

the University who will make the final determination on all appeals.

Leave Of Absence

Students may apply for a leave of absence except those attending the first semester and those students in disqualified status. A student may request a leave of absence at the Office of the Registrar and apply for a maximum of one year. If exceeding the specified period, the student must reapply following the Readmission requirements as stated in the University Catalog. A student may request a leave of absence for such situations as illness, pregnancy, or emergency and must have the intention to return to formal study. In order to receive a "Leave of Absence", the student must submit the "Leave of Absence Form" to the Office of the Registrar. An authorized "Leave-of-Absence" will not affect the satisfactory academic progress of the student.

Rules and Regulations

Student Rights

Academic Freedom

In the classroom, students are free to take reasoned exception to the data or views offered and to reserve judgment about matters of opinion. While students are protected against prejudiced or capricious academic evaluation, they are also responsible for fulfilling standards of academic performance for each course in which they are enrolled.

Freedom of Association

Students are free to organize and to join associations that have goals that are consistent with the University's Mission. Such associations provide an opportunity for students to promote their common interests, to learn organizational skills, and to develop maturity through self-management of their own group activity. Student organizations are expected to observe the same standards of conduct as individuals.

Freedom of Expression

In a free society, the right to express oneself freely and the right to have access to divergent views are

cornerstones of our social institutions. The time, place and manner of exercising these rights shall not interfere with University functions. This policy in no way constitutes prohibitions on the right to express political views by any individual in the University community. The University recognizes, supports, and shall not abridge the constitutional rights of faculty, students, or staff to participate, either as individuals or as members of groups, in the political process of supporting candidates for public offices or any other political activity.

Privacy

The Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. 1232g) and regulations adopted there under (34 C.F.R. 99) grant students significant rights to access their educational records. This act also protects the privacy of student records and requires the University to inform students of all their rights and safeguards. The following summarizes the various sections of the act. Students may gain access to any written records directly concerning them by asking the official holding the records. A list of record holders and the contents of student files can be obtained from the Office of the Registrar. Where a record contains information on more than one student, the student requesting inspection must be informed only about the information pertaining to him or her. The student does not have the right to inspect such records personally since this would violate the privacy of another student. The student has no right of access to some records.

These are:

- Financial records of parents.
- Confidential letters and recommendations written prior to January 1, 1975.
- Confidential letters and recommendations, for which a waiver of right to access has been signed, provided the student is given the names of those writing letters.

Students have the right to the interpretation and explanation of all records. Furthermore, the subject matter of the files can be challenged directly with the official holding them. If students are not satisfied with the explanation or reach an impasse with the record holder, they have the right to appeal the case to the record holder's supervisor. Students have the right to copies of their records. They may be charged for this service, but the amount cannot exceed the actual cost of producing them. The act entitles students to the privacy of their records. Only material classified as "directory" information can be released without student consent. This information includes directory name, school of enrollment, credit hour load (full-time, part-time), periods of enrollment,

degree awarded, honors, major and minor fields, President's Honors list, and date and place of birth. (If they give reasonable notice, students can have any or all of the information withheld). The act does, however, allow persons serving in official capacities to have access to student records. These include:

- University officials performing their official duties.
- Officials of other universities in which the student seeks enrollment, provided the student is given notice and the opportunity to review the records sought.
- Government officials acting in their legitimate functions.
- Those persons needing them in connection with a student's application for, or receipt of, financial aid.
- Organizations conducting surveys, provided that the information will not reveal the student's name and will be destroyed when it is no longer needed.
- Accrediting organizations.
- Those persons named in a judicial order.

Students may agree to have others review their files. To protect students, a record will be kept of those granted access, other than NHU officials. Such records will be maintained for each file reviewed.

Tuition Recovery Fund

(SECTION 94342 OF THE EDUCATION CODE)

All officially enrolled students of the University who prepaid tuition will be notified within 30 days of the institution's closure and receive instructions on how to apply for payment. The amount of the payment will include all student loan debt incurred by the student while attending the University.

Non-Discrimination Policy

Complaints by students or employees on matters pertaining to NHU non-discrimination policy should be directed to NHU Executive Director of Student Outreach and Support Services. The National Hispanic University does not discriminate on the basis of age, marital status, religion, citizenship, medical condition, veteran status, sexual orientation, or any other characteristic protected by law in the administration of its educational policies, admissions policies, scholarships and other school administered programs.

Disabled Student Rights

The National Hispanic University does not discriminate on the basis of disability in admission, access to, or treatment of employment in its programs and activities. This is in accordance with Section 504 of the Rehabilitation Act of 1973, as amended, and the American with Disabilities Act (ADA), and the regulations adopted there under prohibit such discrimination.

Race, Color or National Origin

The National Hispanic University complies with the requirements of Title VI of the Civil Rights Act of 1964 and the regulations adopted there under. No person shall, on the grounds of race, color, or national origin be excluded from participation in, or be denied the benefits of, or be otherwise subjected to discrimination under any program at NHU.

