

## **Nova Southeastern University Policies Governing Student Relations**

### **General**

Nova Southeastern University has established specific policies, procedures, and guidelines defining its relationship with its students. The term "student" defines the student, or parents of the student if the student qualifies as a dependent under the provisions of the Internal Revenue Code.

### **Institutional and Academic Information**

Nova Southeastern and its academic schools and centers periodically publish bulletins or catalogs describing NSU and its programs. These bulletins are available to enrolled and prospective students through the various admissions offices associated with academic units or from the Office of the University Registrar. Each academic unit, group of units, and/or the Office of the University Registrar maintains at least one full-time employee to assist students in obtaining information.

### **International Students**

International students who intend to reside in the United States and who are required to obtain an I-20 visa must be full-time degree-seeking students and must attend the Main Campus in Fort Lauderdale. While financial aid is available for United States citizens only, some scholarship money may be available for foreign students. For further information contact: International Student Adviser, Nova Southeastern University, 3301 College Avenue, Fort Lauderdale, Florida 33314-7796, telephone (954) 262-7240, toll free 800-541-6682, Ext. 7240.

### **Veterans' Benefits**

All programs described in this catalog are approved for veterans' training by the Bureau of State Approval for Veterans' Training, Florida Department of Veterans' Affairs. Eligible veterans and veterans' dependents should contact the Office of the University Registrar, 3301 College Avenue, Fort Lauderdale, Florida 33314-7796, telephone (954) 262-7241 or toll-free 800-541-6682, Ext. 7241.

### **Veterans' Benefits for Off-Campus Graduate Programs**

The Veterans Administration considers all programs that meet off campus (field-based programs, cluster programs) to be programs of independent study for veterans' benefits purposes. The Veterans Administration will make the decision as to the rate of the benefit.

### **Grade/Progress Reports for VA Students**

Each VA student will be provided a grade/progress report at the end of every evaluation period (e.g., term, semester, quarter). A copy of each report will be placed in the student's permanent file maintained by the Office of the University Registrar.

### **Student Publications**

Nova Southeastern University, as publisher, bears the legal responsibility for the contents of student publications. In the delegation of editorial responsibility to students, the University provides sufficient editorial freedom for the student publications to maintain their integrity of purpose as vehicles of free inquiry and free expression in the Nova Southeastern University academic community.

The delegated editorial freedom of student editors and managers is subject to corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo.

As safeguards for the delegated editorial freedom of student publications, the following provisions are made:

- a. The student press shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage.
- b. Editors and managers of student publications shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal, and then by orderly and prescribed procedures.
- c. All University published and financed student publications shall explicitly state on the editorial page that the opinions therein expressed are not necessarily those of Nova Southeastern University or of the student body.

### **Student Participation in University Governance**

In furtherance of its commitment to teaching and learning, Nova Southeastern University encourages student participation in institutional decision making.

Within each center, elected student government bodies provide vehicles for student expression of views and opinions on issues of institutional policy. Officers of the student governments are members of the President's Student Advisory Committee which meets monthly with the President and appropriate senior administrative staff to discuss University matters of general interest to the student body.

Additionally, students are regularly appointed to committees, task forces, and ad hoc groups dealing with issues of concern to students, including appointment to each self study subcommittee.

## **Notice of Nondiscrimination**

Nova Southeastern University admits students of any race, color, sex, age, nondisqualifying disability, religion or creed, or national or ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school, and does not discriminate in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

The Office of the University Registrar is designated as the policy coordinator to assure compliance with all federal, state, and local laws and regulations relative to nondiscrimination.

## **Drug-Free Schools and Campuses**

When you use or deal in drugs, you also risk incarceration and/or fines. The attached federal sentencing guidelines indicate federal penalties for trafficking in drugs.

