

THE
LOWDOWN



Go Jaguars

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Code of Student Conduct

1. COVERAGE

The Code of Student Conduct is the University's policy regarding nonacademic discipline of students. Academic discipline is covered under the section of the *Lowdown* called "Student Academic Conduct Policy."

2. RATIONALE

The primary purpose of the Code of Student Conduct is to protect and preserve a civil and safe educational environment. The University is not designed or equipped to rehabilitate students who will not abide by this code. The disciplinary actions prescribed are meant to protect and preserve a quality educational environment, and if students by their behavior threaten that environment, it may be necessary to remove them from the community as provided in this code.

3. INTERPRETATION OF CODE

The University's Code of Student Conduct is set forth in writing in order to give students a general notice of non-academic prohibited conduct. The Code should be read broadly and is not designed to define non-academic misconduct in exhaustive terms.

4. INHERENT AUTHORITY

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community and the student(s)' physical and emotional safety and well being; therefore, the University does reserve the right to suspend students on an interim basis pending an investigation pursuant to this Code of Student Conduct.

Revocation of conferred degrees may be recommended to the Board of Trustees in instances where conferral of the degree preceded the determination of significant misconduct or academic fraud.

5. VIOLATION OF LAW AND OF THIS CODE

Students may be accountable to both civil authorities and to the University for acts which constitute violations of law and of this Code. Those accused of violations are subject to the University disciplinary proceedings outlined in this Code even though similar proceedings of a criminal nature are pending, have been terminated, or not yet adjudicated in municipal, state or federal court. Such fact of other proceedings or pendency of same will not be an appropriate challenge to the disciplinary proceedings outline in this Code.

6. DEFINITIONS

When used in this Code

- a. The term "consent" means freely given agreement by a competent person. A person is deemed incompetent to give consent when that person is under such an incapacitation that he or she does not appreciate the nature of the consent.
- b. The term "distribution" means giving, selling, or exchanging.
- c. The term "group" means a number of persons who are associated with each other and who have not complied with University requirements for recognition as an organization.
- d. The term "intentionally" means a conscious objective to engage in the described conduct; intoxication is not a defense to a charge of intentional misconduct.
- e. The terms "notify in writing" or "transmit in writing" mean to mail written notice to the student's most recent address of record or to hand written notice to the student in person.
- f. The term "organization" means a number of persons who have complied with the University requirements for registration.

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- g. The term “reckless” means conduct which could reasonably be expected to create a substantial risk of harm to a person(s) or property, or which would be likely to result in interference with normal University or University sponsored activities.
- h. The term “sexual conduct” means sexual intercourse, anal intercourse, fellatio, cunnilingus, touching of the genitals, breast, buttocks, or inner thighs or any other physical conduct or touching of a sexual nature.
- i. The term “sexual harassment” includes, but is not limited to the following: verbal or non-verbal conduct with an inappropriate focus on gender or sexual history, characteristics or preferences that are intimidating, demeaning, hostile, or offensive; unwelcome verbal or physical advances; attempts to subject a person to verbal or physical advances; attempts to subject a person to unwanted sexual attention or to coerce a person into a sexual relationship; retaliation for a refusal to comply with sexual demands.
- j. The term “student” means any person taking courses at USA, both full-time and part-time, pursuing undergraduate, graduate, or professional/extension studies. A person who is not officially enrolled for a particular term, but who has a continuing relationship with the University, is considered a “student.” This includes persons newly admitted to USA, who are on semester break, and who are sitting out one or more semesters.
- k. The terms “University” and “institution” mean the University of South Alabama.
- l. The term “University premises” means any and all land, buildings, facilities, and/or other property in the possession of, owned, used, leased, rented or controlled by the University, including adjacent or pertinent streets or sidewalks.
- m. The term “University-sponsored activity” means any activity, on or off campus, which is initiated, aided, authorized, or supervised by the University.
- n. The term “weapon” means any object or substance designed to inflict a wound, cause injury or incapacitate including, but not limited to, all firearms, pellet guns, BB guns, switchblade or gravity knives, clubs, blackjacks or brass knuckles, or ice picks.
- o. The term “discriminatory harassment” refers to acts of violence and extremism that are motivated by considerations of an individual’s race, ethnicity, religion, sex, sexual orientation, creed, national origin, ancestry, age or handicap.
- p. The term “faculty member” means any person appointed or employed by the University to conduct classroom, clinical, or laboratory activities.
- q. The term “shall” is used in the imperative sense, the term “may” is used in the permissive sense.
- r. The term “property” includes all materials bought, made, or fabricated by the University including keys.
- s. The “disciplinary committee” refers to either a standing committee chaired by the designee of the Dean of Students or an ad hoc body appointed by the Dean of Students to hear special cases. The standing committee will have at least one faculty member or one professional staff member and two students appointed by the appropriate governance body for one year.
- t. The term “informal proceeding” shall mean a discussion between the charged student and a discipline hearing officer at which time the guilt or innocence of the accused student will be determined. The hearing officer may contact other individuals who have knowledge about the incident; however, students do not present witnesses on their behalf and have waived their right to question other individuals.
- u. The term “formal hearing” shall mean a hearing between the accused student and the University Disciplinary Committee and which shall determine the guilt or innocence of the student. The UDC shall consist of two to five students, a faculty

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or staff member, and be chaired by the discipline hearing officer. The only exception shall be violations of 7e (non-consensual sexual conduct). The UDC shall in those violations consist of only two to four faculty or administrators and a hearing officer. A formal hearing involves the presentation of the witness testimony and the ability of the accused student to present evidence on his or her behalf and to question all witnesses.

- v. The term "preponderance of evidence" means that more than half the evidence supports one conclusion.
- w. The term "hazing" means any act which endangers the mental or physical health or safety of a student, or which results in the destruction or removal of public or private property, or which causes physical or psychological discomfort, embarrassment, or humiliation, for the purpose of initiation or admission into, affiliation with, or continued membership in a student organization regardless of a student's willingness to participate in the activity.
- x. The term "jurisdiction" for an individual student shall mean an individual is subject to the University Judicial system if he or she is alleged to have violated a University conduct regulation 1) while attending any University orientation program; 2) during any semester that the individual is or has been registered as a student at the University. Withdrawal or failure to complete the semester does not exempt the student; a co-op student is considered a registered student; 3) during an interval between consecutive semesters of registration.
- y. The terms "aiding and abetting" mean to insight, assist, or encourage in the violating of University policy.

7. PROHIBITED CONDUCT

University jurisdiction and discipline is limited to conduct which occurs on University premises, at University related or sponsored activities, whether on or off University premises, or which adversely effects the University community and the pursuit of the objectives of the University. The following non-academic misconduct is subject to disciplinary action.

- a. Intentionally or recklessly causing physical harm to any person.
- b. Harassing, annoying or attempting or threatening physical harm to another person or cause apprehension of harm. Addressing abusive language tending to incite an immediate breach of the peace to any person, following a person in or about a public place or places, or engaging in a course of conduct or repeatedly committing acts that alarm or seriously annoy another person.
- c. Engaging in discriminatory harassment.
- d. Engaging in sexual harassment.
- e. Intentionally engaging in sexual conduct with another person without the consent of that person.
- f. Intentionally or recklessly misusing, destroying or damaging University property or the property of others.
- g. Engaging in activities that threaten the safety of the campus community, including but not limited to intentionally or recklessly misusing or damaging fire or other safety equipment; unauthorized use or possession of fireworks or incendiary, dangerous, or noxious devices or materials; unauthorized use, possession or storage of any weapon; or intentionally initiating or causing any false report, warning, or threat of fire, explosion, or other emergency.
- h. Conduct which is intentionally disorderly or indecent. Intentionally exposing genitals, buttocks, or breasts in a public place without University authorization.
- i. Theft or misuse of property or of services, or knowingly possessing stolen property or knowingly benefit from the use of stolen services.

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- j. Intentional disruption of University computer systems, unauthorized alteration, disclosure, or destruction of University computer systems or material, improper access to University computer files and systems, or violation of copyright or proprietary material restrictions connected with University computer systems, programs or materials.
- k. Forgery, alteration, misrepresentation, or misuse of any document or instrument of identification.
- l. Misrepresenting information or furnishing false information to the University.
- m. Violation of any government law or ordinance.
- n. Violation of any approved University rules, regulations, or policies.
- o. Failure to comply with the directions of University officials, including faculty, staff, student employees and campus police officers acting in the performance of their duties and failure to identify themselves to those persons when requested to do so.
- p. Intentionally or recklessly interfering with normal University functions, University sponsored activities, or any function or activity on University premises including, but not limited to studying, teaching, public speaking, research, University administration, or fire, police, or emergency services.
- q. Intentionally and substantially interfering with the freedom of expression of others.
- r. Unauthorized presence on or use of University premises, facilities, or property.
- s. Unauthorized distribution, possession, or use of any controlled substance or illegal drug, as defined by the Alabama Revised Statutes, except as expressly permitted by law.
- t. Appearing in a public place manifestly under the influence of a controlled or other intoxicating substance to the degree that there is danger to self, others, or property, or there is unreasonable annoyance to persons in the vicinity.
- u. Possession or use of alcoholic beverages by individuals without authorization.
- v. Providing alcoholic beverages to individuals under 21 years of age, or unauthorized possession of alcoholic beverages for purposes of distribution.
- w. Hazing.
- x. Aiding or abetting any violation of this Code.
- y. Intentionally filing a false complaint under this Code.
- z. Knowingly violating the terms of any disciplinary sanction imposed in accordance with this Code.

7.1 Organizational Misconduct

Inherent in University recognition of student organizations is the obligation of each organization to conduct activities in accordance with University rules and policies and with applicable laws. Registered student organizations are required to comply with the written rules and policies of the University.

a. Responsibility Of Officers:

It is the responsibility of the officers of each student organization to ensure that the organization complies with the Student Code of Conduct and to actively oppose and prevent any planned organizational activity which might violate the Code. It is also the obligation of the officers to advise and counsel individual members of their organization whose conduct could lead to misconduct charges against the organization.

b. Organizational Responsibility for Misconduct:

A student organization will be held responsible for its own acts when 1) the organization fails to comply with a duty imposed by a written University policy, including but not limited to improper membership initiation, education, and treatment; improper organizational registration of activities for which either

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registration or permission is required; failure to comply with applicable health and safety regulations; misuse of University property, facilities, and equipment; violations of University regulations on the use of alcohol; and violations of any other rule or policy applicable to organizations and 2) when one or more officers refuse or neglect to perform their duties under this code as described above.

A student organization will be held responsible for the actions of one or more of its members which violate the Student Code of Conduct when the actions arise in the course of or derive from the activities of the organization or there is a clear connection or link between the transgressory action and the organization. Examples of such violations include, but are not limited to, offenses against either persons or property of other organizations and alcohol violations.

When particular actions by an organization (or specific members) prove to be a cause for concern, the Office of Campus Involvement may notify the organization in writing that further occurrences of the specified action(s) within a specific action(s) within a specific period of time will result in misconduct charges.

8. Discipline Procedures

Complainants, victims, and witnesses play specific roles within the student conduct process at the University of South Alabama.

The **complainant** is any individual who brings forth information indicating that a USA student may have violated the student Code of Conduct contained in the student handbook, *The Lowdown*, and who wishes to have charges filed against that student.

A **victim** is any individual who may have suffered any harm or loss or threat at the hands of a currently enrolled USA student due to a violation of the Code of Conduct. A victim does not have to serve as the complainant.

