

STUDENT RIGHTS AND RESPONSIBILITIES

Students have the right to be judged fairly, to be treated with respect, free of harassment and secure in their privacy as individual citizens. The university has policies and procedures which intend to assure these rights.

Students should inform themselves of rules governing college requirements, registration, academic standards, student activities, student conduct, parking, and similar matters, for they are held responsible for knowing and abiding by them.

The university *Catalog* not only enables prospective students and others to learn about Nicholls, but it also states university policies, requirements, regulations, and procedures. This *Catalog* represents a flexible program of the current curricula, educational plans, offerings, and requirements which may be altered by the university from time to time to carry out academic purposes and objectives. The university reserves the right to change any provision, offering, or requirement at any time within the student's period of study at the university. Rules and regulations of this *Catalog* supersede those stated in previous Catalogs.

The university expects all students to obey the law, to show respect for and obedience to properly constituted authority, to fulfill contractual obligations, and to maintain absolute integrity and a high standard of individual honor in academic work. It also expects from its students a higher standard of conduct than the minimum required to avoid disciplinary action. The program's discipline is administered by the Office of the Dean of Student Life in accordance with the *Code of Student Conduct*, copies of which are provided to new students at Orientation.

The experience of living on campus is one of the most important phases of university life. The Board of Supervisors for the University of Louisiana System places the welfare of the student as the top priority in the establishment and operation of all higher education institutions. Positive Board action has been taken in the acquisition and construction of essential housing, dining, student life, and academic facilities for the established institutions. The Board expects students to utilize these facilities to their fullest and in the best interest of all concerned. Therefore, all undergraduate students with less than 90 hours are required to live on campus unless they live at home. Exceptions are granted for married students, students with dependents and students living at home. For more information, contact the Housing Operations Office located in the Student Union, or call (985) 448-4479.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Students attending Nicholls State University are hereby informed of their right of access to their official records as described in the federal Family Educational Rights and Privacy Act and of the confidential nature of those records.

The federal act further provides that directory information about the student may be released by the university unless the student completes a form in the Office of Records and Registration within two weeks after the final day of registration for a semester, or within one week after the final day of registration for a summer session. This must be renewed each semester or summer session.

The following is considered directory information: the student's name, address, telephone listing, electronic mail address, date and place of birth, major field of study, classification, full-time or part-time status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and honors/awards received, the most recent previous education agency or institution attended, and photographs (for public relations purposes only).

Further information may be obtained from the Office of Records and Registration.

Notification of Rights under Family Educational Rights and Privacy Act for Postsecondary Institutions

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the university receives a request for access.

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) 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.

2. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading.

Students may ask the university to amend a record that they believe is inaccurate or misleading. 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 or misleading. 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 or 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.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is 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 (such as an attorney, auditor, or collection agent); a person serving on the Board of Supervisors; 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 responsibility. Upon request of another institution, the university discloses education records without consent to officials of such an institution in which a student seeks or intends to enroll.

4. 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, 20202-4605.

STUDENT COMPLAINTS AND THEIR RESOLUTION

The State of Louisiana and the U. S. Department of Education have mandated that institutions of higher education have in place a specific procedure for the resolution of student complaints. State and federal governments are most interested in complaints that involve: 1) the mismanagement of federal financial aid funds and 2) false representation of programs and courses of study that may appear in an institution's various publications. Although Nicholls State University adheres strictly to all rules and regulations and represents as clearly as possible to students the information pertaining to their education here, students who may have complaints in either of these areas are encouraged to bring them to the university's attention through the procedure outlined below.

Other complaints may be addressed through the same procedure; however, specific complaints such as those concerning discrimination or harassment and grade appeals must follow the procedures specified in the *Code of Student Conduct*.

Procedure for Resolution of Student Complaints

A student who has a valid, documentable complaint against any office or employee of the university, or about any program or service offered by the university may file a written complaint, along with documentation, either a) with the supervisor of the office, service, or program which provided grounds for the complaint, or b) with that individual's supervisor. The complaint will be recorded in a complaint log, noting the name of the complainant, the grounds

for the complaint, and the date of filing. The student is encouraged to file the complaint as soon as possible after the incident occurred.

