

# Academic Policies and Procedures

## **OFFICE OF ACADEMIC AFFAIRS**

### **Senior Vice President of Academic Affairs:**

Dr. George L. Sanchez

### **Associate Dean of Academic Affairs:**

Dr. Nadine F. Posner

### **Assistant Dean of Academic Affairs:**

Dr. Jason Finkelstein

### **Acting Associate Dean of Planning & Program Development:**

Dr. Michael Seliger

The Office of Academic Affairs is responsible for the instructional activities, educational programs and various academic support programs at the College. These include classroom teaching and learning, academic advisement of all students who have completed their first year, tutoring, special programs, management of certain grants, and faculty and staff development. In addition, the following are also within the jurisdiction of the Office of Academic Affairs: the Academic Success Center, the Center for Teaching Excellence, Coordinated Undergraduate Education, Collaborative Programs, the Evening and Weekend Office, the Library and Learning Center, the Center for Sustainable Energy, the National Center for Educational Alliances, and the Center for Tolerance and Understanding.

The Senior Vice President of Academic Affairs has the authority to waive certain fees and curriculum requirements when warranted. In addition, the Senior Vice President reviews complaints about instruction after the instructor and department chairperson have been consulted.

## **ACADEMIC SUCCESS CENTER**

Established in a collaborative initiative between Academic Affairs and Student Development, the Academic Success Center strives to coordinate and deliver student support services, such as academic advising, in an environment that fosters both student academic achievement and personal success.

The Academic Success Center provides academic advising, registration support and general orientation for students according to the following categories:

- Incoming Transfers

- Academic Warning
- Academic Probation
- 45+ credits
- General student population as needed

The Academic Success Center also serves as a valuable resource for both students and faculty by:

- Providing accurate and timely information regarding testing, placement and graduation requirements.
- Clarifying academic policies and institutional procedures.
- Promoting the use of Web-based resources such as, Degree Solutions and OSSES, for a more effective academic advisement process.
- Providing academic advising workshops and training for faculty and staff.

The Academic Success Center is open Monday through Saturday with evening hours also available. For further information call (718) 289-5401.

## ACADEMIC ADVISING

At BCC academic advising is defined as a developmental process designed to assist students in formulating sound and sensible long range educational plans that are consistent with their personal and professional aspirations. The goal is for students to achieve academic success. Academic advising also helps students graduate in a timely fashion by helping them choose the right courses, in the right sequence, for their chosen curricula.

Every semester, before registration, students are required to meet with counseling faculty, academic advisors or faculty advisors to review course selections, explain degree requirements, and clarify academic policies.

Academic advising at BCC takes place as collaboration between the Offices of Academic Affairs and Student Development. Student Development counselors are responsible for the advisement and registration of incoming freshmen during the first year. Faculty in the students' chosen curricula, along with academic advisors from the Academic Success Center, are responsible for the advisement and registration of incoming transfer students and continuing students.

## CLASS ATTENDANCE

**Class attendance and participation are significant components of the learning process and play a major role in determining overall student academic achievement. Therefore, students are strongly encouraged to attend and participate in all class sessions in which they are registered.**

Faculty members will verify by the end of the fifth week of each semester, or at least 1/3 into the duration of any session, through the Student Attendance Status (SAS) component in OSSES, whether or not a student has ever attended the course. Afterwards, faculty will continue to monitor class attendance in order to facilitate and support the College's student retention efforts.

### **Lateness**

Classes begin promptly at the times indicated in the Schedule of Classes. Arrival in class after the scheduled starting time constitutes lateness.

### **Absences**

Bronx Community College has no provisions for excused or unexcused absences. In the event of excessive absences, the faculty has the option to lower the grade, request completion of additional assignments, or assign a failing grade. The faculty may use the Absence Limitation Chart below to determine if a student has been excessively absent.

**Absence Limitation Chart**

Number of Class Hours Per Week	Alert Notice Sent After Hours of Absence	Excessively Absent Alert Notice Sent After Hours Of Absence
1 session	1 session	3 sessions
1 hour	1 hour	3 hours
2 hours	2 hours	5 hours
3 hours	3 hours	7 hours
4 hours	4 hours	9 hours
5 hours	5 hours	12 hours
6 hours	6 hours	14 hours
7 hours	7 hours	16 hours
8 hours	8 hours	18 hours

### **GRADING POLICY**

#### **Mid-Term and Final Grades**

Instructors assign and inform students of mid-term and final grades during a period designated in the Academic Calendar.

**The following grades may be assigned by instructors:**

<b>Grade</b>	<b>%Equivalent</b>	<b>Achievement</b>	<b>Value Point</b>
A+	97 – 100	Exceptional	4
A	93 – 96.9	Excellent	4
A-	90 – 92.9	Very Good	3.7
B+	87 – 89.9	Very Good	3.3
B	83 – 86.9	Good	3.0
B-	80 – 82.9	Good	2.7
C+	77 – 79.9	Above Average	2.3
C	73 – 76.9	Average	2.0
C-	70 – 72.9	Below Average*	1.7
D+	67 – 69.9	Below Average*	1.3
D	63 – 66.9	Below Average*	1.0
D-	60 – 62.9	Below Average*	0.7

F**	0 – 59.9	Failing	0.0
R†		Repeat	---

*\*Students should be aware that although these grades are considered passing, they have the effect of lowering the GPA below the level necessary for graduation. Consistent performance at this grade level will result in probation and subsequently suspension from the College.*

**\*\*F Grade Policy**

*When a student receives the grade of “F” or an administrative failing grade, and that student subsequently retakes that course and receives a grade of “C” or better, the initial grade will no longer be computed into the Grade Point Average. The original grade will remain on the transcript with the notation “not calculated in Grade Point Average.”*

