative or attorney) present during the initial meeting, the interview and any post investigation meeting.

At the end of the investigation, the Fact Finder shall issue a written report setting forth his or her findings and recommendations, with particular focus on whether the conduct in question is protected by academic freedom, and send a copy to the complaining student, the faculty member, the chief academic officer and the chief student affairs officer. In ordinary cases, it is expected that the investigation and written report should be completed within 30 calendar days of the date the complaint was filed.

Appeals Procedure. If either the student or the faculty member is not satisfied with the report of the Fact Finder, the student or faculty member may file a written appeal to the chief academic officer within 10 calendar days of receiving the report. The chief academic officer shall convene and serve as the chairperson of an Appeals Committee, which shall also include the chief student affairs officer, two faculty members elected annually by the faculty council or senate and one student elected annually by the student senate. The Appeals Committee shall review the findings and recommendations of the report, with particular focus on whether the conduct in question is protected by academic freedom. The Appeals Committee shall not conduct a new factual investigation or overturn any factual findings contained in the report unless they are clearly erroneous. If the Appeals Committee decides to reverse the Fact Finder in a case where there has not been an investigation because the Fact Finder erroneously found that the alleged conduct was protected by academic freedom, it may remand to the Fact Finder for further proceedings. The committee shall issue a written decision within 20 calendar days of receiving the appeal. A copy of the decision shall be sent to the student, the faculty member, the department chairperson and the president.

Subsequent Action. Following the completion of these procedures, the appropriate college official shall decide the appropriate action, if any, to take. For example, the department chairperson may decide to place a report in the faculty member's personnel file or the president may bring disciplinary charges against the faculty member. Disciplinary charges may also be brought in extremely serious cases even though the college has not completed the entire investigative process described above; in that case, the bringing of disciplinary charges shall automatically suspend that process. Any action taken by a college must comply with the bylaws of the University and the collective bargaining agreement between the University and the Professional Staff Congress.

Campus Implementation. Each campus shall implement these procedures and shall distribute them widely to administrators, faculty members and students and post them on the college website.

Academic Integrity

Academic dishonesty is prohibited in The City University of New York. Penalties for academic dishonesty include academic sanctions, such as failing or otherwise reduced grades, and/or disciplinary sanctions, including suspension or expulsion.

Definitions and Examples of Academic Dishonesty

Cheating is the unauthorized use or attempted use of material, information, notes, study aids, devices or communication during an academic exercise. Examples of cheating include:

- ▶ Copying from another student during an examination or allowing another to copy your work.
- ▶ Unauthorized collaboration on a take home assignment or examination.
- ▶ Using notes during a closed book examination.
- ▶ Taking an examination for another student or asking or allowing another student to take an examination for you.
- ▶ Changing a graded exam and returning it for more credit.
- ▶ Submitting substantial portions of the same paper to more than one course without consulting with each instructor.
- ▶ Preparing answers or writing notes in a blue book (exam booklet) before an examination.
- ▶ Allowing others to research and write assigned papers or do assigned projects, including using commercial term paper services.
- ▶ Giving assistance to acts of academic misconduct/dishonesty.
- ▶ Fabricating data (in whole or in part).
- ▶ Falsifying data (in whole or in part).
- ▶ Submitting someone else's work as your own.

Unauthorized use during an examination of any electronic devices such as cell phones, computers or other technologies to retrieve or send information.

XV.17. Plagiarism

Plagiarism is the act of presenting another person's ideas, research or writings as your own. Examples of plagiarism include:

- ▶ Copying another person's actual words or images without the use of quotation marks and footnotes attributing the words to their source.
- ▶ Presenting another person's ideas or theories in your own words without acknowledging the source.
- ▶ Failing to acknowledge collaborators on homework and laboratory assignments.
- ▶ Internet plagiarism including submitting downloaded term papers or parts of term papers, paraphrasing or copying information from the internet without citing the source, or "cutting & pasting" from various sources without proper attribution.

XV.18. Obtaining Unfair Advantage is any action taken by a student that gives that student an unfair advantage in his/

her academic work over another student, or an action taken by a student through which a student attempts to gain an unfair advantage in his or her academic work over another student. Examples of obtaining unfair advantage include:

- ▶ Stealing, reproducing, circulating or otherwise gaining advance access to examination materials.
- ▶ Depriving other students of access to library materials by stealing, destroying, defacing, or concealing them.
- ▶ Retaining, using or circulating examination materials which clearly indicate that they should be returned at the end of the exam.
- ▶ Intentionally obstructing or interfering with another student's work.

XV.19. Falsification of Records and Official Documents Examples of falsification include:

- ▶ Forging signatures of authorization.
- ▶ Falsifying information on an official academic record.
- ▶ Falsifying information on an official document such as a grade report, letter of permission, drop/add form, ID card or other college document.

17. Methods for Promoting Academic Integrity

- 17.1.** Packets containing a copy of the CUNY Policy on Academic Integrity and, if applicable, the college's procedures implementing the Policy, and information explaining the Policy and procedures shall be distributed to all current faculty and, on an annual basis to all new faculty (full and part-time) These packets also shall be posted on each college's website. Orientation sessions for all new faculty (full and part-time) and students shall incorporate a discussion of academic integrity.
- 17.2.** All college catalogs, student handbooks, faculty handbooks, and college websites shall include the CUNY Policy on Academic Integrity and, if applicable, college procedures implementing the policy and the consequences of not adhering to the Policy.
- 17.3.** Each college shall subscribe to an electronic plagiarism detection service and shall notify students of the fact that such a service is available for use by the faculty. Colleges shall encourage faculty members to use such services and to inform students of their use of such services.

18. Reporting

- 18.1.** Each college's president shall appoint an Academic Integrity Officer in consultation with the elected faculty governance leader. The Academic Integrity Officer shall serve as the initial contact person with faculty members when they report incidents of suspected academic dishonesty. The Academic Integrity Officer may be the college's Student Conduct Officer, another student affairs official, an academic affairs official, or a tenured faculty member. Additional duties of the Academic Integrity Officer are described in Sections 4.1, 4.2.1, 4.2.2, 4.3 and 4.4.
- 18.2.** A faculty member who suspects that a student has committed a violation of the CUNY Academic Integrity Policy shall review with the student the facts and circumstances of the suspected violation whenever feasible. Thereafter, a faculty member who concludes that there has been an incident of academic dishonesty sufficient

to affect the student's final course grade shall report such incident on a Faculty Report Form in substantially the same format as the sample annexed to this Policy and shall submit the Form to the college's Academic Integrity Officer. Each college shall use a uniform form throughout the college, which shall contain, at a minimum, the name of the instructor, the name of the student, the course name and number and section number, the date of the incident, a description of the incident and the instructor's contact information.

- 18.3.** The Academic Integrity Officer shall update the Faculty Report Form after a suspected incident has been resolved to reflect that resolution. Unless the resolution exonerates the student, as described in Section 4.4, the Academic Integrity Officer of each college shall place the Form in a confidential academic integrity file created for each student alleged to have violated the Academic Integrity Policy and shall retain each Form for the purposes of identifying repeat offenders, gathering data, and assessing and reviewing policies. Unless the student is exonerated, written decisions on academic integrity matters after adjudication also shall be placed in the student's academic integrity file. The Academic Integrity Officer shall be responsible for maintaining students' academic integrity files.

19. Procedures for Imposition of Sanctions

19.1. Determination on academic vs. disciplinary sanction

The Academic Integrity Officer shall determine whether to seek a disciplinary sanction in addition to an academic sanction. In making this determination, the Academic Integrity Officer shall consult with the faculty member who initiated the case and may consult with student affairs and/or academic affairs administrators as needed. Before determining which sanction(s) to seek the Academic Integrity Officer also shall consult the student's confidential academic integrity file, if any, to determine whether the student has been found to have previously committed a violation of the Academic Integrity Policy, the nature of the infraction, and the sanction imposed or action taken. Prior violations include both violations at the student's current college and violations that occurred at any other CUNY college. In making the determination on prior violations, the Academic Integrity Officer shall determine whether the student previously attended any other CUNY colleges and, if so, shall request and be given access to the academic integrity files, if any, at such other CUNY colleges.

The Academic Integrity Officer should seek disciplinary sanctions only if (i) there is a substantial violation; or (ii) the student has previously violated the Policy; or (iii) academic sanctions are unable to be imposed because the student has timely withdrawn from the applicable course. Examples of substantial violations include but are not limited to forging a grade form or a transcript; stealing an examination from a professor or a university office; having a substitute take an examination or taking an examination for someone else; having someone else write a paper for the student or writing a paper for another student; sabotaging another student's work through actions that prevent or impede the other student from successfully completing an assignment; and violations committed by a graduate or professional student or a student who will seek professional licensure. The college also should consider any mitigating circumstances in making this determination.

19.2. Procedures in Cases Involving Only Academic Sanctions

19.2.1. Student Admits to the Academic Dishonesty and Does Not Contest the Academic Sanction If a faculty member wishes to seek only an academic sanction (i.e., a reduced grade) and the student does not contest either his/her guilt or the particular reduced grade the faculty member has chosen, then the student shall be given the reduced grade, unless the Academic Integrity Officer decides to seek a disciplinary sanction. The reduced grade may apply to the particular assignment as to which the violation occurred or to the course grade, at the faculty member's discretion. A reduced grade may be an "F" or another grade that is lower than the grade that the student would have earned but for the violation. The faculty member shall inform the Academic Integrity Officer of the resolution via email and the Officer shall update the applicable Faculty Report Form to reflect that resolution.

19.2.2. Student Admits to the Academic Dishonesty but Contests the Academic Sanction

In a case where a student admits to the alleged academic dishonesty but contests the particular academic sanction imposed, the student may appeal the academic sanction through the college's grade appeal process. The student shall be allowed, at a minimum, an opportunity to present a written position with supporting evidence. The committee reviewing the appeal shall issue a written decision explaining the justification for the academic sanction imposed.

19.2.3. Student Denies the Academic Dishonesty

In a case where a student denies the academic dishonesty, a fact-finding determination shall be made, at each college's option, by an Academic Integrity Committee established by the college's governance body or by the Student-Faculty Disciplinary Committee established under Article XV of the CUNY Bylaws. Each college's Academic Integrity Committee shall adopt procedures for hearing cases. (If a college opts to use its Student-Faculty Disciplinary Committee for this purpose, that Committee shall use Article XV procedures.) Those procedures, at a minimum, shall provide a student with (i) written notice of the charges against him or her; (ii) the right to appear before the Committee; and (iii) the right to present witness statements and/or to call witnesses. Those procedures also shall provide the faculty member with the right to make an appearance before the Committee. The Committee may request the testimony of any witness and may permit any such witness to be questioned by the student and by the administrator presenting the case. Academic Integrity Committees and Student-Faculty Disciplinary Committees, as applicable, shall issue written decisions and send copies of their decisions to the college's Academic Integrity Officer. The Academic Integrity Officer may not serve on a college's Academic Integrity Committee.

19.3. Procedures in Cases Involving Disciplinary Sanctions

If the college decides to seek a disciplinary sanction, the case shall be processed under Article XV of the CUNY Bylaws. If the case is not resolved through mediation under Article XV, it shall be heard by the college's Faculty-Student Disciplinary Committee.

If the college seeks to have both a disciplinary and an academic sanction imposed, the college shall proceed first with the disciplinary proceeding and await its outcome before addressing the academic sanction. The student's grade shall be held in abeyance by using the PEN grade established for this purpose, pending the Committee's action. If the Faculty-Student Disciplinary Committee finds that the alleged violation occurred, then the faculty member may reflect that finding in the student's grade. The student may appeal the finding in accordance with Article XV procedures and/or may appeal the grade imposed by the faculty member in accordance with section 4.2.2. If the Faculty-Student Disciplinary Committee finds that the alleged violation did not occur, then no sanction of any kind may be imposed.

Where a matter proceeds to the Faculty-Student Disciplinary Committee, the Academic Integrity Officer shall promptly report its resolution to the faculty member and file a record of the resolution in the student's confidential academic integrity file, unless, as explained below, the suspected violation was held to be unfounded.

19.4. Required Action in Cases of No Violation

If either the Academic Integrity Committee or the Faculty-Student Disciplinary Committee finds that no violation occurred, the Academic Integrity Officer shall remove all material relating to that incident from the student's confidential academic integrity file and destroy the material.

20. Implementation

Each college, in accordance with its governance plan, shall implement this Policy and may adopt its own more specific procedures to implement the Policy. Colleges' procedures must be consistent with the policy and procedures described in the Policy.

Academic Appeal Process

The Academic Appeal Process exists for students to request an exception to an academic policy or procedure at LaGuardia. The Academic Appeals Committee reviews the student's request and supporting documentation as well as college records to determine if there is sufficient basis for the granting of the appeal – i.e., the college's policy or procedure was applied incorrectly to the student or there were extenuating circumstances that prohibited the student from adhering to the college's requirements.

To File an Academic Appeal:

1. Meet with a counselor from the Student Advising Services (B100) or the counselor from your program if you are a member of College Discovery (C249), OSD (M102), COPE (MB08), or ASAP (B-A22) to discuss whether the appeal process would benefit you, your reason(s) for filing, and the supporting documentation that you must attach. The appeal should be signed by a counselor.

An appeal must be filed by the end of the semester (including Session II) the student is enrolled, following the semester for which the appeal is filed (e.g. if grades are appealed for Fall I 2019 and the student is enrolled for Spring I 2020, an appeal has to be filed by the end of Spring 2020, i.e., August 2020). Appeals that are not file timely cannot be considered.

2. Complete the ACADEMIC APPEAL FORM and attach supporting documentation. * The Counselor will sign the form and forward it, on your behalf, to the Academic Appeals Committee for action.

**Documentation may be any material that supports your argument for an appeal. Examples include: a dated copy of your RegXpress printout showing registration, add/drop or withdrawal activity; letter from a doctor explaining that you could not attend classes due to illness; letter from an employer describing changes in your work situation; etc.*

3. The Academic Appeals Committee (a group of faculty and administrators) will conduct research to verify your explanation (i.e., contact author of a letter, review the registration and attendance history, etc.), review the Appeal Form and documentation you have provided, discuss the material and make a determination of (1) Approved, (2) Denied or (3) Tabled/request additional information. A determination of “Tabled/request additional information” will include a timeframe for you to provide the additional information (usually 30 days). If material is not provided by the stated deadline, the appeal is denied.
4. You will be sent a letter with the subcommittee's decision. The decision of the Academic Appeals Committee is final.
 - A. The Academic Appeals Committee meets at least once per month during Session I. Meetings during Session II are called as needed.
 - B. Requests for a grade change from WU, F, FIN, or U to W are appropriate. Other requests for grade changes must first be made to the instructor of the course(s) and then to the Academic Department Chairperson before filing an appeal.

Affirmative Action Policy Statement

Notice of Non-Discrimination

It is the policy of The City University of New York—applicable to all colleges and units— to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without discriminating on the basis of actual or perceived race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, pregnancy, status as a victim of domestic violence/stalking/sex offenses, unemployment status, credit history, caregiver or familial status, prior record of arrest or conviction, or any other legally prohibited basis in accordance with federal, state and city laws. This policy is set forth in CUNY’s Policy on Equal Opportunity and Non-Discrimination.

CUNY’s Policy on Sexual Misconduct prohibits all forms of sexual misconduct, including sexual harassment, gender harassment and sexual violence. Inquiries concerning sexual misconduct or sex discrimination may be made to the individuals specified in that Policy or may be referred to the U.S. Department of Education, Office for Civil Rights.

It is also the University’s policy to provide reasonable accommodations and academic adjustments, when appropriate, to individuals with disabilities, individuals observing religious practices, individuals who have pregnancy or childbirth-related medical conditions and victims of domestic violence/stalking/sex offenses. The process for addressing these issues is set forth in CUNY’s Procedures for Implementing Reasonable Accommodations and Academic Adjustments.

Retaliation for reporting or opposing discrimination, cooperating with an investigation of a discrimination complaint, or requesting an accommodation or academic adjustment is also prohibited.

To access CUNY’s Policy and Procedures on Equal Opportunity and Non-Discrimination, Policy on Sexual Misconduct, and Procedures for Implementing Reasonable

Accommodations and Academic Adjustments, please visit these links:

[CUNY Policy on Equal Opportunity and Non Discrimination](#)

[Policy on Sexual Misconduct](#)

[Reasonable Accommodations and Academic Adjustments](#)

Affirmative Action Program LaGuardia Community College/CUNY

LaGuardia Community College/CUNY is an equal opportunity and affirmative action institution. The College does not discriminate on the basis of age, sex, sexual orientation, creed or religion, race, color, national origin, disability, marital status, genetic predisposition or carrier status, veteran or military status, gender identity, citizenship, or as a victim of domestic violence, in its student admissions, employment, access to programs and administration of education policies.

The Affirmative Action Program is designed to provide equal consideration for all applicants for employment, and for faculty and staff members seeking positions, transfers, and tenure. In addition, the program addresses equal consideration and equal opportunity for all students seeking admission, financial aid, student services, and academic and athletic programs.

Components of the Affirmative Action Program include:

- ▶ An Affirmative Action Officer, (the Director of Affirmative Action, Compliance & Diversity) who has overall responsibility for the coordination of the College's Affirmative Action Programs;
- ▶ An Affirmative Action Plan and Policy statement that conforms with the format required by Revised Order 4 which addresses federal rules and regulations for institutions with government contracts;
- ▶ The Sexual Harassment Awareness & Intake Committee that addresses sexual harassment and the official policy of the Board of Trustees, and Title VII of the Civil Rights Act of 1964;
- ▶ The 504/ADA Committee that addresses Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Statement of Non-Discrimination

LaGuardia Community College/CUNY is an equal opportunity and Affirmative Action Institution. The College does not discriminate on the basis of age, sex, sexual orientation, creed or religion, race, color, national origin, disability, marital status, genetic predisposition or carrier status, veteran or military status, gender identity, citizenship, or as a victim of domestic violence, in its student admissions, employment, access to programs and administration of education policies.

Christopher Carozza is the College Director of Affirmative Action, Compliance & Diversity, 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. The Office of Affirmative Action, Compliance & Diversity is located in E512, (718) 482-5088.

Jhony Nelson is the College's Senior Director for the Office of Students with Disabilities, which operates consistent with the requirements of Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability. The office is located in room M102, (718) 482-5260.

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 intergroup cooperation, understanding and communication; acknowledge each other's contribution to the community; share beliefs, customs and experiences that enlighten us about members of our community; affirm each other's dignity; seek further ways to learn about and appreciate one another, and 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.

Procedures for Processing Complaints of Alleged Discrimination

Informal Resolution

The Office of Compliance & Diversity handles any complaint, written or spoken, of alleged discrimination. Under the informal investigation procedure:

The Director of Compliance & Diversity will meet with the complainant and hear the complaint.