The supervisor, the student, and the person giving grounds for the complaint will meet within three workdays of the filing of the complaint to attempt to resolve the matter. The student must be prepared to present a resolution acceptable to him or her. It is expected that most complaints will be resolved at this point. The supervisor will record the outcome of the discussion in the complaint log.

If the discussion has ended without resolution and if further investigation is necessary to resolve the complaint, the supervisor will conduct the investigation within the ten workdays following the discussion, keeping notes and documentation of the investigation in a separate file, and will present the results of his or her investigation, along with a recommendation for resolution, during a second meeting with the parties involved. The parties will again attempt to negotiate a resolution acceptable to all. The results of this meeting will be inscribed in the complaint log.

If the student does not agree to a resolution as proposed, developed, or modified during the second discussion, he or she may file an appeal to the next University officer in the chain of command, within five workdays of the second discussion. In the appeal letter, the student must state with specificity why he or she believes the proposed resolution to be unacceptable, and why his or her desired resolution is preferable. Upon receipt of the appeal letter, the appeal officer will request that the complaint log page(s) and other records pertinent to this case be forwarded to him or her.

The appeal will be decided within ten workdays, based on the student's letter of appeal as well as all notes and documentation produced during the discussions. The appeal officer may speak with all of the parties involved, or with none, if he or she sees fit; however, the appeal officer will not speak with only one of the parties without also speaking with the other(s). The officer will keep notes of these discussions. The decision of the appeal officer will be inscribed in the complaint log (after having been communicated in writing to the student).

The student may appeal the decision to the university President, for review and recommendation by the President's Cabinet Appeals Committee. Appeals to the President will be based on the records of the case and the appeal letter submitted by the student.

The student may appeal the president's decision to the Board of Supervisors for the University of Louisiana System. The Board's review of the matter will be limited to a determination of compliance with established and appropriate procedures at the institutional level.

At whatever stage the complaint is resolved, its resolution must be recorded in the log, and a signed and dated copy of the record forwarded to the office of the appropriate vice president. The original will then be returned to the log book of the department where the complaint initiated.

The student is assured that no retaliatory action will be taken against him or her for filing and pursuing the resolution of a complaint. All written and otherwise recorded materials relating to the filing and resolution of student complaints are to be considered education records, and, as such, are protected by the Family Educational Rights and Privacy Act ("The Buckley Amendment").

EQUAL OPPORTUNITY AND ANTI-DISCRIMINATION

Nicholls State University assures equal opportunity for all qualified persons without regard to race, color, religion, sex, national origin, age, disability, marital status, or veteran's status in any of its policies or procedures. This includes, but is not limited to, admissions, employment, financial aid, and educational services.

Inquiries concerning equal opportunity programs should be directed to the university compliance officer, Room 179, Elkins Hall, Nicholls State University, Thibodaux, LA 70310 (985 448-4050).

The university is ethically committed and legally bound not to discriminate against students, faculty, or staff on the basis of their sex, race, religion, national origin, age, marital status, disability, or veteran's status. A member of the Nicholls community who believes that he or she has suffered discrimination by being denied rights assured by federal and state anti-discrimination laws may file a complaint with either the Dean of Student Life (student complainant) or the Director of Human Resources (faculty or staff) or any other appropriate officer of the university. The complaint will be processed according to the procedure set forth in the Code of Student Conduct.

UNIVERSITY CONTACT WITH STUDENTS THROUGH ELECTRONIC MAIL

Electronic mail (e-mail) is an official method of contact between the university and students. This e-mail contact applies to all forms of communication including but not limited to matters concerning admissions, registration, financial aid, and academic affairs. Students are given e-mail addresses after their initial registration. Students should check e-mail at least once a week. The university provides computer access for all students by way of open computer labs. For information concerning the use of e-mail and the availability of computers, please contact Academic Computing, (985) 448-4649.