A **witness** is any individual who has information regarding and incident which is an alleged violation of the Code of Conduct.

a. PURSUING CHARGES

Student conduct may be pursued against any student who allegedly commits a violation of the Code of Conduct. The decision to pursue is made by the student conduct administrator, an unfavorable decision may be appealed to an ad hoc committee of the University Disciplinary Committee, a pre-selected and trained group of students and faculty. No individual can force charges to be filed, nor is participation by complainants, witnesses, or victims necessary for student conduct to be filed and action pursued.

b. POSTPONING OR DISMISSING CHARGES

Student conduct proceedings and actions are not subject to challenge or postponement on the grounds that criminal or civil charges involving the same incident have been dismissed, reduced, or are pending in court. No individual can force charges to be dropped.

c. THE STUDENT CONDUCT HEARING

A student charged with violating the Code of Conduct has two hearings options. In most instances of minor violations where the charged student agrees that the complainant is basically correct, Option I may be chosen. In more serious incidents or when facts are disputed, Option 2 may be chosen.

OPTION 1

This is an **informal proceeding** and includes a discussion between the charged student and a student conduct administrator. Witnesses are not called; however, the complainant may be asked to be present at the meeting. While the hearing officer may contact individuals prior to the proceeding, charged students waive their rights to question witnesses. The hearing officer alone will determine what, if any sanctions will be imposed upon the student.

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OPTION 2

This is a **formal hearing** before the University Disciplinary Committee and chaired by a non-voting hearing officer. A formal hearing involves the presentation of witness testimony. If found responsible for violating policy, the UDC will make a recommendation to the hearing officer regarding the sanctions that may be imposed.

d. PARTICIPATING AS A WITNESS

Witness to alleged violations of policy are contacted by one of four parties; the accused, the complainant, the victim, or the hearing officer. When contacted, witnesses will be given a time, date, and place of the hearing. A witness may refuse to participate or may participate in the following manner:

- in writing, by providing a statement of fact before the hearing;
- in writing, by answering written questions posed during the hearing.
- in person, by attending the hearing and answering questions during the proceeding.

e. PARTICIPATING AS A VICTIM

Victims of alleged violations of policy have specific rights. They may choose to participate - or not - as a witness. They also have the option of scheduling a pre-hearing conference prior to either the informal or formal hearing. In this conference, the hearing officer will fully explain the judicial process, answer questions the victim may have, discuss options for participating in the hearing, and help coordinate possible hearing dates and times. The victim is also given an opportunity to provide further written information to be placed in the accused student's file, with the understanding the accused student has the right to review such information.

f. VICTIM'S RIGHTS IN STUDENT Conduct HEARINGS

- The right not to attend a formal hearing.
- The right to submit an impact statement that details the alleged consequences of the behavior in question.
- The right to have an advisor accompany him or her during any conduct proceeding. An attorney may serve as an advisor, but may not represent the victim nor directly question or cross-examine witnesses, except in a case where USA is represented by an attorney.
- The right to request immediate on-campus housing relocation (based on available space), transfer of classes or other steps to prevent unnecessary or unwanted contact or proximity to the accused, when such contact is likely to place the victim in danger of bodily injury and or case the victim severe emotional distress.
- If a victim of physical violence or of sexual harassment, the right to be informed of the outcome of the hearing upon request. The outcome of all student conduct proceedings are considered confidential information in accordance with the Family Educational Rights and Privacy Act of 1974. Such information may not be shared outside the proceeding.
- The right not to have his or her past behavioral history discussed during the student conduct proceeding. Questions of relevancy shall be determined by the hearing officer.

8.1 Interim Suspension

The Dean of Students may suspend a student from specific areas of the University, or from the entire University, for an interim period of time pending disciplinary proceedings, criminal proceedings, or a medical evaluation.

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The interim suspension shall become effective immediately without prior notice whenever there is evidence that the continued presence of the student poses a substantial and immediate threat to him or herself, to the safety and well-being of members of the University community or preservation of University property, or interference with the normal operation of the University.

A student suspended on an interim basis shall be given a prompt opportunity to appear before the Dean or designee in order to discuss the following issues only: the reliability of the information concerning the students conduct, including the matter of his or her identity; whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat.

8.2 Formal Hearing Procedures

Whenever a formal hearing is to be held regarding an alleged incident of nonacademic prohibited conduct, the accused student and the complainant shall be given two (2) working days written notice of the charges alleged against the accused student and of the date, time, and place of the hearing.

Every effort shall be made to set a hearing date that is convenient to all parties concerned. Once the date is set, either the hearing officer, the accused or the accuser may request either a new time or date due to changing circumstances; however, the decision to approve any requested change is solely the prerogative of the hearing officer.

The hearing shall be conducted by the Judicial Affairs Officer or designee of the Dean of Students. The hearing shall be informal in nature and strict rules of evidence shall not apply. The hearing shall be closed to everyone except the hearing official and members of the UDC, the accused student, advisors to the accused student and the complainant, and witnesses during the actual time of the testimony.

The accused student and the complainant have the right to:

- a. Be present at the hearing. However, if either or both of the student and the complainant fail to appear at the hearing, the hearing may be held in either or both of their absences.
- b. Present evidence by witness, or by affidavit or deposition if a witness is unable to attend the hearing. It is the responsibility of the accused student and the complainant to notify their witnesses of the date, time and place of the hearing. If witnesses fail to appear, the hearing shall be held in their absence.
- c. The complainant, the accused student, and the victim have the right to be assisted by an advisor they choose, at their own expense. The advisor must be a member of the University community. The complainant, victim and the accused student are responsible for presenting their own information; therefore, advisors are not permitted to speak or to participate directly during the hearing. Delays in hearing dates will not be allowed due to the scheduling conflicts of an advisor.

If either the complainant, the accused student, or the victim are involved in a pending criminal matter arising out of the same circumstances, each are allowed to have an attorney serve as their advisor, at their own expense. As an advisor, attorneys may not participate in the examination of witnesses or presentation of materials or information.

Advisors may speak quietly to the individual they have accompanied if it does not impede the flow of the hearing, as determined by the hearing officer. Advisors may address the UDC only if invited to do so by the hearing officer.

- d. Question all witnesses.
- e. The hearing officer may determine, in the case of multiple participants in code violations, to hear the cases separately or collectively.

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Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the hearing official at his/her discretion. After the hearing, the UDC shall determine whether the student has violated any section(s) of the Code, to be made on the basis of preponderance of evidence.

There shall be a single verbatim records, such as a tape-recording, of all formal hearings. This record does not include deliberations of the UDC. This record, along with any evidence or transcripts, are the property of the University and will be retained by the University. A student may review the contents of their file through the Dean of Students Office or the Student Conduct Administrator.

8.3 Hearing Decision

The UDC shall issue a written recommendation within five (5) working days to the Student Conduct Administrator.

Registration for subsequent terms, the conferral of academic degrees, or the release of transcripts may be withheld pending the resolution of allegations of student misconduct.

8.4 Disciplinary Measures

If the hearing decision is that the accused student has committed conduct prohibited in Section 7, the Dean of Students or Student Conduct Administrator shall impose an appropriate disciplinary measure from among the following:

- a. **Written Reprimand:** A formal and official recognition of misconduct. It's intent is to declare that the behavior displayed in this incident was inappropriate within the University community. Actions in violation of the student code in the future may result in a more severe disciplinary sanction.
- b. **Conduct Probation:** A student on conduct probation is deemed not to be in good judicial standing with the University; conditions may be imposed at the time the student is placed on conduct probation. If the student is found in violation of the Code prior to the completion of the probationary period, her or she may be subject to either suspension or expulsion from the University. The duration of the probation period and conditions imposed will be in direct proportion to the degree of seriousness attached to the misconduct. Beginning and ending dates will be specified.
- c. **Room Transfer:** Requires accused to move rooms or areas to reduce chances of additional problems. Probation will accompany such a move.
- d. **Removal from University Housing:** Requires that the accused move off campus. A period of time is imposed. Violators may be subject to trespassing charges.
- e. **Restitution for Damages:** In addition to the penalties described above, a student may be required to pay compensation for damage to University property; however, such compensation shall be limited to the actual cost of repair or replacement of such property. Failure to comply with this sanction by a specified date may result in placing a "flag" on the student's records and further disciplinary action.
- f. **Fines:** Monetary fines levied against the student. Appropriate fines can be issued for violations of certain polices and procedures.
- g. **Restrictions:** Limiting of certain privileges or practices of the individual(s) involved in the offense.
- h. **Suspension:** Removal from the University for a period of time. The duration of the period of suspension shall be in direct proportion to the degree of seriousness attached to the misconduct. A suspension may be imposed for an indefinite period of time or for a given period. Violators may be subject to trespassing charges.

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- i. Expulsion: Permanent deprivation of his or her opportunity to continue as a member of the University community. Violators may be subject to trespassing charges.
- j. Community Services: Specified number of hours that a student works for a community service agency or a department on campus. Under direct supervision, the student performs his or her community service hours without compensation.
- k. Creative Educational Sanctions
 - l. Registration for subsequent terms, the conferral of the degree, or the release of transcripts may be withheld until all disciplinary measures have been concluded and any conditions imposed by the University have been fulfilled.

8.5 Parental Notification

By law, parents of students 18 years of age and older may not be notified of most violations of the Code of conduct without permission of the involved student(s). However, by law, the following exceptions are permitted:

For students under the age of 21, there will be an automatic notification of parents with every guilty finding of 7S Unauthorized Use of Controlled Substance or Other Illegal Drug and 7V Distribution of Alcohol. Automatic notification for students under 21 will also occur with every guilty finding of 7T Public Intoxication if the student has placed his or her self or others at risk (ie: driving under the influence, fighting, becoming physically ill). Automatic notification will occur with every second guilty finding of 7U Possession of Alcohol for underage students.

In all cases, notification will come only from the Dean of Students or his or her designee. If a student under the age of 21 can verifiably demonstrate that he or she is financially independent of his or her parents, and the Registrar's records show that the student's and the parents' home addresses are different, parental notification will not be necessary.

8.6 Separation from the University

In each case where the hearing decision results in separation from the University, the Office of the Dean of Students shall so notify the dean of the academic unit in which the student has been enrolled.

9. APPEALS

If the accused student is dissatisfied with the disciplinary decision, the student may appeal to the Dean of Students (or designee). A request for appeal must be based on at least one of the following:

- a. Violation of procedural rights.
- b. Severity of discipline action.
- c. Evidence not available at the time of hearing.

In order to request an appeal, the student must submit a written request or appeal to the Dean of Students Office within two (2) working days of the hearing decision.

Students must perform the following procedures when submitting an Appeal:

- (1) Obtain an appeal request form from the Student Conduct Administrator or
- (2) Submit in writing to the Dean of Students the nature of the appeal.
- (3) Indicate in writing the desirable outcome of the appeal.

10. APPEALS DECISION

The person or persons hearing the appeal shall have the authority to:

- a. Sustain the decision of the hearing official, including the penalty imposed.
- b. Sustain the decision of the hearing official, but impose a lesser penalty.
- c. Remand the case to a new hearing official for further consideration.
- d. Reverse the decision.

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The appeal official(s) shall render its decision in executive session with only the hearing panel present if needed. To reverse or modify a decision requires a vote of a majority of the full panel if impaneled.

The decision shall be transmitted in writing to the appealing student and to the Office of the Dean of Students within ten (10) days of the date of the appeal hearing. The complainant shall be notified of the decision. This decision is final.

The rules and regulations contained in this section are subject to change. Between printings of the *Lowdown*, an updated version will be presented to any accused student or organization before any hearing for a violation(s).

11. RECORDKEEPING

a. All student disciplinary records are subject to the privacy protection granted by the Family Educational Rights and Privacy Act (FERPA).

*FERPA gives certain rights to parents regarding these records; these rights are transferred to students who have reached the age of 18 or who are financially independent of their parents.

*Eligible students have the right to inspect and review all the student's judicial records maintained by the school.

*Eligible students have the right to request that the school correct judicial records believed to be inaccurate or misleading. If the school refuses to change the records, the eligible student then has the right to a formal hearing. After the hearing, if the school still refuses the corrections, the eligible student has the right to place a statement in the records commenting on the contested information in the records.