In addition to the federal sanctions, Florida state statutes provide sanctions in regard to the use, possession, and/or sale of illicit drugs and the abuse of alcohol. Punishment varies dependent upon the amount and type of drug and/or alcohol involved. Felony convictions range from one year to life imprisonment. Possession of not less than 20 grams of cannabis is punishable as a misdemeanor of the first degree. Punishment for misdemeanors ranges from less than 60 days to one year imprisonment.

Under §893.13, Florida Statutes, it is unlawful for any person to sell, purchase, manufacture, deliver, or possess with intent to sell, purchase, manufacture, or deliver a controlled substance. Violation of this statute is a felony and is punishable under Chapter 775 of the Florida Statutes.

Under §893.13 (1) (e), Florida Statutes, it is unlawful for any person to sell, purchase, manufacture, deliver, or to possess with the intent to sell, purchase, manufacture, or deliver a controlled substance in, on, or within 1,000 feet of a public or private elementary, middle, or secondary school. Punishment for a violation of this statute may include a minimum three-year imprisonment.

Under §316.1936, Florida Statutes, it is unlawful for any person to possess an open container of alcoholic beverage while operating a vehicle in the state or while a passenger in or on a vehicle being operated in the state. Violation of this law will result in a non criminal moving traffic violation, punishable as provided in Chapter 318 of the Florida Statutes, with fines and points on a driving record leading to driver's license suspension.

Under §316.193, Florida Statutes, a person is guilty of driving under the influence if such a person is driving or in actual physical control of a vehicle within the state and the person is under the influence of alcoholic beverages or any controlled substance when affected to the extent that his or her normal faculties are impaired or the person has a blood alcohol level of .10 percent or higher. First conviction on such a DUI charge shall result in a fine not less than \$250 or more

than \$500 and imprisonment not more than six months. A second conviction results in a fine of not less than \$500 or more than \$1,000 and not more than nine months' imprisonment. Third conviction will result in not less than a \$1,000 fine or more than a \$2,500 fine and imprisonment for not more than 12 months.

By applying for a driver's license and accepting and using a driver's license, a person holding the driver's license is deemed to have expressed his or her consent to submit to breath, blood, and urine tests for alcohol, chemical substances, or controlled substances.

Nova Southeastern University requires that an employee notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction. In order to comply with federal law, Nova Southeastern University must notify any federal contracting agency within ten (10) days of having received notice that an employee engaged in the performance of a federal contract or grant has had a criminal drug statute conviction for a violation occurring in the work place. Any criminal drug convictions in the workplace must be reported by the employee to his or her University supervisor or department head within five (5) days of the date of such conviction. The University will discipline any employee who is so convicted or require the employee's satisfactory participation in a drug/alcohol abuse assistance or rehabilitation program within thirty (30) days of notice of such conviction.

Any Nova Southeastern University employee or student determined to have violated this policy shall be subject to referral for prosecution by the appropriate authorities. Other sanctions include evaluation/treatment for drug use disorder, which may include mandatory completion of a drug/alcohol abuse rehabilitation program, expulsion, and/or termination.

All Nova Southeastern University faculty and staff members will, as a condition of their employment, abide by the terms of this policy. All Nova Southeastern University students will, as a condition of their enrollment, abide by the terms of this policy.

### **Smoking and Nonsmoking**

Smoking is prohibited in any Nova Southeastern University facility where, regardless of physical separation, nonsmokers share a ventilation system with smokers.

This policy does not apply to living quarters (dormitories) which are subject to a separate smoking policy. Nor does this policy in any way supersede the Florida Clean Indoor Air Act.

### **Alcohol and Other Drugs**

Nova Southeastern University, as an institution of higher education, is dedicated to the well-being of all members of the University community-students, faculty, staff, and administrators. Concerned with the misuse of alcohol and other drugs (both licit and illicit), it is the policy of the University to endeavor to prevent substance abuse through programs of education and prevention.

