

Appendix A: Assurance of Compliance with Federal Laws

Equal Opportunity in Education and Employment

Gadsden State Community College has filed with the Federal Government an Assurance of Compliance with all requirements imposed by or pursuant to Title VII of the Civil Rights Act of 1964 and the Regulation issued thereunder, to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity sponsored by this institution. It is also the policy of Gadsden State Community College to be in accordance with Title IX of the Education Amendments of 1972, which provides that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."

Gadsden State Community College is committed to equal opportunity in employment and education and does not discriminate on the basis of sex, race, color, religion, disability, or national origin. Gadsden State complies with non-discrimination regulations under Title VI and Title VII, Civil Rights Acts of 1964; Title IV, Education Amendments of 1972; and Section 504, Rehabilitation Act of 1973. Inquiries concerning this policy may be directed to Michele Bradford, Director of Legal Affairs, Gadsden State Community College, P.O. Box 227, Gadsden, Alabama 35902-0227, telephone 256.439.6822.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) prohibits discrimination against any qualified person regardless of his/her disability. Reasonable and appropriate accommodations for qualified disabled students, applicants, employees, and visitors will be met unless to do so would present an undue hardship to the College or lower the academic standards of the College and for the program. For additional information, contact Pam Clough, the Gadsden State ADA Coordinator, at 256.8462.

Notice of Facility/Program Accessibility

Individuals with mobility impairments should contact the ADA Coordinator or an Assistant Coordinator on or nearest their campus to obtain information regarding limitations to physical accessibility of some buildings and programs and to obtain accommodations as needed. Students with mobility impairments are encouraged to contact their campus Coordinator before completing their academic schedules.

Policy on Copyright and Fair Use

Copyright is the ownership and control of the intellectual property in original works of authorship. The laws of the United States (Title 17, United States Code) provide protection to the owner of copyright. This protection is available to both published and unpublished works. Public Law 94-553, Section 6, generally gives the owner of copyright the exclusive right to, and to authorize others to reproduce in copies, prepare derivative works, distribute copies, perform publicly, and display publicly the copyrighted work. In compliance with the Millennium Copyright Act, the Head of Library Services has been appointed as the College's agent to receive notification of claimed infringement from a copyright owner.

Copyright law governs any print or non-print reproduction of copyrighted material. It is illegal for anyone to violate any of the rights provided by law to the owner of copyright. One major limitation on the law, however, is the doctrine of "fair use." Whether use of copyrighted materials falls under the "fair use" exception depends on these four factors: purpose of the use, nature of the work, amount of copying, and effect of the copying on the potential value of the work. Another limitation can be a "compulsory license," which permits limited uses of copyrighted works in return for the payment of fees or royalties.

Faculty, staff, and students of the College must comply with the provisions of the state and federal intellectual property laws such as the Copyright Act. Procedures for obtaining copyright permissions for course materials have been established and must be followed. Copies of this procedure and other information explaining the Copyright Act as it pertains to copying both course materials and material for personal use are available in campus libraries and on the College web page.

Policy on Drug Abuse Prevention

GSCC is committed to the maintenance of a drug-free environment for both employees and students. For additional information, those interested should contact the Director of Advising Services located in Inzer Hall or telephone 256.549.8350.

Policy on Drug-Free Workplace

As a recipient of federal contracts and grants, Gadsden State Community College complies with the requirements of Public Law 100-690 for a drug-free workplace. The College enforces the following policy:

The unlawful manufacture, distribution, dispensation, or use of a controlled substance is prohibited by Gadsden State Community College on any property owned, leased, or controlled by Gadsden State Community College or during any activity conducted, sponsored, or authorized by or on behalf of Gadsden State Community College. A "controlled substance" shall include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802) or in the Alabama Uniform Controlled Substance Act (Code of Alabama, Section 20-2-1, et seq.).

Family Educational Rights and Privacy Act of 1974 as Amended

Under the Family Educational Rights and Privacy Act of 1974 as Amended (FERPA), Gadsden State Community College may disclose certain student information as "directory information." Directory information includes a student's name, address, telephone number, date of birth, academic honors, and major fields of study, as well as information about a student's participation in officially recognized activities and sports, the weight and height of members of athletic teams, the date of attendance by students, degrees and awards received, and the most recent previous educational agency or institution attended by a student. If any student objects to the release of such information, that student should notify the Registrar in person and in writing within three weeks after the beginning of each semester. The Registrar's Office is located in the One Stop Center on the East Broad Campus.

Notification of Student Rights under FERPA

FERPA affords students certain rights with respect to their education records. These rights include the following:

1. The right to inspect and to review the student's education records;
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by Gadsden State Community College to comply with the requirements of FERPA; and
5. The right to obtain a copy of Gadsden State Community College's student records policy, which is available at the Records Office.

School Officials and Legitimate Educational Interest

A school official is defined as a college employee, person or a student assisting another school official in performing his or her tasks.

A school official with a legitimate educational interest may be granted access to confidential student information if the official needs the information to fulfill his/her professional responsibility. This includes:

- Performing appropriate tasks that are specified in his/her position description or by a contract agreement
- Performing a task related to a student's education
- Performing a task related to the discipline of a student
- Providing services for the student, such as counseling, job placement or financial aid.

