

MAJOR POLICY STATEMENTS & APPEALS

FERPA for Postsecondary Institutions: The Family Educational Rights and Privacy Act (FERPA) awards students' certain rights with respect to their 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 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 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 right to request the amendment of the student's education records that the student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the University to amend a record should write the University 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 University decides not to amend the record as requested, the University 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.
- The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The University 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 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 as its agent to provide a service instead of using University employees or officials (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. 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 the University.
- 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. 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 20202-5901**

Health and Safety Policy: The University acknowledges that it is its duty to ensure, so far as is reasonably practical, the health, safety and welfare of the staff of the University, its students, contractors and anyone else who comes into contact with the University and its activities. It is the policy of the University to provide and maintain, as far as is reasonably practical, a working

environment that is safe and without risk to health. To this end it will allocate sufficient resources and sound management systems to the fulfillment of this policy.

In particular, the University will, so far as is reasonably practical:

- Provide and maintain safe and healthy working conditions and systems of work.
- Provide and maintain safe plant and machinery.
- Provide information, instruction, training and supervision to enable staff and students to perform their work safely.
- Provide suitable and appropriate protective equipment and supervise its use.
- Maintain high standards of health, safety and welfare in all University activities.

Freedom of Access/ Nondiscrimination: San Ignacio University is open to all students who are qualified, according to its published admission standards. SIU encourages applications from qualified applicants of both sexes from all cultural, racial, religious and ethnic groups.

The University is committed to nondiscrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, veteran status, political affiliations or opinions. All University employees have a responsibility to keep the work environment free of discrimination.

When the University is made aware of an act of discrimination, it is obligated by law to take immediate and appropriate action. For the purpose of this regulation, discrimination is defined as any disparity of treatment or limitation of access based on race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, veteran status, political affiliations or opinions.

All acts of discrimination must be documented in writing, specifying the basis for discrimination. The complainant must enumerate all types of discrimination in the statement, identify the offender, and turn in the complaint to Student Services or Human Resources, as appropriate. Should a student feel discriminated by a member of the Faculty Department, the student must submit the complaint to the academic coordinator of his or her concentration, or to another University official. In absence of a written complaint, the employee or faculty member who received the complaint must document it in a memorandum to be referred to Student Services or Human Resources, as appropriate. Unless it is signed by the complainant, it will be an informal complaint. San Ignacio University will investigate all complaints. Investigations may include interviews, preparation of statements, reports with summary of the investigation, description of investigation process, findings, and recommendations. Reports will be kept confidential at the Department of Student Services and/or Human Resources, depending on the individual(s) involved.

The University may attempt conciliation between the parties involved. If conciliation is not achieved, the designated official from the University will issue a final report. Final reports shall be issued within 60 days of receiving the complaint. The alleged offender and complainant will be notified in writing of the outcomes, and procedures for appeal. Upon this final report, corrective action, including sanctions, will be considered and implemented.

Claims to be found frivolous will result in appropriate sanctions against complainant, as determined by Student Services or Human Resources. Possible sanctions may include, but are not limited to, written reprimands on the students or employee's record, restriction or loss of

privileges, and suspension. Complaints may be withdrawn, but San Ignacio University reserves the right to continue investigating as it was made aware of a possible act of discrimination. Any attempt(s) at retaliation shall be treated as a separate allegation of discrimination.

By the time a determination of appropriate disciplinary action or resolution has been reached, all parties will have been contacted and circumstances will have been fully evaluated. However, individuals have five days to appeal a determination of sanctions. Such appeals shall be directed to a higher University authority, who will re-evaluate the determination as deemed appropriate.

Alcohol and Drug Use: San Ignacio University, as an institution of higher education, is dedicated to the well-being of all members of the University community--students, faculty, employees and administrators. In demonstration of its concern with the misuse of alcohol and other drugs, it is the policy of SAN IGNACIO UNIVERSITY to endeavor to prevent substance abuse through programs of education and prevention.

The University recognizes alcoholism and drug abuse as an illness or treatable disorder, and it is the University's policy to work with members of the University community to provide channels of education and assistance. However, it is the individual's responsibility to seek assistance. The University also recognizes that the possession and/or use of certain substances is illegal, and the University is obligated to comply with local, state, and Federal laws.

