

UNIVERSITY COMPLIANCE POLICIES AND OTHER GUIDELINES

UNIVERSITY CODE OF CONDUCT

The University Code of Conduct, edited and administered by the Department of Student Development, gives notice to the Polytechnic community of prohibited behavior and outlines the procedures to be followed in the event of a breach of this code. This code is dedicated to the protection and promotion of the academic enterprise and is indispensable in maintaining an academic environment appropriate to teaching, learning and the development of individuals.

The University Code of Conduct is available to students and all members of the Polytechnic community at www.poly.edu/_doc/PolytechnicCodeofConduct2005.pdf. For further information, contact the Department of Student Development at (718) 260-3800 or visit Room 158 in the Jacobs Building.

UNIVERSITY ANTI-HARASSMENT POLICY FOR EMPLOYEES AND STUDENTS

Polytechnic University is committed to a work and learning environment in which all individuals are treated with respect and dignity. Each individual has the right to work and learn in a professional atmosphere that promotes equal employment and academic opportunities and prohibits discriminatory practices, including harassment. Therefore, Polytechnic University expects that all relationships among persons at the University (in the workplace and in the classroom) will be business-like and free of bias, prejudice and harassment.

Definitions of Harassment

a. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic experience; (ii) submission to or rejection of such conduct by an individual

is used as the basis for academic or employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive working or learning environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace, or anywhere within the confines of the University, of sexually suggestive objects or pictures (including through e-mail); and other physical verbal or visual conduct of a sexual nature. Sex-based harassment — that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) — may also constitute discrimination if it is severe or pervasive and directed at employees (or students) because of their sex.

- b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends, or associates, and that:
- (i) has the purpose or effect of creating an intimidating, hostile or offensive work or learning environment;
 - (ii) has the purpose or effect of unreasonably interfering with an individual's academic or work performance; or
 - (iii) otherwise adversely affects an individual's academic or employment opportunities.

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Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace, or anywhere within the confines of the University, of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

Individuals and Conduct Covered

These policies apply to all applicants, employees and students, and prohibit harassment, discrimination and retaliation whether engaged in by a faculty member, staff member or student, by a supervisor or manager, or by someone not directly connected to Polytechnic University (e.g., an outside vendor or consultant).

Conduct prohibited by these policies is unacceptable in the workplace, in the classroom, and in any work-related setting outside the workplace, such as during University trips, meetings, and social events.

Retaliation Is Prohibited

Polytechnic University prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

Reporting an Incident of Harassment, Discrimination or Retaliation

Polytechnic University strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals (including, but not limited to, students, faculty and staff) who believe they have experienced conduct that they believe is contrary to Polytechnic's policy or who have concerns about such matters should file their complaints with their immediate supervisor, a member of the Department of Human Resources (x3840) or the associate dean of student affairs (cmcnear@poly.edu)

and x3800). Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other Polytechnic-designated representatives identified above.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, Polytechnic strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Polytechnic will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff/employees and students.

The line between acceptable social conduct and harassment is not always clear. For that reason, Polytechnic encourages individuals who feel they are being or may have been harassed to communicate politely, clearly and firmly to the offending party that the conduct is unwelcome, offensive, intimidating or embarrassing; to explain how the offensive behavior affects the employee's work; and to ask that the conduct stop. If the individual is uncomfortable with making a direct approach to the offending party or has done so, but the perceived harassment has not stopped, the individual may use this complaint procedure to address and resolve the problem.

The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, expulsion or suspension from the University, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary

suspension without pay or termination of employment, as Polytechnic believes appropriate (and subject to any applicable collective bargaining agreement or other contract) under the circumstances.

Individuals who have questions or concerns about these policies should talk with the affirmative action officer, the assistant director of human resources or the associate dean of student affairs.

Finally, these policies should not, and may not be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business, student, or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of Polytechnic University prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to the terms, conditions, privileges and prerequisites of employment and of being a student at the University.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

The following explains the procedures used by Polytechnic University for compliance with the Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment. Under FERPA, students at Polytechnic are afforded certain rights with respect to their education records. A student is defined as any individual who is or has been in attendance at Polytechnic and regarding whom Polytechnic maintains education records.

These rights include:

- The right to inspect and review the student's education records within 45 days of the day the University receives a written request for access. Students should submit the request to the Office of the Registrar that identifies the record 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. The University has the right to prohibit students from reviewing and inspecting education records that include the financial records of their parents, as well as those records consisting of confidential letters and statements of recommendation regarding their admission to the University, their application for employment or their receipt of an honor or honorary recognition.

- The right to request the amendment of education records that the student believes is inaccurate, misleading or in violation of his/her right to privacy. Students may ask the University to amend a record that they believe is inaccurate. They should write the University official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate. If the University is in agreement with the student's request to amend his/her record, the record in question will be amended accordingly and the student will be informed of the amendment in writing. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes the University to disclose without the student's consent. Consent to disclosures of personally identifiable information must be done by the students in a written request to the Office of the Registrar. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

Release of Information

Polytechnic must have written permission from the student in order to release any personally identifiable information from his/her education records. In addition, the University may disclose personally identifiable information, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest in such information in order to fulfill their professional responsibility. (A school official is a person employed by the University in an administrative, supervisory, academic or 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 performing his or her tasks.)
- Other schools to which a student seeks enrollment.
- Where disclosure is to certain federal, state and local authorities.
- Where disclosure is in connection with financial aid for which the student has applied or received.
- Where disclosure is in connection with studies being conducted for or on behalf of the University.
- Where disclosure is made to accrediting organizations.
- To comply with a judicial order or lawfully issued subpoena.
- Appropriate officials in cases of health and safety emergencies.
- Information designated as “directory information.”
- Where the information disclosed is the final results of a disciplinary hearing, and the disclosure is made to an alleged victim of a crime of violence or non-forcible sex offense.
- To parents or legal guardians regarding a violation of any federal, state, local law or University policy governing the use or possession of alcohol or a controlled substance if a student is under the age of 21 and if the University determines that the student has committed such violation.

