

## ANNUAL NOTICES

### Equity In Athletics

Metropolitan Community College annually submits information to the Department of Education in response to the Equity in Athletics Disclosure Act (EADA). This information helps prospective student-athletes make decisions about their potential or continued enrollment in a postsecondary institution. The information can help to assess an institution's commitment to and progress toward gender equity in its intercollegiate athletic program. MCC has athletic programs at its Blue River, Longview, Maple Woods, and Penn Valley campuses. This report includes the following information:

- The number of fulltime students by gender;
- A listing of varsity intercollegiate teams and for each team the following data:
  - Total number of participants as of the day of its first scheduled contest;
  - Total operating expenses for the team;
  - Whether the head coach is male or female, and assigned full-time or part-time, and if part-time whether a full-time or part-time employee of the college;
  - The number of assistant coaches by gender with the same information as provided above for head coaches;
- The unduplicated headcount of the individuals listed as participants on at least one varsity team, by gender;
- The revenues, by certain specified categories, derived by the college from its intercollegiate athletics program;
- Expenses, by certain specified categories, attributable to the college's intercollegiate athletics program;
- The total amount of money spent on athletically related student aid, aggregated for men's teams and women's teams;
- The ratio of athletically related student aid awarded male athletes to such aid awarded to female students;
- The total amount of recruiting expenses incurred aggregated for all men's and women's teams; and
- The average salary of the non-volunteer head coaches and assistant coaches of all the men's teams and the average salary of the non-volunteer head coaches and assistant coaches of all the women's teams;

The numbers are listed by college and sport. Information is available for the 2010-2011 and 2011-2012 academic years. Equity in Athletics information for each of these is located at <http://www.mcckc.edu/StudentConsumerInfo>. Upon request, the college will provide a paper copy of this information to anyone desiring it.

## **Graduation And Placement Information**

MCC's Office of Research and Assessment annually collects information on graduation or completion rates and job placement of MCC's degree and certificate graduates. The Student Employment Services office at each campus location assists in the collection of information. Several reports address placement of graduates. The Graduate Follow-up Report provides information that includes demographics, the number of graduates by degree type and program, the employment and continuing education status for graduates following completion and student satisfaction ratings. The Graduate Employment Outlook documents detail the national, state and local employment trends for graduates of AAS degree and certificate programs offered at MCC. Also provided are the number of graduates per year for each program, the average number of semesters they took to complete the program, and their employment status following graduation. These reports can be found on the MCC website at <http://www.mcckc.edu/StudentConsumerInfo>. Upon request, the college will provide a paper copy of this information to anyone desiring it.

## **Student Consumer Information**

The Higher Education Opportunity Act of 2008 (HEOA) requires that postsecondary institutions participating in federal student aid programs make a variety of other disclosures to students. Additional required student consumer information available to you includes:

- Financial assistance available to students enrolled in the college;
- General information about the college; and
- The college's retention rate;

This information can be found on the MCC website at <http://www.mcckc.edu/StudentConsumerInfo>. Upon request, the college will provide a paper copy of this information to anyone desiring it.

## **Drug-Free Workplace, Campus And Community**

MCC is committed to a safe, secure, healthful, drug-free work, campus, and community environment, and has adopted the Drug-Free Schools and Communities Act and Drug-Free Workplace Act standards as part of its own policies. Employees are expected and required to report to work and participate in district activities, and students are expected and required to attend classes and participate in district activities, in appropriate mental and physical condition and not under the influence of drugs or alcohol.

MCC standards of conduct prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on the college's property or as part of any of its activities. Alcohol is permitted on college property only in certain limited circumstances when required approvals have been obtained.