*The number of failing credits that can be deleted from the Grade Point Average is limited to 16 for the duration of the student’s undergraduate enrollment in The City University of New York. All 16 credits may be used at the associate degree level; however, they will not be available at the CUNY senior college level. For this reason, students should be advised of the desirability of holding some or the entire credit bank for later studies at the senior college. **Students should make written request for such exclusions to the Registrar** who is responsible for informing students of their rights with regard to this regulation. **This policy is effective Sept. 1, 1990, at all colleges of CUNY. For additional information, contact the Registrar’s Office***

*†Issued only in remedial courses to indicate that the course must be repeated because the minimal level of proficiency has not been attained. The grade of “R” may not be assigned more than once in a single course and assigned only during the final grading period. This grade has no impact on the student’s GPA.*

**Administrative Grades**

During the semester, and under circumstances described below, the following grades may apply:

<u>Grade</u>	<u>Explanation</u>
W	Withdrew Officially – 4 <sup>th</sup> week through 10 <sup>th</sup> week only. Student initiated. No impact on GPA.
WA	Administrative Withdrawal – Grade assigned to students who registered for classes at the beginning of the term but did not provide proof of immunization by compliance date. No impact on GPA.
WU	Unofficial Withdrawal - 4 <sup>th</sup> week through end of semester. Student attended at least once, but failed to withdraw officially. May be assigned only during the final grading period. (Counts as a failure.)
*WN	Never Attended – No impact on GPA.
**AUD	Auditor - No credit or grade granted.

*\*Counted as failure prior to Falls 2009.*

*\*\*AUD - Once classes have begun, a student cannot change a course from audit status to credit status or from credit status to audit status. Credits in audited courses are not counted for financial aid.*

**Temporary Grades**

An instructor may assign a temporary grade at the end of the semester only for one of the reasons given below:

<u>Grade</u>	<u>Explanation</u>
INC	Work in course incomplete. No impact on GPA. If unresolved, grade lapses to FIN which counts as failure. (Refer to Regulations below)
PEN	Grade Pending – Temporary grade awarded when the disposition of

the final grade requires further evaluation.  
 It is also used when the college must hold a student's grade in abeyance pending the outcome of the academic review process. The PEN grade will not lapse to FPN.

Registration in subsequent level courses: A student with the grade of INC or PEN in any course may not register for the subsequent level course in a sequence without written permission to do so from the Chairperson of the Department in which the course is given.

The deadline for a student to resolve a temporary grade (INC) by completing coursework shall be the end of the 10<sup>th</sup> week of the semester immediately following the one in which the grade was given.

If a student cannot comply with the 10<sup>th</sup> week deadline for submission of required coursework, he/she may file for an extension of the temporary grade only with the approval of the instructor and/or the department chair. The instructor and/or the department chair will then specify the period of time by which the coursework must be completed (no later than the 10<sup>th</sup> week of the semester following the one in which the extension was granted).

The INC grade will automatically convert from INC to FIN at the end of the 10<sup>th</sup> week of the semester immediately following the one in which the grade was given unless the student has completed the coursework or has been granted an extension.

## ACADEMIC STANDING

Each semester, all continuing students are classified into one of six academic standing groups:

Group	Academic	Criteria	Actions
1	Good Academic Standing	Students with G.P.A.s of 2.0 or greater.	Maintain good work.
2	Academic Warning	Students with G.P.A.s below 2.00 but above the probation chart.	Seek intervention in appropriate area.
3	Probation One (P1)	Students who place on the probation chart for first time.	Limited to 13 equated/academic credits for the semester. Seek intervention.
4	Probation Two (P2)	Students who place on the probation chart	Limited to 7 equated/academic credits for the

		after being on P1 status.	semester. Seek intervention.
5	Suspension One (S1)	Students who place on the suspension chart for the first time.	Must be separated from the University for one semester.
6	Suspension Two (S2)	Students who place on the suspension chart after being on S1 status.	Permanent suspension from the College.

### INDEX CLASSIFICATION CHART

Credits*	Probation (P1, P2) must be assigned if cumulative index is lower than that listed.	Suspension (S1, S2) if cumulative index is lower than that listed and student has been in P1 and P2 status.
0- 11.5	No Classification	No Classification
12 - 23.5	1.7	1.23
24 - 37.5	1.8	1.68
38 - 51.5	1.9	1.87
52 - 63.5	1.98	1.97
64 or greater	2.00	1.98

\*The index classification chart is used to place students in the probation (P1, P2) and suspension (S1, S2) categories. The index classification for determination of academic standing is applied to all credits, including remedial course credits until the student reaches 24 index credits. At this point only index credits will be used for classification purposes. The G.P.A. that includes remedial course credits is known as the “other G.P.A.”

### ACADEMIC APPEALS

Students may appeal their probationary or suspension status to the Appeals Agent of the Committee on Academic Standing (CAS). These appeals are intended for students who have WUs that could be converted to Ws, or for students who have poor academic grades that are older than 7 years and who have shown academic progress seven years after those grades were earned. FIN grades are resolved with the instructor who issued the grades. Usually, a student

has 10 weeks into the semester following the semester in which the grade was given to resolve the INC grade, but an instructor may file an extension form to allow a student more time.