The Director of Compliance & Diversity will also meet with the individual accused of the discriminatory act ("respondent") and give him/her the chance to respond to the accusation.

The Director of Compliance & Diversity when appropriate will try to resolve the complaint informally by bringing together the complainant and the respondent for discussion in order to reach a mutually acceptable agreement for resolution of the complaint. The Director of Compliance & Diversity will take all reasonable steps necessary to resolve the complaint informally.

If both the complainant and the respondent are satisfied with the results of the investigation and resolution of the complaint is agreed upon, the Director of Compliance & Diversity will notify both in writing as to the outcome of the investigation.

When informal resolution is not possible, as determined jointly by the complainant and the respondent, the complaint of discrimination will undergo a complete and thorough formal investigation and a determination will be made as to whether an anti-discrimination law, regulation, or college or university policy has been violated. If a violation has occurred, appropriate sanctions will be applied.

Formal Resolution

Under formal investigation procedure:

The complainant is strongly encouraged to file a written complaint with the Director of Compliance & Diversity. A Record of Complaint Form must be submitted to the Director of Compliance & Diversity (*see form included in the attachments section).

When the complainant is unwilling or unable to file a written complaint, the Director of Compliance & Diversity must document and process the complaint.

When the investigation requires it, the Director of Compliance & Diversity shall have the authority to request and examine all records and files and to make inquiries necessary to investigate the complaint.

The Director of Compliance & Diversity will interview witnesses and other persons in an attempt to arrive at an informed conclusion. All employees of the college are expected to cooperate with the investigation.

In the event that the investigation uncovers no reasonable basis to support the allegations that discrimination has occurred, the complainant, the President, and all other appropriate parties will be notified of such outcome in writing.

The Director of Compliance & Diversity may also recommend training, sensitivity/awareness/anti-harassment workshops or other appropriate action if the investigation determines that corrective action is needed in spite of no finding of discrimination or violation of policy.

When allegations of discrimination are substantiated by the facts, the Director of Compliance & Diversity shall make a written summary of the findings to the President.

Following receipt of the report, the President informs the complainant and the respondent of the determination made by the Director of Compliance & Diversity including commencing action (if any) to discipline the accused under applicable University Bylaws or collective bargaining agreements.

Section 504/Americans with Disabilities Act (ADA) Policy Statement

LaGuardia Community College/CUNY affirms its commitment to maintain a fair and equal environment for both its employees and student body, consistent with the requirements of Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Section 504 states that:

“No qualified handicapped person... shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance...”

The Americans with Disabilities Act of 1990 prohibits discrimination against “qualified individuals with disabilities,” in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training and other terms, conditions and privileges of employment.

It is the policy of LaGuardia Community College/CUNY to recruit, employ, retain promote and provide benefits to employees and to admit and provide services for students without regard to age, sex, sexual orientation, creed or religion, race, color, national origin, disability, marital status, genetic predisposition or carrier status, veteran or military status, gender identity, citizenship, or as a victim of domestic violence. Persons who feel they have been discriminated against based on disability may direct all inquiries, concerns, and complaints to the Senior Director of the Office of Students with Disabilities, Jhony Nelson, room M102, (718) 482-5260.

Title IX Policy Statement

LaGuardia Community College/CUNY affirms its commitment to maintain a fair and equal environment for both its employees and student body, consistent with the requirements of Title IX of the Educational Amendments Act of 1972 and the implementing federal regulations, which state that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”

It is the policy of LaGuardia Community College/CUNY to recruit, employ, train and promote employees on the basis of equal opportunity without regard to sex. The College believes in a policy of non-discrimination on the basis of gender in the operation of educational programs, activities, services and employment.

The President, as Chief Executive Officer, has overall responsibility for the Affirmative Action Program. and the President has designated responsibility for the Title IX Program to the Director of the AACD, Christopher Carozza, who serves as the Title IX Coordinator.

Persons who feel that they have been discriminated against on the basis of sex may direct all inquiries, concerns, and complaints to Mr. Christopher Carozza, room E512, (718) 482-5088

Policy Against Sexual Harassment

LaGuardia Community College/CUNY is committed to the principles and spirit of compliance with the Equal Employment Opportunities Commission laws, which governs 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/CUNY is committed to maintaining and fostering a fair, humane and supportive environment for all 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.

Policy Statement:

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, citizen status or victim of domestic violence. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated within the University/college.

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 that they have been 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.

The President, as the Chief Executive Officer of the College, is committed and supportive of the Affirmative Action Program. The Director of the AACD, Christopher Carozza, who is the Coordinator of Sexual Harassment Awareness & Intake Committee, has the overall responsibility for ensuring compliance with Sexual Harassment rules and regulations. Information, complaints, and concerns of sexual harassment should be directed to Christopher Carozza, Coordinator of the Sexual Harassment Awareness & Intake Committee, the Deputy Coordinators, Vanessa Bing, room C459, (718) 482-5787 or and Jhony Nelson, room M102, (718) 482-5260 or any other member of the sexual Harassment Awareness & Intake Committee. The names of whom are listed below:

- | | | | |
|---|---|---|--|
| ▶ Christopher Carozza
Room E512
ext. 5088 | ▶ Annette Holmes-Hanley
Room MB26
ext. 5571 | ▶ Elaine Leff
Room B327
ext. 5611 | ▶ Vanessa Bing
Room C459
ext. 5787 |
| ▶ Fay Butler
Room C317L
ext. 5281 | ▶ Teguh Arkono
Room C354
ext. 5095 | ▶ Francine Tompkins
Room B327
ext. 5971 | ▶ Jhony Nelson
Room M102
ext. 5260 |

- ▶ Adjoa Gzifa
Room C314
ext. 5347
- ▶ Stacey Perry
Room B327U
ext. 5247

Prohibited Conduct

It is a violation of University policy for any member of the University community to engage in sexual harassment or to retaliate against any member of the University community for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

Definition of Sexual Harassment

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other oral or written communications or physical conduct of a sexual nature when:

- ▶ Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing.
- ▶ Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual.
- ▶ Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or abusive work or academic environment.

Sexual harassment can occur between individuals of different sexes or of the same sex. Sexual harassment most often exploits a relationship between individuals of unequal power – such as between a faculty member and a student, supervisor and employee, or tenured and untenured faculty members. Sexual harassment may, however, also occur between individuals of equal power – such as between fellow students or co-workers. In some circumstances sexual harassment may even occur where it appears that the harasser has less power than the individual harassed – for example, a student sexually harassing a faculty member. A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

Examples of Sexual Harassment

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment.

Examples of this type of sexual harassment include, but are not limited to, the following:

- ▶ Requesting or demanding sexual favors in exchange for employment or academic opportunities – such as hiring, promotions, grades, or recommendations.
- ▶ Submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected. Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment if sufficiently severe or pervasive that the target does find, and a reasonable person would find, that an intimidating, hostile or abusive work or academic environment has been created. Examples of this kind of sexual harassment include, but are not limited to, the following:
 - ▶ Sexual comments, teasing, or jokes
 - ▶ Sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse
 - ▶ Graphic or sexually suggestive comments about an individual's attire or body
 - ▶ Inquiries or discussions about sexual activities

- ▶ Pressure to accept social invitations, to meet privately, to date, or to have sexual relations Sexually suggestive letters or other written materials
- ▶ Sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling
- ▶ Coerced sexual intercourse or sexual assault Consensual Relationships

Amorous, dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor, or other member of the University community and any person for whom he or she has a professional responsibility.

These dangers include: that a student or employee may feel coerced into an unwanted relationship because he or she fears that refusal to enter into the relationship will adversely affect his or her education or employment; that conflicts of interest may arise when a faculty member, supervisor, or other member of the University community is required to evaluate the work or make personnel or academic decisions with respect to an individual with whom he or she is having a romantic relationship; that students or employees may perceive that a fellow student or co-worker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty members, supervisors and other members of the University community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

For purposes of this policy, an individual has “professional responsibility” for another individual at the University if he or she performs functions including, but not limited to, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits, such as promotions, financial aid awards or other remuneration, or that may impact upon other academic or employment opportunities.

Academic Freedom

This policy shall not be interpreted so as to constitute interference with academic freedom.

False and Malicious Accusations

Members of the University community who make false and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action. Procedures

The University has developed procedures to implement this policy. The President of each constituent college of the University, the Senior Vice Chancellor at the Central Office, and the Dean of the Law School shall have ultimate responsibility for overseeing compliance with this policy at his or respective unit of the University. In addition, each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility shall be required to report any complaint of sexual harassment to the individual or individuals designated in the procedures. All members of the University community are required to cooperate in any investigation of a sexual harassment complaint.

Enforcement

There is a range of corrective actions and penalties available to the University for violation of this policy. Students, faculty, or staff \who are found – following applicable disciplinary proceedings – to have violated this Policy are subject to various penalties, including termination of employment and/or student expulsion from the University.

Policies & Procedures Concerning Sexual Assault Against Students

Sexual Assault Policy Statement

The City University of New York seeks to create and maintain a safe environment in which all members of the University community – students, faculty and staff – can learn and work free from the fear of sexual violence. The University’s Workplace Violence Policy and Procedures applies to all acts of violence, including sexual violence, that occur in the workplace. This policy is directed toward sexual violence committed against students.

According to a recent national survey, one out of every four college women is raped during her college years. However, for a number of reasons, a large majority of rapes on campuses go unreported. Many students feel ashamed or embarrassed or do not view their assault as a rape or sex offense. In some cases this may be because of the nature of the assault in that it perpetrated by someone the student knew or that alcohol or drug use was involved. Some students also fear retribution by their assailant or the possibility that their reporting of the assault will lead to their being punished or treated as a social outcast.

CUNY wants all victims of sexual assault to know that the University/college has professionals and law enforcement officers who are trained in the field to assist student victims in obtaining immediate medical care, counseling and other essential services. If the assailant is also a member of a CUNY community, the college will take prompt action to investigate, and where appropriate, to discipline and sanction the assailant. CUNY urges all victims to seek immediate help in accordance with the guidelines set forth in this policy with the assurance that all information received from a complaint will be handled as confidentially as possible.

A critical factor in eliminating sexual violence and creating a safe college community is providing an appropriate prevention education program and having trained professionals to provide vital supportive services.

Accordingly, CUNY/LAGCC is committed to the following goals:

- ▶ Providing clear and concise guidelines for students to follow in the event that they or someone they know has been the victim of a sexual assault.
- ▶ Assisting the sexual assault victim in obtaining necessary medical care and counseling.
- ▶ Providing the most informed and up-to-date education and information to its students about how to identify situations that involve sexual assault and ways to prevent sexual assaults.
- ▶ Educating and training all staff members, including public safety, student affairs personnel and counselors, to assist victims of a sexual attack.
- ▶ Ensuring that disciplinary procedures are followed in the event that the assailant is a CUNY student or staff member.

Sexual Assault: Definition and Background Information

Sexual assault is a crime. Under Article 130 of the New York State Penal Law, it is a sex offense to engage in sexual contact or to engage in sexual intercourse, sodomy or sexual abuse by contact without the consent of the victim or where the victim is incapable of giving consent. Criminal sex offenses are classified in degree according to the seriousness of sexual activity, the degree of force used, the age of the victim and the physical and mental capacity of the offender and victim. See Schedule A below for a list of some of the sex offenses and their maximum penalties under New York State Law.

Sexual assault is a crime of aggression and violence. Terms such as “date rape” and “acquaintance rape” tend to minimize the fact that the act of rape, or any sexual assault, is a serious crime. There is never an excuse or a reason for a person to rape, assault or even touch another person’s sexual parts without consent. The impact on survivors of such an attack can cause severe and lasting physical, mental and emotional damage.

Who is a perpetrator?

Most people think of sexual assaults as being perpetrated by vicious strangers on a dark, deserted street. In fact, studies indicate that between 80 and 90 percent of all people who have been raped know their assailant(s). This is called “date rape” or “acquaintance rape.” “Date rape” is not a legally distinct or lesser category of rape. It refers to a relationship and a situational context in which rape occurs on a date. Rape or any sexual offense, whether on a date or not, is the same criminal offense involving the same elements of force, exploited helplessness or underage participation. With sexual assaults where the victim knows the assailant, alcohol use is often involved on the part of both the victim and the assailant. However, a sexual assault is still a crime regardless of the intoxication of the assailant or the victim.

Who is a victim?

Anyone can be a victim, regardless of gender, age, race, sexual orientation, religion, ethnicity, class or national origin. Though women and girls are primary targets of these crimes, men and boys are sexually victimized too, and have been found to suffer the same aftermath as women. Regardless of whether the victim was abusing alcohol and/or underage, she or he is still the victim of the sex offense.

When is there lack of consent?

Under New York Law, lack of consent to a sexual contact may be demonstrated in the following ways: (1) forcible compulsion including the use of physical force or threat (express or implied) which places the person in fear of physical injury to self or another; (2) incapacity to consent on the part of the victim; (3) circumstances in which the victim does not expressly or impliedly acquiesce in the actor’s conduct; or (4) circumstances in which the victim clearly expressed by words or actions that she or he did not consent to engage in such sexual act and a reasonable person would have understood such person’s words or actions as an expression of lack of consent to such conduct.

A person is deemed incapable of giving consent if she/he is (a) under the age of 17, (b) mentally incapacitated (which may include incapacity due to the victim’s ingestion of alcohol or drugs), (c) physically disabled or (d) physically helpless (asleep, unconscious or for any other reason is physically unable to communicate unwillingness to act, which may also include incapacity due to the victim’s ingestion of alcohol or drugs).

Who is responsible for a sexual attack?

In the absence of consent, the attacker is always responsible for having committed the sexual assault regardless of the victim’s appearance, behavior, or conduct on previous occasions. An attacker cannot assume that the way a person dresses or act is an invitation for sexual advances. A person may welcome some forms of sexual contact and be opposed to others. The more impaired a person is from alcohol or drugs, the less likely she/he can give consent; having sex with someone who is “passed out” or sleeping is rape. And regardless of previous sexual activity, if someone refuses sexual contact, the failure to respect that limit constitutes nonconsensual sex.

Who can prevent a sexual attack from occurring?

Every member of the CUNY/LAGCC community, by recognizing situations where sexual violence occurs, by acknowledging that anyone can be a victim of sexual assault; and by becoming active, positive and responsible community members who look out for other CUNY/LAGCC members.

Procedures for Reporting Incidents of Sexual Assault

Getting assistance after a sexual assault is extremely important and can involve different points of on-campus contact for students, faculty and staff, including Public Safety, Women’s Centers and Counseling Departments, or/and the Dean/

Vice President of Student development/Student affairs. Each provides different forms of advocacy which together address many of the needs of survivors.

Contact Law Enforcement Personnel Immediately

CUNY/LAGCC urges any student who has been the victim of a sexual assault, or any student or employee who has witnessed a sexual assault against a student, to immediately report the incident to the college Public safety Department if the attack occurred on-campus, or to call 911 or go to the local NYPD precinct if the incident took place off-campus. See Schedule B below for a list of some Emergency Contact Numbers (on and off-campus).

Seek immediate medical attention

It is critical that the victim of a sexual assault receive comprehensive medical attention as soon as possible, and preserve evidence of the attack (i.e. do not shower and retain the clothing worn during the attack). If a student believes that she/he may be the victim of “date rape” by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person’s system for a short period of time. In all other circumstances, public safety and police personnel can assist the victim in obtaining medical care. Schedule B provides a list of local hospitals, some of which are designated as SAFE (Sexual Assault Forensic Examiner) hospitals that are especially equipped to handle sexual assaults. EMS will ensure that the victim is brought to a SAFE hospital at the victim’s request. Medical attention is critical not only to treat internal and external injuries and to combat possibilities of sexually transmitted infections and/or pregnancy, but also to collect evidence that can be used against the perpetrator. It is also vital that the victim of a sexual assault receive emotional support and professional counseling as soon as possible.

Seek On-Campus Assistance

The victim of a sexual assault will be provided with on-campus support in the form of an advocate from the Women’s Center or an appropriately trained counselor to assist the victim in handling the various aspects of his/her ordeal and to provide crisis intervention and/or ongoing counseling services.

When appropriate, CUNY/LAGCC encourages the victim (or her/his advocate on their behalf) to contact the Dean or Vice President of Student Affairs to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student’s academic program or residential housing situation. The victim can also file a complaint against a perpetrator who is a student or employee of the University with the Dean/Vice President of Student Affairs/Student Development. The campus advocate can assist the student through the complaint process as well.

The University/college recognizes that confidentiality is a right of all victims and can be particularly important to victims of sex crimes. While complete confidentiality cannot be guaranteed, every effort will be made to maintain confidentiality on a “need to know” basis. Generally, the wishes of a victim not to report a sexual assault to the police will prevail, but the College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the college community. Nevertheless, CUNY encourages victims in all circumstances to seek counseling in order to speak confidentially with a professional about her/his options and to begin the recovery period.

Handling Sexual Assault Complaints On-Campus

The Colleges shall act promptly in response to information that a student has been sexually assaulted by another member of the CUNY community. Upon receipt of a sexual assault complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student or staff member, such charges shall be brought pursuant to the appropriate University procedures or collective bargaining agreement. If the perpetrator is a student and the matter is brought before a hearing, the victim and alleged assailant are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The victim is entitled to a report of the results of the proceeding at her/his request. In certain circumstances, if there is a criminal action pending against the alleged student perpetrator, the College reserves the right to suspend the student and hold disciplinary charges against him/her in abeyance until the disposition of the

criminal case. If a student is found guilty of committing a sexual assault against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY.

The Vice President of Student Affairs and the Campus Public Safety Office must be notified of any emergency on campus. If a sex offense occurs, the Public Safety Office will inform the student of the option to notify the police and will assist in notifying the police, and in obtaining medical assistance and campus counseling if required. If you are a victim of sexual assault on campus, please know that there are people here to help you. To report an incident or obtain additional information regarding sexual harassment or sexual assault, you may call or go to any of these offices:

- | | | |
|---|--|--|
| ▶ Advising Office
(718) 482-5250, Room B100 | ▶ Health Center
(718) 482-5280, Room MB-40 | ▶ Sexual Harassment Awareness &
Intake Committee
(718) 482-5088, Room E512 |
| ▶ Campus Public Safety
(718) 482-5555, Room E100 | ▶ Office of the Vice President for
Student Affairs
(718) 482-5180, Room C317 | ▶ Wellness Center
(718) 482-5471, Room C249 |

Procedures to follow in the Case of Sexual Offenses off Campus:

If you are the victim of sexual assault off-campus, the above offices are also available to assist you. Please feel free to speak with them for assistance in following through with your legal rights as well as help in getting counseling. Victims are advised that it is important to preserve evidence and get a medical examination as soon as possible.