Legitimate educational interest does not convey inherent rights to any and all student information.

Intellectual Property Policy Regarding Ownership of Student Work

The College recognizes and values creativity and innovation as part of the learning process. Similarly, the College recognizes the importance of, and wishes to encourage, the transfer of new knowledge, generated in the College, to the private sector for the public good. At the same time, as a publicly funded institution, the College must be a good steward of the public resources provided to it, and must safeguard against the use of public funds for private gain.

This policy addresses the rights to, interest in, and protection and transfer of intellectual property created by the College's students. For purposes of this policy:

- "Intellectual property" means inventions, discoveries, innovations, and copyrightable works.
- "Invention" means a tangible or intangible discovery, whether or not reduced to practice, and tangible research products, whether or not patentable or copyrightable. Such research products include, but are not limited to, computer programs, integrated circuit designs, industrial designs, databases, technical drawings, biological materials, and other technical creations.
- "Copyrightable works" mean original works of authorship fixed in tangible media of expression. Ownership of an intellectual property created by a student enrolled at the College, such as written compositions, musical scores, sculptures, paintings, photographs, films, videotapes, and computer software, shall be vested in the student unless the student has been employed by the College to create the intellectual property.

Submitted Work as Part of Course Requirements

1. When a student submits work as a course requirement, the student retains ownership of the work, but ownership of the physical or electronic document shall be vested in the College. The College is granted a perpetual, royalty-free license by the submitting student to make copies of the work for administrative and educational purposes.
2. The College and its students recognize that some intellectual property may arise or be developed by students from interaction with the instructor and other students. Under those circumstances, the intellectual property may not be the exclusive property of the student.
3. When a student's work has been accepted for publication by a journal or a publisher, absent an agreement to the contrary, the work becomes the property of the publisher.

Computer Programs

1. Computer programs that are written within the scope of employment duties with the College become the property of the College.
2. When a program is developed for a course project or assignment, ownership is retained by the student with the College having a perpetual and royalty-free license to make and distribute copies to faculty, staff, and students for administrative and educational purposes.

Equipment

1. If College resources (material, workspace) have been used to construct or design equipment, the equipment becomes the property of the College.
2. Equipment constructed without the use of college resources or designed as part of a course is the property of the student.

Office of Legal Affairs

The mission of the Office of Legal Affairs is to ensure that all departments of the College are in compliance with all policies of the Alabama Community College System, the College, State and Federal laws and to provide leadership

for the College's diversity initiatives by monitoring, evaluating, and supporting diversity efforts, increasing communication, and supporting core programs and services. For additional information, individuals should contact Michele Bradford, Director of Legal Affairs, Gadsden State Community College, Joe Ford Center, P.O. Box 227, Gadsden, AL 35902-0227; telephone 256.439.6822; fax 256.439.6812; e-mail mbradford@gadsdenstate.edu.

Rehabilitation Act of 1973

GSCC offers equal opportunity in its employment, admissions, and educational programs and activities in compliance with Section 504 of the Rehabilitation Act of 1973. The Gadsden State Coordinator of Section 504 is Pam Clough, telephone 256.549.8462. Additional information appears in the "Americans with Disabilities Act" and "Disability Services" sections of this catalog.

Policy Against Harassment and Discrimination

Gadsden State Community College is committed to protecting its students, staff, and visitors from sexual harassment, discrimination, intimidation, and exploitation as prohibited by Title IX of the Education Amendments of 1972 and of Title VII (Section 703) of the Civil Rights Act of 1964. Anyone who believes herself or himself to be subjected to such sexual harassment, discrimination, intimidation, and/or exploitation should contact the Title IX Coordinator, Michele Bradford. Inquiries regarding this policy should be directed to Michele Bradford, Director of Legal Affairs, Gadsden State Community College, Joe Ford Center, P.O. Box 227, Gadsden, AL 35902-0227; telephone 256.439.6822; fax 256.439.6812; e-mail mbradford@gadsdenstate.edu. **NOTICE: The Policy Against Harassment and Discrimination is included in its entirety in the "College Regulations" section of this catalog.**

Policy on Sexual Misconduct

Gadsden State Community College is committed to providing a non-discriminatory and harassment-free educational, living and working environment for all members of the Gadsden State community, including students, faculty, administrators, staff, and visitors. This policy prohibits all forms of sexual or gender-based harassment, discrimination or misconduct, including sexual violence, sexual assault, and stalking and intimate partner violence. Misconduct of this nature is contrary to Gadsden State's institutional values and prohibited by local, state and federal laws, College policies, and the policies of the Alabama Community College System. Anyone who believes that they have been subjected to or have witnessed any form of sexual violence, should immediately report it to local law enforcement and Safety and Security, who will also make report to the Title IX Coordinator, Michele G. Bradford, J.D., (256) 439-6822.

Title IX

It is the policy of Gadsden State Community College to be in accordance with Title IX of the Education Amendments of 1972 which states that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance." Any person alleging to have been discriminated against in violation of Title IX may present a complaint to the Title IX coordinator. The Title IX Coordinator for Gadsden State Community College is Michele Bradford, Director Legal Affairs, Joe Ford Center, P. O. Box 227, Gadsden, AL 35902-0227; telephone 256.439.6822; fax 256.439.6812; e-mail mbradford@gadsdenstate.edu.