## **COMMITTEE ON ACADEMIC STANDING (CAS)**

The Committee on Academic Standing formulates policy on matters regarding the maintenance of matriculation, grading structure, satisfaction of requirements for degrees, diplomas, and certificates, attendance, academic standing, and advanced standing. It adjudicates and takes final action on administrative grades, statutes of limitation, waivers of suspension and CPE appeals. Communications with the Committee should be made through the Registrar, who serves as its Executive Secretary. The College Community may review a copy of the Codification of Academic Rules and Regulations on the College website.

## **GRADUATION**

### **Graduation Requirements**

To be considered for graduation at Bronx Community College, students must meet five requirements.

#### **They must have:**

1. Completed all the required courses in the curriculum
2. An overall academic index of at least C (2.0)
3. Completed the minimum degree credits required
4. Passed the CUNY Assessment Test in Reading and Writing
5. Passed the CUNY Proficiency Examination (CPE)
6. Completed two designated Writing Intensive (WI) courses (students who entered BCC in Fall 2004 or later).

### **To Apply for Graduation**

Students file as a “Candidate for Degree” in the semester they expect to graduate. The candidate for degree card is available in the Registrar’s Office, Colston Hall, Room 513.

Students who fail to submit a candidate degree card will not be evaluated for graduation purposes. The Diploma will be dated the semester that the degree is conferred, not necessarily the semester that the coursework was completed.

***It is strongly recommended that students conduct a preliminary degree audit (DegreeSolutions) at least two semesters before they expect to graduate.***

### **Multiple Degrees**

An applicant for a second degree must complete a minimum of fifteen (15) additional credits required by the second degree, as specified by the curriculum coordinator of the second degree at BCC. A student may earn only one Associate in Arts (A.A.) degrees. However, a student may earn multiple Associate in Science (A.S.) degrees, or multiple Associate in Applied Sciences (A.A.S.) degrees where the curricula is distinct.

Course requirements for the second degree are those curriculum requirements in effect when application for the second degree is approved. For more information, consult the Codification of Academic Rules and Regulations available on the College website.

## **Graduation Rate**

Graduation rates at BCC compare favorably with other public, urban community colleges. Most students require more than two years completing an associate degree.

The average five-year graduation rate is 20 percent. Other rates are available in the Office of the Registrar.

## **HONORS**

The Honors Program at Bronx Community College fosters academic excellence. It challenges students with rigorous assignments and creates opportunities for education beyond an A.A. or A.S. degree.

The Honors Program is open to all students who meet the following criteria: a GPA of at least 3.2; all course prerequisites met; and at least nine college credits earned. Students may also enter the program when recommended by a faculty member. Incoming freshmen who meet specific criteria are also eligible.

Qualified students are eligible to take honors courses in a variety of subjects in the liberal arts and sciences. Honors classes are generally limited in size and offer greater opportunities for individual attention and interaction with faculty. Students receive special recognition on their transcripts for those honors courses in which they attain a grade of B+ or better. For more information please consult the Honors Program webpage [www.bcc.cuny.edu](http://www.bcc.cuny.edu)

## **Dean's List**

Students shall be eligible for inclusion on the Dean's List when they have completed a minimum of twelve (12) college-level credits (a band) with a band average of 3.2 or higher and a Cumulative Grade Point Average (GPA) of 3.0 or higher.

Students shall be evaluated for the Dean's List upon successful completion of:

- 12 – 23 college-level credits-----Band #1
- 24 – 35 college-level credits-----Band #2
- 36 – 47 college-level credits-----Band #3
- 48 – 59 college-level credits-----Band #4
- 60 – 71 college-level credits-----Band #5
- 72 or more college-level credits--Band #6

No student shall be included on the Dean's List more than once for each of the twelve (12) credit bands defined above. As a consequence of this rule no student may be included on the Dean's List more than six (6) times during his or her stay at the College.

A student with a grade of F, WU, WF, WN (if earned prior to Fall 2009) or R shall not be eligible for that band. An INC grade must be completed before the start of the following semester for a student to be considered for Dean's List. A student with a PEN grade shall not be considered until the PEN grade is resolved.

All of the aforementioned criteria for full-time matriculated students shall be applicable to part-time matriculated students. A part-time matriculated student shall be eligible for the Dean's List upon completion of a band of twelve (12) college-level credits during an "accumulation period."

An "accumulation period" will consist of the number of semesters since the student started at the College or completed a band of twelve (12) college-level credits.

## **Honor Societies**

### **Alpha Beta Gamma**

**Advisor:** Mr. Elsworth Brown

Alpha Beta Gamma is the International Business Society recognizing scholarship among community college students. To be eligible for membership with the BCC chapter, students must be enrolled as a Business and Information Systems Department major, have completed 15 credit hours with at least 12 credit hours taken in courses leading to a business degree, and attained a 3.0 GPA. Induction ceremonies are conducted each spring.

### **Phi Theta Kappa**

**Advisor:** Ms. Eldiane Elmeus

Phi Theta Kappa is the International Honors organization of two-year colleges. Membership is offered to students who have earned at least 24 credit hours at the College and have achieved a **cumulative GPA of at least 3.5. Phi Theta Kappa offers a variety of leadership opportunities** for student involvement partakes in community service activities and holds an induction ceremony each year during the spring.

### **Tau Alpha Pi**

**Advisor:** Dr. Luis Montenegro

Tau Alpha Pi is the National Honor Society recognizing students enrolled in science and technology programs at two-year colleges. To be eligible for membership, students must have earned at least 24 credit hours with a cumulative GPA of at least 3.5. The organization holds an induction ceremony each year during the spring semester.