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

- a. While on campus or engaged in any University related activity, members of the University community must be in a fit condition to perform appropriately. Being under the influence of alcohol and/or drugs is prohibited and may subject the individual to disciplinary action including the possibility of dismissal.
- b. Employees will be evaluated only on their work performance. If alcohol consumption or the use of any other drug affects an employee's performance, assistance is available. However, if an employee's performance continues to deteriorate, the University will discipline the employee based on his or her job performance. Poor job performance will lead to discharge.
- c. Professional assistance for substance abuse is given on a confidential, professional, and voluntary basis. The purpose of this assistance is to help the individual member of the University community who has a substance abuse problem lead a productive work and/or academic life free of substance abuse.
- d. Members of the University community who engage in any illegal activity involving alcohol or other drugs are subject to dismissal.

### **Substance Abuse Awareness, Education, and Prevention**

Nova Southeastern University's activities in substance abuse awareness, education, and prevention exist to encourage members of the University community to avoid the use of illicit drugs, to use alcohol and other licit drugs in a responsible manner, and to avert the need for direct intervention. The specific goals of the program are the following:

- To educate all members of the community that the use and possession of certain substances are illegal and may result in adverse consequences.
- To inform members of the University community concerning the physical and psychological effects of alcohol and other drugs and to develop an awareness of potential problems that can result from the use of these substances.
- To support those who choose not to drink alcohol or to use other drugs.
- To teach those who choose to drink alcohol to do so responsibly.
- To help those who abuse alcohol or other drugs.

In order to achieve these goals, the University operates and/or engages in the following programs and activities:

- a. **Alcohol and Drug Resource Center.** The Resource Center is directed by an existing staff member. Additional staff consists of student employees, practicum students, and/or student volunteers. The center has the primary responsibility for the University's prevention and education programs. It coordinates the various activities and serves as a clearinghouse for alcohol and drug information. Each academic center designates a

- contact person who works with the Resource Center staff to disseminate information within their centers.
- b. **Advisory Committee.** This is a group of administrators, faculty, and student leaders who are appointed by the vice president for academic affairs to serve as advisers and resource persons. The committee is chaired by the director of the Alcohol and Drug Resource Center. The group meets monthly to discuss and develop program plans and activities.
  - c. **Alcohol and Drug Awareness Activities.** Under the direction of the Resource Center, there are regular and ongoing activities designed to disseminate information about alcohol and drug use. The audience of the information is all students, employees, and faculty of the University, both on and off campus. The awareness activities can include posters, media campaigns, films, exhibits, and literature. The University supports the National Alcohol Awareness Week and schedules activities at that time to promote awareness on campus.
  - d. **Student Organizations.** The student governments are encouraged to establish chapters of organizations such as BACCHUS (Boost Alcohol Consciousness Concerning the Health of University Students) and SADD (Students Against Drunk Driving).
  - e. **Alcohol and Drug Workshops.** Workshops are provided for student leaders and for employees as part of the University's staff development program. These workshops provide the opportunity for participants to discuss the information they receive. Student leaders are required to complete such workshops before they can plan parties that involve drinking.
  - f. **Academic Courses.** Several academic centers have put identifiable units on alcohol and drugs into appropriate existing courses. Additionally, several academic centers have established elective courses in substance abuse and/or recommend students to take such courses in other centers. Assistance is available to the academic centers from the Alcohol and Drug Abuse Resource Center to ensure the substance abuse content of courses is consistent with University policies.
  - g. **Orientation.** Academic centers include information on drugs and alcohol in the orientation sessions and materials for new students. The orientation provides a general orientation to the problems of substance abuse and includes a statement of the University's policy on drugs and alcohol. The information is presented in a positive manner. The Resource Center works with the academic centers to prepare the materials presented.

### **Communicable Diseases Policy Guidelines**

It is the intent of the University to protect students and employees from exposure to communicable diseases that pose reasonable risk of harm to members of the University community. It is also the intent of the University to protect the rights of those infected with a communicable disease pursuant to the Sick Leave Policy of the University. Employees and students of the University who do become infected with a communicable disease are subject to the guidelines listed below.