All applicable alcohol and drug regulations, including federal and state underage drinking laws, are enforced. The unlawful possession, use, and/or sale of alcoholic beverages and illegal drugs are specifically prohibited and violations carry substantial sanctions up to and including expulsion or termination of employment and/or referral for prosecution. (See MCC Board Policy and District Regulation 3.30060, §§195.003, RSMo et. seq.) The state of Missouri sets the minimum age to purchase or possess any alcoholic beverage at 21. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated are available from the MCC Police Department. Specific state laws pertaining to alcohol include:

Drug convictions while enrolled as a student at MCC may affect a student's eligibility for federal student aid. Drug convictions during a period of enrollment in which the student is receiving Title IV, HEA program funds, under any federal or state law involving the possession or sale of illegal drugs will result in the loss of eligibility for any Title IV, HEA grant, loan, or work-study assistance. For more information refer to the Federal Student Aid website at

<http://www.ifap.ed.gov/ifap/byAwardYear.jsp?type=drugworksheets>.

### **Missouri Laws Pertaining To Alcohol Include**

#### **Illegal Possession of Alcohol**

Any person under the age of 21 that purchases, asks for, or in any way receives intoxicating liquor can be charged with a misdemeanor.

#### **Use of Possession of a Fake ID**

Any person who is less than 21 years of age, who uses a reproduced, modified, or altered license for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor can be charged with a misdemeanor.

#### **Open Container**

Any person who possesses an open container of alcohol on any street, sidewalk or city parking facility could be charged with a misdemeanor.

#### **Selling Alcohol without a License**

It shall be unlawful for any person to sell alcohol, in any quantity, without acquiring a liquor license. If you sell alcohol at or charge admission to a party, the person accepting the money could be charged with selling liquor without a license. Sentences for this violation involve up to two years in prison and/or fines of up to \$1,000. If the alcohol is served to a minor, the server could also be charged with supplying alcohol to a minor.

## **Keg Registration**

All retailers selling beer kegs must register the keg and affix a seal on the keg at the time of sale. The retailer will log the purchaser's name, address, and the acknowledgement of proper use and care of the keg. If a keg is confiscated by the police at a party at which underage persons have consumed alcohol, the purchaser of the keg can be identified – and arrested or fined – for supplying alcohol to underage persons. If a keg is returned with an ID tag defaced or missing, the deposit fee required at the time of sale is forfeited.

## **DWI**

The legal blood alcohol content (BAC) limit for DWI is .08. Those under 21 could be found guilty of a Zero Tolerance violation if their BAC is above .02. Consequences could include: fines, license revocation, classes, community service, and jail time, as well as misdemeanor or felony charges on one's record.

## **Abuse and Lose Law**

In Missouri, anyone under 21 years old and operating a motor vehicle with either alcohol or illegal drugs in their possession can have their driver's license revoked for 90 days. The Abuse and Lose law also requires that your license be revoked for 90 days if you commit any of the following offenses: any alcohol related traffic offense; possessing or using an illegal drug; altering a driver's license; trying to use someone else's driver license. Second and subsequent offenses result in a one year license suspension.

## **Minor in Possession by Consumption Law**

Provides that any person under the age of 21, who purchases or attempts to purchase, or has in his or her possession, any intoxicating substance is guilty of a misdemeanor. This act provides that a minor is also guilty of a misdemeanor for a "minor in possession" if he or she is "visibly intoxicated" or has a detectable blood alcohol content of .02.

Taken from: "Alcohol Laws" <http://wellness.missouri.edu/alcohol.html>

## **Prevention Programs**

Each campus has developed a process to prevent the illicit use of drugs and abuse of alcohol by students and employees. The programs include the distribution of informational materials, educational programs, referrals and college disciplinary actions. Students with alcohol or drug-related problems are encouraged to contact the campus counseling office for referrals to private and community agencies. Employees with alcohol or drug-related problems are encouraged to contact the human resource office for information and referral to the district employee assistance program.

There are serious health risks associated with the use of illicit drugs and the abuse of alcohol. These can include addiction or dependency, physical infirmities and trauma, mental and emotional disorders, and marked changes in behavior.