### **Chi Alpha Epsilon**

**Advisor:** Mrs. Cassandra Bellabe-Rosemberg

Chi Alpha Epsilon is the National Honor Society recognizing the academic achievements of students admitted to colleges and universities through non-traditional criteria. The organization serves Educational Opportunity Program students such as SEEK and College Discovery students at the City University of New York. Membership is offered to students who have earned at least 12 credit hours with a cumulative GPA of at least 3.0 for two consecutive full-time semesters.

## **CAMPUS BEHAVIOR CODE**

To ensure the continuance and enhancement of the positive image and reputation of all members of the College community, in the interest for promoting student and faculty welfare at the College, and the safety and security of our entire college community, the following Code of Behavior is in effect:

Gambling and the sale and possession of drugs, including marijuana, are illegal by New York State law. Violators will be subject to disciplinary action and/or to referral to outside authorities.

Any student who does not show his or her ID Card upon a legitimate request will be considered a trespasser.

Use of alcoholic beverages is prohibited on campus, except for the consumption of beer and/or wine at special events sponsored by chartered student groups under the supervision of a faculty adviser with prior approval of the Vice President for Student Development.

Any form of cheating is prohibited.

Any student charged with, accused of, or alleged to have violated the Code of Behavior or any law or regulation established by the College, and by the City, State or Federal Government shall be subject to disciplinary procedures as outlined in Articles 15.3 to 15.6 of the Board of Trustees Bylaws and to sanctions as listed in the Board of Trustees Bylaws and Article 129A of the Education Law.

A preliminary investigation will be conducted to determine whether disciplinary charges should be preferred. If there is sufficient basis for the allegation, the matter may be referred to conciliation or formal disciplinary charges may be preferred. The procedures for conciliation conferences and for Faculty-Student Disciplinary Committee hearings are outlined in Articles 15.3 to 15.6 of the Board of Trustees Bylaws. Copies of the pertinent articles can be obtained from the Office of the Vice President for Student Development.

## **PUBLIC ORDER (EDUCATION LAW)**

### **Rules and Regulations for the Maintenance of Public Order on Campuses of the City University Pursuant to Article 129A of the Education Law**

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 the sanctuary lies in the protection of intellectual freedoms: the right 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.

Academic freedom and the sanctuary of the university campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom. Against such offenders the university has the right, and indeed the obligation, to defend

itself. We accordingly announce the following rules and regulations 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 Trustees.

### **The President**

The president, with respect to his or her educational unit, shall:

“(A) Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his or her jurisdiction;

“(B) Be the advisor and executive agent to the Board and of his or her 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 facilities;

“(C) Exercise general superintendence over the concerns, officers, employees and students of the educational unit.”

### **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 or she interfere with the institution’s educational process 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 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 an invited guest has the right to advocate his or her position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against or spectators.

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 or her possession a rifle, shotgun or firearm or knowingly have in his possession any other dangerous instrument or material that can be used to inflict bodily harm on an individual or damage upon a building or the ground of the University/college without the written authorization of such educational institution. Nor shall any individual have in his or her possession any other instrument or material which can be used and is intended to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college.

Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.

The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University/college premises, 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 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.

## **Penalties**

Any student engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to the following range of sanctions as hereafter defined in the 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 other member of the instructional staff, or member of the classified staff engaging in any manner in 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 City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive Rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. A tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be entitled to be treated in accordance with applicable provisions of the Education Law or the 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 in conduct prohibited under substantive Rules 1-11 shall be subject to ejection, and/or arrest by the civil authorities.

Any organization which authorizes the conduct prohibited under substantive Rules 1-11 shall have its permission to operate on campus rescinded.

#### **Appendix—Sanctions Defined:**

**Admonition**—An oral statement to the offender that he or she 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 be 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 note 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 of expulsion.

#### **Complaint to Civil Authorities.**

#### **Ejection.**

*Adopted by the Board of Higher Education June 23, 1969, Calendar No. 3(b). Amended October 27, 1980; May 22, 1989; and June 25, 1990.*

### **CUNY POLICY ON ACADEMIC INTEGRITY**

Academic dishonesty is prohibited at The City University of New York and is punishable by penalties, including failing grades, suspension, and expulsion, as provided herein.

#### **I. Definitions and Examples of Academic Dishonesty**

**Cheating is the unauthorized use or attempted use of material, information, notes, study aids, and devices of communication during an academic exercise.**

The following are some examples of cheating, but by no means is it an exhaustive list:

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 use of commercial term paper services.

Giving assistance to acts of academic misconduct/dishonesty.

Fabricating data (all or in part).

Submitting someone else's work as your own.

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

**Plagiarism** is the act of presenting another person's ideas, research or writings as your own. The following are some examples of plagiarism, but by no means is it an exhaustive list:

Copying another person's actual words 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.

Using information that is not common knowledge without acknowledging the source.

Failing to acknowledge collaborators on homework and laboratory assignments.

**Internet Plagiarism** includes submitting downloaded term papers or parts of term papers, paraphrasing or copying information from the internet without citing the source, and "cutting & pasting" from various sources without proper attribution.

**Obtaining Unfair Advantage** is any activity that intentionally or unintentionally gives a student an unfair advantage in his/her academic work over another student.

The following are some examples of obtaining an unfair advantage, but by no means is it an exhaustive list:

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.

### **Falsification of Records and Official Documents**

The following are some examples of falsification, but by no means is it an exhaustive list:

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.

## **COLLEGE SENATE POLICY ON ACADEMIC INTEGRITY**

### **I. Introduction**

Faculty members at Bronx Community College believe that developing students' abilities to think through issues and problems by themselves is central to the educational process. Since academic integrity is vital to BCC as an institution of learning, faculty members will make every effort to uphold this "Policy on Academic Integrity" (hereinafter the "Policy"). Faculty will act in accordance with this Policy and all other University policies and applicable bylaws.