All employees diagnosed with any communicable disease will receive the same benefits and privileges extended to any employee under the Sick Leave Policy and shall be afforded confidentiality for all related issues.

The University will be flexible in its response to incidents of communicable disease, evaluating each occurrence in light of this policy and current available medical information.

### **Guidelines**

For the purpose of this policy, the term "employee" shall include all persons employed by the University, either full time or part time, including adjuncts and off-site coordinators, but shall not include the following persons:

Members of the Board of Trustees

Guest lecturers

Vendors

The term "student" shall include all persons enrolled at the University, either part time or full time, from preschool through graduate studies.

The term "infected person" shall include students and employees who have been medically diagnosed as infected with a communicable disease.

In the event that any employee, administrator, or student has a concern about the potential for the spread of a communicable disease within the University community, those concerns should be brought to the assistant director of human resources for review consistent with the current available information on the spread of the particular communicable disease. After review and evaluation of the concerns, if there appears to be a reasonable likelihood of the spread of the disease within the University community by an infected person, the assistant director of human resources will, after notification of the issues presented to the University president, contact the Broward County Health Department for recommendations of appropriate action consistent with state law.

The University will make available to its employees and students information about the transmissibility of communicable diseases and precautions that can be taken to prevent the spread of various communicable diseases.

An infected person can continue to work and study so long as he or she is able to continue to perform regular responsibilities satisfactorily and so long as the best available medical evidence indicates that his or her continued status does not present a health or safety threat to self or others. Infected employees with diseases that threaten the safety of others are eligible for the same leave of absence provisions of current University policy for sick or annual leave.

An infected person returning to work or school after a leave of absence for reasons related to a communicable disease must provide a statement from his or her treating physician indicating current medical status. An employee shall submit the physician's statement to the director of human resources or a delegated representative. Students shall submit their statement to their program dean.

Within reason, the University shall make accommodations to the infected persons, whenever possible, to ensure continuity in employment or in the classroom. Such measures may include, subject to administrative limitations, job reassignment or class reassignment to place the infected person in a less demanding position.

No infected person (employee or student) may be dismissed from the University solely on the basis of a diagnosis of an infection of a contagious disease. A decision to dismiss or discharge will only be made after reasonable accommodation has been attempted and an examination of facts demonstrate that the infected person can no longer perform as required or poses a reasonable threat to the health and safety of those around him or her. Disciplinary measures are available to the University when any employee fails or refuses to work at his or her assigned job with an infected person who has not been deemed to pose a present health or safety threat to self or to others. Student disciplinary measures shall range from counseling to expulsion.

As with any medical condition, employees must not disclose information regarding another employee or student to anyone except those employees with a medical or administrative need to know. The University shall take every precaution to ensure that confidentiality is maintained. Breach of such confidentiality by any employee shall result in disciplinary action

### **Policy on Sexual Harassment**

It is the intent of Nova Southeastern University to protect all employees and students from sexual harassment. Sexual harassment is a violation of Title VII. Sexual harassment undermines the integrity of the employment and academic environment, debilitates morale, and interferes with the effectiveness of employees and students. In accordance with Equal Employment Opportunity Commission-promulgated guidelines, unwelcome sexual advances, unwanted requests for favors of a sexual nature, and any other verbal or physical conduct of a sexual nature are considered sexual harassment if:

- (a) Explicit or implicit submission to sexual overtones is made a term or condition of employment.
- (b) Employment decisions are made on the basis of whether submission to or rejection of sexual overtones occurred.
- (c) An individual's work performance is unreasonably interfered with by a sexually intimidating, hostile, or offensive atmosphere.

#### **A. At Nova Southeastern University, sexual harassment of or by employees includes:**

- a. Unwelcome or unwanted sexual advances. This includes unwelcome physical contact or sexual advances considered unacceptable by another individual.