Crime statistics are reported annually by every college pursuant to the Jeanne Clery Act. This information may be obtained from LAGCC campus Public Safety Office (718) 482-5555, Room E100.

In addition, “Megan’s Law” protects our communities and universities by mandating that convicted sex offenders register with the State through the Division of Criminal Justice services. Such information can be obtained from your local police precinct, and from the Division of Criminal Justice Services website:

<http://www.criminaljustice.ny.gov> (for level 3 offenders.)

The victim should inform the police of all details and give police any clothing stained or torn during the attack.

Schedule A

Crime	Illegal Conduct	Criminal Sanctions
Rape in the first degree (PL § 130.35)	A person is guilty when he or she engages in sexual intercourse with another person by forcible compulsion, with a person who is incapable of consent by reason of being physically helpless, (e.g., being asleep, unconscious or due to alcohol or drug consumption), who is less than 11 years old or less than 13 and the actor is 18 or older.	Is a class B felony, with penalties up to 25 years in prison.
Rape in the second degree (PL § 130.30)	A person is guilty when being 18 years old or more, he or she engages in sexual intercourse with another person less than 15, or with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.	Is a class D felony, with penalties up to 7 years in prison.
Criminal sexual act in the first degree (PL § 130.50)	A person is guilty when he or she engages in oral sexual contact or anal sexual contact with another person by forcible compulsion, or with someone who is incapable of consent by reason of being physically helpless, or with someone less than 11 or with someone less than 13 and the actor is 18 or older.	Is a class B felony, with penalties up to 25 years in prison.
Forcible touching (PL § 130.52)	A person is guilty when he or she intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire.	Is a class A misdemeanor, with penalties up to 7 years in prison.
Sexual abuse in the first degree (PL § 130.65)	A person is guilty when he or she subjects another person to sexual contact: by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the person is less than 11 years old.	Is a class D felony, with penalties up to 7 years in prison.
Aggravated sexual abuse in the first degree (PL § 130.70)	A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11	Is a class B felony, with penalties up to 25 years in prison.
Aggravated sexual abuse in the second degree (PL § 130.67)	Aggravated sexual abuse in the second degree (PL § 130.67) A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11	Is a class C felony, with penalties up to 15 years in prison.
Aggravated sexual abuse in the third degree (PL § 130.66)	A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11	Is a class D felony, with penalties up to 7 years in prison.
Facilitating a sex offense with a controlled substance (PL § 130.90)	A person is guilty when he or she knowingly and unlawfully possesses a controlled substance or any substance that requires a prescription to obtain to another person, without such person's consent and with intent to commit against such person conduct constituting a felony, and commits or attempts to commit such conduct constituting a felony defined in Article 30.	Is a class D felony, with penalties up to 7 years in prison.

Schedule B - Emergency Contact Numbers

CUNY Services	Public Safety Numbers (24 Hours)	Counseling Services (Not 24 Hours)
University Central Office	212-541-0407	646-344-7250 (Office of Student Affairs)
LaGuardia Comm. College	(718) 482-5555	x 5188 (center for women)
Baruch College	646-312-3333	x 2155 (counseling center)
BMCC	212-220-8080	x 8140 (counseling); x 8165 (women's ctr.)
Bronx Community College	(718) 289-5911	x 5864/5278 (counseling & psych. services)
Brooklyn College	(718) 951-4444	x 5363 (personal counseling)
The Graduate Center	212-817-7777	x 7020 (wellness center)
School of Journalism	212-391-9245	x 7020 (wellness center)
School of Law	(718) 340-4270/4440	x 4216 (counseling services)
Hostos Community College	(718) 518-6888	x 4319 (counseling center)
Hunter College	212-772-4444	x 4931 (personal counseling services)
Hunter Brookdale Campus	212-481-4444	x 4931 (personal counseling services)
John Jay College	212-237-8888	x 8184 (women's ctr.); 8111 (counseling)
Kingsborough Comm. Coll.	(718) 368-5069	x 5975 (personal counseling center)
Lehman College	(718) 960-7777	x 8761 (counseling center)
Medgar Evers College	(718) 270-4999/6003	x 4975 (women's center)
The City College of Tech.	(718) 260-5555	x 5030 (counsel. Ctr.); x 5914 (wellness ctr.)
Queens College	(718) 997-5912	x 5420 (counseling & resource center)
Queensborough Comm. College	(718) 631-6320	x 6370 (counseling center)
The City College	212-650-7777	x 8222 (wellness & counseling center)
The College of Staten Island	(718) 982-2110	x 3129 (wellness services); x 2391 (counsel.)
The Sophie Davis School	212-650-7777	x 8222 (wellness & counseling center)
York College	(718) 262-2222	x (women's center); x (crisis center)

Schedule C - New York City Support Services

NYPD	* = 24-Hours
Police Emergency NYPD Sex Crimes Hotline	911* 212-267-RAPE*
Rape Crisis Services	* = 24-Hours
NYC Rape Crisis Hotline Safe Horizon: Rape & Sexual Assault Hotline	212-673-3000* 800-621-4673* www.safehorizon.org

CUNY Policies & Procedures on Equal Opportunity, Non-Discrimination, and Against Sexual Harassment: Pt. 1

Policies on Equal Opportunity and Non-Discrimination, and Against Sexual Harassment Procedures for Reporting Discrimination, Harassment and/or Retaliation

Charge of Discrimination Form

I. Policy on Equal Opportunity and Non-Discrimination

The City University of New York (“University or “CUNY”), located in a historically diverse municipality, is committed to a policy of equal employment and equal access in its educational programs and activities. Diversity, inclusion, and an environment free from discrimination are central to the mission of the University.

It is the policy of the University to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, pregnancy, or status as a victim of domestic violence/stalking/sex offenses, or any other legally prohibited basis in accordance with federal, state and city laws.¹

It is also the University’s Policy to provide reasonable accommodations when appropriate to individuals with disabilities, individuals observing religious practices, or employees who are victims of domestic violence/stalking/sex offenses.

This Policy also prohibits retaliation for reporting or opposing discrimination, or cooperating with an investigation of a discrimination complaint.

Prohibited Conduct Defined

Discrimination is treating an individual differently or less favorably because of his or her protected characteristics—such as race, color, religion, gender, national origin, or any of the other bases prohibited by this Policy.

Harassment is unwelcome conduct based on a protected characteristic that has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile or abusive work or academic environment. Such conduct can be verbal, written, visual, or physical.

Retaliation is adverse treatment of an individual because he or she made a discrimination complaint, opposed discrimination, or cooperated with an investigation of a discrimination complaint.

1. As a public university system, CUNY adheres to federal, state and city laws and regulations regarding non-discrimination and affirmative action. Should any federal, state or city law or regulation be adopted that prohibits discrimination based on grounds or characteristics not included in this Policy, discrimination on those additional bases will also be prohibited by this Policy.

II. Policy Against Sexual Harassment

Sexual harassment, a form of sex discrimination, is illegal under federal, state, and city laws, and will not be tolerated within the University. Members of the University community who believe they have been sexually harassed are strongly encouraged to report the allegations as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult to investigate the allegations.

Sexual Harassment Defined

Sexual harassment consists of unwelcome sexual advances or requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- ▶ Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing;
- ▶ Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
- ▶ Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or abusive work or academic environment.

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individuals of unequal power (such as between a faculty member and student, supervisor and employee, or tenured and untenured faculty members), it may also occur between individuals of equal power (such as between fellow students or co-workers), or in some circumstances even where it appears that the harasser has less power than the individual harassed (such as a student sexually harassing a faculty member).

Examples of Sexual Harassment

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment include, but are not limited to, the following:

- ▶ Requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, favorable grades, or recommendations);
- ▶ Submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the target finds, and a reasonable person would find, that an intimidating, hostile or abusive work or academic environment has been created. Examples of this kind of sexual harassment include, but are not limited to, the following:

- ▶ sexual comments, teasing, or jokes;
- ▶ sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse of a sexual nature;
- ▶ graphic or sexually suggestive gestures;
- ▶ inquiries or discussions about sexual activities;
- ▶ coerced sexual intercourse or sexual assault.

- ▶ pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- ▶ sexual touching, brushing up against another in a sexual manner, cornering, pinching, grabbing, kissing, or fondling;
- ▶ graphic or sexually suggestive comments about an individual's attire or body;

Consensual, Intimate Relationships

1. Relationships between faculty or employees and students

Amorous, dating or sexual activity or relationships (“intimate relationships”), even when apparently consensual, are inappropriate when they occur between a faculty member or employee and any student for whom he or she has a professional responsibility. Those relationships are inappropriate because of the unequal power dynamic between students and faculty members and between students and employees who advise or evaluate them, such as athletic coaches or workplace supervisors. Such relationships necessarily involve issues of student vulnerability and have the potential for coercion. In addition, conflicts of interest or perceived conflicts of interest may arise when a faculty member or employee is required to evaluate the work or make personnel or academic decisions with respect to a student with whom he or she is having an intimate relationship. Finally, if the relationship ends in a way that is not amicable, the relationship may lead to charges of and possible liability for sexual harassment.

Therefore, faculty members and other employees are prohibited from engaging in intimate relationships with students for whom they have a professional responsibility, including undergraduates, graduate and professional students and postdoctoral fellows.

For purposes of this section, professional responsibility for a student means responsibility over academic matters, including teaching, counseling, grading, advising for a formal project such as a thesis or research, evaluating, hiring, supervising, coaching, making decisions or recommendations that confer benefits such as admissions, registration, financial aid, other awards, remuneration, or fellowships, or performing any other function that might affect teaching, research, or other academic opportunities.

2. Relationships between supervisors and employees

Many of the concerns about intimate relationships between faculty members or employees and students also apply to relationships between supervisors and employees they supervise. Those relationships therefore are strongly discouraged. Supervisors shall disclose any such relationships to their supervisors in order to avoid or mitigate conflicts of interest in connection with the supervision and evaluation of the employees with whom they have a consensual relationship. Mitigation may involve the transfer of either the supervisor or employee, reassigning the responsibility to evaluate the employee to a different supervisor, or other appropriate action.

For purposes of this section, supervising an employee means supervising in an employment setting, including hiring, evaluating, assigning work, or making decisions or recommendations that confer benefits such as promotions, raises or other remuneration, or performing any other function that might affect employment opportunities.

Retaliation

This Policy prohibits retaliation for reporting or opposing sexual harassment, or cooperating with an investigation of a sexual harassment complaint.

III. Discrimination, Sexual Harassment and Retaliation Complaints

The City University of New York is committed to addressing discrimination and sexual harassment complaints promptly, consistently and fairly. There shall be procedures for making and investigating such complaints, which shall be applicable at each unit of the University.

IV. Academic Freedom

These policies shall not be interpreted so as to constitute interference with academic freedom.

V. Responsibility for Compliance

The President of each college of the University, the CUNY Executive Vice Chancellor and Chief Operating Officer, and the Deans of the Law School and Graduate School of Journalism will have ultimate responsibility for overseeing compliance with these policies at their respective units of the University. In addition, each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility must promptly consult with the Chief Diversity Officer if they become aware of conduct that may violate this policy. All members of the University community are required to cooperate in any investigation of a discrimination, sexual harassment, or retaliation complaint.

Policies adopted by CUNY Board of Trustees on November 26, 2012. These Policies supersede CUNY's prior non-discrimination and sexual harassment policies and became effective upon adoption.

CUNY Policies & Procedures on Equal Opportunity, Non-Discrimination, and Against Sexual Harassment: Pt. 2

I. Reporting Discrimination, Harassment and/or Retaliation

The University is committed to addressing discrimination, including harassment, and retaliation complaints promptly, consistently and objectively.

Members of the University community may promptly report any allegations of discrimination, including sexual harassment, or retaliation as specified below:

- ▶ Applicants, employees, and students with discrimination complaints should raise their concerns with the Chief Diversity Officer³ at their location.
 - ▶ Applicants, employees, and students with sexual harassment complaints should raise their concerns with the Sexual Harassment Coordinator or Deputy Coordinator at their location.
 - ▶ Students with complaints of sexual assault, stalking, domestic and intimate violence should follow the Policy and Procedures Concerning Sexual Assault, Stalking and Domestic and Intimate Partner Violence Against Students.
1. These Procedures govern any complaint of discrimination, sexual harassment, and/or retaliation whether addressed by the Chief Diversity Officer, Title IX Coordinator, Sexual Harassment Coordinator or Deputy Coordinator, or 504/ADA Coordinator. Additionally, these procedures are applicable to all of the units and colleges of the University. The Hunter College Campus Schools may make modifications to these procedures, subject to approval by the University, as appropriate to address the special needs of their elementary and high school students.

These Procedures are intended to provide guidance for implementing the University Policies on Equal Opportunity, Non-discrimination, and Against Sexual Harassment. These Procedures do not create any rights or privileges on the part of any others.

The University reserves the right to alter, change, add to, or delete any of these procedures at any time without notice.

2. Depending on the campus or location, the Chief Diversity Officer often serves the additional roles of 504/ADA Coordinator, addressing disability reasonable accommodation concerns, Title IX Coordinator, addressing sex discrimination allegations of students, and Sexual Harassment Coordinator or Deputy Coordinator.

There are separate procedures under which applicants, employees, and students may appeal a decision concerning reasonable accommodations for a disability, which are set forth in CUNY's Procedures on Reasonable Accommodation.

II. Preliminary Review of Employee, Student, or Visitor Concerns

Individuals who believe they have experienced discrimination, harassment, and/or retaliation should promptly contact the Chief Diversity Officer at their location to discuss the issues, with or without filing a complaint. Following the discussion, the Chief Diversity Officer will inform the complainant of the options available. These include seeking informal resolution of the issues the complainant has encountered or asking that a full investigation be conducted. Based on the facts of the complaint, the Chief Diversity Officer may also advise the complainant that his or her situation is more suitable for resolution by another entity within the University.

III. Filing a Complaint

Following the discussion with the Chief Diversity Officer, individuals who wish to pursue a complaint of discrimination, harassment, and/or retaliation should be provided with a copy of the complaint form. Complaints should be in writing whenever possible, including in cases where the complainant is seeking an informal resolution.

IV. Informal Resolution

Individuals who believe they have been discriminated or retaliated against may choose to resolve their complaints informally. Informal resolution is a process whereby parties can participate in a search for fair and workable solutions. The parties may agree upon a variety of resolutions, including, but not limited to, modification of a work assignment, training for a department, or an apology. The Chief Diversity Officer will determine if informal resolution is appropriate in light of the nature of the complaint. Informal resolution requires the consent of both the complainant and the accused and suspends the complaint process for up to thirty (30) working days, which can be extended, at the discretion of the Chief Diversity Officer, upon consent of both parties.

Resolutions should be agreed upon, signed by, and provided to both parties. Once both parties reach an informal agreement, it is final. Because informal resolution is voluntary, sanctions may be imposed against the parties only for a breach of the executed voluntary agreement.

The Chief Diversity Officer or either party may at any time, prior to the expiration of thirty (30) working days, declare that attempts at informal resolution have failed. Upon such notice, the Chief Diversity Officer may commence a full investigation.

If no informal resolution of a complaint is achieved, the complainant may request that the Chief Diversity Officer conduct a full investigation of the complaint.

V. Investigation

A full investigation of a complaint may commence when it is warranted after a review of the complaint, or after informal resolution has failed.

It is recommended that the intake and investigation include the following, to the extent feasible:

- ▶ Interviewing the complainant. The complainant should be informed that an investigation is being commenced, that interviews of the accused and possibly other people will be conducted, and that the President⁴ will determine what action, if any, to take after the investigation is completed.
- ▶ Interviewing the accused. The accused should be advised that a complaint of discrimination has been received and should be provided a copy of the complaint unless circumstances warrant otherwise. Additionally, the accused should be advised that an investigation has begun, which may include interviews with third parties, and that the President will determine what action, if any, to take after the investigation is completed. An accused employee who is covered by a collective bargaining agreement may consult with, and have, a union representative present during the interview. The accused must be informed that retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited under these policies and federal, state, and city laws. The accused should be informed that if retaliatory behavior is engaged in, he/she may be subject to disciplinary charges, which, if sustained, may result in penalties up to and including termination of employment, or permanent dismissal from the University if the accused is a student.
- ▶ Interviewing witnesses. The Chief Diversity Officer should determine if, in addition to the complainant, the accused, and those persons named by them, there are others who may have relevant information regarding the events in question and whether there is documentary evidence that may be relevant to the complaint. Persons interviewed should be advised to maintain confidentiality over discussions had during the investigative interview.

VI. Withdrawing a Complaint

A complaint of discrimination may be withdrawn at any time during the informal resolution or investigation process. Only the complainant may withdraw a complaint. Requests for withdrawals must be submitted in writing to the Chief Diversity Officer. The University reserves the right to continue with an investigation if it is warranted. In a case where the University decides to continue with an investigation, it will inform the complainant.

References to the President in these Procedures refer to the Executive Vice Chancellor and Chief Operating Officer and the Deans of the Law School and Graduate School of Journalism wherever those units are involved, rather than a college.

In either event, the accused will be notified in writing that the complainant has withdrawn the complaint and whether University officials determined that continuation of the investigation is warranted for corrective purposes.

VII. Timeframe

While some complaints may require extensive investigation, whenever possible, the investigation of complaints should be completed within sixty days of the receipt of the complaint. If there is an undue delay in completing the investigation, the Chief Diversity Officer should send the parties the Delay Notification Letter.

VIII. Action Following Investigation of a Complaint

- c. Promptly following the completion of the investigation, the Chief Diversity Officer will report his or her findings to the President, and in the event that the accused or complainant is a student, also to the Chief Student Affairs Officer.
- d. Following such report, the President will review the complaint investigation report and, when warranted by the facts, authorize such action as he or she deems necessary to properly correct the effects of or to prevent further harm to an affected party or others similarly situated. This can include commencing action to discipline the accused under applicable University Bylaws, policies or collective bargaining agreements.
- e. The complainant and accused should be apprised in writing of the outcome and action taken as a result of the complaint.
- f. For each investigation, the President will sign a form that will go into the investigation file, stating what, if any, action will be taken pursuant to the investigation.
- g. If the President is the accused, the Vice Chancellor of Human Resources Management will appoint an investigator who will report his/her findings to the Chancellor or his/her designee, who will determine what action will be taken and whose decision will be final.

IX. Immediate Preventive Action

The President may take whatever action is appropriate to protect the college community.

X. False and Malicious Accusations

Members of the University community who make false and malicious complaints of discrimination, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

XI. Anonymous Complaints

In the event that a complaint is anonymous, the complaint should be investigated as thoroughly as possible under the circumstances.