### **II. Definitions**

The two most common violations of academic integrity are cheating and plagiarism.

#### **A. Cheating**

Cheating is defined as (a) taking or giving help on a test; (b) using unauthorized books, papers, notes or unauthorized pre-prepared materials during an examination; (c) passing off another person's work as one's own in the case of projects, papers, portfolios, lab reports; or (d) falsifying reports that clinical procedures were completed, and fabricating data such as vital signs, lab reports, etc. Examples of cheating include, but are not limited to, the following:

Copying an examination or assignment that will be submitted as an individual's own work;

Procuring and distributing answers to examinations in advance;

Using answers on examinations that have been obtained in advance;

Unauthorized collaboration on work submitted as one's own;

Having another person take an examination or write a paper that will be submitted as one's own;

Submitting work which has been previously or is currently being used in another course without the knowledge or consent of the instructor.

#### **B. Plagiarism**

Plagiarism is a form of academic dishonesty which occurs when individuals attempt to present as their own, ideas or statements that have come from another source. Examples of plagiarism include, but are not limited to, the following:

Failing to acknowledge (give a citation for) the ideas of another person, whether or not such ideas are paraphrased;

Attempting to rewrite borrowed material by simply dropping a word here and there, substituting a few words for others, or moving around words or sentences;

Failing to place quotation marks around borrowed material in the approved style (it is no defense to claim that one has “forgotten” to do so); and/or

Presenting as one’s own work a paper or computer program prepared by another person, whether by another student, friend, or family member, or by a business that sells such papers or programs to students.

### **III. Faculty Responsibilities**

A. Allegations of cheating may be referred to the Vice President for Student Development (“VPSD”) to be handled under the Student Disciplinary Procedures in Article 15 of the Bylaws of The City University of New York, as amended by the Board of Trustees on February 24, 1992 (“bylaws”).

B. Allegations of plagiarism may be referred to the Vice President of Academic Affairs (“VPAA”) to determine whether the matter involves an academic question or a disciplinary matter. If the VPAA determines that the matter is academic, the College’s regular procedures in terms of grading and appeals, as contained in the Committee on Academic Standing’s Codification dated May 16, 1996 (“CAS Codification”), shall be followed. If the VPAA determines that the matter is disciplinary, then it shall be handled as a disciplinary violation in accordance with Article 15 of the bylaws.

The VPAA and VPSD will keep a record of any reported incident completely separate from the student’s other College records. Only the VPAA shall have access to records concerning academic violations, but she/he may supply them to the VPSD or the Student Disciplinary Committee when and if it is appropriate to do so. Records concerning a student’s academic integrity shall be destroyed six years after an individual student’s graduation or other separation from the College. If the VPAA sees a pattern of reports about a particular student, the VPSD will be consulted and the faculty member informed so that the seriousness of the problem is addressed by further grade penalties, disciplinary action, appropriate counseling or other measures consistent with the CAS Codification in cases of academic violations and by reference to Article 15 of the bylaws in cases of disciplinary violations. (See also Students Rights below.)

C. Allegations of cheating or plagiarism, if proven, may result in disciplinary action pursuant to Article 15 of the bylaws, with penalty ranging from failure in the course to dismissal from the College.

### **IV. Student Responsibilities**

A. All students’ work shall be the result of their own efforts unless teamwork or other collaborative efforts are being clearly encouraged by the instructor.

B. Students are required to appropriately identify direct quotations and paraphrased opinions, ideas, and data when they are incorporated into the writing of papers, examinations, class projects, etc.

C. Students shall follow the directions of the course proctor regarding permissible materials in the classroom at the time of examinations.

D. No student shall give or receive any assistance or communicate in any way with another student while an examination is in progress.

E. No student shall attempt to obtain or disseminate the content of any examination prior to its distribution by the proctor.

F. No student shall submit the same work to more than one instructor without the prior approval of the course instructor.

G. All students are expected to help insure academic integrity. Students should inform the professor if they suspect cheating or plagiarism. Student assistance in this matter is confidential.

## **V. Students' Rights and Appeals**

In cases in which a matter is treated as an academic violation, the College's regular procedures in terms of grading and appeals, as contained in the CAS Codification, should be followed.

In cases in which the matter is referred to the Vice President for Student Development to be treated as a disciplinary violation, Article 15 of the bylaws fully describes the students' rights and the procedures to be followed.

## **STUDENT DISCIPLINARY PROCEDURES (Section 15.3)**

### **Complaint Procedures:**

a. Any charge, accusation, or allegation which is to be presented against a student, and which, if proved, may subject a student to disciplinary action, must be submitted in writing in complete detail to the Office of the Vice President for Student Development promptly by the individual, organization or department making the charge.

b. The chief student affairs officer of the College or his or her designee (the student judicial affairs officer) will conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The chief student affairs officer or his or her designee (the student judicial affairs officer) will advise the student of the charge(s) against him or her, consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. Following this preliminary investigation, which shall be concluded within thirty (30) calendar days of the filing of the complaint, the chief student affairs officer or designee (the student judicial affairs officer) 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 actions. The individuals involved shall be notified that the complaint has been dismissed;
- (ii) refer the matter to conciliation. If a matter is referred to conciliation, the accused student shall receive a copy of the notice required pursuant to section 1 5.3e of this bylaw; or
- (iii) prefer formal disciplinary charges.

**Conciliation Conference:**

c. The conciliation conference shall be conducted by the counselor in the office of the dean of students or a qualified staff or faculty member designated by a counselor or a qualified staff. The following procedures shall be in effect at this conference:  
An effort will be made to resolve the matter by mutual agreement.