San Ignacio University's alcohol and drug policies are as follows:

- While on campus or engaged in any University related-activity, members of the University community must be in a fit condition to perform appropriately. Being under the influence of alcohol and/or drugs is prohibited and may subject the individual to disciplinary action, including the possibility of dismissal;
- Employees will be evaluated on their work performance. If alcohol consumption or the use of any other drug affects an employee's performance, assistance is available. However, if an employee's performance continues to deteriorate, the University will discipline the employee based on his or her job performance. Poor job performance will lead to discharge;
- Professional assistance for substance abuse is given on a confidential, professional, and voluntary basis. The purpose of this assistance is to help the individual member of the University community who has a substance abuse problem lead a productive work and/or academic life, free of the substance abuse;
- Any member of the University community who engages in any illegal activity, such as illegal possession, use or sale of alcohol or other drugs is subject to dismissal.
- Possession and/or consumption of alcohol by individuals under 21 years of age is unlawful. Underage students caught under the influence of alcohol can be reported to local authorities for underage drinking.
- Alcoholic beverages should not be present on campus at any event or activity unless approved by the President. During such events, ID will be requested prior to serving alcoholic beverages. Events may include galas, openings, San Ignacio University anniversary celebrations, and others, as determined by the President.
- Any sanctions applied will be based upon the President's discretion and judgment of the situation. In the case of employees, the Human Resources Department will be responsible for determining the appropriate course of action. For more information, employees should also refer to the Employee Handbook, available at the Human Resources Department and at the University's website under Publications.

- Sanctions may include written reprimands on the student or employee's record, restriction or loss of privileges, suspension, expulsion or termination of employment, and referral for prosecution. Aside from these sanctions, students will remain financially liable for institutional charges pending on the student's account, and both students and employees will be financially liable for indirect or direct charges associated with any reported incidents.
- In order to protect the professional and academic environment of the University, a University committee will evaluate petitions from students or employees that would like to be reinstated. In these cases, students or employees that have been dismissed must submit documentation that demonstrates that he/she has sought out help and has complied with treatment, or is currently in treatment showing improvement, in order to be evaluated for re-entry. Any petition for reinstatement or re-entry may be denied upon evaluation.
- Students should be aware that they are subject to losing eligibility to receive Federal Title IV Funds (Pell Grant and Direct Loans) for conviction of an offense involving possession or sale of illegal drugs. (See Notice of Federal Student Financial Aid Penalties for Drug Law Violations for penalties and process to regain eligibility. This notice is available at the San Ignacio University website under the Consumer Information section).
- More information on how to prevent alcohol and drug abuse and special locations to seek help can be found in the Student Handbook.

Tobacco Use Policy: The University abides by and strictly enforces the Florida Clean Indoor Air Act. Designated smoking areas may be established outside University buildings as appropriate. Such designated areas must be at least 25 feet from any building entrance. Smoking will not be permitted in University vehicles. Students, faculty members or staff found in violation of this policy may be subject to disciplinary action, as deemed appropriate by the Student Services Department or Human Resources.

The University promotes a healthful and clean work environment for students, employees, staff, and visitors. In accordance with Florida's Clean Indoor Air Act (FCIAA), smoking is prohibited in all University buildings. This includes, but is not limited to, any classroom, laboratory, library, faculty office, administrative building, dining facility, housing, or any other facility owned or controlled by the University.

It is important that everyone participate in the establishment and maintenance of our tobacco-free campus. This shared enforcement responsibility will ensure a healthy environment for all of us, as well as reduce the hazards, accidental fires, and costs associated with the disposal of discarded tobacco products.

Numerous research studies have clearly shown that second-hand smoke impacts people's health, including those suffering from asthma and other respiratory conditions. Everyone has the right to work and live in environments that are free of risks and effects associated with tobacco use.

Hundreds of colleges and universities across the country have adopted tobacco-free policies in keeping with a growing movement that spans both private and public sector areas to restrict exposure to toxic and human cancer-causing substances.

Policy against Sexual Harassment: Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance. Sexual harassment of students can be a form of discrimination prohibited by Title IX. The Office for Civil Rights has long recognized that sexual harassment of students engaged in by school employees, other students, or third parties is covered by Title IX. It is also consistent

with United States Supreme Court precedent and well-established legal principles that have developed under Title IX, as well as under the related anti-discrimination provisions of Title VI and Title VII of the Civil Rights Act of 1964.