XII. Responsibilities

- a. Responsibilities of the President:
 - 1. Appoint a Chief Diversity Officer, a Sexual Harassment Coordinator and at least one Deputy Coordinator, a Sexual Harassment Awareness and Intake Committee, a 504/ADA Compliance Coordinator, and a Title IX Coordinator. The Chief Diversity Officer may be appointed to serve in multiple roles, such as Sexual Harassment Coordinator or Title IX Coordinator.
 - 2. Ensure that the individuals appointed to handle allegations of discrimination, including sexual harassment and retaliation, are fully trained and equipped to carry out their responsibilities.
 - 3. Ensure that supervisors receive training on these Policies.
 - 4. Annually disseminate these Policies to the entire college community and include the names, Titles and contact information of all appropriate resources at its location. Such information should be widely disseminated, including placement on the college website.

b. Responsibilities of Supervisors Responsibilities of Supervisors

Supervisory personnel exercise authority on behalf of the University. They include deans, directors, department chairpersons, executive officers, administrators, or other persons with supervisory responsibility. They must take steps to create a workplace free of discrimination, harassment and retaliation, and must take each and every complaint seriously. Supervisors must promptly consult with the Chief Diversity Officer if they become aware of conduct that may violate these Policies.

c. Responsibilities of the University Community-at-Large

1. Members of the University community who become aware of allegations of discrimination, including sexual harassment or retaliation should encourage the aggrieved individual to report the alleged behavior.
2. It is recommended that a Sexual Harassment Awareness and Intake Committee consist of a minimum of five (5) persons, all of whom will be appointed by and serve at the pleasure of the President. Further, it is strongly recommended that the Committee reflect the diversity of the college and be composed of faculty members, staff, and students.
3. All employees and students are required to cooperate in any investigation.

d. Responsibilities of the Chief Diversity Officer

As the President's designee, the Chief Diversity Officer is responsible for providing consultation, informal complaint resolution, and investigation of all internal complaints of discrimination, harassment, and/or retaliation.

e. Responsibilities of the Sexual Harassment Coordinator, Deputy Coordinator and Sexual Harassment Awareness and Intake Committee ("SHAIC")

1. As the President's designee, the Sexual Harassment Coordinator is responsible for reviewing all complaints of sexual harassment from any member of the college community and for making efforts to resolve those complaints informally, if possible. When informal resolution is not possible, the Sexual Harassment Coordinator will investigate the complaint in accordance with these complaint procedures. The Sexual Harassment Coordinator will report to the President (and the Chief Student Affairs Officer, if the accused/complainant is a student) the results of the investigation. A Deputy Coordinator may also assume responsibility for the informal resolution or investigation of complaints, as assigned by the Sexual Harassment Coordinator.
2. SHAIC is responsible for educating employees about sexual harassment and its potential consequences to the University community, and for overseeing the sexual harassment training.
3. SHAIC members may explain the University complaint procedures and receive complaints and report them to the Sexual Harassment Coordinator or Deputy Coordinator, but not conduct any investigation. SHAIC members have an obligation to maintain confidentiality to the fullest extent possible.

XIII. Some Relevant Laws Concerning Non-discrimination and Equal Opportunity

The CUNY community should be aware of the following laws relating to non-discrimination and equal opportunity:

- ▶ Section 1324b of the Immigration and Nationality Act prohibits employers from intentional employment discrimination based upon citizenship or immigration status, national origin, and unfair documentary practices or "document abuse" relating to the employment eligibility verification or Form I-9 process. Document abuse prohibited by the statute includes improperly requesting that an employee produce more documents than required by the I-9 form, or a particular document, such as a "green card", to establish the employee's identity and

employment authorization; improperly rejecting documents that reasonably appear to be genuine during the I-9 process; and improperly treating groups of applicants differently when completing the I-9 form.

- ▶ Executive Order 11246, as amended, prohibits discrimination in employment by all institutions with federal contracts and requires affirmative action to ensure equal employment opportunities.
- ▶ Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training, and other terms, conditions, and privileges of employment) on the basis of race, color, religion, national origin, or sex.
- ▶ Title VI of the Civil Rights Act of 1964 prohibits discrimination or the denial of benefits because of race, color, or national origin in any program or activity receiving federal financial assistance. Equal Pay Act of 1963, as amended, prohibits discrimination in compensation on the basis of sex.
- ▶ Title IX of the Education Amendments of 1972 prohibits discrimination or the denial of benefits based on sex in any educational program or activity receiving federal financial assistance.
- ▶ Age Discrimination in Employment Act, as amended, prohibits discrimination against individuals who are age 40 or older.
- ▶ Section 504 of the Rehabilitation Act of 1973 defines and forbids acts of discrimination against qualified individuals with disabilities in employment and in the operation of programs and activities receiving federal financial assistance.
- ▶ Section 503 of the Rehabilitation Act of 1973 requires government contractors and subcontractors to take affirmative action to employ and advance in employment qualified individuals with disabilities.
- ▶ Vietnam Era Veterans' Readjustment Act of 1972, as amended, requires government contractors to take affirmative action to employ and advance in employment disabled and other protected veterans.
- ▶ Uniformed Services Employment and Reemployment Rights Act of 1994, as amended, prohibits employment discrimination based on military status.
- ▶ Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability.
- ▶ Genetic Information Nondiscrimination Act of 2008 prohibits employment discrimination based on genetic information.
- ▶ New York City Human Rights Law prohibits discrimination based on age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage or citizenship status, arrest or conviction record, or status of an individual as a victim of domestic violence, sex offenses or stalking.
- ▶ New York City Workplace Religious Freedom Act clarifies the employer's obligation to provide religious accommodation.
- ▶ New York State Human Rights Law prohibits discrimination based on race, creed, color, national origin, sexual orientation, military status, sex, age, marital status, domestic violence victim status, disability, predisposing genetic characteristics or prior arrest or conviction record.

These Procedures became effective on November 27, 2012 and supersede prior procedures.

CUNY Policies & Procedures Concerning Sexual Assault, Stalking, Domestic & Intimate Partner Violence Against Students

I. POLICY STATEMENT

The City University of New York seeks to create and maintain a safe environment in which all members of the University community—students, faculty and staff—can learn and work free from the fear of sexual assault and other forms of violence. The University’s policies on Workplace Violence and Domestic Violence and the Workplace apply to all acts of violence that occur in the workplace or that may spill over into the workplace. The University’s Sexual Harassment Policy prohibits many forms of unwelcome conduct, including but not limited to, physical conduct of a sexual nature. This policy is specifically directed towards sexual assault, domestic and intimate partner violence and stalking committed against students on and off-campus.

CUNY wants all victims of sexual assault, stalking and domestic and intimate partner violence to know that the University has professionals and law enforcement officers who are trained in the field to assist student victims in obtaining help, including immediate medical care, counseling and other essential services. If the alleged perpetrator is also a member of the CUNY community, the college will take prompt action to investigate, and, where appropriate, to discipline and sanction the alleged perpetrator. CUNY urges all victims to seek immediate help in accordance with the guidelines set forth in this policy with the assurance that all information received from a complaint will be handled as confidentially as possible.

In order to eliminate sexual assaults and other forms of violence perpetrated against students, and to create a safe college community, it is critical to provide an appropriate prevention education program and have trained professionals to provide vital supportive services.

Accordingly, CUNY is committed to the following goals:

- ▶ Providing clear and concise guidelines for students to follow in the event that they or someone they know have been the victim of a sexual assault, domestic/intimate partner violence, or stalking.
- ▶ Assisting victims of sexual assault or abuse in obtaining necessary medical care and counseling, whether on or off-campus.
- ▶ Providing the most informed and up-to-date education and information to its students about how to identify situations that involve sexual assault, domestic and intimate partner violence, or stalking, and ways to prevent these forms of violence.
- ▶ Educating and training all staff members, including counselors, public safety officers and student affairs staff and faculty, to assist victims of sexual assault, domestic/intimate partner violence, or stalking.
- ▶ Ensuring that disciplinary procedures are followed in the event that the alleged perpetrator is a CUNY student or employee.

II. PROCEDURES FOR REPORTING INCIDENTS OF SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE

Obtaining assistance after a student is sexually assaulted, stalked or is in an abusive relationship is extremely important and can involve different points of on-campus contact for students, faculty and staff, including the Public Safety Department, Women’s/Men’s Centers and Counseling Departments, and/or the Dean of Student Development/Student Affairs. Each provides different forms of assistance which together address many of the needs of survivors.

Contact Law Enforcement Personnel Immediately

CUNY urges any student who has been the victim of a sexual assault or other act of violence or abuse, or any student or employee who has witnessed a sexual assault or other act of violence against a student, to immediately report the incident to the college Public Safety Department if the attack occurred on campus, or to call 911 or go to the local NYPD precinct if the incident took place off campus. Each college shall be provided with a list of emergency contact numbers as part of its orientation and training programs.

Seek Immediate Medical Attention

It is critical that victims of a physical assault receive comprehensive medical attention as soon as possible. For a sexual assault in particular, immediate treatment and the preservation of evidence of the attack (i.e. retain the clothing worn during the attack and do not shower) is crucial to a criminal investigation. If a student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person's system for a short period of time. In all other circumstances, public safety and police personnel can assist the victim in obtaining medical care. Each college shall be provided with a list of local hospitals, some of which are designated as SAFE (Sexual Assault Forensic Examiner) hospitals that are specially equipped to handle sexual assaults and are trained to gather minute evidence from such assaults. Rape crisis advocates at emergency rooms are also trained to handle domestic violence. EMS will be directed to bring victims to a SAFE hospital at their request. Medical attention is critical not only to treat internal and external injuries and to combat the possibilities of sexually transmitted infections and/or pregnancy, but also to collect evidence that can be used against the alleged perpetrator. It is also vital to ongoing safety and recovery that victims receive emotional support and professional counseling as soon as possible after the attack.

Seek On-Campus Assistance

CUNY encourages student victims to contact the Dean of Student Affairs/Student Development to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student's academic program or residential housing situation. Public Safety can assist victims getting to and from campus safely, filing a police report and obtaining an order of protection against the alleged perpetrator. Victims can also file a complaint with the College against an alleged perpetrator who is a student or employee of the University with the Dean of Student Affairs/Student Development and the Public Safety Office.

Obtaining an On-Campus Advocate

Student victims of a sexual assault, stalking or domestic or intimate partner violence shall be provided with on-campus support in the form of an advocate from the Women's/Men's Center (if there is one on campus) or an appropriately trained counselor to assist them in handling the various aspects of their ordeal, such as: 1) explaining to victims their options of whether or not to report the incident to campus or law enforcement authorities; 2) providing guidance if they require medical attention; 3) providing guidance in obtaining crisis intervention and/or ongoing counseling services (or a referral to obtain the necessary services if such services are not available on campus); and 4) assisting victims throughout the College's disciplinary process if they choose to file a complaint against another student in connection with the incident. Handling Sexual Assault, Stalking and Domestic and Intimate Partner Violence Complaints On-Campus

The Colleges shall act promptly in response to information that a student has been sexually assaulted, or has been the victim of domestic or intimate partner violence or stalking by another member of the CUNY community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student or staff member, such charges shall be brought pursuant to the appropriate University procedures or collective bargaining agreement. If the alleged perpetrator is a student and the matter is brought before a hearing, the victim and alleged perpetrator are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The victim is entitled to a report of the results

of the proceeding at her/his request. If a student is found guilty of committing a sexual assault or other act of violence against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY.

In addition, if during the course of the investigation and/or disciplinary process the alleged perpetrator, or anyone on his/her behalf, seeks to contact the victim so as to harass, intimidate, threaten or coerce the victim in any way, the College reserves the right to bring additional disciplinary action against the actor. Such conduct by any member of the CUNY community will not be tolerated.

Confidentiality

The University recognizes that confidentiality is particularly important to victims of sex crimes, domestic and intimate partner violence and stalking. If the victim seeks counseling with a licensed professional and/or works with an advocate from the campus, those communications will be confidential. CUNY encourages victims in all circumstances to seek counseling in order to speak about her/his options and to begin the recovery period.

While complete confidentiality cannot be guaranteed, every effort will be made to maintain confidentiality on a “need to know” basis. Generally, the wishes of a victim not to report a sexual assault or incident of domestic/intimate partner violence or stalking to the police will prevail, though the College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. Such notification, however, will generally be done without divulging the victim’s identity and for the purpose of providing a campus-wide safety alert. In addition, the College must adhere to legal mandates such as Title IX, medical reporting laws, and the Campus Security Act. For example, CUNY is required to make an annual report documenting the occurrences of violent crimes on campus, including sexual assault. However, this report does not include any information identifying the individuals (including the victims) linked to these crimes.

Drug, Tobacco, and Alcohol Education

Statement of Policy/Standard of Conduct

The City University of New York (CUNY) is an institution committed to promoting the physical, intellectual, and social development of all individuals. As such, CUNY seeks to prevent the abuse of drugs and alcohol, which can adversely impact performance and threaten the health and safety of students, employees, their families, and the general public. CUNY complies with all federal, state, and local laws concerning the unlawful possession, use, and distribution of drugs and alcohol.

Federal law requires that CUNY adopt and implement a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. As part of its program, CUNY has adopted this policy, which sets forth (1) the standards of conduct that students and employees are expected to follow; (2) CUNY sanctions for the violation of this policy; and (3) responsibilities of the CUNY colleges/units in enforcing this policy. CUNY's policy also (1) sets forth the procedures for disseminating the policy, as well as information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and available counseling, treatment, or rehabilitation programs, to students and employees; (2) requires each college to conduct a biennial review of drug and alcohol use and prevention on its campus.

This policy applies to all CUNY students, employees and visitors when they are on CUNY property, including CUNY residence halls, as well as when they are engaged in any CUNY- sponsored activities off campus.

CUNY Standards of Conduct:

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age. For purposes of this policy, a CUNY residence hall means a residence hall owned and/or operated by CUNY, or operated by a private management company on CUNY's behalf.

In order to make informed choices about the use of drugs and alcohol, CUNY students and employees are expected to familiarize themselves with the information provided by CUNY about physiological, psychological, and social consequences of substance abuse.

CUNY Sanctions:

Employees and students who violate this policy are subject to sanctions under University policies, procedures and collective bargaining agreements, as described below. Employees and students should be aware that, in addition to these CUNY sanctions, the University will contact appropriate law enforcement agencies if they believe that a violation of the policy should also be treated as a criminal matter.

Students:

Students are expected to comply with the CUNY and college policies with respect to drugs and alcohol. Any student found in violation may be subject to disciplinary action under Article 15 of the Bylaws of the Board of Trustees, which may result in sanctions up to and including expulsion from the University.

In addition, any student who resides in a CUNY residence hall and who is found to have violated any CUNY or college policy with respect to drugs and alcohol may be subject to sanctions under the CUNY Residence Hall Disciplinary Procedures, up to and including expulsion from the residence hall.

In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement

pursuant to which the student must see a counselor or successfully participate in a drug and alcohol treatment program.

In accordance with the Federal Educational Rights and Privacy Act (“FERPA”), CUNY may choose – when appropriate – to contact parents or legal guardians of students who have violated the CUNY policy on drugs and alcohol.

Employees:

Any employee found to have violated this CUNY policy may be subject to disciplinary action, in accordance with the procedures set forth in applicable CUNY policies, rules, regulations, and collective bargaining agreements. Sanctions may include a reprimand, suspension without pay, or termination of employment. In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the employee must successfully participate in a drug or alcohol treatment program.

Responsibilities of CUNY Colleges/Units:

Each college or unit of the University should make its best efforts to educate employees and students about this policy and the risks associated with the unlawful possession, use, or distribution of illegal drugs and alcohol. The President of each college or unit may choose to ban alcohol at on-campus functions or at any particular function. This policy, together with information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and counseling, treatment, or rehabilitation programs available to employees or students, must be distributed annually to all employees and students. The Chief Student Affairs Officer shall be responsible for the distribution of this material to students, and the Director of Human Resources shall be responsible for the distribution of the material to employees.

The Vice President for Administration, or person performing the equivalent function at each college or unit of CUNY, shall be responsible for conducting a biennial review to determine the effectiveness of CUNY’s drug and alcohol program at its college or unit, and to ensure that sanctions for drug and alcohol violations are consistently enforced. Upon completion, the biennial review must be sent to the University’s Executive Vice Chancellor and Chief Operating Officer. This biennial review must include the number of drug and alcohol-related violations and fatalities that occur on the college’s campus or as part of the college’s activities, as well as the number and type of sanctions imposed as a result of drug and alcohol-related violations and fatalities that occur at the college as part of its activities.

Information for the CUNY Community on the Risks and Consequences of Drug & Alcohol Use

Background:

The City University of New York’s Policy on Drugs and Alcohol, adopted by the Board of Trustees on June 22, 2009, prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by employees, students or visitors, on CUNY property, CUNY buses or vans, or at CUNY-sponsored activities. It prohibits all students (regardless of age) from possessing or consuming alcoholic beverages in CUNY residence halls. It also prohibits CUNY employees from illegally providing drugs or alcohol to CUNY students. As the Policy states, sanctions for violation of the Policy, following appropriate disciplinary proceedings, may include, in the case of students, expulsion from the university, and in the case of employees, termination of employment.

This document sets forth additional information required to be provided under federal law, including sanctions for drug and alcohol use, health risks of such use, and information regarding available counseling treatment, or rehabilitation programs.

Legal Sanctions:

Federal and New York State laws make it a criminal offense to manufacture, distribute, dispense, possess with intent to distribute, or simply possess a controlled substance. Such substances include heroin, cocaine, methamphetamine,

ecstasy, LSD, PCP, marijuana and a number of common pharmaceutical drugs if unlawfully obtained. The sanctions for violations of these laws, ranging from community service and monetary fines to life imprisonment, depend upon the particular offense, the drug type, and the drug quantity. Students convicted under these statutes may also forfeit federal financial aid eligibility.

Note that an individual need not be in actual physical possession of a controlled substance to be guilty of a crime. The unlawful presence of a controlled substance in an automobile is presumptive evidence of knowing possession of such substance by each passenger unless the substance is concealed on the person of one of the occupants. Similarly, the presence of certain substances in plain view in a room can sometimes be presumptive evidence of knowing possession of such substance by anyone in close proximity.

Further, pursuant to New York State law:

Any person under age 21 who is found to be in possession of alcohol with the intent to consume it may be punished by a fine and/or required to complete an alcohol awareness program and/or to provide up to 30 hours of community service. Alcoholic Beverage Control Law, § 65-c.

Giving or selling an alcoholic beverage to a person less than age 21 is a class A misdemeanor punishable by a sentence of imprisonment up to one year. Penal Law § 260.20

Any person who operates a motor vehicle while intoxicated or while his ability to operate such vehicle is impaired by the consumption of alcohol or drugs, is subject to suspension or revocation of driving privileges in the State, monetary fines up to \$1,000, and imprisonment for up to one year. Vehicle and Traffic Law § 1192

A person under 21 who presents false written evidence of age for the purpose of purchasing or attempting to purchase any alcoholic beverage may be punished by a fine, community service and/or completion of an alcohol awareness program. Alcoholic Beverage Control Law § 65-b (1). Possessing such false evidence may also be criminal possession of a forged instrument, which is a felony in New York, punishable by a fine of up to \$5000, imprisonment up to 7 years, or both. Penal Law § 170.25.

Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that a person may endanger him or herself or other persons or property, or annoy persons in his vicinity, is a violation, punishable by a fine and imprisonment up to 15 days. Penal Law § 240.40

Health Risks:

The following is a brief summary of some of the health risks and symptoms associated with use of many of the most-publicized drugs, including alcohol and tobacco. This information was obtained from the National Institute on Drug Abuse (part of the National Institutes of Health of the U.S. Department of Health and Human Services), and the Mayo Clinic. Please note that individuals experience such substances in different ways based on a variety of physical and psychological factors and circumstances.

LSD (Acid)

LSD is one of the strongest mood-changing drugs, and has unpredictable psychological effects. With large enough doses, users experience delusions and visual hallucinations. Physical effects include increased body temperature, heart rate, and blood pressure; sleeplessness; and loss of appetite.

Cocaine

Cocaine is a powerfully addictive drug. Common health effects include heart attacks, respiratory failure, strokes, and seizures. Large amounts can cause bizarre and violent behavior. In rare cases, sudden death can occur on the first use of cocaine or unexpectedly thereafter.

MDMA (Ecstasy)

Ecstasy is a drug that has both stimulant and psychedelic properties. Adverse health effects can include nausea, chills, sweating, teeth clenching, muscle cramping, and blurred vision.

Heroin

Heroin is an addictive drug. An overdose of heroin can be fatal, and use is associated — particularly for users who inject the drug — with infectious diseases such as HIV/AIDS and hepatitis. Marijuana

Effects of marijuana use include memory and learning problems, distorted perception, and difficulty thinking and solving problems.

Methamphetamine

Methamphetamine is an addictive stimulant that is closely related to amphetamine but has long lasting and more toxic effects on the central nervous system. It has a high potential for abuse and addiction. Methamphetamine increases wakefulness and physical activity and decreases appetite. Chronic, long-term use can lead to psychotic behavior, hallucinations, and stroke.

PCP/Phencyclidine

PCP causes intensely negative psychological effects in the user. People high on PCP often become violent or suicidal.

Prescription Medications

Prescription drugs that are abused or used for nonmedical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed to treat pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity). Long-term use of opioids or central nervous system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures and irregular heartbeat.

Tobacco/Nicotine

Tobacco contains nicotine, which is highly addictive. The tar in cigarettes increases a smoker's risk of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in smoke increases the chance of cardiovascular diseases. Secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children.

Steroids

Adverse effects of steroid use in males may include shrinking of the testicles and breast development. In females, adverse effects may include growth of facial hair, menstrual changes, and deepened voice. Other adverse effects can include severe acne, high blood pressure and jaundice. In some rare cases liver and kidney tumors or even cancer may develop.

Alcohol

Excessive alcohol consumption can lead to serious health problems, including cancer of the pancreas, mouth, pharynx, larynx, esophagus and liver, as well as breast cancer, pancreatitis, sudden death in people with cardiovascular disease, heart muscle damage leading to heart failure, stroke, high blood pressure, cirrhosis of the liver, miscarriage, fetal alcohol syndrome in an unborn child, injuries due to impaired motor skills, and suicide.

Substance Abuse:

- ▶ You or someone you know may have a problem with drugs and alcohol if you/they are: Using drugs and/or alcohol on a regular basis.
- ▶ Losing control of the amount of drugs and/or alcohol used after being high or drunk. Constantly talking about using drugs and/or alcohol.
- ▶ Believing that drugs and/or alcohol are necessary in order to have fun. Using more drugs and/or alcohol to get the same effects as in the past. Avoiding people in order to get high or drunk.
- ▶ Pressuring others to use drugs and/or alcohol.
- ▶ Foregoing activities that were once priorities (i.e. work, sports, spending time with family and sober friends).
- ▶ Getting into trouble at school, at work, or with the law.
- ▶ Taking risks, including sexual promiscuity and driving while intoxicated. Lying about things, including the amount of drugs and/or alcohol used.
- ▶ Feeling hopeless, depressed, or even suicidal.

If you suspect that you or someone you know has a problem with drugs and/or alcohol, please utilize the resources listed below.

Resources on Campus

For assistance and referrals, students should (1) consult the relevant college website; or (2) contact their Student Affairs Office and/or Counseling Center.

For assistance and referrals, employees should consult with their Human Resources office. Assistance is also available through union employee assistance programs or through the CUNY Work/Life Program.

CUNY Work/Life Program (800) 833-8707 <http://www.cuny.edu/worklife/>

Resources off Campus:

12 Step Recovery Programs

- ▶ Narcotics Anonymous (212) 929-6262
<http://www.newyorkna.org/>
- ▶ Cocaine Anonymous (212) 262-2463
<http://www.ca-ny.org/>
- ▶ Marijuana Anonymous (212) 459-4423
<http://www.ma-newyork.org/>
- ▶ Alcoholics' Anonymous (212) 647-1680
<http://www.nyiritergroup.org/>
- ▶ Nicotine Anonymous (631) 665-0527
<http://www.nicotine-anonymous.org/>
- ▶ Al-Anon/Alateen (888) 425-2666
<http://www.al-anonny.org/>

Detoxification and Outpatient/Inpatient Rehabilitation Facilities:

New York County

- ▶ Bellevue Hospital Center
462 First Ave.
New York, NY 10016
(212) 562-4141
- ▶ St. Luke's-Roosevelt Hospital Center
1000 Tenth Ave.
New York, NY 10019
(212) 523-6491
- ▶ Greenwich House, Inc.
50B Cooper Square
New York, NY 10003
(212) 677-3400

Kings County

- ▶ Kings County Hospital Center
606 Winthrop St.
Brooklyn, NY 11203
(718) 245-2630
- ▶ Interfaith Medical Center
1545 Atlantic Ave.
Brooklyn, NY 11213
(718) 613-4330
- ▶ Bridge Back to Life Center, Inc.
175 Remsen St., 10th Floor
Brooklyn, NY 11201
(718) 852-5552

Queens County

- ▶ Flushing Hospital Medical Center
4500 Parsons Blvd.
Flushing, NY 11355
(718) 670-5078
- ▶ Samaritan Village, Inc.
144-10 Jamaica Ave.
Jamaica, NY 11435
(718) 206-1990
- ▶ Daytop Village, Inc.
316 Beach 65th St
Far Rockaway, NY 1169
(718) 474-3800

Bronx County

- ▶ St. Barnabas Hospital
4535 East 183rd St.
Bronx, NY 10457
(718) 960-6636
- ▶ Montefiore Medical Center
3550 Jerome Ave., 1st Floor
Bronx, NY 10467
(718) 920-4067
- ▶ Bronx-Lebanon Hospital Center
1276 Fulton Ave., 7th Floor
Bronx, NY 10456
(718) 466-6095

Detoxification and Outpatient/Inpatient Rehabilitation Facilities (Cont'd):

Richmond County

- ▶ Staten Island University
375 Seguine Ave
Staten Island, NY 10309
(718) 226-2790
- ▶ Richmond University Medical Center
427 Forest Ave
Staten Island, NY 1030
(718) 818-5375
- ▶ Camelot of Staten Island, Inc.
263 Port Richmond Ave
Staten Island, NY 10302
(718) 981-8117

Nassau County

- ▶ Hospital Long Beach Medical Center
455 East Bay Dr.
Long Beach, NY 11561
(516) 897-1250
- ▶ North Shore University Hospital
400 Community Dr.
Manhasset, NY 11030
(516) 562-3010
- ▶ Nassau Health Care Corporation
2201 Hempstead Tpke.
East Meadow, NY 11554
(516) 572-9402

Other Resources:

- | | |
|---|---|
| <p>▶ New York State Office of Alcoholism & Substance Abuse Services
Tel: (877) 846-7369
http://www.oasas.state.ny.us/</p> | <p>▶ New York State Smokers' Quitline
Tel: (866) 697-8487
http://www.nysmokefree.com/</p> |
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CUNY Medical Amnesty / Good Samaritan Policy

- I. The City University of New York's ("CUNY's ") Medical Amnesty/Good Samaritan Policy's purpose is to encourage students to seek medical assistance related to drug and alcohol use without fear of being disciplined for such use. Because the use of drugs or alcohol may be life- threatening, CUNY wishes to reduce barriers to seeking and receiving medical help in those situations. In addition, CUNY wishes to encourage students who may be the victims of or witness to sexual harassment or sexual violence while under the influence of drugs or alcohol to seek medical assistance and to report that sexual assault. Toward that end, CUNY's Policy is that students who seek medical assistance either for themselves or others will not be subject to discipline under the circumstances described below.
- II. Students who call for medical assistance for themselves or others and/or who receive medical assistance as a result of a call will not be disciplined for the consumption of alcohol (either if underage or if consumed in CUNY-owned or operated building/facility where alcohol consumption is prohibited) or drugs under certain conditions. First, the students involved must agree to timely completion of assigned alcohol and/or drug education activities, assessment, and/or treatment, to be determined by the individual campuses or units of CUNY with which the students are affiliated. Second, there must be no other violations that ordinarily would subject the student to disciplinary action. Other violations that would invoke discipline include but are not limited to (i) unlawful distribution of alcohol or drugs;(ii) sexual assault;(iii) sexual harassment; (iv) causing or threatening physicalharm; (v) causing damage to property; (vi) hazing.
- III. If students are involved in repeated incidents, the availability of medical amnesty to those students is at the discretion of the campus or unit with which the students are affiliated. Even if medical amnesty is granted to those students, repeated incidents raise issue of medical concern and may result in parental notification, medical withdrawal, and/or other non-disciplinary responses.
- IV. Failure to complete required alcohol and/or drug education activities, assessment and/or treatment by the deadline may result in a revocation of medical amnesty.
- V. CUNY's Policy is intended to complement New York State's Good Samaritan Law, which is designed to encourage individuals to call 911in the event of an alcohol or drug-related emergency. Generally, this law protects persons who witness or suffer from a medical emergency involving drugs or alcohol from being arrested or prosecuted for drug or underage alcohol possession after they call 911. It does not protect against arrest or prosecution for other offenses, such as the sale of drugs. For more information on New York's Good Samaritan Law, see N.Y. Public Health L. §§ 3000-a, 3000-b, 3013 (McKinney 2000); see also NY State Assembly website database of law.

Workplace Violence Policy & Procedures

The City University of New York has a long-standing commitment to promoting a safe and secure academic and work environment that promotes the achievement of its mission of teaching, research, scholarship and service. All members of the University community—students, faculty and staff—are expected to maintain a working and learning environment free from violence, threats of harassment, violence, intimidation or coercion. While these behaviors are not prevalent at the University, no organization is immune.

The purpose of this policy is to address the issue of potential workplace violence in our community, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

Policy

The City University of New York prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from University property and are subject to disciplinary and/or personnel action up to and including termination, consistent with University policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the University's Policy Against Sexual Harassment.

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies in cases where the employee or student suspects that an act of violence will result from an encounter with said individual(s).

Scope

All faculty, staff, students, vendors, contractors, consultants, and others who do business with the University, whether in a University facility or off-campus location where University business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the University, such as former employees, former students, and visitors. When students have complaints about other students, they should contact the Office of Student Affairs at their campus.

Definitions

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the academic environment, or the University's ability to provide services to the public. Examples of workplace violence include, but are not limited to:

1. Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
2. Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
3. Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials. No one within the University community, shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to

University property without specific written authorization from the Chancellor or the college President regardless of whether the individual possesses a valid permit to carry the firearm or weapon.

Reporting of Incidents

4. General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the University community. Workplace violence should promptly be reported to the appropriate University official (see below). Additionally, faculty, staff and students are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all members of the University community take this responsibility seriously to effectively maintain a safe working and learning environment.

5. Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the Campus Public Safety Office immediately, or call 911.

6. Acts of Violence Not Involving Weapons or Injuries to Persons

Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his or her supervisor, or in lieu thereof, to their respective Campus Public Safety Office.

Students should report such incidents to the Office of Student Affairs at their campus or in lieu thereof, their campus Public Safety Office. The Campus Public Safety Office will work with the Office of Human Resources and the supervisor or the Office of Student Affairs on an appropriate response.

7. Commission of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

8. False Reports

Members of the University community who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

9. Incident Reports

The University will report incidents of workplace violence consistent with the College Policies for Incident Reporting under the Campus Security Policy and Statistical Act (Clery Act).

10. Responsibilities of Students

Students who witness violence, learn of threats, or are victims of violence by employees, students or others should report the incident immediately to the Campus Public Safety Office. If there is no imminent danger, students should report threatening incidents by employees, students or others as soon as possible to the Campus Public Safety Office or Office of Student Affairs.

Students will be provided with workplace violence awareness information (including information regarding available counseling services) upon registration each year.

11. Confidentiality

The University shall maintain the confidentiality of investigations of workplace violence to the extent possible. The University will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and well-being of members of the University community would be served by such action.

12. University Communications

All communications to the University community and outside entities regarding incidents of workplace violence will be made through the University Office of University Relations after consultation with the respective president or his or her designee.

13. Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination

SECURITY POLICIES AND CRIME REPORTING REQUIREMENTS

The “Jeanne CLERY Disclosure of Campus Security Policy and Campus Statistics Act of 1998,” commonly referred to as the “CLERY Act,” requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community. LaGuardia Community College provides crime information and statistics to the public in a variety of ways. In addition to the CLERY Act, the College provides to the New York State Department of Justice crime statistics that are classified pursuant to the Uniform Crime Reporting (“UCR”) Program administered by the FBI. These statistics are reflected in LAGCC’ Public Safety Report on crime statistics that is compiled on a calendar-year basis. These statistics include the years of 2013- 2015 concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by LaGuardia Community College; and on public property within, or immediately adjacent to and accessible from, the campus. In addition, these statistics are gathered from reported crimes to the public safety office/officers, crimes reported to other campus official with significant responsibility for student and campus activities as well as those crimes reported to the local police precinct. These statistics also include persons referred for campus disciplinary action for categories required under the Clery Act including liquor law violations, drug law violations, and illegal weapons possession.

[Please click here to access our Annual Security Report.](#)

LaGuardia Community College is committed to assisting all members of the LaGuardia Community in providing for their own safety and security. Information regarding campus safety and personal safety including topics such as crime prevention, public safety peace officer law enforcement authority, crime reporting policies, crime statistics for the most recent three years period and disciplinary procedures is available from the Director of Public Safety. If you would like more information about safety at LaGuardia Community College Campus, please call the Director of Public Safety at (718) 482-5559. A college official will be glad to discuss your questions and concerns. Monthly and annual crime statistics for LaGuardia Community College are available upon request by contacting:

▶ Director of Public Safety

Public Safety Department
Room M-145
LaGuardia Community College
31-10 Thomson Avenue
Long Island City, New York 11101
(718) 482-5559

▶ Public Safety Office:

“E” Building - Room E-100
Telephone: (718) 482-5558

▶ Emergency:

(718) 482-5555

Title Y Hate Crimes Act of 2000 - Article 485 Hate Crimes

SECTION 485.00. LEGISLATIVE FINDINGS.

The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as “hate crimes”, victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. Current law does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence. Accordingly, the legislature finds and declares that hate crimes should be prosecuted and punished with appropriate severity.

SECTION 485.05. HATE CRIMES.

1. A person commits a hate crime when he or she commits a specified offense and either: intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people’s burden under paragraph (a) or (b) of subdivision one of this section.
3. A “specified offense” is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal

mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

4. For purposes of this section:

- ▶ The term “age” means sixty years old or more;
- ▶ The term “disability” means a physical or mental impairment that substantially limits a major life activity.

SECTION 485.10. SENTENCING.

When a person is convicted of a hate crime pursuant to this Article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.

When a person is convicted of a hate crime pursuant to this Article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this Article and the specified offense is a class B felony:

- ▶ The maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter;
- ▶ The term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter;
- ▶ The term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter;
- ▶ the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and
- ▶ The maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter.
- ▶ Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this Article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years.
- ▶ The procedures in effect at the college for dealing with bias related crime;

Students who have been a victim of a bias related crime should immediately report the incident to the following offices:

Division of Student Affairs

- | | | |
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| <ul style="list-style-type: none"> ▶ Chief Student Affairs Officer:
Fay Butler
Interim Associate Dean for
Student Success
(718) 482- 5180
Room C-317 | <ul style="list-style-type: none"> ▶ Student Affairs Officer:
Luis Merchant
Exec. Asst. to Vice President
Student Judicial Officer
(718) 482-5180
Room C-317 | <ul style="list-style-type: none"> ▶ Public Safety
Yvonne Gaul
Interim Director of Public Safety
(718) 482-5559
Room M-145 |
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6. The availability of counseling and other support services for the victims of bias related crime; Anyone who is a victim of a bias related crime is encouraged to seek counseling from a trained mental health professional. Experienced counselors, trained to assist with the consequences of bias related crime trauma, are on hand at the College's Counseling Center to provide crisis intervention, in-office counseling, referral to other support services and self-help groups. The center can also refer victims to community based support groups and professional organizations. The college will assist any student wishing to contact outside agencies, including local police, regarding charges and complaints of a bias related crime. The college can also assist in changing academic schedules after an alleged incident.

On-campus resources:

- | | |
|--|--|
| <ul style="list-style-type: none"> ▶ Campus Security:
Room E-100
(718) 482-5555 ▶ Health and Wellness:
Room C-239
(718) 482-5088 | <ul style="list-style-type: none"> ▶ Compliance and Diversity – Christopher Carozza:
Room E-512
(718) 482-5471 ▶ Office of the Vice President of SA - Luis Merchant:
Room C-317
(718) 482-5180 |
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Off-campus resources:

- | | |
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| <ul style="list-style-type: none"> ▶ New York City Police Department Detective
Bureau Hate Crimes Task Force
(646) 610-5267 ▶ Manhattan District Attorney, Community Affairs Unit
(212) 335-9082 ▶ Queens District Attorney, Antibias Unit
(718) 286-7041 ▶ Bronx District Attorney
(718) 590-2427 / (718) 590-2715 ▶ Brooklyn District Attorney, Community Affairs Unite
(718) 250-2241 | <ul style="list-style-type: none"> ▶ Staten Island District Attorney
Special Investigations/Bias Unit
(718) 876-6300 ▶ NYC Victims Services Agency (crises intervention)
24 hours, 7 days a week
(212) 577-7777 ▶ The Gay & Lesbian Anti-Violence Project
Mon-Thurs 10:00am - 8:00pm, Fri 10:00an - 6:00pm
(212) 807-0197 (24-hour hotline) ▶ National Hate Crimes Hotline
(208) 246-2292
http://HateCrimeNet.org |
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7. The nature of and common circumstances relating to bias related crime on college campuses: Hate crime laws are designed to send the message that hate and bias motivated crimes will not be tolerated, because they are often attempts to silence and instill fear into entire groups. Reporting hate related incidents helps survivors take

advantage of recovery services and enables our community to build up statistics and patterns of crime, providing an opportunity of catching offenders or preventing the violence altogether.