Other Resources Available:

Federal Substance Abuse and Mental Health Services Administration's Treatment Routing Services 1-800-662-4357

American Council on Alcoholism Helpline 1-800-527-5344

### **Health Risk Associated with Drug and Alcohol Abuse**

1. Depressants (e.g. alcohol, tranquilizers, benzodiazepines such as Xanax or Valium)
  - a) Poor concentration, coordination and judgment
  - b) Inability to reason and make decisions
  - c) Mood swings
  - d) Fatigue
  - e) Liver diseases
  - f) Ulcers
  - g) Birth defects
  - h) Depression
  - i) Possible liver disease
2. Stimulants (e.g. cocaine, crack, amphetamines such as Ritalin, "meth")
  - a) Nervousness, short attention span, poor judgment, mood swings, paranoia or hallucinations
  - b) Depression caused by withdrawal
  - c) Death from heart or respiratory failure
  - d) Lung and voice damage
  - e) Hepatitis
3. Opioids and Morphine Derivatives (e.g. Heroin, Oxycontin)
  - a) Drowsiness, confusion and disorientation
  - b) Slows breathing rate, sometimes to the point of death
  - c) Coma
  - d) Hepatitis or AIDS
4. Hallucinogens (LSD, psilocybin mushrooms, PCP/angel dust)
  - a) Disorganization
  - b) Hostile feelings toward others
  - c) Short attention span
  - d) Poor motor skills
  - e) Brain hemorrhage

This annual notice is sent to all MCC students and employees as part of the drug prevention program in compliance with the Drug-Free Schools and Communities Act as further articulated in the Department of Education General Administrative Regulations, 34 C.F.R. Subtitle A. Part 86.

## **Alcohol Effects**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicated that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

## **Discrimination and Harassment, Including Sexual Harassment**

It is the policy of MCC to provide equal opportunity for all enrolled students and applicants for admission to the college, free from discrimination and harassment (including sexual harassment), based on race, color, religion, sex, sexual orientation, national origin, age, and/or disability. This policy applies to discrimination and/or harassment complaints by students for actions occurring on college property or in admissions, program access, student employment of regular student workers and work-study student workers, and treatment in official college programs and activities. This policy applies to any person who has applied to the college for admission or readmission, who is currently enrolled, or who was a student of the college at the time of the alleged discrimination or harassment.

If you have questions or believe you have been subjected to discrimination or harassment, including sexual harassment, you may contact the Title IX Complaint Officers whose contact information is listed below:

|                           |   |                |
|---------------------------|---|----------------|
| MCC District              | Christina McGee<br>Director Employee Relations and Training<br>3217 Broadway<br>Kansas City, MO 64111-2656                  | (816) 604-1023 |
| MCC-Blue River            | Jon Burke<br>20301 E. 78 Highway<br>Independence, MO 64057-2053   | (816) 604-6620 |
| MCC-Business & Technology | Karen Moore<br>1775 Universal Avenue<br>Kansas City, MO 64120-1318  | (816) 604-5229 |
| MCC-Longview              | Karen Goos<br>500 SW Longview Road<br>Lee's Summit, MO 64081-2105   | (816) 604-2326 |
| MCC-Maple Woods           | Shelli Allen<br>2601 NE Barry Road<br>Kansas City, MO 64156-1254  | (816) 604-3175 |
| MCC-Penn Valley           | Yvette Sweeney<br>Dean of Student Development & Enrollment<br>3201 Southwest Trafficway<br>Kansas City, Missouri 64111-2727 | (816) 604-4114 |

### **Notice of Nondiscrimination**

This public "NOTICE of NON-DISCRIMINATION" is required by several federal laws and regulations including those implementing Title VI, Title VII, Title IX, Americans with Disabilities Act, §504 and the Age Discrimination Act. This notice serves to inform all members of the MCC faculty, staff, student body and guests, that MCC prohibits discrimination on the basis of race, color, religion, sex, sexual orientation, age, birth, ancestry, national origin, or disability in admissions; educational programs, services, or activities; and employment. Following are the applicable federal and state civil rights laws that prohibit discrimination:

Title I of the Americans with Disabilities Act of 1990 prohibits employment discrimination against qualified individuals with disabilities by employers with fifteen (15) or more employees. The U.S. Equal Employment Opportunity Commission and the Office for Civil Rights are the agencies assigned to enforce Title I of the ADA.

Title II of the Americans with Disabilities Act of 1990 prohibits disability discrimination by public entities, including public colleges and universities whether or not they receive federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Title II of the ADA.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Programs and activities that receive federal financial assistance from the United States

Department of Education are covered by Title VI. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Title VI.