*Generally, USA must have written permission from the eligible student before releasing any information from their conduct records. However, FERPA allows schools to disclose records, without consent, to the following:

1. School employees who have a need to know.
2. Certain government officials in order to carry out lawful functions.
3. Individuals who have obtained court orders or subpoenas.
4. Accrediting organizations.

The complete written policy and procedures for compliance with FERPA are available from the Student Conduct Administrator.

b. Student disciplinary records will be kept on file in the office of the Dean of Students and the Judicial Affairs Officer. When necessary, notices of Decisions and Sanctions will also be sent to the University Police and the Director of Housing.

c. Files will be kept for six years for any given student from his or her last violation of the Code of conduct. These records will then be shredded after year six. Exceptions: in cases involving suspension or expulsion or in which all sanctions have not been satisfactorily completed, files will be kept for ten years. These records will then be shredded after year ten.

Disruptive Academic Behavior

The University of South Alabama respects the right of instructors to teach and students to learn. Maintenance of these rights requires an academic environment that does not impede their exercise. To ensure these rights, faculty and staff members have the responsibility:

- To establish and implement academic standards.
- To establish and enforce reasonable behavior standards in each academic setting.
- To document and report incidents of academic disruption.

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- To refer for disciplinary action those students whose behavior may be judged to be disruptive under the Code of Student Conduct (refer to USA Policies in the student handbook “*The Lowdown*” for specifics).

Disruptive academic behavior is defined as individual or group conduct that interrupts or interferes with any educational activity or environment, infringes upon the rights and privileges of others, results in or threatens the destruction of property, and/or is otherwise prejudicial to the maintenance of order in an academic environment. An academic environment is defined as a classroom, laboratory, library, study hall, field trip or similar setting in which formal learning is taking place. Though dependent upon the size and nature of the academic setting, **disruption refers to behavior a reasonable person would view as substantially or repeatedly interfering with the conduct of an activity.** Disruptive behavior may range from the mildly annoying (which should be tolerated as much as possible) to clearly disruptive, dangerous and/or violent behavior which should never be tolerated.

Common disruptive behavior

Common examples of disruptive student behavior include (in part from Gerald Amada “Coping with the Disruptive Student”):

- Threatening, stalking, intimidating, or harassing of anyone in an academic setting, such as another student, instructor, librarian or other academic staff person in an attempt to address some grievance.
- The formation of close and sometimes erotic attachments to a professor resulting in shadowing or persistent and unwanted phone calls or letters.
- The badgering of an instructor with questions with the intent to interrupt lectures and gain attention (this problem is even more severe if related to alcohol or substance abuse).
- Sleeping in class.
- Routinely entering class late or departing early.
- Personal hygiene problems impacting others.
- Repeatedly talking in class without being recognized, talking while others are talking, or dominating class discussion.
- Loud keyboarding or playing computer games.
- Physical display of anger (such as throwing books or other items).
- The use of cell phones or pagers.
- Tampering with equipment, altering computer software or hardware, or damaging furnishings in any academic setting.
- Excessive noise in a quiet setting such as the library.

University procedures for dealing with disruptive behavior

All incidents must be documented and reports (*Classroom Disruption/Behavior Concern Report*) must be routed promptly. The instructor should provide a copy of any report to the appropriate administrator (i.e., Dean of Libraries) or academic department chairperson. The department chairperson (who may possess other reports filed against a particular student) will then choose one of the following three options:

- If the faculty member and/or chairperson believe that the situation is salvageable, a conference between the faculty member and the student – possibly involving others such as the department head, the Student Conduct Administrator, the University Police – may be held. The consequences of continued improper behavior and strategies for ending such behavior should be discussed at this meeting. The student needs to articulate why his/her behavior was inappropriate for the meeting to be successful. If the student cannot do this, further action is necessary.

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- If the department cannot resolve the situation, the report should be forwarded to the Student Conduct Administrator and charges should be brought against the offending student. There must be a complainant for this to occur. The complainant may be the involved faculty member or academic staff person, the department head, a witness to the event, the campus police, or any other knowledgeable third party, including students. The report or a written statement by the complainant must be given to the Student Conduct Administrator, who will then notify the accused student that he/she is being charged with violating the Code of Student Conduct. The Student Conduct Administrator will follow necessary procedures in dealing with the student as explained in the student handbook "*The Lowdown*". The Student Conduct Administrator may take unilateral action or the involved parties may be asked to appear before the University Disciplinary Committee, a group made up of students and faculty charged with deliberating upon non-academic Code of Conduct violations and issuing appropriate sanctions.
- If there is a perceived threat or act of violence, or if and when disruptive behavior violates federal or state laws, the report should be forwarded to the University Police who have arrest powers and may issue trespass warnings when appropriate. Once the University Police action or investigation is completed, they will share the report with the Student Conduct Administrator for additional action. The Student Conduct Administrator will forward all final decisions to the respective department heads, who will in turn notify the appropriate faculty members.

Substance Abuse Policy

The University of South Alabama recognizes that substance abuse is a major issue affecting all aspects of our society. The University views the abuse of alcohol and other drugs as harmful to the life, safety, and orderly progress of the academic community. Responsible conduct and accountability is expected from each individual on campus. The University will express its ongoing concern through an institution-wide commitment to appropriate education, training and counseling services.

As a part of the University's Institution-Wide Substance Abuse Program, and also in accordance with the Drug-Free Workplace Act of 1988, the following are prohibited:

1. Use, possession, manufacture, distribution, dispensation or sale of illegal drugs or drug paraphernalia on University premises or while on University business, in University vehicles either during or after working hours;
2. Unauthorized use or possession or any manufacture, distribution, dispensation or sale of controlled substance, as defined by state law, on University premises, or while engaged in University business, in University vehicles, either during or after working hours;
3. Unauthorized use, manufacture, distribution, dispensation, or possession or sale of alcohol on University premises or while on University business as set forth in the policy, in University vehicles either during or after working hours;
4. Storing on University premises any illegal drug, drug paraphernalia, any controlled substances, of which use is unauthorized, or any alcohol on University premises unless specifically authorized in accordance with this policy;
5. Use of alcohol off University premises that adversely affects the employee's work performance, his own or others' safety;
6. Possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off University premises that adversely affects the employee's work performance, and/or his own or others' safety;
7. Any act leading to conviction under any criminal drug statute;
8. Failure to notify the University of any arrest or conviction under any criminal drug statute within five days of the arrest or conviction, in accordance with the Drug-Free Workplace Act.

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Legal Penalties for Alcohol and Drug Offenses*

I.. Possession, Use, or Distribution of Alcoholic Beverages

- A. Alabama state law prohibits the purchase, consumption, possession, or transportation of alcoholic beverages by persons less than 21 years of age. Penalties for conviction may include a fine and/or jail sentence.
- B. Public intoxication, driving under the influence of alcohol (DUI), and the unlicensed sale of alcoholic beverages are also against the law. Penalties for such convictions may include a fine, jail sentence, suspension of driver's license, and/or required completion of an alcohol rehabilitation program.

II.. Possession of Controlled or Illicit Drugs

- A. Marijuana
 - 1. Possession of a small amount of marijuana for personal use only is a misdemeanor punishable by a prison sentence of up to a year, a fine of up to \$2,000 or both.
 - 2. Possession of marijuana for other than personal use, or a second conviction for personal use is a felony punishable by a prison sentence of from one to ten years, a fine of up to \$5,000, or both.
 - 3. Possession of more than 2.2 pounds of marijuana is considered drug trafficking and is punishable by a minimum prison sentence of three years and a fine of at least \$25,000.
- B. All Other Controlled Substances
 - 1. Possession of a controlled substance other than marijuana is a felony punishable by a prison sentence of from one to ten years and a fine of up to \$5,000 or both.
 - 2. Possession of large amounts of a controlled substance other than marijuana is considered drug trafficking and is punishable by a minimum prison sentence of three years and a fine ranging from \$50,000 to \$500,000.

III. Sale of Controlled or Illicit Drugs

- A. The sale of any controlled substance is a felony punishable by a prison term of two to twenty years or a fine of up to \$10,000 or both.
- B. The sale or distribution of a controlled substance by a person 18 years old or older to a person under the age of 18 is a felony punishable by a prison sentence of ten years to life imprisonment or a fine of up to \$20,000 or both.
- C. The sale or distribution of a controlled substance within a three-mile radius of any school or college is punishable by a mandatory prison sentence of five years in addition to other penalties described above.
- D. The sale of large amounts of controlled drugs is considered Q drug trafficking and is punishable by a minimum prison sentence of three years and fines ranging from \$50,000 to \$500,000.
- E. Federal drug trafficking penalties for first offenses range from up to one year of imprisonment and a fine of up to \$100,000 to life imprisonment and a fine of up to \$4,000,000 depending on the illicit drug involved. Repeat offense penalties range from up to two years of imprisonment and a fine of up to \$200,000 to mandatory life imprisonment and a fine of up to \$8,000,000 depending on the illicit drug involved.

*Prepared by USA Substance Program with assistance for the Mobile County District Attorney's Office.

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University Alcohol Policy

Campus

1. Policy Pertaining to All Members, Groups, Events, and Organizations in the University Community.

- (A) The sale, possession, distribution, or consumption of alcoholic beverages on the campus of the University of South Alabama or at properties owned by the University is prohibited except as provided in this policy. Under no circumstances may any individual under the legal drinking age (minimum of 21 years of age) serve, sell, consume, or possess alcohol on University properties.
- (B) No individual may serve or otherwise provide alcohol to persons under the legal drinking age.
- (C) The sale, service, consumption of alcohol on University properties is restricted to designated areas in the following locations with prior approval of the Vice President for Student Affairs (VPSA). Asterisks (*) indicate area in which alcohol, with prior approval, may be sold:
 - (1) Mitchell Center*
 - (2) Student Center (see specific approval procedures in *The Lowdown*)*
 - (3) Premises in and around Alumni Hall
 - (4) USA Brookley Center*
 - (5) USA Fairhope campus*
 - (6) Laidlaw Performing Arts Building
 - (7) Stanley Field and Clubhouse*
 - (8) In common areas for special events, if approved by the VPSA
 - (9) Rented properties (see specific approval procedures in *The Lowdown*)
- (D) Promotional Guidelines: The on-campus promotion of activities or events shall not advertise alcohol or sponsorship by alcohol marketers without prior written approval of the Vice President for Student Affairs.

Events that seek advertising approval must meet the following requirements:

- (1) Alcohol shall not be used as an inducement to participate in a University event and may not be offered as a prize or gift in any form of contest, raffle, or competition. Social events that encourage drinking, drinking contests, or drunkenness, and the advertisement of such events, are prohibited.
 - (2) Alcohol advertising on campus or in campus media, including that which promotes events as well as product advertising, shall not portray drinking as a solution to personal or academic problems of students or as an enhancement to social, sexual, or academic status.
 - (3) Advertising for any university event at which alcoholic beverages are sold or served shall not mention availability of alcoholic beverages.
 - (4) Promotional materials, including advertising for any University event, shall not make reference to the amount of alcoholic beverages available.
- (E) Campus Police shall be notified of all events at which alcohol will be served. Security will be required at all events where alcohol is present unless an exception is provided by the VPSA.
 - (F) Whenever the sale or service of alcohol is permitted under this policy, alcohol must be purchased through the licensed vendor for food service on the USA campus.
 - (G) Laws and Regulations: All members of the campus community (students, faculty, staff alumni, and guests) must adhere to all applicable state and local laws and University regulations related to the sale and use of alcohol. They include, but are not limited to the following:
 - (1) It is unlawful for any person to aid or abet an underage person on the purchase or attempt to obtain alcoholic beverages.
 - (2) It is unlawful for any underage person to falsify a driver's license or any other identification document by an underage person to purchase or attempt to purchase alcoholic beverages.