COMPUTER USE

The university has a specific policy governing the use and abuse of its computer resources. Students granted access to university computing facilities are required to abide by the established policy for computer use. The policy is stated in the *Code of Student Conduct*.

The policy against computer abuse is a comprehensive one dealing with all aspects of computer abuse, whether physical or logical. It applies to all university computing facilities including mainframes, minicomputers,

microcomputers, and associated equipment and links, as well as software, whether developed by Nicholls or purchased.

SUBSTANCE ABUSE

Nicholls strives to create an environment which promotes and reinforces health and responsible living, within the context of its educational mission. To this end, and because of the risks to the health and safety of the individual and community, the university opposes the abuse of alcohol and any other drug.

The university is committed to upholding all local, state, and federal laws concerning the use and abuse of alcohol and other drugs, and it will support efforts in the campus community to confront violations of these laws.

The following principles guide the university policy regarding the use of alcohol and drugs:

1. Students, faculty and staff are expected to take full responsibility for their own choices and behavior.
2. Abstinence is encouraged and respected in all circumstances
3. Activities and functions without the consumption of alcohol are to be promoted.
4. The university permits the consumption of alcohol on campus by persons of legal age only at approved university functions and has published specific regulations to this effect. Heavy consumption of alcohol and any consumption of illegal drugs are discouraged. Assistance for alcohol and drug abusers is provided through education, counseling, and referral.
5. In conjunction with the Drug-Free Workplace Act of 1988, all employees are notified that the illegal use, possession, dispensation, distribution, manufacture or sale of controlled substances is prohibited when an official state business, whether on duty or on call for duty, on or off the work site. Failure to comply with this policy may result in disciplinary action up to and including termination. By law, it is the responsibility of all employees to notify Nicholls State University within five days if they are convicted of violating any criminal drug statute at the workplace, while on official state business or while on call for duty.

SMOKING POLICY

Smoking and the Use of Tobacco Products

Concern for indoor air quality is a trend taking place across the nation. In 1989 the Surgeon General renewed a health education campaign against smoking, and Congress passed legislation restricting smoking on domestic airline flights and began consideration of a bill that further limits advertising for smoking products. Studies have revealed that nonsmokers who breathe second-hand smoke face similar health risks as smoker. As a result, a significant number of

corporations and academic institutions now require a completely smoke-free environment.

Nicholls State University has a vested interest in creating a healthful and productive atmosphere for its faculty, staff, and students. Providing a generally smoke-free environment is a step in establishing activities that promote a long and healthy life. Therefore, **the use of tobacco products is prohibited in and within 25 feet of university buildings and on university sidewalks.**

SEXUAL HARASSMENT

It is the policy of the university that no member of the academic community may sexually harass another. Sexual advances, requests for sexual favors, disparaging remarks, and other conduct of a sexual nature constitute harassment when:

1. They are unwelcome;
2. They are made under circumstances implying that one's response might affect academic or personnel decisions that are subject to the influence of the person making such proposals;
3. Such conduct is persistently abusive of others and implies a discriminatory attitude or hostility toward their personal or professional interests because of sex; or
4. 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 learning or work environment.
5. Examples of such conduct include unwanted touching, repeated negative comments about the abilities of a particular sex, repeated personal questions of a sexual nature, and repeated sexually-oriented comments about an individual's appearance. Such conduct may constitute sexual harassment whether it is exhibited by a male or female, inside or outside the classroom, or in the workplace, or whether it involves students, faculty, or staff.

HAZING

University students are expected to be partners in the process of fulfilling the mission of the university by creating and maintaining standards within student groups, teams, and organizations that are conducive to personal growth and development. If student groups, teams, and organizations are to play an integral part in the university's plan, they must set standards that challenge each individual to achieve his or her greatest potential. Hazing is the antithesis of this goal, in that it attempts to tear down the feelings of individual pride and self-esteem. For this reason, hazing is strictly prohibited, violates the Code of Student Conduct and state law, and should be reported to the office of Student Life and the Office of University Police.