If an agreement is reached, the counselor shall report his/her recommendation to the chief student affairs officer for approval and, if approved, the complainant shall be notified.

If no agreement is reached, or if the student fails to appear the counselor shall refer the matter back to the chief student affairs officer who will prefer disciplinary charges.  
The counselor is precluded from testifying in a college hearing regarding information received during the conciliation conference.

**Notice of Hearing and Charges:**

d. Notice of the charge(s) and of the time and place of the hearing shall be personally delivered or sent by the chief student affairs officer of the college to the student at the address appearing on the records of the college, by registered or certified mail and by regular mail. The hearing shall be scheduled within a reasonable time following the filing of the charges or the conciliation conference. 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.

e. The notice shall contain the following:

A complete and itemized statement of the charge(s) being brought against the student including the rule, bylaw or regulation he/she is charged with violating, and the possible penalties for such violation.

A statement that the student has the following rights:

- (i) to present his/her side of the story;
- (ii) to present witnesses and evidence on his/her behalf;
- (iii) to cross examine witnesses presenting evidence against the student;
- (iv) to remain silent without assumption of guilt; and
- (v) to be represented by legal counsel or an advisor at the student's expense.

A warning that anything the student says may be used against him/her at a non-college hearing.

**Faculty-Student Disciplinary Committee Procedure:**

The following procedures shall apply at the hearing before the faculty-student disciplinary committee:

The chairperson shall preside at the hearing. The chairperson shall inform the student of the charges, the hearing procedures and his or her rights.

After informing the student of the charges, the hearing procedures, and his or her rights, the chairperson shall ask the student charged to plead guilty or not guilty. If the student pleads guilty, the student shall be given an opportunity to explain his/her actions before the committee. If the student pleads not guilty, the college shall present its case. At the conclusion of the college's case, the student may move to dismiss the charges. If the motion is denied by the committee, the student shall be given an opportunity to present his or her defense.

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 only rule on the sufficiency of the evidence and may exclude irrelevant, immaterial or unduly repetitive evidence. However, 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 all persons who are to appear as witnesses, except the accused student.

The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, a tape recording or the equivalent. A disciplined student is entitled upon request to a copy of such a transcript, tape or equivalent without cost.

The student is entitled to a closed hearing but has the right to request an open public hearing. However, the chairperson has the right to hold a closed hearing when an open public hearing would adversely affect and be disruptive of the committee's normal operations.

The college bears the burden of proving the charge(s) by a preponderance of the evidence.

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 as to guilt or innocence. In the event the student is found guilty, the committee shall then determine the penalty to be imposed.

At the end of the fact-finding phase of the hearing, the student may introduce additional records, such as character references. The college may introduce a copy of the student's previous disciplinary record, where applicable, provided the student was shown a copy of the record prior to the commencement of the hearing. The disciplinary record shall be submitted to the committee in a sealed envelope and shall not be opened until after the committee has made findings of fact. In the event the student has been determined to be guilty of the charge or charges, the records and documents introduced by the student 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.

The committee shall deliberate in closed session. The committee's decision shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.

The student shall be sent a copy of the faculty-student disciplinary committee's decision within five days of the conclusion of the hearing. The decision shall be final subject to the student's right of appeal.

Where a student is represented by legal counsel the President of the College may request that a lawyer from the general counsel's office appear at the hearing to present the college's case.

#### **Appeals (Section 15.4)**

An appeal from the decision of the faculty-student disciplinary committee may be made to the president who may confirm or decrease the penalty but not increase it. His/her decision shall be final except in the case of dismissals or suspension for more than one term. An appeal from a decision of dismissal or suspension for more than one term may be made to the appropriate committee of the board. Any appeal under this section shall be made in writing within fifteen 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 board committee as the case may be. If the president is a party to the dispute, his/her functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor.

#### **Committee Structure (Section 15.5)**

- a. Each faculty-student disciplinary committee shall consist of two faculty members and two student members and a chairperson. A quorum shall consist of the chair and any two members. Hearings shall be scheduled at a convenient time and efforts shall be made to insure full student and faculty representation.
- b. 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 instructional staff of that college to receive training and to serve in rotation as chair of the disciplinary committees. If none of the chairpersons appointed from the campus can serve, the president, at his/her 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. He/she shall not be a voting member of the committee but shall vote in the event of a tie.
- c. The faculty members shall be selected by lot from a panel of six elected annually by the appropriate faculty body from among the persons having faculty rank or faculty status. The student members shall be selected by lot from a panel of six elected annually in an election in which all students registered at the college shall be eligible to vote. 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 two consecutive years.

d. In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a student or faculty seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the faculty or student panel by lottery.

e. 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.

### **Suspension or Dismissal (Section 15.6)**

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 educational institution.

The Chancellor or Chancellor's designee, a president or any dean may, in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in bylaw section 15.3 to take place within not more than seven (7) school days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her 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.

### **COMPUTER RESOURCES ACCEPTABLE USE POLICY**

This policy incorporates and supplements the CUNY Computer User Responsibilities found at [www.cuny.edu/abtcuny/policies/comp\\_user.html](http://www.cuny.edu/abtcuny/policies/comp_user.html). As part of the physical and social learning infrastructure, Bronx Community College and The City University of New York acquire, develop and maintain computers, computer systems, and networks. At the College these computer resources are intended for College-related purposes, including direct and indirect support of the College's education, research and public service missions; of College administrative functions; of student and College life activities; and of the free exchange of ideas among members of the College community and between the College community and other communities. This policy applies to all users of College computing resources, whether affiliated with the College or not, and to all uses of those resources, whether on campus or from remote locations.