Title VII of the Civil Rights Act of 1964 protects individuals against unlawful employment practices based on their race, color, sex, and national origin. The Civil Rights Act of 1991 significantly extended plaintiffs' rights under Title VII. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing Title VII.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities and extends to employment and admission to institutions that receive federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing Title IX.

The Age Discrimination Act of 1975 protects people from discrimination based on age in programs or activities receiving federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing the ADA of 1975.

The Age Discrimination in Employment Act of 1967 protects individuals who are 40 years of age or older. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing the ADEA.

The Civil Rights Act of 1991 provides monetary damages in cases of intentional employment discrimination. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing the CRA of 1991.

The Equal Pay Act of 1963 protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination. The U.S. Equal Employment Opportunity Commission is the law enforcement agency charged with enforcing the EPA.

§504 of the Rehabilitation Act of 1973 protects people from discrimination in admission, employment, treatment, or access based on disability in programs or activities receiving federal financial assistance. The Office for Civil Rights (U.S. Department of Education) is the law enforcement agency charged with enforcing §504.

Executive Order 11246 requires certain government contractors to engage in affirmative action and to not discriminate based on race, sex, or national origin. The Office of Federal Contract Compliance Programs (U.S. Department of Labor) is the agency charged with enforcing Executive Order 11246 and ensuring that federal contractors are in compliance.



## Disability Resources

MCC complies with the Americans with Disabilities Act and §504 of the Rehabilitation Act which prohibits discrimination in admission or access to its programs based on disability. Each MCC campus has a Disability Support Services office that provides special services for students with documented disabilities. Arrangements can be made for aids and adjustments to help ensure equal access to programs and services. Each campus Disability Support Services office also has information regarding the existence and location of services, activities, and facilities that are accessible to and usable by persons with disabilities.

<http://www.mcckc.edu/getstarted/apply/accessservices/overview.asp>

Inquiries may be addressed to:

|                           |  |                |
|---------------------------|--|----------------|
| MCC-Blue River            | Disability Support Services Coordinator<br>20301 E. 78 Highway<br>Independence, MO 64057-2053            | (816) 604-6651 |
| MCC-Business & Technology | Disability Support Services Coordinator<br>2601 NE Barry Road<br>Kansas City, MO 64156-1254              | (816) 604-3192 |
| MCC-Longview              | Disability Support Services Coordinator<br>500 SW Longview Road<br>Lee's Summit, MO 64081-2105           | (816) 604-2254 |
| MCC-Maple Woods           | Disability Support Services Coordinator<br>2601 NE Barry Road<br>Kansas City, MO 64156-1254              | (816) 604-3192 |
| MCC-Penn Valley           | Disability Support Services Coordinator<br>3201 Southwest Trafficway<br>Kansas City, Missouri 64111-2727 | (816) 604-4293 |

## College Nondiscrimination Statement

MCC's nondiscrimination statement prohibits discrimination and harassment against individuals based on characteristics protected under federal and state law, as well as on the basis of sexual orientation. The college also prohibits retaliation based upon reporting of such violations. MCC is committed to a policy of nondiscrimination on the basis of race, color, religion, sex, sexual orientation, age, birth, ancestry, national origin, or disability in admissions; educational programs, services, or activities; and employment; as specified by federal laws Title VI; Title VII; Title IX, §504; the Americans with Disabilities Act; and state laws and regulations.

### **Federal Citations**

The regulations implementing Title VI, Title IX, §504, the Age Discrimination Act, and Title VII contain requirements for recipients to issue notices of nondiscrimination. 34 C.F.R. Sections 100.6(d), 106.9, 104.8, 110.25, 41 C.F.R. Sections 60-1.42(a),

respectively. The Title II regulation also contains a notice requirement that applies to all units of government, whether or not they receive federal aid. (See 28 C.F.R. §35.106.)