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- (3) It is unlawful for any person to permit use of his/her driver's license or any other identification document by an underage person to purchase or attempt to purchase alcoholic beverages.
- (4) No person may bring any type of alcoholic beverage into a licensed facility or area nor may any person take alcoholic beverages out of the licensed facility or area.
- (5) Transportation of all alcoholic beverages on campus shall be in unopened and unobservable containers.
- (6) Damage to or destruction of property, or injury to person(s) which is caused by or can be shown to be related to the consumption of alcohol will be subject to disciplinary action, as will any other violation of this rule.

2. Guidelines for University Sponsored and University Related Events.

Alcohol will not be sold or served at any reception or other function sponsored by the university or taking place on the university campus where attendance is essentially open to the public and is not controlled by such means as individual invitation, registration, reservation, and/or a fee payment process.

At functions to be attended predominantly by alumni and friends of the university, and attendance is controlled by individual invitation, registration, reservation, or a fee payment process, alcoholic beverages may be sold or served as provided in these guidelines.

University sponsored events include large public and/or formal events and functions hosted by the University pursuant to its mission and programs. Such events and functions include but are not limited to: graduation, convocation, dedications, performances, intercollegiate athletic competitions, and award ceremonies.

University related events include functions initiated or hosted by any organization or group consisting primarily of University of South Alabama students, employees, faculty, or alumni, and/or any other group using the University name or its premises. These guidelines apply whenever alcohol is to be served and apply to all registered student organizations. Unregistered student groups are not permitted to hold events on University properties.

All University sponsored and University related events at which alcohol is to be sold or served are subject to the guidelines outlined in Section 1 of the alcohol policy. In addition, the following guidelines apply:

- (A) Sponsors are required to provide one or more alternative non-alcoholic beverage(s) available in sufficient quantity throughout the event.
- (B) Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
- (C) If the alcoholic beverage is being sold, the alternative beverages should be available at a price equal to or less than the price of the alcohol being provided.
- (D) Wherever alcohol is present, food must also be available.
- (E) The burden of proof for showing legal age is placed upon the person desiring alcohol service. No service will be provided unless clear evidence of legal age is presented.
- (F) It is the responsibility of the server, at the time that an alcoholic beverage is requested, to check the picture ID of everyone. If for any reason, proof of legal drinking age cannot be provided upon request, it is the responsibility of the server to deny the request.
- (G) When alcoholic beverages are sold or served, direct access to the alcohol must be limited to a person(s) designated as the server(s) provided by the vendor. Servers must not consume alcohol during the event.

Any organization or individual found not to be in compliance with the University Alcohol Policy at its event is subject to University disciplinary action and an organization may forfeit its right to any activity fee support from, and registration with, the University.

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3. The Alcohol Policy for groups reserving the Student Center.
 - (A) Administration and Enforcement of Policy.
 - (1) The Vice President for Student Affairs is the responsible University official for administration of the alcohol policy. Changes and revisions shall be coordinated by the Vice President for Student Affairs in consultation with the University Attorney subject to final approval of the President of the University.
 - (2) Any outside group wishing to sponsor an event on University property independent of student, faculty, alumni, or administrative sponsorship shall come within the purview of the University Vice President for Student Affairs Office, and permission may be given at his/her discretion.
 - (3) Enforcement of the alcohol policy shall reside in the Office of the Vice President of Student Affairs or his or her designee for review. The University maintains the right to forward possible violations of any federal, state, and local laws and ordinances to the proper authorities.
 - (4) Additional information about alcohol consumption and detailed procedures for requesting approval for the serving of alcohol in the Student Center are published in *The Lowdown*.

Process for responsible organization:

- a. Step 1 - reserve space through Student Center Services at least seven (7) days prior to the event.
- b. Step 2 - secure written approval by Dining Services. Groups should obtain written approval and return to SC Services at least seven (7) days prior to the event.
- c. Step 3 - (necessary only if alcohol is involved). Recognized student organizations - secure approval from the Vice President of Student Affairs at least seven (7) day prior to the event.

All other groups or individuals - secure written approval from SC Director and return to SC Services at least seven (7) days prior to the event.

(B) Fees:

- (1) Building manager and housekeeping fees if reservation is extended beyond scheduled operating hours (\$4.00/hr for University groups; \$20.00/hr for non-University groups)
- (2) Group must generate \$75.00 dollars of gross sales per hour for Dining Services OR pay the shortfall. (Example - group reserving space for three (3) hours must generate \$225.00. If group succeeds in generating only \$200, the shortfall - which is the amount the group now owes is \$25.00.)
- (3) If Police is required, all associated charges.
- (4) Wristband costs, if wristbands are required.

(C) Use:

- (1) If alcohol is going to be sold, everyone coming into the event must enter and exit through one designated entrance. If individuals under the legal drinking age are to be in attendance, wristbands will be required for all individuals of legal drinking age. Proof-of-age on some picture ID will be required at the main control point.
- (2) The main entrance must be staffed by either an approved faculty or staff member, security personnel, or by a paid SC Building Manager.
- (3) Individuals will be allowed to leave and return; however, their names will be checked against the Guest List and, if room capacity has been met, they will be denied entrance until space become available.
- (4) Dining Services will refuse to serve alcohol to any individual suspected of being underage or intoxicated.
- (5) SC Building Manager, faculty, staff and sponsoring organization may card any person(s) at any time, refuse admittance, and dismiss from the building any person(s) not invited or in violation of the student code.
- (6) No mention of alcohol may be made in any of the advertising of the event. If such promotional material is discovered, the event is subject to cancellation.
- (7) The event must have a definite beginning and ending time. The serving of alcohol must be stopped at least thirty minutes prior to the ending time of the event.

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(8) Police Requirements:

- (a) At least two police **will** be required for all events which combine the following three elements: alcohol is present, the event is to be attended by non-students, and a fee is charged at the door.
- (b) Police **may** be required by the Director of the Student Center dependent upon the combination of the following conditions:
 - The presence of alcohol.
 - The manner in which the event has been promoted.
 - The percentage of individuals under 21 expected to be in attendance.
 - The percentage of non-USA students expected to be in attendance.
 - The nature of the event and supporting activities.
 - The timeliness of the guest list (see "i").
 - Presence of either staff or faculty.

The responsibility for contacting and arranging for Police support will rest with the Coordinator of Student Center Services.

- (9) Guest Lists: In all cases, individuals in attendance must sign in at main entrance when attending an event at which alcohol is being served. Complete guests lists submitted prior to the start of the event will be treated as lower risk events; the earlier this list is submitted, the lower the viewed risk.
- (10) All alcohol must remain within the serving area. No containers may be taken into or out of the event.
- (11) If alcohol is being served, food must be available for general consumption. (4/96)

Rented Properties/Organizations

1. The University may grant the privilege of alcohol consumption to student organizations in rented properties and to other recognized organizations. Those organizations will be expected to follow the standards that the University has established.
 - All requests for events must be registered in the Office of Campus Involvement at least five working days prior to the date of the event. Depending on the nature of the event, prior University approval may be necessary.
2. All laws, ordinances and University regulations must be carefully observed. Public consumption—except when the University has granted permission—or public intoxication on any of the rented properties of the University is prohibited.
 - The responsibility for compliance with and adherence to University regulations and applicable state laws rests totally with the sponsoring organization and its advisors. The University of South Alabama, its trustees, officers and employees do not assume any responsibility or liability for actions of the organization and its advisors or individuals, with regard to alcohol usage.
3. Organizations which serve alcohol must maintain appropriate insurance policies, as required by the University.
4. Security precautions, as specified by the Student Affairs Office, must be carefully observed. An advisor must be present for the duration of the event. University security must approve security for all events.
5. No alcoholic beverages may be purchased through an organization's treasury nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the organization. Any monies used to pay for alcoholic beverages must be taken from personal/private sources. Alcoholic beverages cannot be paid for by selling them at the activity or charging at the door. No alcohol may be purchased with funds of an organization which are in accounts of the University of South Alabama.
 - No organization may co-sponsor or co-finance a function where alcohol is purchased by any of the host organizations.
6. Minors who are not affiliated with the University and are not accompanied by someone affiliated with the University may not attend any function at which alcoholic

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beverages are served. An official of the organization sponsoring the event will ask the minor to leave. If the minor refuses to leave, either University or local police will be advised.

Driver's licenses are to be checked to verify that persons are of legal drinking age before those persons may receive and consume alcoholic beverages.

7. No organization may co-sponsor an event with an alcoholic distributor, charitable organization or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present.
8. All rush activities must be dry. No alcohol shall be present at any pledge/associate member/novice program or activity of the organization.
9. Open parties, meaning those with unrestricted access by non-members of the organization when alcohol is present, shall be prohibited.
10. Alcoholic beverages should not be freely available (unrestricted access) and a designated server should be appointed to insure no alcoholic beverages are served to persons under the legal drinking age or to persons who appear to be intoxicated. Non-alcoholic beverages should be available at the same place, in adequate quantities and featured as prominently as the alcoholic beverages.

A reasonable portion of the budget for the event should be designated for the purchase of food items.

The event should have a definite beginning and ending time. The serving of alcoholic beverages should be stopped at least thirty minutes prior to the ending time of the event.

Non-alcoholic beverages and food should continue to be available.

Events cannot be advertised as B.Y.O.B. (Bring your own alcohol or bottle).

Advertising for the event may not include any reference to alcohol.

Drinking "games" or any activity which encourages alcohol over-indulgence or abuse are prohibited.

Keg beer or any bulk containers will not be allowed under any circumstances.

USA Brookley Conference Center

1. The University may grant the privilege of serving alcohol to organizations renting facilities at the USA Brookley Conference Center. All such activities will be under the close supervision of the Office of Conference Activities.
2. All laws, ordinances and University regulations must be carefully observed. Public intoxication on any portion of the USA Brookley Conference Center is prohibited.
3. Appropriate security precautions must be carefully observed.

Disciplinary Actions/Organizational Disciplinary Actions

1. Students found in violation of any of these policies will be subject to the following:
 - a. The student will be required to appear before the judicial system of the University when behavioral reports are presented.
 - b. The appropriate judicial officer will assess the behavioral report and impose appropriate sanctions.
 - c. If substance abuse is determined by that officer, the student will be referred to the Substance Abuse Program.
 - d. The student will receive a professional assessment for chemical dependency. If appropriate, the student will be scheduled for the next Education/Prevention Program class. If it is determined that this program is inappropriate for the student, the student may be referred to other agencies.
 - e. The student will sign a Consent for Release of Confidential Information Form. The appropriate judicial officer will be notified as to the outcome of the assessment and recommendations made.
 - f. The appropriate judicial officer will be informed as to the student's attendance, conduct, and upon completion of the class, further recommendations for assistance.

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- g. Organizations and its members found in violation of this policy may be charged with Code-of-Conduct violation and subject to appropriate sanctions.
2. Staff employees found in violation of these policies will be subject to the following:
 - a. The Department Head and appropriate Personnel Officer will assess the behavioral report and evaluate for purposes of assistance to the employee. Appropriate sanctions may be imposed.
 - b. If substance abuse is determined, the employee will be referred to the Substance Abuse Program.
 - c. The employee will receive a professional assessment. If appropriate, the employee will be referred to a Program counselor, or to a local treatment center for outpatient or inpatient care. Evidence of completion of the program will be required.
 - d. Federal regulations governing the confidentiality of records shall be carefully observed (42 U.S.C. 4582) and (21 U.S.C. 1175). The supervisor of an employee undergoing treatment or counseling for chemical dependency shall be notified. This information will be held in confidence by said supervisor.
 - e. In addition, this policy may be supplemented by other state and federal requirements relating to healthcare professionals. To the extent that those are more extensive than the policy enclosed herein and are more stringent, those will apply.
3. Members of the faculty who may be in violation of the policies will be subject to the following:
 - a. The Department Head will confer with the Dean and the Vice President for the respective area to assess behavioral reports and evaluate for purposes of assistance to the faculty member. Appropriate sanctions may be imposed to assure the welfare of the faculty member.
 - b. If substance abuse is determined, the Department Head and appropriate representative, either from the Dean's office or the Vice President's office, will meet with the employee concerning issues of concern. The faculty member will be advised that professional assessments with regard to drug or alcohol abuse are available in the Substance Abuse Program.
 - c. In the event that the faculty member wishes to receive a professional assessment or wishes to be referred to the Center counsellor or to a local treatment center, that option will be available to the faculty member.
 - d. Additional sanctions and disciplinary action may be taken in accordance with current University policy.
4. Arrests by University police and/or appropriate law enforcement authorities, and subsequent filing of criminal charges.
5. Suspension or expulsion from the academic programs of the University of South Alabama for students; suspension or dismissal from University employment for employees, consistent with local, state and federal law.