The key criterion in determining whether or not any crime or incident fits into the definition of a hate or bias related crime is the motivation behind the incident. A hate or bias related crime is one that is motivated, at least in part, because of someone's bias or hatred of a person's group's perceived race, religion, ethnicity, sexual orientation, or other characteristic. Victims of hate and bias related crimes often have intense feelings of vulnerability, anger, depression, physical ailments, learning problems, and difficult interpersonal relations. Hate crimes also have a psychological and emotional impact that extends far beyond the victim. Attacks motivated on the basis of bias against a person's beliefs, values or identity undermine freedom of expression, association, and assembly and tear at the pluralistic fabric of our society.

Using slurs and epithets is a way of showing someone that you believe they are less than human and undeserving of respect. Hate crimes are a way to send a message to members of certain groups of individuals that they are unwelcome in a particular neighborhood, community, school or workplace. Calling someone a name, refusing to rent them an apartment, verbal threats, vandalism, abusive phone calls and Internet hate mail are all examples of hate crimes. The most common form of bias motivated incidents on college campuses are demeaning jokes or harassing or threatening phone calls or emails. However, bias related physical attacks and vandalism do also occur. You can make a difference by speaking out when jokes or comments are made that are hateful or demeaning and by asking yourself if you use derogatory, degrading or offensive terms in describing others.

Observing general safety tips may help you to avoid becoming the victim of a hate or bias related crime. Be alert to your surroundings, both inside and outside. Listen to and act upon your feelings/instincts. Notice people, the lighting, and access to phones and exits. Use elevators, stairs and restrooms in well-trafficked areas. Don't study alone in an empty classroom. Avoid deserted parking lots, empty laundry rooms and other poorly lit or poorly populated locations.

When possible, walk with a friend instead of walking alone in secluded areas or at night. When riding the subways during less traveled times of day, ride in the middle car with the conductor or the first car with the engineer. Carry a whistle and blow it for attention when necessary. If you feel threatened while walking, cross the street, change direction or run to a place where there are other people. If a car is following you, turn around and walk quickly in the opposite direction. Get the license plate number and a description if possible. If you are being followed on foot, turn around to let the persons know you have seen them and then run to a place where a number of people will be.

Always keep your apartment and car doors locked. If you live in an apartment with a fire escape outside a back - window, you should secure it with a fire department approved gate, an alarm, or some barrier system. A window lock is not enough. Always close your blinds/shades/curtains at night. If you decide to bring someone home, introduce him or her to a friend, acquaintance or bartender so that someone knows who you left with. When driving a friend home, establish a signal that the friend is in the home and safe before you drive away. If a stranger is at your door, do not give the impression that you are home alone. Shout over your shoulder or indicate in some way that there is another person present. Never open the door to strangers without verifying their identity by asking for an identification tag. Do not give out personal information over the phone or Internet.

Finally, report all incidents of violence or harassment. Contact Public Safety or call 911 as soon after the incident as possible. If you saw the perpetrator, try to remember gender, age, height, race, weight, build, clothes and other distinguishing characteristics. If anything was said, such as anti-gay epithets or threats, make a mental note about them and write them down as soon as possible. If you want the crime to be reported as a hate or bias-related crime, tell the officer to note that on the report. If the police do not assist you properly, file a complaint and contact the Office of Student Affairs or the City information number, 311.

8. The methods the college employs to advise and to update students about security procedures. In addition to the Student handbook, crime prevention pamphlets that include various safety tips and encourage the reporting of crime on campus are prepared and distributed periodically to students. Speakers, including law enforcement officials, are invited by the administration and student groups to inform students about prevention of crime and personal safety. Public Safety also makes a presentation about prevention of crime and personal safety to incoming students at orientation. Additionally, Public Safety meets with the College's Advisory Committee on Public Safety on a regular basis to exchange information on recent events and security concerns on campus. The Security Advisory Committee is made up of equal numbers of faculty, administrators, and student officers. This committee reviews current campus security policies and practices and makes recommendations for their improvement.

The website to retrieve the campus crime statistics is: www.ope.ed.gov/security

In addition, campus crime statistics reports can be obtained by contacting:

- ▶ Public Safety
Yvonne Gaul
Interim Director of Public Safety
(718) 482-5559
Room M-145
(*Reports will be forwarded within ten days of the request.*)

Medical Withdrawal Policy

At CUNY, there are two types of medical withdrawal cases. They include both (i) student-initiated requests for medical leave and (ii) College-initiated voluntary or involuntary medical withdrawals in cases of threatening or disruptive student behavior connected to a mental health or other medical issue.

In the case of student-initiated medical withdrawal requests, a student's request may be submitted any time during a term, including the final exam period. In such cases the College review process will determine the tuition refund, if any. For medical requests to be considered, the student must provide medical documentation to the College Health Office or designated Official. In addition to the review and acceptance of the medical documentation by the College Health Office, the student must complete and submit a medical withdrawal request to the Registrar.

The Office of the Registrar remains the only College office authorized to accept and process this type of medical withdrawal, and the withdrawal protocol is essentially the same as described above. If a student is unable to submit the request for medical withdrawal in person, the form(s) may be submitted by another party authorized by the student. Appropriate officers at the College will subsequently review the applicable documentation submitted by the student to determine whether the student qualifies for a medical withdrawal.

In the case of a College-initiated medical withdrawal, the procedure is outlined in CUNY's Medical Withdrawal Policy below. In general, this type of withdrawal is processed through the office of the College's Chief Student Affairs Officer, who is responsible for informing the Office of the Registrar of the withdrawal. In most cases, a withdrawal grade will appear on a student's transcript, but in limited situations as defined in the Medical withdrawal Policy and in the discretion of the Chief Student Affairs Officer, notations of incomplete for classes taken during the semester in which the withdrawal occurs may appear on a student's transcript.

In the case of a student-initiated request for medical withdrawal, the withdrawal date in the student system ordinarily is the date on which the student notifies the College of his or her intent to withdraw. In the case of a College-initiated medical withdrawal, the withdrawal date in the system is either the date the student signs a voluntary withdrawal agreement or the date that a Health Review Panel orders involuntary medical withdrawal, whichever is applicable. For both types of medical withdrawals, appropriate College officials may consider if any refund of tuition is warranted and if a retroactive date for withdrawal is appropriate; these requests will not be granted routinely and are subject to further College review.

Withdrawal Appeals

The College takes into consideration student's appeals to change grades to withdrawal grades. In such cases, the College review process will determine whether a withdrawal grade is appropriate or whether to approve a tuition refund. The student must submit a grade appeal form to the Registrar. Appropriate officers at the College subsequently review applicable documentation submitted by the student to determine whether the student qualifies for a withdrawal grade or if any refund of tuition will be considered. If the student is not granted a withdrawal grade, the original earned grade remains. Requests for withdrawals made more than 60 calendar days from the end of the term in which the student was enrolled in said course will not be granted routinely and are subject to further College review.

The City University of New York Medical Withdrawal and Re-entry Policy and Procedures Governing Student Behavior that Presents a Direct Threat of Harm to Self or Others or Substantially Disrupts the Learning or Working Environment of Others

Introduction

The City University of New York ("CUNY") is committed to the academic success and personal growth of its students. As part of that commitment, CUNY and its constituent campuses are responsible for providing a safe learning and working

environment for students, faculty, staff and other members of the University community. Some students may, because of a medical condition, engage in behavior that presents a direct threat of harm to themselves or to others, or substantially disrupts the learning or working environment of others. In such situations, the safety and security of the campus community, including the individual student, is paramount.

This policy does not replace or supersede reasonable and appropriate security and health and safety measures, such as calling 911 or taking other immediate action in case of imminent threat to life or limb.

In addition to taking action to protect the security and safety of the campus community, a college may address the student's conduct to determine if action under this policy or under the student disciplinary process is appropriate. When a student's conduct that directly threatens or substantially disrupts the learning or working environment of others appears to relate to a medical condition, the campus may, at its option, address the student's conduct either in accordance with this policy, or through the student disciplinary process. If the student's conduct constitutes a threat solely to him or herself, it should be addressed under this policy rather than the disciplinary process.

I. Policy

As an alternative to disciplinary action that may be taken under Article XV of CUNY's Bylaws, a college of CUNY may bring a proceeding to require a student to withdraw from the University, or, under some circumstances, the student's home college and/or from residence in a college residence hall under this withdrawal policy and procedures when the student's behavior evidences a direct threat of harm to others, or when the student's behavior substantially disrupts the learning or working environment of others. A direct threat means a significant risk of harm to health or safety.

A student who threatens to commit or attempts to commit suicide, and who does not otherwise threaten direct harm to others or substantially disrupt the learning or working environment of others, shall not be subject to disciplinary action for that threat or attempt under Article XV of the CUNY's Bylaws. If a college determines that withdrawal of the student or retention of the student subject to specified conditions is appropriate because the student's behavior threatens direct harm to him or herself, the procedures outlined below shall apply instead of disciplinary procedures. A student who withdraws or is withdrawn from the University, a college or college residence hall pursuant to this policy may apply for re-entry to the University, a college and/or to a college residence hall. The application for re-entry shall be made to the student's home college's Chief Student Affairs Officer, who shall determine whether the student still presents a direct threat of harm to him or herself or others or still presents a significant risk to substantially disrupt the learning or working environment of others. If the Chief Student Affairs Officer or designee determines, based on the assessment of a qualified, licensed mental health professional, that there is not a significant risk that the behavior that required withdrawal will be repeated, he or she shall approve the student's application for re-entry.

II. Procedures

A. EMERGENCY INTERIM REMOVAL

If a student's behavior presents an immediate, severe and direct threat to him or herself or others (by evidencing a likelihood of harm to him or herself or others), or is substantially disrupting the learning or working environment of others, the Chief Student Affairs Officer or designee (if such Officer is not immediately available) may direct an emergency interim removal of the student that restricts the student's access to the College's campus or residence hall, as appropriate, for an interim period before a final determination of the matter. The Chief Student Affairs Officer or designee shall consult with the University's Office of the General Counsel prior to making any such direction.

The fact that a student has threatened to commit suicide or attempted suicide, by itself, does not allow the Chief Student Affairs Officer or designee to direct an emergency interim removal. In all cases involving such students, the Chief Student Affairs Officer or designee must attempt to have the student individually assessed by a mental health professional as outlined below in A.3. before deciding whether to direct an emergency interim removal.

Except as permitted in III A. 1. above, before determining whether to require an emergency interim removal, the Chief Student Affairs Officer or designee shall take the following steps: exercise all reasonable efforts to meet with the student; and in that meeting, offer the student the opportunity to be evaluated at the college's expense by a qualified, licensed mental health professional, who may be an employee of a college of CUNY or CUNY or on retainer to a college of CUNY or CUNY. Whenever possible, that professional shall have had no prior contact with the student. The professional shall assess whether the student's behavior presents an immediate, severe and direct threat to him or herself or others or presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others, and, if so, whether the student's behavior may be the result of a medical issue. That professional shall present his or her findings to the Chief Student Affairs Officer or designee, who shall determine based on those findings and other evidence available whether emergency interim removal under these procedures is appropriate.

If the student refuses to meet, and/or refuses to undergo such assessment or to keep a scheduled appointment, the Chief Student Affairs Officer or designee may require emergency interim removal without a meeting and/or mental health assessment if he or she reasonably concludes on the basis of the available evidence that the student's behavior evidences an immediate, severe and direct threat of harm to the student or others or is substantially disrupting the working or learning environment of others and presents a significant risk to continue that substantial disruption. The Chief Student Affairs Officer or designee shall consult with the University's Office of the General Counsel before making such a determination.

The emergency interim removal from the College and/or residence hall shall remain in effect until a final decision has been made pursuant to the procedures below, unless, before a final decision is made, the Chief Student Affairs Officer or designee determines that the reasons for imposing the interim removal no longer exist.

B. WITHDRAWAL AFTER EMERGENCY INTERIM REMOVAL

If a student has been subjected to an emergency interim removal from the college and/or residence hall, the college shall request retention with conditions or voluntary withdrawal within 7 calendar days of such removal. Should the request for retention with conditions or voluntary withdrawal request be refused, the College shall determine within 7 calendar days of such refusal whether to take further action against the student, including whether to initiate involuntary withdrawal proceedings or, disciplinary proceedings under Article XV of the CUNY Bylaws, as applicable under II A. above, and shall send notice of either such proceeding in accordance with the notice requirements of the applicable procedure within that 7-day period. For students who have been subjected to an emergency interim removal without having undergone the assessment procedures outlined in III A. 3 above, the College shall follow the assessment procedures outlined below in B.2. a. prior to determining its course of action.

In cases where the student has been subjected to an emergency interim removal without assessment, the procedure for determining whether withdrawal is appropriate is as follows:

- ▶ The Chief Student Affairs Officer or designee shall exercise best efforts to meet with the student to discuss the student's behavior and to hear the student's explanation of the alleged behavior. If, after hearing the explanation, the Officer or designee still wishes to consider the possibility of the student's withdrawal, he or she shall offer the student an opportunity to be evaluated, at the college's expense, by a qualified, licensed mental health professional, who may be an employee of a college of CUNY or CUNY, or on retainer to a college of CUNY or CUNY. Whenever possible, that professional shall have had no prior contact with the student. The professional shall make findings concerning whether the student's behavior presents a direct threat of harm to him or herself or others or presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others and if so, whether the student's behavior may be the result of a medical issue. The professional shall report such findings to the Chief Student Affairs Officer, who shall, based on those findings, and after consultation with the University's Office of the General Counsel, determine the appropriate action, including whether to request that the student withdraw from the University, the college and/or the college residence hall or whether to request that the student

agree to specified conditions in lieu of withdrawal.

- ▶ If the student refuses to undergo the requested assessment, or fails to keep the scheduled appointment, and the Chief Student Affairs Officer reasonably concludes on the basis of the available evidence that the student's behavior presents a direct threat of harm to him or herself or others or substantially disrupts the learning or working environment of others and presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others, the Chief Student Affairs Officer may request that the student voluntarily withdraw from the University, the college and/or the college residence hall. The Chief Student Affairs Officer shall consult with the University's Office of the General Counsel before making any such request.
- ▶ If the student agrees to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs officer or designee shall (i) discuss with the student the procedures for and consequences of voluntary withdrawal or the specified conditions, as applicable; (ii) discuss the circumstances with the student's parents or legal guardians as permissible by law and as appropriate; (iii) consult with the student's academic advisor or department, as appropriate; (iv) consult with the residence hall director, as appropriate; (v) refer the student to appropriate resources for treatment; and (vi) advise the student concerning the process for applying for re- entry, as well as on conditions for re-entry, if applicable and appropriate.
- ▶ If the student does not agree to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs Officer shall determine, in consultation with the University's Office of the General Counsel, whether to take further action against the student, including whether to initiate involuntary withdrawal proceedings, or, in the case of students referenced in II A. above, whether to initiate disciplinary proceedings under Article XV of the CUNY Bylaws.

C. WITHDRAWAL OF STUDENTS WITHOUT EMERGENCY INTERIM REMOVAL

Students Who Present a Direct Threat of Harm to Others or Substantially Disrupt the Learning or Working Environment of Others

Voluntary Withdrawal or Retention with Conditions

In situations where a student's behavior evidences a direct threat of harm to himself or others or substantially disrupts the learning or working environment of others and presents a significant risk to repeat behavior that substantially disrupts the learning or working environment of others and the Chief Student Affairs Officer reasonably believes that the student's behavior may be connected to a medical issue, the Chief Student Affairs Officer or designee may request that the student voluntarily withdraw or agree to retention under conditions.

If the student agrees to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs officer or designee shall (i) discuss with the student the procedures for and consequences of voluntary withdrawal or the specified conditions, as applicable; (ii) discuss the circumstances with the student's parents or legal guardians as permissible by law and as appropriate; (iii) consult with the student's academic advisor or department, as appropriate; (iv) consult with the residence hall director, as appropriate; (v) refer the student to appropriate resources for treatment; and (vi) advise the student concerning the process for applying for re- entry, as well as on conditions for re-entry, if applicable and appropriate.

Involuntary Withdrawal

If the student does not agree to the request for voluntary withdrawal or to the specified conditions, the Chief Student Affairs Officer shall determine, in consultation with the University's Office of the General Counsel, whether to take further action against the student, including whether to initiate involuntary withdrawal proceedings or disciplinary

proceedings under Article XV of the CUNY Bylaws.

Before initiating involuntary withdrawal proceedings under this procedure, the Chief Student Affairs Officer shall follow the assessment procedures outlined above in B.2.

Students Who Present a Direct Threat of Harm Solely To Themselves

The College shall follow the assessment and other procedures outlined above in B.2 a.-d. in order to determine the appropriate course of action.

D. INVOLUNTARY WITHDRAWAL PROCEDURES

The following shall be the procedures for involuntary withdrawal:

- ▶ Notice of the involuntary withdrawal hearing and the time and place of the hearing shall be personally delivered or sent by the Chief Student Affairs Officer or designee of the student's home college to the student at the address appearing on the records of the College, by overnight or certified mail, by regular mail, and, for students who have a college e-mail address, to that e-mail address. Notice of at least five business days shall be given to the student in advance of the hearing unless the student consents to an earlier hearing.
- ▶ The notice shall contain (i) a statement of the reasons involuntary withdrawal is sought (ii) the type of withdrawal sought (from the University, the college and/or from the college residence hall); and (iii) a statement that the student has a right to present his or her side of the story, to present witnesses and evidence on his or her behalf, to cross-examine witnesses presenting evidence against the student, to remain silent without assumption of guilt, and to be represented by legal counsel or an advisor at the student's expense. CUNY shall constitute a Health Review Panel, comprised of qualified, licensed mental health professionals employed by a college of CUNY or by CUNY, or on retainer to a college of CUNY or CUNY. CUNY's Vice Chancellor for Student Development shall appoint the members of the Health Review Panel. Members of the Health Review Panel, in committees constituted separately for each hearing ("Health Review Committee"), shall be responsible for adjudicating all involuntary withdrawal hearings held according to these procedures. For each involuntary withdrawal hearing, the Vice Chancellor for Student Development or his designee shall constitute a three-person Health Review Committee from the Health Review Panel to adjudicate at that hearing. No member of the Health Review Committee shall have had prior contact with the student. All decisions of the Health Review Committee shall be made by majority vote.
- ▶ The hearing shall be closed, unless the student requests an open hearing. However, the Health Review Committee may overrule a request for an open hearing if it determines that an open hearing would be inappropriate or disruptive in light of the nature of the evidence to be presented.
- ▶ After the evidence is presented at the hearing, the Health Review Committee shall determine whether the College has proved, by a preponderance of the evidence, that the student's behavior presents a direct threat of harm to him or herself or others, or has substantially disrupted the learning or working environment of others and presents a significant risk of threatening further substantial disruption of the learning or working environment of others, and if so, what the appropriate remedy should be. The Health Review Committee may also set reasonable and appropriate conditions on re-entry. The decision of the Health Review Committee shall be made within five business days from the close of the hearing.