Gender

The National Hispanic University does not discriminate on the basis of gender in the educational programs or activities it conducts. Title IX of the Education Amendments of 1972, as amended, and the administrative regulations adopted there under, prohibit discrimination on the basis of gender in education programs and activities operated by The National Hispanic University. Such programs and activities include admission of students and employment. Inquiries concerning the application of Title IX to program and activities of The National Hispanic University may be referred to NHU Executive Director of Student Outreach and Support services or to the Regional Director of the Office for Civil Rights, US Department of Education, Old Federal Building, 50 United Nations Plaza, Room 239, San Francisco, California 94102- 4102, (415) 556-4275.

Complaints and Grievance Process

The National Hispanic University has established procedures for grievances and complaints in order to provide a means for resolving alleged unfair or improper action by any member of the academic community, including students. Procedures and forms are available at the Office of the Provost on the Second Floor, Sobrato Hall, (408) 273-2693 as

well as with the Office of Human Resources, Third Floor, Sobrato Hall, (408) 273-2711.

Policy on Sexual Harassment

The University adheres to the principle that students have a right to be free of sexual harassment by any member of the academic community. Sexual harassment includes such behaviors as:

- Attempting to coerce an unwilling person into a sexual relationship (physical assault, or subtle pressure for sexual activity, whether or not accompanied by implied or overt threats concerning one's job, opportunities for advancement, grades, letter of recommendation, etc.);
- Subjecting a person to unwanted sexual attention (inappropriate touching of another's body, etc.);
- Penalizing a person who refuses sexual advances (denying opportunities for advancement; lowering grades, etc.);
- Creating a sexually intimidating, hostile, or offensive working or educational environment (use of language or gesture to harass sexually, e.g. sexual activities, sexist and sexual jokes, staring at another's body, any retaliatory conduct against an individual who has complained of sexual harassment, etc.);
- Particular allegations of sexual harassment will be evaluated in light of accepted standards of mature behavior.

Individuals who believe they have been sexually harassed should first seek to make clear to the offender in writing their displeasure regarding the behavior and their desire that it cease. They may seek assistance, if they wish, from one of the following: if the harassed one is a faculty member, from the Provost; if the harassed one is a staff member, from the Director of Human Resources; and if the harassed one is a student, from the Executive Director of Student Outreach and Support Services. If the unacceptable behavior continues, the persons who feel they have been harassed may seek remedy through the institution's formal grievance procedures, initiating the process by going directly to one of the three Grievance Officers.

If the individual chooses, he/she may omit the steps indicated in the previous paragraph and go directly to a Grievance Officer. A student found guilty of sexual harassment is subject to dismissal from the University. Complaints regarding sexual harassment will be responded to promptly and equitably. Confidentiality will be maintained insofar as possible to protect the right to privacy of

both persons and so that the integrity of the respondent is not compromised in the event of an unfounded complaint.

This policy expressly prohibits retaliation against any individual who in good faith asserts a complaint of sexual harassment.

Drug Free Campus

The National Hispanic University is a drug-free campus. The University does not allow the unlawful possession, use, or distribution of illegal drugs and alcohol by students on its property or as part of its activities. The University will sanction students according to local, state, and federal laws. University sanctions include student expulsion and referral for prosecution.

Equal Opportunity and Affirmative Action

It is the policy of The National Hispanic University to provide all persons with equal employment and educational opportunities regardless of race, color, ethnic group, national origin, religion, sex, sexual orientation, marital status, age, or disability in accordance with Titles VI and VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, Government Code Sections 1135-1139.5, and Section 504 of the Rehabilitation Act of 1973. University grievance procedures will be followed for compliance with this policy.

Student Discipline Policy

Expulsion, Suspension and Probation of Students

Students who are involved in conduct that falls within the categories listed below are subject to disciplinary action which may consist of being expelled, suspended, placed on probation, or given a lesser sanction:

- A lack of honesty, such as cheating, fraud and plagiarism in any academic pursuit;
- Improper use of University documents, records or identification: including forgery, alteration or destruction of such documents, and knowingly furnishing false information;
- Theft of, or damage to, private or University property;
- Possession or use of explosives, dangerous chemicals or deadly weapons on University property;

- Use, possession or distribution of illegal drugs on University property;
- Conduct, such as disorderly, indecent, lewd or obscene behavior that is contrary to University decorum;
- Misrepresentation of oneself or of an organization to be an agent of the University;
- Obstruction or disruption of the campus educational, administrative, or other University process or function;
- Physical abuse of the person or property of any member of the campus community;
- Unauthorized entry, unauthorized use or misuse of campus property.

Disposition of Fees

A student may be placed on probation, suspended, or expelled for one or more of the activities enumerated above. No fees or tuition paid by or for such student for the semester in which he or she is suspended or expelled shall be refunded. If the student is re-admitted before the close of the semester or summer session in which he or she is suspended, no additional tuition or fees shall be required of the student on account of the suspension.

Disciplinary Procedures and Due Process

The University provides due process for students against whom allegations have been made. When disciplinary charges have been filed against a student, the status of the student is not altered nor is his/her right to be on campus and attend classes altered. The only circumstances under which a student may be summarily suspended from the University are when the President or his designee determines that:

- The physical safety or emotional well-being of the accused student is in jeopardy;
- Teaching, research, administration, or disciplinary procedures or other University activities are obstructed or disrupted; or
- The physical abuse of a person on University owned or controlled property or at a University sponsored or supervised function or other conduct that threatens or endangers the health or safety of any person has occurred.