It is the intent of San Ignacio University to protect all employees and students from sexual harassment. Not only is sexual harassment a violation of Title VII of the Civil Rights Act of 1964, it also undermines the integrity of the employment and academic environment, debilitates morale, and interferes with the effectiveness of employees and students. In accordance with the Equal Employment Opportunity Commission's published guidelines, unwelcome sexual advances, unwanted requests for favors of a sexual nature, and any other unwanted verbal or physical conduct of a sexual nature are considered sexual harassment if:

- Explicit or implicit submission to sexual overtones is made a term or condition of employment;
- Employment decisions are made on the basis of whether submission to or rejection of sexual overtones occurred; and
- Sexually intimidating, hostile, or offensive atmosphere unreasonably interferes with an individual's work performance.
- At San Ignacio University, sexual harassment of or by employees includes the following:
 - Unwelcome or unwanted sexual advances. This includes unwelcome physical contact or sexual advances considered unacceptable by another individual;
 - Requests or demands for sexual favors. This includes subtle or blatant pressures or requests for any type of sexual favor, accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment status or student status;
 - Verbal abuse that is sexually oriented or considered unacceptable by another individual, as well as sexually derogatory comments. This includes commenting about an individual's body or appearance when such comments go beyond mere courtesy, telling jokes that are clearly unwanted and considered offensive by others, or other tasteless sexually-oriented comments or innuendoes or actions that offend others;
 - Engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance. This includes extending unwanted sexual attention to someone that reduces personal productivity or time available to work at assigned tasks; or
 - Creating a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversations, suggestions, requests, demands, physical contacts, or attentions.
- Normal, non-coercive interaction that is acceptable to both parties is not considered to be sexual harassment. At San Ignacio University, sexual harassment by employees of students is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct is made to appear to be a term or condition of enrollment, attendance, or participation in a class;
 - Submission to or rejection of such conduct affects academic decisions;
 - Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or creating an intimidating, hostile, or offensive academic environment;
 - Unwelcome physical contact, including but not limited to, patting, pinching, or touching; or
 - Offensive or demeaning sexual remarks, jokes, or gestures.

- Students aggrieved by a violation of this policy may file a grievance by reporting the conduct to any University Administrator or the Director of Human Resources. All allegations of sexual harassment of or by a student, faculty member, or any other University personnel will be promptly and thoroughly investigated by the Office of Human Resources.
- San Ignacio University recognizes sexual harassment as an insidious practice and will not tolerate sexual harassment in any manner or form. Persons sexually harassing others will be dealt with swiftly and vigorously. Any individual who violates any portion of this policy shall be subject to disciplinary action up to and including discharge.
- It is improper conduct for a San Ignacio University faculty member to engage in a romantic or sexual relationship with a student enrolled in the faculty member's class or for an employee to engage in a romantic or sexual relationship with a student that is under the employee's supervision. Romantic or sexual relationships between any faculty member and a student then enrolled in the faculty member's class (including supervised student activities for which academic credit is given) or between any University employee and a student enrolled in the University may appear to be coercive and are discouraged. Even when no coercion is present, such relationships create an appearance of impropriety and favoritism, which can impair the academic experience of all students in the University environment. At San Ignacio University, romantic and sexual relationships between a faculty member or an employee and a student are subject to the prohibition against sexual harassment.

Policy against Hazing: In compliance with Florida law, San Ignacio University defines hazing as any act whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass, or intimidate him or her, or which may in any fashion compromise his/her inherent dignity as a person.

Hazing is inherently in conflict with the purpose and goals of San Ignacio University. Therefore, such conduct will not be tolerated. Every effort will be made by San Ignacio University to guarantee that students will not be victimized by hazing. More information on how to prevent and report sexual harassment can be found on the Student Handbook.

Library Use Policy: Students are allowed and encouraged to borrow materials from the library's general collection and textbooks for a period of two weeks, provided the textbooks are not being used for classes currently being offered. Textbooks for classes currently offered will be limited to in-house use. Circulation of library materials will be held to the library's discretion. If an item is lost, the student will be charged with the replacement fee up to the current value, and this fee will be collected before the student is allowed to register for the next semester's classes. Reference and special collection items may not normally be circulated to students without special permission; however, special permission may be granted on occasion by the librarian for reference materials where necessary and appropriate.