MCC is an equal-opportunity/affirmative action employer. Inquiries concerning MCC's compliance may be addressed to the following persons:

|                           |  |                |
|---------------------------|--|----------------|
| MCC District              | Christina McGee<br>Associate Director of Employee Relations<br>and Training<br>3217 Broadway<br>Kansas City, MO 64111-2656     | (816) 604-1023 |
| MCC-Blue River            | Jon Burke<br>Dean of Student Development<br>20301 E. 78 Highway<br>Independence, MO 64057-2053                                 | (816) 604-6620 |
| MCC-Business & Technology | Karen Moore<br>Dean of Student Development<br>1775 Universal Avenue<br>Kansas City, MO 64120-1318                              | (816) 604-5229 |
| MCC-Longview              | Karen Goos<br>Dean of Student Development<br>500 SW Longview Road<br>Lee's Summit, MO 64081-2105                               | (816) 604-2326 |
| MCC-Maple Woods           | Shelli Allen<br>Dean of Student Development<br>2601 NE Barry Road<br>Kansas City, MO 64156-1254                                | (816) 604-3175 |
| MCC-Penn Valley           | Yvette Sweeney<br>Dean of Student Development &<br>Enrollment<br>3201 Southwest Trafficway<br>Kansas City, Missouri 64111-2727 | (816) 604-4114 |

Inquiries may also be addressed to the Director, Office for Civil Rights, Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, Missouri, 64114 at (816) 268-0550.

**Student Rights Under the Family Educational Rights and Privacy Act (FERPA).**

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records.

(An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day the Metropolitan Community College ("School") receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school 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 school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student's 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.

3. The right to provide written consent before the college discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The school discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the MCC in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of MCC who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for MCC or as required by §99.37 of the regulations, with its annual notification of rights under FERPA.

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

The right to file a complaint with the U.S. Department of Education concerning alleged failures by MCC to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose personally identifiable information from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within the MCC whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15)).

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.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal

hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

### **Copyright Infringement**

Copyright is a form of protection provided by the laws of the United States to the authors of "original works of authorship," including literary, dramatic, musical, artistic, and certain other intellectual works. Metropolitan Community College complies fully with all of the provisions of the U.S. Copyright Law (17 U.S.C.) and its amendments. MCC supports the Fair Use section of the Copyright Law (17 U.S.C. 107) which permits and protects citizens' rights to reproduce and make other uses of copyrighted works for the purposes of teaching, scholarships and research.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under §106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the Web site of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ’s at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

MCC’s policy, regulation, and procedure on copyrighted materials can be found at the following sites:

<http://web.mcckc.edu/asp/infoex/prp/files/225040BP.pdf>

<http://web.mcckc.edu/asp/infoex/prp/files/225040DR.pdf>

<http://web.mcckc.edu/asp/infoex/prp/files/225040DP.pdf>

### **Tobacco-Free MCC**

Metropolitan Community College is committed to providing a safe and healthy environment for all students, employees, contractors, and visitors. As a result of this commitment, the use, advertising, or sponsorship of tobacco and tobacco substitute products, excluding cessation products, on all campus premises, leased property, and college-owned vehicles is prohibited, with no exceptions. This policy applies to all students, employees, tenants, subtenants, contractors, and visitors.

1. Definitions.
  - A. Smoking means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco products.
  - B. Tobacco use means the personal use of any tobacco product, whether intended to be lighted or not, which shall include smoking, as defined above, the use of an electronic cigarette, or any other device intended to simulate smoking and the use of smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, any other form of loose-leaf, smokeless tobacco, and the use of unlit cigarettes, cigars, and pipe tobacco.

2. Advertising

With the exception of advertising in a newspaper, magazine, or similar publication that is not produced by the college, no tobacco-related advertising or sponsorship shall be permitted on college property or at college-sponsored events. No tobacco-related advertising or sponsorship shall appear in any publications produced by the college or by a club or association authorized by the college. For purposes of this policy, the term tobacco-related applies to the use of a brand or corporate name, trademark, logo, symbol, motto, or selling message identifiable with any brand of tobacco products or company which manufactures tobacco products.

For additional information on Tobacco-Free MCC go to <http://mcckc.edu/tobaccofree>.