Security Policies and Procedures

Crime Statistics Annual Report

"The University of South Alabama's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus building owned or controlled by the University; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting the University Police Department or by accessing the following web site <http://www.southalabama.edu/police/clery.html>."

Security Administration

The Chief of Police, who heads the University Police Department, reports to the Vice President for Student Affairs. The Safety or Security Manager for each hospital reports to the hospital's administrator.

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Police and Security Departments

The University Police Department consists of a Chief, Deputy Chief, four Police Sergeants, four Police Corporals, 19 sworn Police Officers, four Security Officers, and five Administrative personnel. All sworn officers have completed the Alabama Police Officers Standard Training Academy. Security, Administrative, and Student employees are trained by the Police Department. University Police have full police powers granted by the State of Alabama (Title 16-22-1 and 16-22-2). Police matters are handled within the department, including arrests, initial complaint taking, and criminal investigations. Crime reports are routinely submitted to State and Federal law enforcement, through the National Crime Information System. Crime reports are submitted to local law enforcement as needed for cooperative or mutual investigative purposes. In emergencies or at the request of University Police, Alabama State Law Enforcement Agencies, and or local law enforcement agencies are contacted for assistance. There is a reciprocal working relationship between the University, Local, State, and Federal Police Departments. On campus incidents of crime need to be reported to University Police or Hospital Security.

Substance Abuse and Weapons

The University of South Alabama is a dry campus. In accordance with the University's Alcohol and Substance Abuse Policy, alcoholic beverages will not be possessed, consumed, nor served on campus. Drugs, drug paraphernalia, and controlled substances prohibited by law, are strictly prohibited on all University properties. The possession or use of explosives, firearms, and or other dangerous weapons are prohibited. University Police and Security Officers are authorized to be armed in order to protect themselves and others. In addition to the officers' initial firearms training and qualifications, officers are provided additional training and qualifications by a certified firearms instructor at least once annually.

Facilities/Grounds

Access to University facilities and programs are restricted to University affiliates except for special programs. Facilities and events open to the public are so advertised. The maintenance of campus facilities provide for the regular upkeep of grounds and buildings to promote safety (i.e., replacing or repairing defective lighting, tree and shrubbery trimming, and the removal of safety hazards such as litter, etc.) The University Police or Hospital Security report unsafe campus conditions related to grounds or facilities to the Maintenance Department. All University Community Members are encouraged to report unsafe campus conditions they observe to University Police or Hospital Security and/or to Maintenance.



Student Record Policy

The University of South Alabama maintains records and data relative to the individual student to facilitate the educational process of the student and to assist in the administration of students' needs by the University. The University of South Alabama complies with the rights of privacy and access to the education records of the student as set forth in the Family Educational Rights and Privacy Act (FERPA) of 1974.

The University of South Alabama has formulated the following policies and procedures in accordance with the Act:

I. General Policy

No information from records, files, or data, directly related to a student, shall be disclosed or released to any individual or agency outside the University without the prior written consent of the student, except in accordance with lawful subpoena or court order, or except in the case of need by other educational agencies or governmental agencies. Such information will be available to personnel and faculty for legitimate educational purposes. The student shall have the right of access to and review of all such information with those exceptions that are defined within this policy statement.

II. Definition of Student

Under the University policy of student records, a student is defined as an individual who is attending or has attended the University of South Alabama. It does not include applicants for admission or prospective students.

III. Definition of Education Records

The University recognizes that education records are any records, files, documents, memoranda, notes or other material containing information directly related to a student that are maintained by the University of South Alabama. Personal notes, which are in the sole possession of the individual faculty or staff member who has made the notes and which are not revealed to other individuals, are specifically excluded under the Act from the definition of education records. Records that are used only for treatment purposes and that are created by physicians, psychiatrists, or other similar professionals or para-professionals, are specifically excluded from the definition of education records under the Act; however, such records are available for review by another physician or appropriate professional of the student's choice if requested. Other records excluded are law enforcement unit records, employment records and alumni records of unenrolled students.

IV. Public Information

The Act provides that a university regularly and routinely may release information, defined as public information or directory information, to individuals and agencies outside the university. The following types of information are routinely and regularly released and disclosed by the University of South Alabama as public information: student's name, address, telephone listing, e-mail address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and, to honorary societies affiliated with the University, the cumulative grade-point average of a student who is being considered for eligibility in same.

Public information will not be released, upon a request made by the student to the appropriate records officer at the University, as "records officer" is defined in the University policy regarding student records. To request non-disclosure of directory information, students must complete a "Request to Prevent Disclosure of Directory Information" form in the Registrar's Office. This request is valid until the student rescinds the request of non-disclosure.

V. Record Retention Location

The following University officials are designated as those individuals who have responsibility for student records within their respective areas: (1) the Associate Dean of the particular college in which the individual student is enrolled; (2) the Vice President of Student Services, for all other records pertaining to students, excluding the College

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of Medicine, (3) the Director of Career Services relative to student records maintained in that office, (4) the Associate Dean for Academic Affairs, College of Medicine; (5) the Veterans Affairs Specialist relative to student records obtained in that office; and (6) the University Registrar for official academic records or transcripts.

Within the context of this policy relative to student records, these individuals designated as a record official will maintain a listing of those student records within such record officials' responsibility indicating the location and general content of the records. Any request made by the student relative to review of or disclosure of the student records, including requests that public information not be disclosed, requests for disclosure to third parties, and requests for access by the student should be directed to the particular official. The only exception to this policy is when the student requests an official transcript from the University to be sent to a third party, that request should be directed to the Office of Registrar. When the content of a record is challenged under these procedures, the record official will be the hearing officer for that area of records over which he or she has responsibility.

VI. Right of Access and Review By Student Of Their Record

A student has a right of access to any education record which is maintained by the University and which is directly related to that student. The right of access to education records includes the right to inspect, review, and see education records; the right to obtain copies of education records (the cost of copying to be assessed to the student); and the right of hearing in the event that the student wishes to challenge the accuracy or appropriateness of the record. In order for the student to inspect a file or document maintained as an education record the student should make this request in the office of the appropriate records official; the request must be initiated in writing on the forms maintained by the record official. In the event that the student cannot personally appear for such requests, the student may request a form through the record official in writing and that form must be returned to the record official notarized. The request for inspection will be granted within forty-five (45) days after the date of the request.

The Act specifically excludes from review by the student the following types of education records: financial records or any information contained within the financial records of parents of the student; any confidential letters or statements of recommendation which were placed in the education records of the student prior to January 1, 1975, and which are used only for purposes for which intended letters of recommendation associated with admission to educational institutions, application for employment, and receipt of honor or recognition, if the student has signed a waiver of rights of access to said records of recommendation. Nondisclosure of such records to the student also applies to those items excluded from the definition of education records since those documents are not considered to be education records as defined under the Act.

VII. The Student's Right to Challenge the Content of the Education Record

The University of South Alabama recognizes that the student, after reviewing the education record, has a right to challenge the content of that record, relative to the possibility of the record being misleading, inaccurate or inappropriate. However, under the Act, a student does not have a right to challenge the numerical or letter grade given by the instructor.

If a student wishes to challenge a record, the student should make that request for challenge of the record known to the record official. The student will be required to complete a form in which the student requests that a hearing be held, challenging the education record, and specifying on the form the nature of the challenge, that is whether the record is misleading, inaccurate, inappropriate, etc. The record official will act as the hearing officer in all matters pertaining to the content of the record. The record official will attempt to resolve the challenge by informal method. Following that the record is inaccurate, misleading, inappropriate, etc., the record official, acting as hearing officer, will designate a date, time, and place for the hearing. The hearing will be held within a reasonable period of time following the request to the record officer. The student will have an opportunity to present evidence relative to their challenge. The record official

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will have the right to inspect the education record relative to the content of that record, will have a right to request evidence from the student and from the maker of the education record or that portion which is challenged. The record official may decide that the record should be retained in its present state, that the record should be altered, that an explanatory comment by the student should be entered in the record although the record is accurate and appropriate and not misleading. A decision of the record official, acting as a hearing officer will be returned to the student within ten (10) University working days following the conclusion of the hearing. A student has the right to file a complaint with the Family Policy Compliance Office.

VIII. Waiver of Student Right to Review And Inspect Education Records

The University of South Alabama, pursuant to the Act, provides for waivers of the following education records: letters or statements of recommendation associated with application, admission, receipt of honors or other recognition.

The University of South Alabama retains the right to request such waivers of students and prospective applicants. If a student receives a request for waiver, the student may either sign and return the waiver, or may request a list of the names of the individuals who will be contacted for recommendations before signing the request, or may refuse to waive the right of access.

A WAIVER SHALL NEVER BE A CONDITION OF ADMISSION, FINANCIAL AID, OR OTHER BENEFIT BY THE UNIVERSITY OF SOUTH ALABAMA.

IX. Releasing Education Records to Third Parties

It is the general policy of the University of South Alabama that the University does not release education records or information relating to a student, to individuals or agencies outside of the University of South Alabama. However, the student may request the release of education records to individuals or agencies outside of the University of South Alabama. In the event that the individual does so request such education record to be released, a written request from the student must be directed to the proper records official, specifying the records to be released, the reason for the release, the person to whom records are to be released and a request of copies of the records that are released to the student if the student so desires. The student has the responsibility of sending a statement to the University, signed by the party who is receiving the information, that the information that is granted to the third party will not be transferred to other individuals or agencies without the student's prior consent. These stipulations must be met prior to release of educational records by the University of South Alabama. The University of South Alabama following this request will grant access or will release the education record to the third party. Any cost of expenses of copying or reproducing education records will be assessed against the student so requesting.

Student records will be released to certain designated classes of individuals, agencies, or institutions, which include the following and which are in accordance with the Act.

1. Any University official, including members of the faculty and staff, who have a legitimate educational interest.
2. Officials of institutions in which the student submits his or her desire to enroll. The student will be notified of the transfer of this information and will be sent a copy of the record, if the student requests, and will be granted an opportunity to challenge the content of the record, if the student requests.
3. Certain representatives of Federal departments or agencies or State educational authorities for purposes of audits, evaluative studies, etc. The data that will be collected by these agencies will be protected in a way which prevents personal identification except when specifically authorized by Federal law. Also the information will be destroyed once it is no longer needed.
4. Financial Aid Officers.
5. Accrediting organizations.
6. Organizations conducting studies for administrative evaluation tests, etc.
7. Parents of students who are considered to be dependents under the Internal Revenue Code for Federal Income Tax purposes.
8. In accordance with judicial orders of lawfully issued subpoenas.

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9. Appropriate individuals, agencies, and institutions in case of an emergency or to protect the health or safety of the student or others.

For all of the above requests, excluding number 1, the following information will be placed in the education record of the student: a record of request for access, the legitimate interest involved, and action taken relative to the request.

- X. This policy statement is subject to change and revision as the experience with the law and institutional policy change.

XI. Questions regarding this policy or the Act may be referred to the Office of University Attorney, Administration Building, Room 131, (251-460-6294).

Personnel Policies for Student Employees

I. Introduction

Student employment at the University of South Alabama is educational in nature and as such should afford students opportunities to use and further develop their skills, creativity, sense of awareness, and responsibilities while earning a portion of their educational costs. Student employees do not come under the umbrella of regular staff employees. Student employees are defined as those students who are employed as student assistants or employed in the Work Study program. Nursing and Allied Health students employed by the University hospitals as part of their training, elected SGA student officials and graduate students who have University assistantships **are not** a part of this definition.