Email and Internet Use Policy: All email communications sent or received at the University should be considered official University correspondence. Such correspondence is subject to standards of good taste, propriety, courtesy and consideration. The University under certain circumstances, such as an internal investigation, may retrieve emails, as they are subject to subpoena and discovery in legal proceedings. Respect for others' privacy dictates that students should not try to access another individual's messages without the individual's permission. Most computers at San Ignacio University have access to the Internet. It is expected that all individuals using San Ignacio University's computers will use good judgment in determining the sites visited and the amount of time spent using the Internet.

Rules concerning Use of Computers: The following rules apply to all users of San Ignacio University's computers. Violations of any of these rules may be possibly unlawful. An individual's computer use privileges may be suspended immediately upon the discovery of a possible violation of these rules:

- Computer users agree to use facilities and accounts for University-related activities only.
- Accounts are considered the property of San Ignacio University.
- The Librarian or Library Assistant must approve all access to central computer systems, including the issuing of passwords.
- Authorization for the use of the accounts is given for specific academic purposes.
- Attempts to use accounts without authorization or to use accounts for other than their intended purposes are all violations of the University's rules.
- Electronic communications facilities, such as email are for San Ignacio University related activities only. Fraudulent, harassing or obscene messages and/or materials are not to be sent or stored.
- Computer users agree to the proprietary rights of software. Computer software protected by copyright is not to be copied from, into, or by using San Ignacio University computers.
- Computers users are required to abide by federal copyright laws and San Ignacio University policy regarding the use of all digital materials, including peer-to-peer file sharing.

Inappropriate conduct and violations of this policy will be addressed by the appropriate procedures and agents. In cases where a user violates any of the terms of this policy, the University may, in addition to other remedies, temporarily or permanently deny access to any and all San Ignacio University computing resources, and appropriate disciplinary actions may be taken.

Copyright Policy: San Ignacio University is committed to compliance with all Federal laws (Title 17, United States Code) regarding copyright. Copyright is an essential form of protection for individuals who have developed, created, or authored literary, dramatic, musical, artistic, and certain other intellectual works. This protection is extended to both published, as well as unpublished works, and is extended to any author, regardless of their nationality or domicile.

All members of the San Ignacio University community – students, faculty, staff, and administrators – are responsible for complying with the requirements of the copyright law. It will be assumed that the copyright law applies to all material, unless one of the following applies:

- The work is in the public domain, including works by the U.S. Government.
- The use of the work qualifies as fair use under the copyright law.
- Prior written permission from the author has been obtained, or appropriate royalties or licensing fees have been paid in exchange for usage rights.

Note that all printed materials – in text or digital form - should be assumed to be copyrighted. The use of a copyrighted notice © is no longer required. The unauthorized use of copyrighted material is called infringement. As noted above, federal copyright protection is extended to digital media accessible through the Internet. Uploading or downloading digital material or works is an infringement of the copyright owner's exclusive rights. This includes peer-to-peer file sharing. All members of the San Ignacio University community who disregard this policy do so at their own risk and assume any liability, which may include criminal and/or civil penalties. Anyone found to

have infringed a copyrighted work may be liable for statutory damages for not less than \$750 and not more than \$30,000 for each work infringed, and if willful infringement is proven by the copyright owner, that amount may be increased up to \$150,000 for each work infringed. Criminal penalties for willful infringement can include up to five years imprisonment. These penalties can be increased by a court which can also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

In addition, the University may take disciplinary action– see section below related to cheating and plagiarism.

Photograph Policy: San Ignacio University, Department of Marketing Communications respects intellectual property rights when procuring and using photographs. We seek written permissions from photographers for the use and reproduction of their photographic art in publications, Web pages and displays. When appropriate, we purchase the copyright with respect to photographs and work out agreements for attributing authorship to the photographers.

When book cover art, newspaper masts, logos, photographs, illustrations and other art from sources off-campus are needed for a publication, San Ignacio University's Marketing Department staff members seek official permissions and releases. If the artwork is needed for a Web page, a member of San Ignacio University's Web Management and Services staff researches and completes the online process for permission and release of the works for reproduction and online use and display.

When the Department of Marketing Communications is aware that photographs taken by San Ignacio University students or faculty are being considered for use in a San Ignacio University publication, a staff member contacts the individual involved for permission to use the photograph. The photographer is asked to provide a written consent and release for the photo's reproduction and use and a mutually acceptable approach to the attribution of authorship issue is arranged.