- b. Requests or demands for sexual favors. This includes subtle or blatant pressures or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment status.
- c. Verbal abuse that is sex-oriented or considered unacceptable by another individual, as well as sexually derogatory comments. This includes commenting about an individual's body or appearance when such comments go beyond mere courtesy; telling jokes that are clearly unwanted and considered offensive by others; or other tasteless, sexually-oriented comments or innuendoes or actions that offend others.
- d. Engaging in any type of sexually-oriented conduct that would unreasonably interfere with another's work performance. This includes extending unwanted sexual attention to someone that reduces personal productivity or time available to work at assigned tasks.
- e. Creating a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands, physical contacts or attentions.

Nova Southeastern University will not tolerate sexual harassment. Sexual harassment is an insidious practice. It demeans individuals being treated in such manner and creates unacceptable stress for the entire organization. Persons harassing others will be dealt with swiftly and vigorously.

Normal, non coercive interaction that is acceptable to both parties is not considered to be sexual harassment.

All allegations of sexual harassment of or by an employee, client, or vendor will be promptly and thoroughly investigated by the Human Resources Department and should be reported promptly to the director of human resources.

**B. At Nova Southeastern University, sexual harassment by employees of students is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:**

- a. Submission to such conduct is made to appear to be a term or condition of enrollment, attendance, or participation in a class;
- b. Submission to or rejection of such conduct affects academic decisions; or
- c. Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or creating an intimidating, hostile, or offensive academic environment;
- d. Unwelcome patting, pinching, or touching;
- e. Offensive or demeaning sexual remarks, jokes, or gestures.

Students aggrieved by a violation of this policy may file a grievance under their center's grievance procedure. Any employee who violates any portion of this policy shall be subject to disciplinary action.

At Nova Southeastern University, romantic and sexual relationships between a faculty member and a student are subject to the prohibition against sexual harassment.

Romantic or sexual relationships between a faculty member and a student then enrolled in the faculty member's class (including supervised student activities for which academic credit is given) may appear to be coercive and are discouraged. Even when no coercion is present, such relationships create an appearance of impropriety and favoritism that can impair the academic experience of all students in that class. It is, therefore, improper conduct for a faculty member to engage in a romantic or sexual relationship with a student then enrolled in the faculty member's class.

### **Privacy of Records**

Nova Southeastern University maintains a system of records that includes application forms, letters of recommendation, admission test scores, and transcripts of students' previous academic records and performance while in residence. These records are available for review by present and former students upon written request to the Office of the University Registrar. However, the Office of the University Registrar will not release transcripts of students' academic records until all their accounts, both academic and nonacademic, have been paid.

The law limits access by and disclosure to a third party. Such access is given only upon consent of the student or if required by law, except for the following information, which may be released as directory information: a) student's name; b) dates of attendance; c) degree and awards received. Requests for such information must be submitted in writing to the registrar. The University reserves the right to refuse the above information if the reason for the request is not considered to be a sufficient need to know.

Any student or parent not wishing to have this information disclosed should notify the Office of the University Registrar in writing prior to September 1 of the relevant school year.

A person does not have the right of access to educational records until he or she has been admitted to and has actually begun attending Nova Southeastern University. There is no prohibition from disclosing such information to the parents of students who are listed on their parents' federal income tax forms.

Parents or eligible students will be provided a hearing by the University if they wish to challenge the content of the record. If they are still not satisfied, the parents or eligible students may add explanatory or rebuttal matter to the record.

If the students or parents are denied access to a hearing or if the records are alleged to have been illegally disclosed to a third party, the students or parents may file a complaint with the U.S. Department of Education.

### **Reservation of Power**

Nova Southeastern University reserves the right to amend, modify, add to, or delete its rules, policies, and procedures affecting its institutional relationship with students as deemed necessary by the administration. Any such amendment, modification, addition, or deletion shall not be considered a violation of the relationship between the University and the student. Such right includes modification to academic requirements, curriculum, tuition, and/or fees when in the judgment of the administration such changes are required in the exercise of its educational responsibility.