It is the responsibility of supervisors to give new student employees the proper orientation, counseling, and supervision that is needed to develop healthy attitudes toward their jobs. Students are to supplement rather than replace University staff. Any modification or deviation from these guidelines must be approved by the Associate Vice President for Enrollment Services.

II. The Meaning of "Hourly Employment"

Students are employed under "an hour's pay for an hour's work" arrangement. However, a department should not deny payments to students for brief interruptions in their daily schedules, such as rest periods or coffee breaks, if it is the department's policy and practice to permit such interruptions for its regular hourly employees. Students are not compensated under a salary, commission, or fee arrangement. In addition, fringe benefits such as paid sick leave, vacation pay, and holiday pay, which are provided benefits to eligible regular employees, do not apply to student employment. Student assistants are not covered by Social Security as long as they are enrolled at least half-time and regularly attending classes. Student employees are not covered by workmen's compensation or unemployment compensation. This should be explained to students when hired.

III. Hourly Wage Rates

Wages paid to students working under the student assistant program will be paid at the minimum wage (\$5.15/hour), however, said hourly wage should not exceed that \$2.15 per hour over minimum wage without permission from the Office of Enrollment Services. Students employed under the Work-Study program will be paid at least minimum wage as required under the federal guidelines to participate in the program. Employment under the Work-Study program is determined by the financial need of the family. The University of South Alabama is an equal opportunity employer and shall not discriminate on the basis of race, age, color, religion, national origin, disability, disabled veteran, Vietnam Era Veteran status, or sex.

IV. Appointments

Each department should have on file a job description for each student assistant position, including Work-Study. For student assistants, the rate of pay can be based on job requirements and skills needed, but should not normally exceed minimum wage by more than \$2.15 per hour. **ALL STUDENT PERSONNEL ACTION FORMS MUST REFLECT THE STUDENT I.D. NUMBER.**

At the time of appointment, the student assistant must be enrolled at least half-time (undergraduate, six (6) hours; graduate four (4) hours) be a degree seeking

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student and must be at least 18 years of age. Work-Study students generally must be enrolled full-time. Student assistants may choose at their option not to enroll for one semester each academic year (Fall - Summer) during which time they may work up to a maximum of 40 hours per week. Students admitted and registered to attend the University for the first time are not eligible to work as student assistants until one week prior to classes beginning.

The maximum number of hours a student assistant is allowed to work is 20 hours per week or no more than 300 hours per semester when classes are meeting. The student assistant may be allowed more hours between semesters. Fifteen hours per week is the maximum allowed for work-study students. Work-Study students generally are not allowed to work between semesters or other periods of non-enrollment.

Students are not allowed to work at home. All work must be conducted under departmental supervision.

Student assistants, if they desire, may work during official University holidays if the office in which they are hired remains open during the holidays. Students cannot be required to work during official University holidays.

Students holding both a part-time staff position and a student position may work no more than 20 hours in their student appointment with the combined total hours worked not to exceed 40 hours per week.

Students who completely withdraw during a semester should cease working immediately.

Immigration rules (Immigration Reform Control ACT - IRCA '86) for international students working "on-campus" specifically state that a maximum of 20 hours per week is allowed "...while school is in session. Such employment may be full-time during vacation periods for students who are eligible and intend to register for the subsequent academic term. There is no exclusion from the overall 20 hours per week ceiling for work undertaken pursuant to a scholarship, fellowship, assistantship or postdoctoral appointment." Normal on-campus employment (academic department, bookstore, cafeteria, etc.) must not exceed 20 hours per week maximum.

The student employee must meet Department of Labor and Immigration regulations regarding citizenship or alien status. Documentation proving satisfaction of regulations must be provided to the Payroll Office. Documentation includes I-94 card, passport with expiration date, visa and the form I-20. Illegal aliens will not be employed. Each department must submit a new Student Personnel Action appointment form once a year (valid August 15 through August 14) for employment. A separate student personnel action form is not needed for summer employment if a student is in an active working status for the current fiscal year. The filing of the I-9 form with appropriate documentation is the responsibility of the department. In addition, payroll must be notified when a student employee is not enrolled for FICA withholding purposes. The original or a copy of the social security card must be presented to the Payroll Office for social security number and name verification.

Changes to a current student assistant's PA (i.e., current student assistant hired at pay rate of \$5.15 per hour and you wish to increase the rate of pay to \$6.00 per hour) should be made effective with the beginning of a pay period. A link to USA's biweekly payroll calendar is on the website at www.southalabama.edu/financialaffairs/payrollaccounting/calendar.html.

Departments and divisions should observe University policy and state laws regarding **nepotism**. Students that have relatives working at the University **can not** work in the same department as their relatives but they **can** work within the same division. Refer to Section 3.1.3. of the *Staff Employees Handbook* for more information.

V. On-the-Job Injury

If a student is injured while performing duties as a student employee, said student should be seen by USA Student Infirmary. Serious injuries should be sent to the USA Medical Center Emergency Room.

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1. An Accident/Incident Report must be completed by the student employee's supervisor within 72 hours of an on-the-job injury. For this reason, an on-the-job injury must be reported immediately to the student's supervisor. The supervisor will forward the completed form to USA's Risk Management Office, CSAB 216 and a copy of the form to the Office of Enrollment Services, Meisler Hall, Suite 2400.
2. All claims for property damage and/or medical expenses not paid by the University or the student's insurance, may be filed by the student with the State Board of Adjustment. Approval by the State Board of Adjustment is based upon an investigation of the accident by University officials and a determination by the State Board that the accident occurred while on the job.

A letter explaining the State Board's claim filing procedures and requirements along with the appropriate claim forms can be obtained by the student employee at USA's Office of Risk Management, CSAB 216.

Students who suffer an injury in the scope of their student employment may receive a prompt treatment in the emergency room of USA Medical Center and may, if justified, be eligible for up to three days of leave without pay, normally not to exceed 12 hours. Additional unpaid leave may be taken if approved by the Division Head and reported to the Associate Vice President for Enrollment Services.

VI. Full-time Employment

The IRS announced, through a private letter ruling, that student employees who are enrolled less than half-time (less than four hours graduate or six hours undergraduate) are subject to FICA taxes. To comply with this ruling, student employees' enrollment status will be verified once each semester immediately after the last day to add classes.

VII. Graduation

No student shall be employed as a student assistant after graduating from the University unless they are enrolled in a second degree or graduate school at USA. Exceptions to this policy must be approved by the Associate Vice President for Enrollment Services.

VIII. Voluntary Services

The Fair Labor Standards Act of 1938, as amended, prohibits a covered employer (including educational institutions) from accepting voluntary services from any paid employee. Therefore, students **must not** be allowed to work more hours than their maximum limitations as established at the time of appointment and must be paid for all hours worked. Students must be paid for all work performed. Voluntary services should not be permitted.

IX. Pay Policies and Procedures

Student employees must be paid through normal student personnel/payroll procedures initiated by completing the appropriate student personnel action papers. Students should not be paid by a requisition. Exceptions to this policy must be approved by the Associate Vice President for Enrollment Services.

Students are paid every two weeks. Payroll authorization (time sheets) must be signed by the student and supervisor (except for off campus work study STAY students), and received by payroll on Monday before payday. Changes to the timesheet deadline will be posted on the Payroll website www.southalabama.edu/financialaffairs/payrollaccounting/calendar.html. Checks will be available on Friday.

Students unable to work because of a natural disaster or other causes beyond their control **will not** be paid for lost work. The students may be allowed to make up the lost work during the semester at the discretion of the supervisor.

X. Supervision

The employing department must provide sufficient staff to adequately supervise the work performed by student employees, set work schedules including starting and ending time, arrange for absences when necessary, see that pay procedures are followed,

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and in general ensure that a reasonable work relationship is developed and maintained between the student employee and the department. Students are not allowed to work at home. All work must be conducted under departmental supervision.

XI. Grievances

Student employees may use the grievance procedure to seek redress of grievances arising out of terms or conditions of student employment. A student employee having a complaint or grievance should first discuss the matter orally with the immediate supervisor within ten working days after the incident. The supervisor should consider the grievant's request and render an oral decision within five working days of the discussion. Failing satisfactory adjustment from the supervisor, the aggrieved student employee shall, within five working days following receipt of the supervisor's decision, reduce the grievance to writing stating (1) the facts of the case, (2) the nature of the complaint, and (3) the adjustment desired. The written grievance shall be presented to the department head who shall give a written response to the grievant within five working days. (NOTE: if the department head is the immediate supervisor, initial grievance may be oral, followed by a written grievance to the dean or director.)

Failing satisfactory adjustment from the department head, the aggrieved employee shall, within five working days after receipt of the department head's response, present the written grievance to the appropriate dean or director who shall render a written statement to the grievant within five working days. If satisfactory adjustment is not forthcoming from the dean or director, the grievant shall, within five working days after receiving the dean's or director's response, submit the grievance to the Vice President for Student Affairs. The Vice President for Student Affairs shall thoroughly investigate the case and render a written answer within ten working days.

Work-Study students should follow the same grievance procedure as student assistants. Rather than submit the grievance to the Vice President for Student Affairs, the grievance should first be presented to the coordinator of the Work-Study program. The case shall be investigated thoroughly and presented to the chief student personnel officer. A written answer shall be rendered to the aggrieved employee within ten days.

XII. Terminations

Student Employees are considered to serve at the pleasure of the University and are "at will" employees. In the event that need arises to terminate a student employee, the supervisor should discuss with the student the on-the-job problem and corrective action necessary to maintain job and appropriate time-line to correct problems before termination. Proper documentation supporting any or all disciplinary actions should be maintained by the department. Their employment must not violate Affirmative Action/Equal Employment Opportunity laws and regulations. The filing and resolution of grievances shall be done in accordance with the terms of Section XI of this policy.

In cases involving student misconduct, the matter will be referred to the University Disciplinary Committee for adjudication as outlined in the Student Handbook.

The University reserves the right to suspend the student employee job related activity without pay pending the outcome of the University disciplinary Committee hearing process.

In terminations involving students on the Work-Study program, the supervisor will complete the evaluation sheet to be returned with the termination papers.

XIII. Summary

The basic guidelines for student employees are:

1. As hourly employees, student assistants must be paid only for hours actually worked.
2. The hourly pay rate should not normally exceed the current minimum wage (\$5.15) by more than \$2.15 per hour.

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3. Student assistants are limited to a 20 hour week or 300 hours per semester.
4. Student assistants must be enrolled at least half-time, be a degree seeking student and must be at least 18 years of age.
5. Student assistants must meet Department of Labor and Immigration regulations.
6. University policy and state laws regarding nepotism must be followed.
7. Any modification or deviation from these guidelines must be approved by the Associate Vice President for Enrollment Services.
8. This policy must be reviewed with the student at the time of employment.
9. Student assistants may work (maximum 40 hours/week) and not be enrolled for one semester each academic year (Fall-Summer).
10. Student assistants who are working and not enrolled at the University are not eligible to utilize the Student Health Services and are not exempt from FICA.
11. Students enrolled less than half-time are subject to FICA taxes.

Policy of Non-Discrimination

The University of South Alabama and its colleges and subdivisions follow a policy of nondiscrimination on the basis of sex, race, and disability in admission policies and practices, educational programs, activities, and employment practices according to Title IX of the Education Amendments of 1972.

The University of South Alabama provides equal educational opportunities to and is open and accessible to all qualified students without regard to race, color, creed, national origin, sex, or qualified handicap/disability, with respect to all of its programs and activities.

No otherwise qualified person with a disability, solely on the basis of such disability, will be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the administration of any educational program or activity including admission or access thereto or in treatment or employment therein by the University of South Alabama.