Photo Credits: As a general rule, the Department of Marketing Communications avoids the use of photo credits in recruitment publications. Our usual agreement with our most frequently used photographers provides San Ignacio University with the ownership of the copyrights with respect to the photos from the shoots we arrange and purchase and use of the photos without printed credit. When photo credits are stipulated as a part of a purchase of photography, we include them.

Photo Release: As a condition of their employment with San Ignacio University, our faculty and staff are required to consent to being photographed and grant a perpetual, royalty-free and irrevocable license to San Ignacio University with respect to reproduction, display or other use of any photographs in connection with their employment with San Ignacio University. Students, as a condition of their enrollment and attendance at San Ignacio University, also consent to being photographed on campus and grant a perpetual, royalty-free and irrevocable license to San Ignacio University with respect to reproduction, display or other use of any photographs depicting them on campus or in connection with their coursework at San Ignacio University.

Still or video photo shoots may be informal (candid shots of campus scenes, athletic events, performance groups, large groups or activities) or formal (planned visits to classrooms, laboratories or offices; directory shoots or athletics headshots with professional backgrounds; or video shoots on campus) in nature. All such photographic images taken by San Ignacio University faculty or staff and the copyrights with respect thereto are and/or become the property of San Ignacio University's Department of Marketing Communications.

The digital photos or video footage are added to the University's library of images, which becomes a resource for the University's Web site and publications.

Informal Photo Shoots: The Department of Marketing Communications attempts to inform the campus when informal photography projects are under way. Announcements are made through the campus newspaper, and/or in some instance's signs are posted in areas of the campus.

Formal Photo Shoots: When a request is received or a need arises for images of particular individuals or settings, a Department of Marketing Communications staff member contacts the appropriate faculty member or department to schedule the photographer. Preferring a natural, realistic approach, San Ignacio University seldom stages its photographs.

Faculty members are encouraged to inform classes of the impending photo shoot. The faculty member will be supplied with an announcement to be made to the class with suggestions for making the shoot as effective as possible. The faculty member is asked to permit the photographer to make an announcement upon arrival at the classroom. The photographer will introduce himself, briefly explain his purpose and allow students who wish not to be photographed to move to a part of the room that will not be included in the photos. Students not wishing to participate must inform the photographer of their unwillingness prior to the photograph being taken.

Students participating in a photo shoot are giving their permission for the photos to be used as the University sees fit by participating in the photo shoot. Students are permitted to opt out of the photo shoot, if that is their choice; by informing the photographer in advance of the photo being taken and removing themselves from the photo shoot area.

Choice of Photos: Department of Marketing staff members, in consultation with requesting departments, as possible, are responsible for choosing images on behalf of San Ignacio University for use on the University Website, University publications and in University video projects. Occasionally images are shared with outside entities making requests.

Choices for photographs are made with great sensitivity to the following: The goal for the message(s) to be communicated, the quality of the photo, providing a truthful representation of the University, and the impact of the photo on the audience's perception of San Ignacio University. Although we attempt to be as objective as we can in our photo choices, we recognize that making photograph selections is a subjective task. If a photo does not meet San Ignacio University's qualifications, rather than compromising the reputation of San Ignacio University by utilizing a photograph that is inadequate or inappropriate, a photo shoot will be rescheduled to obtain an appropriate photo.

Ways to opt out of Photos Being Published, Directory Listings: Faculty and staff may choose not to publish their photos (or personal information) by making their preference known in writing to staff of the Department of Marketing Communications at San Ignacio University. Make sure to update your personal information for use in San Ignacio University's directories.

Formal Shoots: After arranging a photo shoot, the Department of Marketing Communications provides an announcement that faculty members may use to make their classes aware of the scheduled time for the shoot. The photographer will make an announcement allowing students to opt out of the shoot by informing the photographer in advance of the photograph being taken and moving to another part of the room, if that is their choice.

Procedures to Have a Photo Removed from Use - Concerns about the use of individual images on the Web site or photos in print publications may be communicated to the Department of Marketing Communications. We will try to resolve individual complaints while still meeting the important goal of visually representing the University. We ask your patience in this process. Expense is sometimes a consideration in our ability to change a photograph; sometimes an inventory of printed publications must be exhausted before the change can be put in place.

With respect to claims of copyright infringement relating to photographs shown on our Web site, we have a Designated Agent to receive notices of such claims and written procedures to deal with such claims in accordance with the Digital Millennium Copyright Act.