FERPA permits the release of directory information to third parties outside Polytechnic without prior written consent, provided that students have been given the opportunity to withhold such disclosure. Polytechnic reserves the right to disclose the following directory information related to a student without consent:

- Student’s name
- Class year
- Major field of study, as well as similar information (e.g., title of master’s or doctoral dissertation, distinguished academic performance)
- Participation in recognized activities and sports
- Dates of attendance at Polytechnic
- Degrees, honors and awards
- Most recent previous educational institution attended

All requests for information must be supported by identifying and/or authenticating documents.

Polytechnic must inform students about directory information and allow them a reasonable amount of time to request that the University not disclose directory information to requesting parties.

Polytechnic must notify students annually of their rights under FERPA. The actual means of notification (such as, but not limited to, special letter, student handbook or newspaper article) is left to the discretion of Polytechnic.

Students can request that Polytechnic not disclose directory information about them through the Office of the Registrar.

STUDENT IDENTIFICATION

All students are required to carry and maintain at all times photo-identification cards issued by the Office of Facilities Management. ID cards must be presented and/or surrendered to any official of the University upon request.

A student ID number is used by the University to identify a student’s records (grades, accounts, etc.) from the time of the admission application process through the completion of his or her degree. This number is computer generated and used solely by Polytechnic.

STUDENTS WITH DISABILITIES

Polytechnic University supports Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. In this regard, it makes every effort to provide full and barrier-free program accessibility. Likewise, the University does not discriminate in its admissions practices and bases acceptance decisions primarily on academic records.

Polytechnic is committed to assisting students with disabilities in developing the personal, as well as academic, skills neces-

sary to fully participate in student programs. To that end, services are provided to students with disabilities based on their individual needs. The University is particularly interested in working with these students so they may become effective self-advocators.

Services for students with disabilities do not include the waiving of academic course requirements.

Although not every student with a disability requires services, registering with the Office of Student Development is advised.

ALCOHOL AND DRUGS

In compliance with New York State law, Polytechnic prohibits the unlawful possession, manufacture, use or distribution of illicit drugs and alcohol on its property or as part of any of its activities, unless otherwise noted. Violations of this policy will result in disciplinary actions pursuant to the University Code of Conduct. Furthermore, Polytechnic will not protect those who violate these laws, nor will it interfere with law enforcement agencies that may pursue violators of these laws.

All student organizations or groups wishing to hold events where alcohol is served must obtain permission from the Director of Student Development or designee, who will be solely responsible for making that decision and applying conditions and obligations to that permission.

GUIDELINES ON STUDENT RELIGIOUS OBSERVANCES

The faculty of the University has adopted the following guidelines on student religious observances, as recommended by the Commission on Independent Colleges and Universities. The intent of these guidelines is to encourage independent colleges and universities to reasonably accommodate individual students’ religious obligations and practices without penalty.

- Students will not be expelled or refused admission to the University because they are unable to participate in any examination, study or work requirement due to their religious obligations and practices.
- Students who are absent from school because of their religious obligations and practices will be given an equivalent opportunity to make up any examination, study or work requirement that was missed because of such absence on any particular day or days.

- Students must notify their instructors and The Office of Student Development in writing, no later than the fifteenth day after the first day of the semester, that they will be absent from a class scheduled on a day that conflicts with their religious obligations and practices.
- In effecting these provisions, the University's administration and faculty agree to exercise the fullest measure of good faith and agree that no adverse or prejudicial effects will happen to students who follow these guidelines on religious observances.

IMMUNIZATION

New York State law requires students to show proof of immunity to measles, mumps and rubella. Polytechnic complies fully with the provisions of this law. The law applies to all students (graduate and undergraduate) born on or after January 1, 1957.

Immunization status is checked as part of the registration process. Students who are not in compliance with the law (1) are barred from attending class (and are not entitled to any tuition refund); (2) do not receive grades; and (3) are denied further registration.

For forms or information on this requirement, or to submit the required proof, please contact the Office of Residence Life or the Office of Undergraduate Admissions.

HEALTH AND ACCIDENT INSURANCE

At Polytechnic, we are concerned about your health and protection against the high cost of medical care. Many students and their parents are just not prepared to meet the added expense associated with an unexpected injury or sickness. To ensure that all of our students are covered, the University requires that all students with 9 or more credits or those that are considered full-time students carry appropriate health insurance. If you do not have your own coverage, the University has set up a plan that will provide the necessary health insurance.

Our part-time students will also have the ability to enroll in accident and sickness coverage. If you are a part-time student, to insure that you are covered at the beginning of the semester, you must complete the online enrollment information and mail your confirmation statement with a check to Special Risk Consultants (SRC). SRC is our insurance broker and they will process your enrollment, and send you your insurance card.

Even if you have a private plan, you might want to consider supplementing that plan, as many policies exclude or limit coverage. However, if you are a domestic student and have comparable coverage you may elect to WAIVE the University-provided insurance plan by the designated deadlines. To do so you will need to provide us with information on your current coverage so that we can ensure that it is comparable and provides local care in all situations, not just emergencies. All international students are required to be enrolled in the University-sponsored plan as part of your enrollment at Polytechnic. You must complete the enrollment by the designated deadlines.

In addition, all full-time students (graduate and undergraduate) are covered by accident insurance.