E. APPEALS

An appeal from the decision of the Health Review Committee may be made to the President of the student's home college or the President's designee within thirty calendar days after the delivery of the decision appealed from. The

President or designee shall make his or her determination on the appeal within fifteen business days from receipt of the appeal. The President's decision may be appealed to the Chancellor of the University or his or her designee within thirty calendar days after the delivery of the President's decision on appeal. The Chancellor or designee's decision shall be made within fifteen business days from receipt of the appeal. The Chancellor (or designee's) decision shall be final. The bases overturning a decision of the Health Review Committee at both levels of review are limited to the following: (i) clearly erroneous factual findings; (ii) procedural irregularities; (iii) newly available evidence that would have affected the outcome; (iv) the remedy and/or conditions on re-entry were unreasonable or inappropriate.

F. RE-ENTRY

A student who is withdrawn from the University, a student's home college and/or a college residence hall under this policy may be considered for re-entry.

A student wishing to be considered for re-entry should contact his or her home college's Chief Student Affairs Officer and provide appropriate documentation of behavioral change and resolution of the initial behavioral problem, including compliance with any conditions that may have been set for re-entry.

A student may apply for re-entry to the University, a college and/or a college residence hall no more than one time per term.

In assessing an application for re-entry, the Chief Student Affairs Officer or designee shall: (i) in cases in which he or she determines that an additional mental health assessment is necessary, refer the student for assessment to a qualified, licensed mental health professional, at the College's expense; (ii) receive, investigate, and examine appropriate relevant documentation, including assessments made by college referred mental health professionals, and, if applicable, licensed treating mental health professionals; (iii) consult with the Health Review Committee, in cases in which the student's withdrawal was adjudicated by such a Committee; (iv) contact the student's parents or legal guardians as permissible by law, if appropriate; (v) provide an opportunity for the student to meet with the Chief Student Affairs Officer or designee to discuss re-entry. If the Chief Student Affairs Officer or designee determines, based on the evidence presented, that there is not a significant risk that the behavior that required withdrawal will be repeated, he or she shall approve the student's application for re-entry. In such cases, the Chief Student Affairs Officer or designee shall initiate the re-entry process, provide the student with written conditions for continued attendance, and inform any relevant administrators of the student's re-entry.

If the Chief Student Affairs Officer or designee determines that the application for reentry should be denied, he or she shall provide the student with a written explanation of the reasons for the denial and specify when the next request for re-entry may be considered.

A student may appeal the Chief Student Affairs Officer or designee's denial of reentry to the college President or designee within thirty calendar days after the delivery of the decision denying re-entry. The President or designee shall make his or her determination on the appeal within thirty calendar days from receipt of the appeal. The President's decision may be appealed to the Chancellor of the University or his or her designee within thirty calendar days after the delivery of the President's decision on appeal. The Chancellor or designee's decision shall be made within thirty calendar days from receipt of the appeal. The Chancellor (or designee's) decision shall be final. The basis for overturning a decision on appeal at either level shall be limited to a determination that the decision on re-entry was clearly erroneous.

G. EFFECT ON ACADEMIC STATUS

In the event of a withdrawal pursuant to this policy, a notation of withdrawal shall appear on the student's transcript for all classes taken during that semester. The Chief Student Affairs Officer at a student's home college may grant a student

request that, in lieu of withdrawal, a notation of incomplete shall appear on his or her transcript for classes taken during that semester if and only if there is a reasonable prospect that the student will eventually complete such classes, subject to faculty approval for each such class. Regardless of the notation that appears on a student's transcript, the Chief Student Affairs Officer of the student's home college shall inform the Vice Chancellor for Student Development of the student's withdrawal in order to effectuate a hold by the University Application Processing Center on the student's ability to transfer or otherwise seek admission to another college of CUNY.

H. EFFECT ON HOUSING STATUS

If the student has been living in a college residence hall and will not be permitted to continue to do so, the student's contract will be canceled and fees refunded on a prorated basis.

I. CONFIDENTIALITY

The results of examinations by mental health professionals to whom students are referred for assessment at any stage in the withdrawal or readmission process shall be confidential student records, except that if the results indicate that the student presents an imminent, severe, and direct threat of harm to him or herself or others, those results may be shared with the appropriate individuals in order to attempt to prevent the occurrence of such harm. The results of these examinations shall be admissible in involuntary withdrawal hearings but shall not be admissible in disciplinary hearings, unless the student places his or her health, including mental health, at issue in a disciplinary hearing.

J. BOARD REVIEW

During the fall 2009 semester, the Chancellery shall conduct a review of the experience of the colleges with these procedures and shall report the results of that review to the Board of Trustees, along with any recommended changes.

Acceptable Use of Computer Resources

Introduction

CUNY's computer resources are dedicated to the support of the university's mission of education, research and public service. In furtherance of this mission, CUNY respects, upholds and endeavors to safeguard the principles of academic freedom, freedom of expression and freedom of inquiry. CUNY recognizes that there is a concern among the university community that because information created, used, transmitted or stored in electronic form is by its nature susceptible to disclosure, invasion, loss, and similar risks, electronic communications and transactions will be particularly vulnerable to infringements of academic freedom. CUNY's commitment to the principles of academic freedom and freedom of expression includes electronic information. Therefore, whenever possible, CUNY will resolve doubts about the need to access CUNY computer resources in favor of a user's privacy interest. However, the use of CUNY computer resources, including for electronic transactions and communications, like the use of other university-provided resources and activities, is subject to the requirements of legal and ethical behavior. This policy is intended to support the free exchange of ideas among members of the CUNY community and between the CUNY community and other communities, while recognizing the responsibilities and limitations associated with such exchange.

Applicability

This policy applies to all users of CUNY computer resources, whether affiliated with CUNY or not, and whether accessing those resources on a CUNY campus or remotely. This policy supersedes the CUNY policy Titled "CUNY Computer User Responsibilities" and any college policies that are inconsistent with this policy.

Definitions

"CUNY Computer resources" refers to all computer and information technology hardware, software, data, access and other resources owned, operated, or contracted by CUNY. This includes, but is not limited to, personal computers, handheld devices, workstations, mainframes, minicomputers, servers, network facilities, databases, memory, and associated peripherals and software, and the applications they support, such as email and access to the internet. "E-mail" includes point-to-point messages, postings to newsgroups and listservs, and other electronic messages involving computers and computer networks.

Rules for Use of CUNY Computer Resources

Authorization. Users may not access a CUNY computer resource without authorization or use it for purposes beyond the scope of authorization. This includes attempting to circumvent CUNY computer resource system protection facilities by hacking, cracking or similar activities, accessing or using another person's computer account, and allowing another person to access or use the user's account. This provision shall not prevent a user from authorizing a colleague or clerical assistant to access information under the user's account on the user's behalf while away from a CUNY campus or because of a disability. CUNY computer resources may not be used to gain unauthorized access to another computer system within or outside of CUNY. Users are responsible for all actions performed from their computer account that they permitted or failed to prevent by taking ordinary security precautions.

Purpose. Use of CUNY computer resources is limited to activities relating to the performance by CUNY employees of their duties and responsibilities. For example, use of CUNY computer resources for private commercial or not-for-profit business purposes, for private advertising of products or services, or for any activity meant solely to foster personal gain, is prohibited.

Similarly, use of CUNY computer resources for partisan political activity is also prohibited. Except with respect to CUNY employees other than faculty, where a supervisor has prohibited it in writing, incidental personal use of computer resources is permitted so long as such use does not interfere with CUNY operations, does not compromise the functioning of CUNY computer resources, does not interfere with the user's employment or other obligations to CUNY, and is otherwise in compliance with this policy.

Compliance with Law. CUNY computer resources may not be used for any purpose or in any manner that violates CUNY rules, regulations or policies, or federal, state or local law. Users who engage in electronic communications with persons in other states or countries or on other systems or networks may also be subject to the laws of those other states and countries, and the rules and policies of those other systems and networks. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular use.

Examples of applicable federal and state laws include the laws of libel, obscenity and child pornography, as well as the following:

- ▶ Family Educational Rights and Privacy Act Electronic Communications Privacy Act Computer Fraud and Abuse Act
- ▶ New York State Freedom of Information Law

New York State Law with respect to the confidentiality of library records Examples of applicable CUNY rules and policies include the following:

- ▶ Sexual Harassment Policy
- ▶ Policy on Maintenance of Public Order Web Site Privacy Policy
- ▶ Gramm-Leach-Bliley Information Security Program
- ▶ University Policy on Academic Integrity
- ▶ Information Security policies

Licenses and Intellectual Property. Users of CUNY computer resources may use only legally obtained, licensed data or software and must comply with applicable licenses or other contracts, as well as copyright, trademark and other intellectual property laws. Much of what appears on the internet and/or is distributed via electronic communication is protected by copyright law, regardless of whether the copyright is expressly noted. Users of CUNY computer resources should generally assume that material is copyrighted unless they know otherwise, and not copy, download or distribute copyrighted material without permission unless the use does not exceed fair use as defined by the federal Copyright Act of 1976. Protected material may include, among other things, text, photographs, audio, video, graphic illustrations, and computer software.

False Identity and Harassment. Users of CUNY computer resources may not employ a false identity, mask the identity of an account or computer, or use computer resources to engage in abuse of others, such as sending harassing, obscene, threatening, abusive, deceptive, or anonymous messages within or outside CUNY.

Confidentiality. Users of CUNY computer resources may not invade the privacy of others by, among other things, viewing, copying, modifying or destroying data or programs belonging to or containing personal or confidential information about others, without explicit permission to do so. CUNY employees must take precautions to protect the confidentiality of personal or confidential information encountered in the performance of their duties or otherwise.

Integrity of Computer Resources. Users may not install, use or develop programs intended to infiltrate or damage a computer resource, or which could reasonably be expected to cause, directly or indirectly, excessive strain on any computing facility. This includes, but is not limited to, programs known as computer viruses, Trojan horses, and worms. Users should consult with the IT director at their college before installing any programs that they are not sure is safe.

Disruptive Activities. CUNY computer resources must not be used in a manner that could reasonably be expected to cause or does cause, directly or indirectly, unwarranted or unsolicited interference with the activity of other users. This

provision explicitly prohibits chain letters, virus hoaxes or other intentional e-mail transmissions that disrupt normal e-mail service. Also prohibited are spamming, junk mail or other unsolicited mail that is not related to CUNY business and is sent without a reasonable expectation that the recipient would welcome receiving it, as well as the inclusion on e-mail lists of individuals who have not requested membership on the lists, other than the inclusion of members of the CUNY community on lists related to CUNY business. CUNY has the right to require users of CUNY computer resources to limit or refrain from other specific uses if, in the opinion of the IT director at the user's college, such use interferes with efficient operations of the system, subject to appeal to the President or, in the case of central office staff, to the Chancellor.

CUNY Names and Trademarks. CUNY names, trademarks and logos belong to the university and are protected by law. Users of CUNY computer resources may not state or imply that they speak on behalf of CUNY or use a CUNY name, trademark or logo without authorization to do so. Affiliation with CUNY does not, by itself, imply authorization to speak on behalf of CUNY.

Security. CUNY employs various measures to protect the security of its computer resources and of users' accounts. However, CUNY cannot guarantee such security. Users are responsible for engaging in safe computing practices such as guarding and not sharing their passwords, changing passwords regularly, logging out of systems at the end of use, and protecting private information, as well as for following CUNY's Information Security policies and procedures. Users must report incidents of Information Security policy non-compliance or other security incidents to CUNY's Chief Information Officer and Chief Information Security Officer, and the IT director at the affected user's college.

Filtering. CUNY reserves the right to install spam, virus and spyware filters and similar devices if necessary in the judgment of CUNY's Office of Information Technology or a college IT director to protect the security and integrity of CUNY computer resources. Notwithstanding the foregoing, CUNY will not install filters that restrict access to e-mail, instant messaging, chat rooms or websites based solely on content.

Confidential Research Information. Principal investigators and others who use CUNY computer resources to store or transmit research information that is required by law or regulation to be held confidential or for which a promise of confidentiality has been given, are responsible for taking steps to protect confidential research information from unauthorized access or modification.

In general, this means storing the information on a computer that provides strong access controls (passwords) and encrypting files, documents, and messages for protection against inadvertent or unauthorized disclosure while in storage or in transit over data networks. Robust encryption is strongly recommended for information stored electronically on all computers, especially portable devices such as notebook computers, Personal Digital Assistants (PDAs), and portable data storage (e.g., memory sticks) that are vulnerable to theft or loss, as well as for information transmitted over public networks. Software and protocols used should be reviewed and approved by CUNY's Office of Information Technology.

CUNY Access to Computer Resources. CUNY does not routinely monitor, inspect, or disclose individual usage of its computer resources without the user's consent. In most instances, if the university needs information located in a CUNY computer resource, it will simply request it from the author or custodian. However, CUNY IT professionals and staff do regularly monitor general usage patterns as part of normal system operations and maintenance and might, in connection with these duties, observe the contents of web sites, e-mail or other electronic communications. Except as provided in this policy or by law, these individuals are not permitted to seek out contents or transactional information, or disclose or otherwise use what they have observed. Nevertheless, because of the inherent vulnerability of computer technology to unauthorized intrusions, users have no guarantee of privacy during any use of CUNY computer resources or in any data in them, whether or not a password or other entry identification or encryption is used. Users may expect that the privacy of their electronic communications and of any materials contained in computer storage in any CUNY electronic device dedicated to their use will not be intruded upon by CUNY except as outlined in this policy. CUNY may specifically monitor or inspect the activity and accounts of individual users of CUNY computer resources, including

individual login sessions, e-mail and other communications, without notice, in the following circumstances:

- ▶ When the user has voluntarily made them accessible to the public, as by posting to Usenet or a web page;
- ▶ When it is reasonably necessary to do so to protect the integrity, security, or functionality of CUNY or other computer resources, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
- ▶ When it is reasonably necessary to diagnose and resolve technical problems involving system hardware, software, or communications, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
- ▶ When it is reasonably necessary to protect CUNY from liability, or when failure to act might result in significant bodily harm, significant property loss or damage, or loss of significant evidence, as determined by the college president or a vice president designated by the president, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;
- ▶ when there is a reasonable basis to believe that CUNY policy or federal, state or local law has been or is being violated, as determined by the college president or a vice president designated by the president, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;
- ▶ when an account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns, as determined by the college president or a vice president designated by the president and the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee, the Office of General Counsel, and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable; or as otherwise required by law.

In those situations in which the Chair of the University Faculty Senate is to be consulted prior to monitoring or inspecting an account or activity, the following procedures shall apply: (i) the college president shall report the completion of the monitoring or inspection to the Chair and the CUNY employee affected, who shall also be told the reason for the monitoring or inspection, except where specifically forbidden by law; and (ii) if the monitoring or inspection of an account or activity requires physical entry into a faculty member's office, the faculty member shall be advised prior thereto and shall be permitted to be present to observe, except where specifically forbidden by law.

A CUNY employee may apply to the General Counsel for an exemption from some or all of the circumstances under which CUNY may inspect and monitor computer resource activity and accounts, pursuant to subparagraphs (a)-(f) above, with respect to a CUNY computer resource used solely for the collection, examination, analysis, transmission or storage of confidential research data. In considering such application, the General Counsel shall have the right to require the employee to affirm in writing that the computer resource will be used solely for the confidential research. Any application for exemption should be made prior to using the computer resource for the confidential research.

CUNY, in its discretion, may disclose the results of any general or individual monitoring or inspection to appropriate CUNY personnel or agents, or law enforcement or other agencies. The results may be used in college disciplinary proceedings, discovery proceedings in legal actions, or otherwise as is necessary to protect the interests of the University.

In addition, users should be aware that CUNY may be required to disclose to the public under the New York State Freedom of Information Law communications made by means of CUNY computer resources in conjunction with

University business. Any disclosures of activity of accounts of individual users to persons or entities outside of CUNY, whether discretionary or required by law, shall be approved by the General Counsel and shall be conducted in accordance with any applicable law. Except where specifically forbidden by law, CUNY employees subject to such disclosures shall be informed promptly after the disclosure of the actions taken and the reasons for them.

The Office of General Counsel shall issue an annual statement of the instances of account monitoring or inspection that fall within categories (d) through (g) above. The statement shall indicate the number of such instances and the cause and result of each. No personally identifiable data shall be included in this statement.

See CUNY's Web Site Privacy Policy for additional information regarding data collected by CUNY from visitors to the CUNY website at www.cuny.edu.

Enforcement

Violation of this policy may result in suspension or termination of an individual's right of access to CUNY computer resources, disciplinary action by appropriate CUNY authorities, referral to law enforcement authorities for criminal prosecution, or other legal action, including action to recover civil damages and penalties.

Violations will normally be handled through the university disciplinary procedures applicable to the relevant user. For example, alleged violations by students will normally be investigated, and any penalties or other discipline will normally be imposed, by the Office of Student Affairs.

CUNY has the right to temporarily suspend computer use privileges and to remove from CUNY computer resources material it believes violates this policy, pending the outcome of an investigation of misuse or finding of violation. This power may be exercised only by the President of each college or the Chancellor.

Additional Rules

Additional rules, policies, guidelines and/or restrictions may be in effect for specific computers, systems, or networks, or at specific computer facilities at the discretion of the directors of those facilities. Any such rules which potentially limit the privacy or confidentiality of electronic communications or information contained in or delivered by or over CUNY computer resources will be subject to the substantive and procedural safeguards provided by this policy.

Disclaimer

CUNY shall not be responsible for any damages, costs or other liabilities of any nature whatsoever with regard to the use of CUNY computer resources. This includes, but is not limited to, damages caused by unauthorized access to CUNY computer resources, data loss, or other damages resulting from delays, non-deliveries, or service interruptions, whether or not resulting from circumstances under the CUNY's control. Users receive and use information obtained through CUNY computer resources at their own risk. CUNY makes no warranties (expressed or implied) with respect to the use of CUNY computer resources. CUNY accepts no responsibility for the content of web pages or graphics that are linked from CUNY web pages, for any advice or information received by a user through use of CUNY computer resources, or for any costs or charges incurred by a user as a result of seeking or accepting such advice or information.