#### **Principles of Acceptable Use**

Users of College computer resources are required:

To respect the privacy of other users; for example, users shall not intentionally seek information on, obtain copies of, or modify files or data belonging to other users, unless explicit permission to do so has been obtained.

To respect the legal protection provided to programs and data by copyright and license.

To protect data from unauthorized use or disclosure as required by state and federal laws and College and CUNY regulations.

To respect the integrity of computing systems: for example, users shall not use or develop programs that harass other users or infiltrate a computer or computing system and/or damage or alter the software components of a computer or computing system.

To safeguard their accounts and passwords. Any user changes of password must follow published guidelines for good passwords. Accounts and passwords are normally assigned to single users and are not to be shared with any other person without authorization. Users are expected to report any observations of attempted security violations.

### **Policy Violations**

It is not acceptable to use Bronx Community College computer resources:

For activities inconsistent with the College's mission;

For activities unrelated to official assignments, job responsibilities or role at the College;

For any illegal purpose;

To transmit threatening, obscene, intimidating or harassing materials or correspondence;

For unauthorized distribution of College data and information;

To interfere with or disrupt network users, services or equipment;

For private commercial purposes such as marketing or business transactions;

In violation of copyrights, patent protections or license agreements, including using pirated or unlicensed software;

For unauthorized not-for-profit business activities;

For private advertising of products or services; or

For any activity meant to foster personal gain.

Furthermore, users are prohibited from taking College computer hardware or software from College facilities for any purpose without prior approval.

### **Security and Privacy:**

Users should be aware that their uses of College computer resources are not completely private. While the College does not routinely monitor individual usage of its computer resources, the

normal operation and maintenance of the College's computer resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary to render service. The College may also specifically monitor the activity and accounts of individual users of College computer resources, including individual login sessions and communications, without notice, when:

the user has voluntarily made them accessible to the public, as by posting to Usenet or a web page;

there is a reasonable basis to believe that this policy or federal, state or local law has been violated;

to diagnose and resolve technical problems involving system hardware, software, or communications; or

as otherwise required or permitted by law.

The College, in its discretion, may disclose the results of any such general or individual monitoring to appropriate College or CUNY personnel or law enforcement agencies and the results may be used in College disciplinary proceedings or discovery proceedings in legal actions. In addition, communications made by means of College computer resources in conjunction with College or CUNY business may be releasable to the public under the New York State Freedom of Information Law.

### **College Rights:**

The College assumes no responsibility or liability for files deleted by College computer resources personnel due to a user's violation of file server space allotments.

The College reserves the right to suspend or terminate a user's access to College computer resources when this policy is violated.

The College is not responsible for damages caused by unauthorized access to College computer resources or for data loss or other damages resulting from delays, non-deliveries, or service interruptions, whether or not resulting from circumstances under the College's control.

Use of any information obtained through College computer resources is at the user's risk. The College makes no warranties (expressed or implied) with respect to Internet services, and it specifically assumes no responsibility for the content of any advice or information received by a user through use of the College computer resources, or for any costs or charges incurred by the user as a result of seeking or accepting such advice.

The College reserves the right to change its policies and rules at any time.

### **Enforcement and Violations**

This policy is intended to be illustrative of the range of acceptable and unacceptable uses of College computer resources and is not necessarily exhaustive. This policy recognizes and supports the CUNY Libraries Internet Guidelines found at website <http://libraries.cuny.edu/l-access.htm>

Questions about specific uses related to security issues not enumerated in this policy and reports of specific unacceptable uses should be directed to the Executive Director of Information Technology. Other questions about appropriate use should be directed to your instructor or supervisor.

The College will review alleged violations of this policy on a case-by-case basis. Clear violations of this policy which are not promptly remedied will result in termination of access to the relevant computer resources for the person(s) at fault, and referral for disciplinary actions as appropriate.

## **COLLEGE E-MAIL POLICY**

### **Purpose and Goals**

E-mail is one of Bronx Community College's core internal and external communication methods. The purpose of this policy is to ensure that e-mail systems used by College students, faculty and staff support the College's education, research and public service missions to the fullest extent. This policy advises all users of the College e-mail system of their responsibilities and provides guidance in managing information communicated by e-mail. This policy incorporates and supplements the CUNY Computer User Responsibilities found at [www.cuny.edulabtcuny/policies/comp\\_user.html](http://www.cuny.edulabtcuny/policies/comp_user.html)

### **Use of E-Mail**

The College provides e-mail services for its students, faculty, staff and other authorized persons for their use when engaging in activities related to their roles at the College. Access to e-mail is a valuable tool in the pursuit of excellence at the College and is a privilege with certain accompanying responsibilities. The same standards of conduct that are expected of College students, faculty, and staff regarding the use of other College facilities, services and resources apply to the use of e-mail.

Users may not use the College e-mail system for illegal or unethical purposes, for personal commercial use or personal financial or other gain, or for any other purpose that would jeopardize the legitimate interests of the College. Use of the College e-mail system by outside organizations not authorized to use College facilities is also prohibited. E-mail users are prohibited from accessing another user's e-mail without permission.

Incidental personal use of College e-mail is permitted when such use does not interfere with College operations, does not compromise functioning of CUNY or College computer resources, does not interfere with the user's employment or other obligations to the College, and is otherwise in compliance with this policy.