COMPLIANCE WITH 1973 REHABILITATION ACT (SECTION 504) AND THE AMERICANS WITH DISABILITIES ACT OF 1990

The University of South Alabama complies with Section 504 of the Rehabilitation Act of 1973 and the ADA of 1990 as amended. Any questions relating to accessibility should be directed to the office of the Vice President For Business Affairs, AD 328, 460-6121, or Manager, Special Student Services, Student Center, Room 270, 460-7212.

Sale of Academic Materials

In order to comply with all federal copyright laws, state ethics laws and other state laws, the following policy is effective immediately and supersedes the policy distributed January, 1995.

The sale of academic materials including texts, supplementary texts and other supplementary materials directly to students by either an individual faculty member or staff employee or by the academic department is prohibited. All academic materials as indicated above must be sold through the Bookstore.

State law requires that outside college bookstore retailers be informed of required and optional textbooks and any other academic materials sold to students such as custom published and supplementary academic learning materials (course packs). The University Bookstore will be responsible for preparing a list of these and will make such lists available to off-campus retailers and/or their representatives no more than two (2) working days from the time they are established. Also, all off-campus retailers will be allowed to purchase the items on the list from the Bookstore at a discount, if a margin is added, or at cost if no margin is used, provided the copyright agreement legally covers such a sale.

Copyright Policy for Students

It is the policy of the University of South Alabama that all members of its community, including faculty, staff and students, adhere to all copyright laws and guidelines of the United States. A new copyright policy was approved by the University on April 1, 2002, which established comprehensive guidelines for all at USA to follow regarding copyright.

The USA Copyright Policy defines "Student Work" as an original work fixed in any form of tangible expression generated by undergraduate or graduate students in the normal course and scope of their educational activities, including papers, computer programs, theses, dissertations, artistic, musical or other original works, but specifically excluding class notes. Student Work does not include work done as an Employee of the University, as a Sponsored Work, or with Significant Use of University Resources; all such works shall be considered Institutional Works.

The policy specifically states that Copyright in Student Works shall be owned by students unless assignment of certain right to the University is a condition for participation in a course. Students shall, where practical, grant the University a royalty-free, non-exclusive, non-transferable license for Internal Use of Student Works, and shall in every case grant the University the right to make and distribute copies of theses and dissertations to the public. Students duly enrolled in a course may take class notes for personal use but may not take or disseminate such notes for commercial purposes unless the course instructor approves such activity in advance.

The entire USA Copyright Policy can be found in Section 7.9 of the Faculty Handbook.

UNIVERSITY OF SOUTH ALABAMA POSTING POLICY

This policy applies to the entire campus except when superseded by written policies of Housing and Residential Life, the Athletic Department, and the Student Center. Any member of the University community may remove materials posted which are not in accordance with this policy. Those needing an interpretation of this policy may receive such from the Director of the Student Center.

Approval Process:

Approval for all flyers, posters, and banners (with the above exceptions) is done at the Student Center Information Desk located on the first floor. Groups or departments that have their own board do not need to receive approval. All approved materials must be denoted by a stamp. **(To advertise in the Residential Halls, all inquiries must be taken to the Central Housing Area for approval by the Associate Director of Housing.)** All posters must bear the stamped approval of the Student Center Office except in those areas designated as space for a specific organization or department.

Criteria:

Only material which does not conflict with the educational mission of the University shall be approved.

Posters that announce meetings, programs, and special events sponsored by registered University student organizations, Student Services, or Academic departments are allowed in all University buildings.

Only four flyers or posters will be approved for the entire campus for Administrative Departments; individuals; non-recognized student, staff, or faculty groups; or for any group not affiliated with the University. These flyers will be approved for posting by SC staff only in the following locations: 1) two flyers in the Student Center; 2) Administration Building, basement; 3) Library, first floor, entrance. Exceptions may be made at specific buildings by the appropriate staff or administrative personnel.

All material must include: the name of the sponsoring group, individual or department and, if necessary, an English translation accompanying the material.

Materials may not contain obscene drawings or illustrations.

Materials may not restrict participation on the basis of gender, race, color, national origin, religion, or disability.

Materials may not make any reference in print or graphics to alcohol.

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For fundraisers, all beneficiaries of the fund-raising effort must be specified in the promotional material.

Appeal:

Materials not approved for posting by the Information Desk may be approved by the Director of the Student Center.

Guidelines:

Flyer: any paper not exceeding the size 8¹/₂ by 11 inches. Poster: any paper not exceeding the size 24 x 17 inches.

As noted under 'Criteria', only three flyers are allowed for Administrative Departments, individuals, unofficial or non-recognized University groups, and groups not affiliated with the University. For approved and registered USA student organizations, student services, and academic departments, no more than 50 combination of flyers and posters will be approved (outside Housing) for posting for meetings and events targeted to a select group. Up to 200 flyers and posters will be approved for events open to the entire University community. No more than two posters for the same event are allowed on the same floor of any building. Only one poster is allowed per floor stairwell.

Flyers and posters may be posted in the following buildings in the following locations unless prohibited in the future by notice, exclusive use by another organization, or by common sense. They should never be hung where they cover previously posted (and current) flyers. If in doubt, please check with the appropriate building staff to determine acceptable locations.

Administration Building - approved bulletin boards in basement and stairwell space between windows. Posters and flyers are not allowed on the first floor.

Classroom Buildings - stairwell space between windows and approved bulletin boards.

Business Building - approved bulletin boards.

Cafeteria - approved bulletin boards.

P.E. Building - approved bulletin boards.

Medical Building - student lounge bulletin board.

Library - bulletin board in front lobby.

Life Science - approved boards on each floor.

Humanities - in hallway joining the two wings.

Bookstore - space between two front doors.

Engineering Building - approved bulletin boards.

Post Office - approved bulletin boards. Recreation Center - any poster must be approved by the Director of the Campus Recreation Center.

Student Center - refer to the SC poster policy.

Miscellaneous:

Materials may be posted until the event is completed or for a maximum of 30 days. The SC staff will remove posters on the last day of each month. All groups are encouraged to remove their own materials in a timely fashion and to remove other dated material when posting their own.

Multi-date events may be posted for an entire quarter; however, such posters will be taken down at the conclusion of each quarter. Exceptions may be made for posters promoting on-going programs of Student Services.

No posters are allowed on painted surfaces, the outside of any building, doors, glass, trees. Exceptions may be made for location of flyers within a building IF the information pertains specifically to use of that building (ie: No Smoking, Hours, etc.)

Special regulations governing student campaigns may be adopted by the SGA Election Committee.

Failure to comply with the above rules may result in the suspension of poster privileges for offending organization(s) and/or individuals.

STUDENT CENTER POSTER POLICY

Recognized and registered student organizations, academic and administrative departments, non-USA affiliated groups, and individuals:

May have two flyers posed in the Student Center per unique event. One may be placed on the appropriate board located on the first floor and the other may be placed in the gameroom. Student groups with large memberships may request their own space from the SC Director. **LIMIT - TWO FLYERS PER EVENT.**

Poster Policy - Approval for all flyers, posters, and banners is done at the Student Center Information Desk (exceptions: to advertise in the Residential Halls, approval is needed from the Associate Director of Housing; to advertise in the Recreation Center, approval is needed from the Recreation Center Director; groups or departments do not need approval for posting on their own boards). All approved posters must bear an original stamped approval from the Student Center except for the above noted exceptions. Any member of the University community may remove materials which are improperly posted.

Posters announcing meetings, programs, and special events sponsored by registered University student organizations, Student Services, or Academic Departments are allowed in all University buildings in properly designated areas.

Only four flyers will be approved for the entire campus for Administrative Departments, individuals, non-recognized student, staff, or faculty groups, or for any group not affiliated with the University.

A complete copy of both the University of South Alabama and the Student Center Poster Policy may be obtained from the office of the Director of the Student Center or the Information Desk.

Hand Bills and Petitions - The distribution of handbills and petitions on campus must be registered in Southpaw Services and permission must be given by the Vice President for Student Affairs or his or her designee. Handbills and petitions must be sponsored by a registered University organization or by the Student Center.

BANNER POLICY

1. Inside building
 - a. Banners may be hung from 2nd floor lobby rail by approved student organizations only. All supplies are available at no charge in the SGA Office (room 280 of the SC). **Banners may not exceed 3 feet in width and 10 feet in length.** Banners exceeding these dimensions will be taken down by SC staff and turned over to the SGA secretary.
 - b. Groups wishing to hang banners in other locations must obtain permission from the Director of the Student Center or the Student Center Reservations.
2. Outside building
 - a. Vinyl banners may be hung outside of building. See the Student Center Director for approval and for specific locations.

Space and Facilities

The University of South Alabama recognizes and supports the rights of students, employees, and visitors to speak in public and to demonstrate in a lawful manner in designated areas of the campus and at designated times. The primary missions of the University are to provide teaching, research, community service, and health care through on-going instructional programs, sponsored and conducted by a member of the faculty or department of the college or university, or an organization registered with the Office of Campus Involvement. The University, therefore, reserves the right to designate the time, place, and manner by which its space, whether interior or exterior, is used.

I. Time, Place, and Manner Procedures

A. Interior

1. All non-academic events or those not directly affiliated with a college or university activity to be held **inside** University facilities must be scheduled in the Office of the Dean or Vice President in charge of that building. The contacts for each building are as follows:

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Alumni Hall, Director, Alumni Relations, AH
Brookley Center, Director, Brookley Center, BC
Engineering Buildings, Dean, Engineering, EGCB 108
Administration Building, President's Office, AD 122
Gym/Physical Education, Chair, HPELS - HPELS 1011
Housing Complex, Director of Housing, Delta Offices
Humanities, Dean, A&S, HUMB 118
ILB-Instructional Laboratory Building, Dean, A&S, HUMB 118
Laidlaw Performing Arts Building, Dean, A&S, HUMB 118
Life Sciences, Dean, A&S, HUMB 118
Mitchell Center, Director, Mitchell Center, MC 2195
Mitchell College of Business, Dean, Business, MCOB 106
Multipurpose Room/Cafeteria, Director, Student Center, SC 132
Seaman's Bethel Theatre, V.P. for Academic Affairs, AD 300
Student Center, Director, Student Center, SC 132
Student Recreation Center, Director, Campus Rec, SRC
Swimming Pool, Director, Campus Rec. SRC
University Commons, Dean, Education, UCOM 3600
Visual Arts Building, Dean, A&S, HUMB 118

2. Any procedures, deposits, forms, etc., that are required by the building requested must be completed five working days prior to the event. The event must be listed on the University Calendar through the Public Relations Office, as well as, with the Southpaw Services Office in the Student Center. Only University sponsored events may be advertised without charge in University publications.

B. Exterior

1. USA reserves the right to require that speakers, scheduled and unscheduled, sponsored and unsponsored, use the areas around the Student Center in order to avoid disruption of the normal function of the University and to assure the flow of vehicular and pedestrian traffic. Demonstrations, speeches, and debates will be held around the Student Center unless the Vice President for Student Affairs is able to coordinate another appropriate campus location no less than three working days prior to the event.

Authorization for any speech or demonstration beyond the Student Center will require identification of the individual or organization involved and agreement to abide by these regulations, which will not be unreasonably withheld.

2. No musical instrument or sound amplification equipment of any kind, including stereo turntables, stationary or mobile public address systems are allowed on concourse, streets, or in areas adjacent to academic buildings or around the Student Center unless otherwise allowed by the Vice President for Student Affairs, the Dean in charge of the academic building, or a person designated by the Vice President for Student Affairs.

II. Enforcement and Appeal

These regulations shall be administered and enforced by the Vice President for Student Affairs or other University officials as designated.

Visitors to the campus and all others violating these regulations regarding time, place, manner of speeches and demonstrations will be subject to immediate eviction or removal from campus by appropriate University agents or officials and may be subject to legal or university disciplinary action.

Individual students in violation of these regulations will be subject to disciplinary action under the Student Code of Conduct.