CUNY reserves the right to change this policy and other related policies at any time. CUNY reserves any rights and remedies that it may have under any applicable law, rule or regulation. Nothing contained in this policy will in any way act as a waiver of such rights and remedies.

Education Law Title I

224a-Students Unable, Because of Religious Beliefs, to Attend Classes on Certain Days

No person shall be expelled from or be refused admission as a student to an institution of higher education for the reason that he is unable because of his religious beliefs to attend classes or to participate in any examination study or work requirements on a particular day or days.

Any student in an institution of higher education who is unable because of his religious beliefs to attend classes on a particular day or days shall, because of such absence on the particular day or days, be excused from any study or work requirements.

It shall be the responsibility of the faculty and of the administrative officials of each institution of higher education to make available to each student who is absent from school because of his religious beliefs an equivalent opportunity to make up any examination, study or work requirements which he may have missed because of such absence on any particular day or days. No fees of any kind shall be charged by the institution for making available to the said student such equivalent opportunity.

If classes, examinations, study or work requirements are held on Friday after four o'clock post meridian or Saturday, similar or makeup classes, examinations, study or work requirements shall be made available on other days where it is possible and practicable to do so. No special fees shall be charged to the student for these classes, examinations study or work requirements held on other days.

In effectuating the provisions of this section, it shall be the duty of the faculty and of the administrative officials of each institution of higher education to exercise the fullest measure of good faith. No adverse or prejudicial effects shall result to any student because of availing himself of the provisions of this section.

Any student who is aggrieved by the alleged failure of any faculty or administrative officials to comply in good faith with the provisions of this section shall be entitled to maintain an action or proceeding in the supreme court of the county in which such institution of higher education is located for the enforcement of his rights under this section.

Attendance In Basic Skills Course Resolved

That students enrolled in remedial, developmental and compensatory courses in reading, writing and mathematics, and English as a Second Language courses have an obligation to attend classes regularly; and be it further RESOLVED, That colleges develop procedures to ensure regular attendance in these classes, and be it further RESOLVED, That students be informed of this requirement through the college bulletins and by instructors in basic skills courses.

Explanation:

Attendance in remedial, developmental, and compensatory courses in reading, writing, mathematics, and English as Second Language is required because students in need of such courses require maximum classroom instruction to make up for their diagnosed deficiencies in basic skills. This resolution does not affect attendance requirements which were adopted by a college for other courses.

Article XVI - Student Activity Fees & Auxiliary Enterprises

ARTICLE XVI.

SECTION 16.

SECTION 16.1. STUDENT ACTIVITY FEE.

The student activity fee is the total of the fees for student government and other student activities. Student activity fees, including student government fees collected by a college of the university shall be deposited in a college central depository and, except where earmarked by the board, allocated by a college association budget committee subject to review by the college association as required in these bylaws.

SECTION 16.2. STUDENT ACTIVITY FEES USE - EXPENDITURE CATEGORIES.

- ▶ Student activity fee funds shall be allocated and expended only for the following purposes:
Extracurricular educational programs;
- ▶ Cultural and social activities; Recreational and athletic programs; Student government;
- ▶ Publications and other media;
- ▶ Assistance to registered student organizations; Community service programs;
- ▶ Enhancement of the college and university environment;
- ▶ Transportation, administration and insurance related to the implementation of these activities;
Student services to supplement or add to those provided by the university;
- ▶ Stipends to student leaders.

SECTION 16.3. STUDENT GOVERNMENT FEE.

The student government fee is that portion of the student activity fee levied by resolution of the board which has been established for the support of student government activities. The existing student government fees now in effect shall continue until changed. Student government fees shall be allocated by the duly elected student government, or each student government where more than one duly elected student government exists, for its own use and for the use of student organizations, as specified in section 15.2. of these bylaws, provided, however, that the allocation is based on a budget approved by the duly elected student government after notice and hearing, subject to the review of the college association. Where more than one duly elected student government exists, the college association shall apportion the student government fees to each student government in direct proportion to the amount collected from members of each student government.

SECTION 16.4. STUDENT GOVERNMENT ACTIVITY DEFINED.

A student government activity is any activity operated by and for the students enrolled at any unit of the university provided, (1) such activity is for the direct benefit of students enrolled at the college, (2) that participation in the activity and the benefit thereof is available to all students enrolled in the unit or student government thereof, and (3) that the activity does not contravene the laws of the city, state or nation, or the published rules, regulations, and orders of the university or the duly established college authorities.

SECTION 16.5. COLLEGE ASSOCIATION.

The college association shall have responsibility for the supervision and review over college student activity

fee supported budgets. All budgets of college student activity fees, except where earmarked by the board to be allocated by another body, should be developed by a college association budget committee and recommended to the college association for review by the college association prior to expenditure. The college association shall review all college student activity fees, including student government fee allocations and expenditures for conformance with the expenditure categories defined in Section 16.2. of this Article and the college association shall disapprove any allocation or expenditure it finds does not so conform, or is inappropriate, improper, or inequitable.

A college association shall be considered approved for purposes of this Article if it consists of thirteen (13) members, its governing documents are approved by the college president and the following requirement are met:

- ▶ The governing board of the college association is composed of: The college president or his/her designee as chair.
- ▶ Three administrative members appointed by the college president.
- ▶ Three faculty members appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body.
- ▶ Six student members comprised of the student government president(s) and other elected students with the student seats allocated on a basis which will provide representation to each government, where more than one exists, as nearly as practicable in proportion to the student activity fees provided by the students from the respective constituencies.
- ▶ The college association structure provides a budget committee composed of members of the governing board, at least a majority of whom are students selected in accordance with section 16.5.(b) (1)(iv) of these bylaws. The budget committee shall be empowered to receive and review student activity fee budget requests and to develop a budget subject to the review of the college association. The college association may choose to not approve the budget or portions of the budget if in their opinion such items are inappropriate, improper, or inequitable. The budget shall be returned to the budget committee with the specific concerns of the college association noted for further deliberation by the budget committee and subsequent resubmittal to the college association. If the budget is not approved within thirty (30) days those portions of the budget voted upon and approved by the college association board will be allocated. The remainder shall be held until the college association and the budget committee agree.
- ▶ The governing documents of the college association have been reviewed by the board's general counsel and approved by the board.

SECTION 16.6. MANAGEMENT AND DISBURSEMENT OF FUNDS.

The college and all student activity fee allocating bodies shall employ generally accepted accounting and investment procedures in the management of all funds. All funds for the support of student activities are to be disbursed only in accordance with approved budgets and be based on written documentation. A requisition for disbursement of funds must contain two signatures; one, the signature of a person with responsibility for the program; the other the signature of an approved representative of the allocating body.

SECTION 16.7. REVENUES.

All revenues generated by student activities funded through student activity fees shall be placed in a college central depository subject to the control of the allocating body. The application of such revenues to the account of the income generating organization shall require the specific authorization of the allocating body.

SECTION 16.8. FISCAL ACCOUNTABILITY HANDBOOK.

The chancellor or his/her designee shall promulgate regulations in a fiscal accountability handbook, to regulate all aspects of the collection, deposit, financial disclosure, accounting procedures, financial payments, documentation, contracts, travel vouchers, investments and surpluses of student activity fees and all other procedural and documentary aspects necessary, as determined by the chancellor or his/her designee to protect the integrity and accountability of all student activity fee funds.

SECTION 16.9. COLLEGE PURPOSES FUND.

A college purposes fund may be established at each college and shall be allocated by the college president. This fund may have up to twenty-five (25) percent of the unearmarked portion of the student activity fee earmarked to it by resolution of the board, upon the presentation to the board of a list of activities that may be properly funded by student activity fees that are deemed essential by the college president.

Expenditures from the college purposes fund shall be subject to full disclosure under section 16.13. of these bylaws.

Referenda of the student body with respect to the use and amount of the college purposes fund shall be permitted under the procedures and requirements of section 16.12. of these bylaws.

SECTION 16.10. AUXILIARY ENTERPRISE BOARD.

The auxiliary enterprise board shall have responsibility for the oversight, supervision and review over college auxiliary enterprises. All budgets of auxiliary enterprise funds and all contracts for auxiliary enterprises shall be developed by the auxiliary enterprise budget and contract committee and reviewed by the auxiliary enterprise board prior to expenditure or execution.

The auxiliary enterprise board shall be considered approved for the purposes of this Article if it consists of at least eleven (11) members, its governing documents are approved by the college president and the following requirements are met:

- ▶ The governing board is composed of the college president or his/her designee as chair, plus an equal number of students and the combined total of faculty and administrative members.
- ▶ The administrative members are appointed by the college president.
- ▶ The faculty members are appointed by the college president from a panel whose size is twice the number of seats to be filled and the panel is elected by the appropriate college faculty governance body.
- ▶ The student members are the student government president(s) and other elected students and the student seats are allocated on a basis which will provide representation to each government, where more than one exists, as nearly as practicable, in proportion to the student enrollment by headcount from the respective constituencies.
- ▶ The auxiliary enterprise board structure provides for a budget and contract committee composed of a combined total of faculty and administrative members that is one more than the number of student members. The budget and contract committee shall be empowered to develop all contract and budget allocation proposals subject to the review and approval of the auxiliary enterprise board.

- ▶ The governing documents of the auxiliary enterprise board have been reviewed by the board's general counsel and approved by the board.

SECTION 16.11. THE REVIEW AUTHORITY OF COLLEGE PRESIDENTS OVER STUDENT ACTIVITY FEE ALLOCATING BODIES AND AUXILIARY ENTERPRISE BOARDS.

The president of the college shall have the authority to disapprove any student activity fee, including student government fee, or auxiliary enterprise allocation or expenditure, which in his or her opinion contravenes the laws of the city, state, or nation or any bylaw or policy of the university or any policy, regulation, or order of the college. If the college president chooses to disapprove an allocation or expenditure, he or she shall consult with the general counsel and vice chancellor for legal affairs and thereafter communicate his/her decision to the allocating body or auxiliary enterprise board.

The president of the college shall have the authority to suspend and send back for further review any student activity fee, including student government fee, allocation or expenditure which in his or her opinion is not within the expenditure categories defined in section 16.2. of this Article. The college association shall, within ten (10) days of receiving a proposed allocation or expenditure for further review, study it and make a recommendation to the president with respect to it. The college president shall thereafter consider the recommendation, shall consult with the general counsel and vice chancellor for legal affairs, and thereafter communicate his/her final decision to the allocating body as to whether the allocation or expenditure is disapproved.

The chancellor or his/her designee shall have the same review authority with respect to university student activity fees that the college president has with respect to college student activity fees.

All disapprovals exercised under this section shall be filed with the general counsel and vice chancellor for legal affairs.

Recipients of extramural student activity fees shall present an annual report to the chancellor for the appropriate board committee detailing the activities, benefits and finances of the extramural body as they pertain to the colleges where students are paying an extramural fee.

SECTION 16.12. REFERENDA.

A referendum proposing changes in the student activity fee shall be initiated by a petition of at least ten (10) percent of the appropriate student body and voted upon in conjunction with student government elections.

Where a referendum seeks to earmark student activity fees for a specific purpose or organization without changing the total student activity fee, the results of the referendum shall be sent to the college association for implementation.

Where a referendum seeks to earmark student activity fees for a specific purpose or organization by changing the total student activity fee, the results of such referendum shall be sent to the board by the president of the college together with his/her recommendation.

At the initiation of a petition of at least ten (10) percent of the appropriate student body, the college president may schedule a student referendum at a convenient time other than in conjunction with student government elections.

Where the referendum seeks to affect the use or amount of student activity fees in the college purposes fund, the results of the referendum shall be sent to the board by the college president together with his/her recommendation.

SECTION 16.13. DISCLOSURE.

The college president shall be responsible for the full disclosure to each of the student governments of the college of all financial information with respect to student activity fees. The student governments shall be responsible for the full disclosure to their constituents of all financial information with respect to student government fees.

The student activity fee allocating bodies shall be responsible for the full disclosure of all financial information to its membership, to the college and to the student governments with respect to all of its activities. The auxiliary enterprise board shall be responsible for the full disclosure of all financial information to its membership, to the college and to the student governments with respect to auxiliary enterprises.

For purposes of the foregoing paragraphs, full disclosure shall mean the presentation each semester of written financial statements which shall include, but need not be limited to, the source of all fee income by constituency, income from other sources creditable to student activity fee accounts, disbursements, transfers, past reserves, surplus accounts, contingency and stabilization funds. Certified independent audits performed by a public auditing firm shall be conducted at least once each year.

SECTION 16.14. STIPENDS.

The payment of stipends to student leaders is permitted only within those time limits and amounts authorized by the board.



Glossary

GLOSSARY

The Glossary defines many of the terms used in this Student Handbook.

Adjunct: a part-time instructor.

Alumni Association: an organization created to help you sustain your ties with the college after graduation.

Articulation: an agreement between LaGuardia and a specific senior college that increases the number of transferable credits from the two-year to the four-year program.

Basic Skills: required courses in reading, writing, math, and English as a Second Language based upon students' performance on the CUNY Assessment Test (CAT).

Bursar: the college cashier. The Bursar's Office is the place where all fees and tuition are collected and where all refunds and financial aid checks are distributed. The Bursar's Office accepts payment in the form of cash, checks and money orders. Every time you give the Bursar's Office a payment, you will receive a receipt immediately.

Campus: all buildings the college occupies and immediate surrounding areas.

Change of Program (CHOP): adding and/or dropping courses after you have registered. This procedure usually takes place during the first few days of the semester.

Cleared: the Bursar's Office indication that you have paid or have made acceptable arrangements to pay all of the money owed to the college. (See "Non-cleared")

Club Hours: from 2:15 pm - 4:25 pm on Wednesday and Friday afternoons, when student clubs and organizations schedule their meetings. Generally, no classes are held during this time period.

Co-curricular: non-classroom activities related to your major.

Confirmation of Classes: official schedule of your classes, which you will receive after paying your tuition and fees.

Co-requisite: course which must be taken during the same semester as another.

Counselor (Advisor): counselors (advisors) are professionally trained to help you examine your educational, career and personal concerns and decide on the best strategy for success.

Course Codes: identifies the department offering the course, the specific course Title and the particular section (days/times), as listed in the Schedule of Classes.

CUNY Assessment Tests (CATs): Definitions <http://www2.cuny.edu/academics/testing>

Curriculum: the whole body of courses offered by a department or college.

DegreeWorks: a computerized list of courses including student's basic skills requirements (if any), required courses, as well as academic progress and history.

Elective: any course not required for your major.

Extended Day: evening (after 5 pm) and Saturday courses.

Extracurricular: non-classroom activities not related to your major.

Faculty: professional staff of the college (teachers, counselors, etc).

Faculty Advisor: an instructor in your major who can assist you with academic and career planning.

FAFSA: Free Application for Federal Student Aid.

Federal Work Study Program: provides students who demonstrate a financial need with a source of financial assistance while pursuing their academic program.

First-Year Seminar: a required course, which helps orient you to the college.

Foreign/Non-Immigrant Students: Foreign-born students who are NOT U.S. Citizens, U.S. Nationals, Green-card Holders, Conditional Green-card Holders, Refugees or Asylees. This category includes Holders of Non-Immigrant Visas, A through U, Political Asylum seekers with Employment Authorization, Individuals under TPS and/or with Deferred Action for Childhood Arrivals (DACA) status and Undocumented aliens.

Full-Time Student: In order to be considered full-time, students must meet the conditions of one of the following categories: (a) Be registered for 12.0 or more credits (b) Be taking a full-time Co-op Internship and additional courses for a total of 12.0 eq. cr. (c) Be taking a part-time Co-op Internship and 10 additional eq. cr. (d) Be a first semester freshman and register for 3.0 credits and 12.0 eq. cr. (at least one of the courses must appear on the special value course list published in the Schedule of Classes) or (e) Be registered for 6.0 credits and 12 tuition units (at least one of the courses must appear on the special value course list published in the Schedule of Classes)

GPA: grade point average. (See academic policy section in the College Catalog.)

Help: Call your Academic Advisor or the office of the Vice President of Student Affairs at (718) 482-5180.

Humanities: courses in the areas of speech/communication, art, music, or philosophy.

Internship: the credited work or field experience used to enhance educational and career objectives.

Internship Seminar: class taken while you are on internship which helps you critically analyze the work experience and its relationship to future career and educational planning.

Leave of Absence: when a student leaves the college for one or more semesters for personal reasons.

Liberal Arts: includes courses from the departments of English, Humanities, Human Services, Natural Sciences, Health Sciences, Mathematics, and Social Science.

Liberal Arts Elective: an elective course from the Liberal Arts Department.

Medical Leave of Absence: when a student leaves the college due to medical reasons and follows appropriate procedure for filing.

Non-Cleared: Bursar's Office indication that you owe money to the college. You must settle your accounts in the Bursar's Office before you will be permitted to register for the next semester's classes.

Part-Time Student: generally, a student registered for less than 12 tuition units is considered part-time at LaGuardia. See an Enrollment Management Officer for information about how to maintain your eligibility for all forms of financial aid. Veterans should speak with a counselor in the Veterans Affairs Office.

Pre-registration Advisement Form: required form which must be signed by an academic adviser before registration. It lists the courses for which you have been advised to register.

Pre-requisite: an introductory course that must be completed prior to taking an advanced course.

Probation: a trial period of one semester which permits students to improve a low grade-point average (below 2.0).

Readmission: process of re-entering the college for students who have been on leave for one semester or more. (See College Catalog for instructions on the readmission process.)

Registration Appointment: a specific appointment assigned by the Registrar's Office indicating the earliest day and time you may register.

Reinstatement: process of re-entering the college for students who have been suspended (for academic reasons) from the college for one semester or more.

Requirements: necessary courses for a degree.

Retention: college policy specifying conditions for maintaining good academic standing.

Senior College: four-year institutions which grant baccalaureate, graduate and professional degrees.

Sexual Harassment: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature."

Social Science: courses in the areas of economics, history, psychology, sociology, political science, and anthropology.

Suspension: the result of a student's failure to raise a low grade-point average during probation. Students cannot register for classes in the college, or at any other CUNY unit, for one semester.

Transcript: report of grades received in courses that you are registered for each semester. E Sims offers students the ability to print unofficial transcripts.

Transfer: an action, usually taken after graduating from LaGuardia, which permits students to continue their studies in a senior college. Generally, planning for transfer begins as early as the second semester at LaGuardia.

Unrestricted Elective: includes courses from all departments. Student should speak with faculty advisors or counselors, or consult the College Catalog to choose appropriate electives.

Urban Study Requirement: all students are required to take at least one of the special series of courses that utilize the facilities of New York City for focusing learning in a given discipline.



Community College