### **Privacy and Access**

College e-mail system administrators will not routinely monitor an individual's e-mail and will take reasonable precautions to protect the privacy of e-mail. However, e-mail is not completely confidential and private. College e-mail system administrators and/or other authorized persons may access e-mail:

when there is a reasonable basis to believe that this policy or federal, state or local law has been violated;

to diagnose and resolve technical problems involving system hardware, software, or communications; and

as otherwise required or permitted by law. In addition, e-mail messages sent or received in conjunction with College or CUNY business may be releasable to the public under the New York State Freedom of Information Law. All e-mail messages, including personal communications, may be subject to discovery proceedings in legal actions.

### **Security**

E-mail security is a joint responsibility of College e-mail system administrators and e-mail users. Users are responsible for taking all reasonable precautions, including safeguarding and changing passwords to protect the e-mail account and prevent use by unauthorized individuals.

### **Management and Retention of E-mail Communications**

Applicable to all e-mail messages and attachments, since e-mail is a communications system, messages should not be retained for extended periods of time. If a user needs to retain information in an e-mail message for an extended period, he or she should transfer it from the e-mail system to an appropriate electronic or other filing system. College e-mail system administrators are authorized to remove any information retained in the e-mail system that is more than 90 days old. Backup of e-mail messages is not required of the e-mail system technical staff. If a user loses current messages due to a system failure, the College will restore the e-mail with empty folders.

### **Enforcement**

Violation of this policy may result in suspension and/or termination of an individual's e-mail account, disciplinary action by appropriate College and/or CUNY authorities, referral to law enforcement authorities for criminal prosecution, and/or other legal action, including action to recover civil damages and penalties.

### **All e-mail users should:**

Be courteous and follow accepted standards of etiquette;

Protect others' privacy and confidentiality;

Refrain from using the College e-mail system for personal commercial purposes or other gain;

Protect their passwords;

Remove personal messages, transient records, and reference copies in a timely manner; and

Comply with College and CUNY policies, procedures, rules and regulations.

## **RELIGIOUS BELIEFS AND CLASS ATTENDANCE**

### **Education Law Section 224-a.**

No person shall be expelled from or be refused admission as a student to an institution of higher education for the reason that he or she is unable, because of his or her 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 or her 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 examination, 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 or her religious beliefs, an equivalent opportunity to make up any examination, study or work requirements which he or she 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 on a Saturday, similar or make-up 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 administration 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 his or her availing himself or herself 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 or her rights under this section.

a. It shall be the responsibility of the administrative officials of each institution of higher education to give written notice to students of their rights under this section, informing them that each student who is absent from school, because of his or her religious beliefs, must be given an equivalent opportunity to register for classes or make up any examination, study or work requirements which he or she 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 such student such equivalent opportunity.

As used in this section, the term "institution of higher education" shall mean any institution of higher education, recognized and approved by the regents of the university of the state of New York, which provides a course of study leading to the granting of a post-secondary degree or diploma. Such term shall not include any institution which is operated, supervised or controlled by a church or by a religious or denominational organization whose educational

programs are principally designed for the purpose of training ministers or other religious functionaries or for the purpose of propagating religious doctrines. As used in this section, the term "religious belief" shall mean beliefs associated with any corporation organized and operated exclusively for religious purposes, which is not disqualified for tax exemption under section 501 of the United States Code.

## **POLICY AGAINST SEXUAL HARASSMENT**

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's non-discrimination policy. Sexual harassment is illegal under federal, state, and city laws, and will not be tolerated within the University.

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

### **A. 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 members 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.

### **B. 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:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing;
- (2) submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
- (3) 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 faculty/staff 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 (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.

### **C. 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 (known as quid pro quo 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 (known as hostile environment 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; and

- coerced sexual intercourse or sexual assault.

### **D. 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 can 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 section, 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 or awards or other remuneration, or that may impact upon other academic or employment opportunities.

#### **E. Academic Freedom**

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

#### **F. 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.

#### **G. Procedures**

The University shall develop procedures to implement this policy. The President of each constituent college of the University, the Deputy 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 her 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 any individual or individuals to be designated in the procedures. All members of the University community are required to cooperate in any investigation of a sexual harassment complaint.

#### **H. Enforcement**

There is a range of corrective actions and penalties available to the University for violations 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 permanent dismissal from the University.

*Effective October 1, 1995.*

#### **I. Contact Persons**

All members of the Sexual Harassment Panel are trained to handle complaints. In case of a complaint, you may contact any one of the following:

**Coordinator**

Sahana Gupta	718-289-5151	Language Hall, Room 27
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**Deputy Coordinators**

Nancy Gear (Education)	718-289-5740	Colston Hall, Room 611
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Marjorie Garrido (Investigation)	718-289-5670	Colston Hall, Room 333
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**Members**

Annidia Finaro	718-289-5119	South Hall, Room 106
Cyd Williams	718-289-5204	Loew Hall, Room 413
Esteban Rodriguez	718-289-5892	Loew Hall, Room 223
John Molina	718-289-5554	Meister Hall, Room 315
Kathy Savage	718-289-5456	Loew Hall, Room 419
Mary Faison	718-289-5390	Loew Hall, Room 514
Nicole Crews	718-289-5128	South Hall, Room 211
Neal Phillip	718-289-5558	Meister Hall, Room 717
Richard Cacciato	718-289-5927	Loew Hall, Room 503
Rolly Wiltshire	718-289-5186	Philosophy Hall, Room 26B
Veronie Lawrence-Wright	718-289-5903	Loew Hall, Room 428

**THE CUNY WORKPLACE VIOLENCE POLICY & PROCEDURES**

The City University of New York has a policy to address the issue of potential workplace violence in our community, prevent workplace violence from occurring to the fullest extent possible and set for procedures to be followed when such violence has occurred. (See Appendix G for provisions.)