Persons, agencies or organizations wishing to appeal a decision based upon these regulations may file a written appeal with the Vice President for Student Affairs within three working days of the decision. The decision of the Vice President for Student Affairs regarding the appeal will be rendered within three working days of receipt of the appeal, and is final.

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Nothing in this policy is intended, nor should it be understood, as an endorsement or approval by the University of South Alabama of any speech or demonstration, on campus beyond rights existing under federal law, state law or university regulations.

Speakers

The Board of Trustees expects the President and the Administration to preserve order on the campus and to provide the orderly function of the University process. In the event the President, in the exercise of the discretion which the trustees have given him or her, considers that the presence of a speaker or function constitutes a danger to the lives or property of members of the academic community or the public on University grounds, or if such presence is apt to interfere with the discipline or the orderly operation of the University's processes, then the President shall prohibit the event.

Housing Rules and Regulations

The University has established policies to inform residents of their responsibility for their actions within the residence halls. They are designed to promote and maintain an atmosphere conducive to community living. All residents are responsible for knowing and adhering to the rules and regulations listed in *The Lowdown Student Handbook*. In addition, residents are responsible for the policies and regulations in the Residence Life Handbook/Calendar.

The Registration Process Schedule Development

The process of schedule development begins at Orientation and continues throughout your academic career. You must eventually select a major academic field or program, which will determine your degree requirements. Essentially, requirements fall into four categories: university-wide, college, major, and where applicable, specialization and/or minor. The best source for all requirements is the *Bulletin*; the best resource is an academic advisor.

Program Requirements

You should read the following sections of the *Bulletin* carefully: "Academic Policies and Procedures", especially the "General Education", and the "Graduation" sections, which lists university requirements. The introduction to the college you have selected lists college requirements; the entire description of your major department, including courses offered; and, if applicable, the subsection "Requirements for a Minor" under the department(s) in which you have chosen to minor. Even if you enter "undecided", you should review requirements of possible majors and minors early so that the courses you take will count toward degree requirements in the college and field you eventually select.

The Role of Academic Advisors

Although colleges vary widely in their advising procedures, all recognize the importance of academic advising and each maintains an advising system. Information regarding the particular system is disseminated during Orientation and is available from a dean's office. Academic advisors explain degree requirements and help students develop schedule projections. Their chief area of expertise is the academic program, but they also serve as general resources and refer students to other offices and services as necessary.

Students may make appointments to see advisors at any time, but it is necessary that they see them during the Advising Period each semester in order to prepare registration worksheets. Although progress toward a degree is basically a student responsibility, advisors do monitor that progress and will advise students as to appropriate courses and sequential order. Most advisors have model program curricula or posting sheets, which outline all degree requirements and are a great aid in schedule development.

Copies are given to students upon request so that they can successfully monitor their own progress and develop tentative semester schedules for advisors to check.

Initially, advisors are assigned by a college or department, but, in most cases, students may request particular advisors as they become more familiar with the staff and faculty. Academic advisors are officially noted on student records and have access to and responsibility for maintaining their advisees' counselor files.

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Course Selection

Before meeting with advisors, you should obtain a copy of next semester's Schedule of Classes (containing a registration worksheet) from the Office of the Registrar or through PAWS. After checking requirements in either the *Bulletin*, model curriculum, or posting sheet, you should select from courses offered those appropriate for the coming semester. The initial selection should include alternate courses as well.

The *Bulletin* should be referred to carefully for course descriptions and prerequisites. (Students without necessary course prerequisites will be dropped from class rolls prior to the semester beginning.)

Schedule Drafts

After selecting courses, you should develop viable daily schedules by choosing appropriate sections. It is a good idea to draft three or four different schedules utilizing alternate courses and sections to prepare for the possibility of courses closing during registration.

Advising Session

Students should make appointments to see their academic advisor during the Advising Period. At the advising session, students should present a list of projected classes and alternates to be sure that all selections will meet degree requirements. Questions as to the appropriateness of courses, especially electives, preparation, proper sequence, particular mix of courses, and the ability to handle the number of hours projected should be discussed. It is not appropriate to involve advisors in section selections. Instructors and times are matters of students' personal preferences. Remember, students who are prepared for advising sessions will make better use of their advisors' time and expertise.

Registration

Registration is through PAWS. Students will enter course information during scheduled registration hours and receive confirmation of their course selection, fee and financial aid information. Tuition and fee payments may be mailed to the Bursar's Office or payment may be made by credit card via the web. To ensure a successful registration, students should observe the registration check list, follow the registration instructions, and complete the registration worksheet located in the semester Schedule of Classes.

Registration Appointment Time

All eligible continuing and returning students may register via PAWS during Phase I prior to the beginning of each semester. All new students may register via PAWS during Phase II. Students must access PAWS for their registration appointment times and holds. Students may not register before their appointment time, but may register anytime thereafter during the scheduled registration hours.

Payment of Fees

The schedule should be checked carefully for accuracy before payment is made. Registration is not completed until tuition and fees have been paid. After the registration is completed, any changes must be made during the drop/add period.

Students with Disabilities

Disabled students should see the disabled student services coordinator in SC 270 as far in advance as possible in order to arrange for necessary special services.

It may also be advisable for such students to meet with the instructors of proposed courses at this time in order to help them to prepare necessary accommodations for particular disabilities.

Adding or Dropping Courses

All changes in schedules, including changes to audit, must be made by the third day of the term, through PAWS. Students may drop courses without penalty provided the withdrawal occurs within the time limits listed in the official calendar. The grade of "F" or "U" is recorded for a course abandoned without an official withdrawal. Students who drop courses after the last day for refunds may continue to attend class.

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Withdrawals

Students withdrawing from all courses, even if they are registered for only one, must obtain a complete withdrawal (CWD) form from the office of their college dean. After securing required clearances, students should submit the completed CWD form to the Office of the Registrar. The deadline for withdrawals is the same as that for dropping courses. There is no charge for processing CWD's. Student appeals for late withdrawal on the basis of compelling circumstances must be made to their College dean.

Grades

Grades are available through PAWS at the end of each semester.

Readmission to the University

Students who have previously been enrolled in the University of South Alabama, and who have failed to attend for one or more terms should comply with the instructions as follows:

Exception:

Students attending Spring but not Summer term do not need to readmit unless they were a transient student or were graduated, suspended, or dismissed.

How to Apply for Readmission

An applicant should request the appropriate forms from the Registrar's Office. All applications, including the required credentials, should be filed with the Registrar's Office by the publishers deadlines: at www.southalabama.edu/registrar/admission.

USA Student Computer Policy

USA provides student access to computer resources through the email systems, Jaguar 1 systems web servers, and departmental labs located throughout campus. Students using these resources must adhere to all policies of the University of South Alabama, as well as the Alabama Research and Education network, regarding the use of computers and computer networks.

Lab privileges can be denied to anyone using University equipment for illegal or unethical purposes. Any illegal behavior observed in the labs will be reported to appropriate University officials or law enforcement agencies. Anyone using the lab computers in this way, or any other generally inconsiderate manner, will be subject to appropriate disciplinary action. Such behaviors/activities include, but are not necessarily limited to, the following:

Illegal Activity

- **Uploading or downloading copyrighted material**, violating the intellectual property rights of others, or illegally sharing trade secrets. (Please note that MP3 and other music files frequently fall into this category.) Accessing, downloading, or printing out articles solely for educational and research purposes, however, may be permissible under the fair use clause of the Copyright Law. See **USA Software Policy** for more specific guidelines on using copyrighted software.
- **Illegally sharing computer software** via Internet, the local network, personal disks or any other media.
- **Copying or transmitting material contained in copyrighted databases** such as Infotrac, without permission from the source.
- **Buying or selling weapons or illegal substances** via computer network.
- **Threatening or "stalking"** others via computer network.
- **Knowingly replicating or transmitting computer viruses**, or otherwise deliberately damaging the systems or files of other people.

Strictly Prohibited Behaviors/Activities

- **Trafficking in pornography** of any kind via computer network. Please note that *redistribution* of pornography, even through web page links, is often illegal.

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- **Activity that violates state of federal law.** This may include viewing, downloading, posting, printing or sending pornography, or other sexually explicit, profane, obscene, hostile, or blatantly offensive and intimidating material, including hate speech, threats, harassing communications (as defined by law), or information that violates any state or federal laws.

- **"Spam,"** the practice of indiscriminately sending unsolicited email (e.g., commercial advertisements, chain mail, pornographic materials, political lobbying, hate speech, racial diatribes, and religious proselytizing) to persons who have not indicated interest in receiving such materials.

- **"Hacking" or "Cracking,"** i.e., deliberately invading the privacy of others by attempting to gain unauthorized access to any account or system.

- **Obtaining/distributing confidential information.** Deliberately and inappropriately observing, recording, accessing, using or transmitting passwords, account numbers, email addresses, phone numbers or credit card numbers belonging to other people is prohibited.

- **Downloading executable programs,** which might interject computer viruses into lab computers, is generally prohibited. Further guidance with regard to safe sites and appropriate downloads should be sought from the lab facilitator. (The University takes no responsibility for damage to your work or your own equipment resulting from viruses or files you might download via the Internet).

- **Using University equipment, including the University's Internet lines, servers or web pages, for commercial gain.**

- **Unauthorized wiring, altering or damaging of University-owned computer equipment,** including hardware and software.

- **Tampering** with lab machine settings.

Considerate Use

- **"Surfing the Net"** on lab machines for academic enrichment is permitted; however, precedence is always given to students needing access for assigned course work. Classes in the lab with a faculty member also have precedence. Otherwise, lab access is allocated on a first-come basis. Individuals who have been on a computer for more than two hours should yield if others are waiting.

- In consideration of other network users, students should **limit bandwidth-intensive activities** (e.g., playing or downloading games, music, video) to those required by their curriculum.

Violations/Consequences

In addition to all guidelines in the policies stated here, all USA students are subject to the rules outlined in the **Code of Student Conduct** and the **Student Academic Conduct Policy**, which are both published in *The Lowdown*. Violations of any USA computer policies incur the same types of disciplinary measures as other University policies or state or federal laws (up to and including criminal prosecution).

Additional Guidelines for Students

Sexually Explicit Material. All students are expected to effectively discriminate between professional and unprofessional portrayals of nudity and sexuality. This is an important aspect of professional judgement in many fields of study, dealing with nudity, the examination of the human body and the full range of human sexuality are relevant and appropriate to these in medical and other professions. A number of Internet sites (e.g., The National Library of Medicine and NIH) portray some such materials. Individuals working in medical school and nursing labs should expect to occasionally encounter nudity and professional portrayals of sexually explicit material.

Appropriate Activity

While the full range of free speech is supported and encouraged, USA students should always be mindful of the fact that the computer labs are located in public areas. Materials on screens visible to others working in the lab, materials that are deliberately or

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inadvertently left behind on the hard drive, and materials posted on the Internet from this lab should reflect well on the professionalism of our programs. Imposing exposure to inappropriate sexual materials upon student or faculty colleagues working nearby (or using the lab at a later time) might be construed as sexual harassment. Those in doubt about appropriate activity should seek faculty advice.

Confidentiality

Confidentiality is another issue affecting students using the labs. Under no circumstances should students leave, post or transmit confidential materials such as research data, case reports or private notes about patients (or case studies) on these computers. The University takes no responsibility for student work left on lab machines, even if the lab facilitator gave permission for it to be on the machine. Any such work may, at any time, be erased accidentally or in routine clean-up activities. Students should not leave private work or communications on these computers, nor should they read any private information accidentally left by others. No materials should be left on these computers without permission from the lab facilitator.

Reliability of Information

Students should remember that material on the Internet may or may not be accurate and reliable. It is critical that any information found on the Internet is carefully evaluated, especially with regard to pharmacology and health information.

NOTE: Most of the student and academic policies in this handbook apply to undergraduate and graduate students. College of Medicine students enroll under policies/procedures contained in the student handbook.

