

Section 7 STUDENT RIGHTS AND RESPONSIBILITIES

KENNESAW STATE UNIVERSITY POLICIES¹

7.1 INTERPERSONAL RELATIONS AND NON-DISCRIMINATION POSITION STATEMENTS AND POLICIES

Kennesaw State University, a member of the University System of Georgia, does not discriminate on the basis of race, color, religion, age, sex, national origin, disability, or sexual orientation in employment or provision of services.

7.2 INTELLECTUAL DIVERSITY AND INTERPERSONAL RELATIONS POSITION STATEMENT

Kennesaw State University is an educational community comprised of individuals from different ethnic, racial and religious groups and of different genders, political beliefs, ages, abilities and sexual orientations. In light of this diversity, Kennesaw State University is resolved to contribute to the development of an integrated, pluralistic society in which individual model and support humaneness and respect for the individual.

Kennesaw State University is committed to a diversity of intellectual viewpoints. We trust in a genuine free marketplace of ideas where faculty and students are encouraged to express their considered opinions openly. We further believe that this intellectual exchange is healthy, democratic, and produces new insights. The exchange of ideas is also a splendid means of encouraging “critical thinking” as long as it is conducted within an atmosphere that respects the dignity of all concerned.

The University is also committed to providing quality education, which is enhanced by the perspectives provided by individuals and groups with varying backgrounds and views. Racism, sexism and other discriminatory attitudes and behaviors impede learning and working. Conversely, respect for differences enhances educational and work experiences. Kennesaw State University is dedicated to creating an environment that cherishes and nourishes this diversity.

7.3 KSU DIVERSITY VISION STATEMENT

It is our vision to create a strong multicultural and diverse educational environment at KSU in order to increase student satisfaction and to promote an understanding and awareness of people from various backgrounds upon graduation. In this way, KSU students will be educated for, and can effectively compete in the global society.

¹ Information in this section is taken verbatim from the *Kennesaw State University Graduate Catalog 2011-2012*.

7.4 AMERICANS WITH DISABILITIES (ADA)

Kennesaw State University does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

The Americans with Disabilities Act (ADA), Public Law 101-336, gives civil rights protections to individuals with disabilities. This statute guarantees equal opportunity for this protected group in the areas of public accommodations, employment, transportation, state and local government services and telecommunications.

Qualified individuals with disabilities are encouraged to apply for employment opportunities with the University. Individuals with disabilities who require reasonable accommodation to participate in any portion of the application, interview and/or testing process must advise the University's Department of Human Resources in advance. Upon request, applicants must provide documentation confirming a disability and the need for an accommodation. Advance requests for reasonable accommodation(s) should be directed to the Director of Human Resources. The office telephone number is (770) 423-6030 V/TDD. The FAX number is (770) 423-6570. The Web address for employment opportunities is <http://www.kennesaw.edu/hr>

The following individuals have been designated by the President of the University to provide assistance and ensure compliance with the ADA. Should you require assistance or have further questions about the ADA, please contact either the ADA Compliance Officer for Students at (770) 423-6443; the ADA Compliance Officer for Facilities at (770) 423-6224; or the Director of Human Resources, ADA Compliance Officer for staff and faculty at (770) 423-6030.

Policy on Accessibility in Facilities, Programs & Employment

Kennesaw State University is committed to providing accessibility in facilities, programs, and employment to all individuals, regardless of disability. Kennesaw State University does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

As a recipient of federal funds, KSU has maintained compliance with Section 504 of the Rehabilitation Act of 1973 in providing accessibility to programs and services for students with disabilities.

The Americans with Disabilities Act of 1990 (ADA), Public Law 101-336, guarantees equal opportunity for individuals with disabilities in the areas of public accommodations, employment, transportation, state and local government services and telecommunications. The following individuals have been designated by the President of the University to provide assistance and ensure compliance with the ADA. Should you require assistance or have further questions about the ADA, please contact either the ADA Compliance Officer for Students at (770) 423-6443; the ADA Compliance Officer for Facilities at (770) 423-6224; or the Director of Human Resources, ADA Compliance Officer for staff and faculty at (770) 423-6030.

Accessibility and Employment

Qualified individuals with disabilities are encouraged to apply for employment opportunities with the University. Individuals with disabilities who require reasonable accommodation to participate in any portion of the application, interview and/or testing process must advise the University's Department of Human Resources in advance. Upon request, applicants must provide documentation confirming a disability and the need for an accommodation. Advance requests for reasonable accommodation(s) should be directed to the Director of Human Resources. The office telephone number is (770) 423-6030 V/TDD. The FAX number is (770) 423-6570. The Web address for employment opportunities is <http://www.kennesaw.edu/hr>

Accessibility of Facilities, Programs, and Services

Students who require accommodation in facilities, services, programs or activities should contact the Assistant Director for Disabled Student Services to arrange an individual assistance plan. Accommodations may include classroom accessibility, modified computer equipment, handicap parking, assistance with note taking, sign language interpreting services, class materials in alternate format, library and laboratory assistance, and other accommodations. Determination of appropriate accommodations to be provided will be based upon documentation of the disability.

Members of the public who require specific accommodations in facilities, services, programs or activities should contact the office sponsoring the service, program or activity at least five days in advance to arrange individual accommodations.

7.5 VISITS BY CHILDREN

The university cannot accommodate children of the faculty, staff, and students on-campus during normal operating hours; i.e., 8:00 a.m. - 10:30 p.m., Monday through Thursday, and 8:00 a.m. - 5:00 p.m., Friday. Children are welcome to attend scheduled events and to make brief visits when accompanied by a parent or other adult.

7.6 ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) POLICY

Kennesaw State University shall provide academic programs, support services, and social/recreational programs to all eligible individuals, regardless of their disability. In the event that an employee or student is (or becomes) HIV (human immunodeficiency virus) positive, that individual shall retain his/her right to these programs, services and activities. All actions taken by Kennesaw State University will comply with the laws pertaining to public health practices and the rights of individuals to privacy and confidentiality. Instances that arise will be handled individually to provide maximum support to any member of the faculty, the administration, the staff or the student body who is HIV positive.

7.7 SEXUAL HARASSMENT

Kennesaw State University follows the established policy on sexual harassment of the Board of Regents of the University System of Georgia. That policy (802-18 in the Regents' Policy Manual) is as follows: Federal law provides that it shall be an unlawful discriminatory practice for any employer, because of the sex of any person, to discharge without cause, to refuse to hire, or otherwise discriminate against any person with respect

to any matter directly or indirectly related to employment or academic standing. Harassment of an employee on the basis of sex violates this federal law. Sexual harassment of employees or students in the University System is prohibited and shall subject the offender to dismissal or other sanctions after compliance with procedural due process. Unwelcome sexual advancements, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment. Sexual harassment can occur in situations where one person has power over another, but it can also occur between equals. Both men and women can be sexually harassed, though women are most often victimized. A relationship between a faculty member and a student should be considered one of professional and client in which sexual relationships are inappropriate.

7.7.1 President's Statement on Sexual Harassment

“The mission of Kennesaw State University is to provide a learning environment in which all members of the University community are free to pursue their professional and personal goals. Sexual harassment is not only illegal, but an intolerable interference with the attainment of our mutual goals. Unwelcome sexual advances and conduct seriously damage the learning and work climate, and it is the University’s intention to protect our environment from such abuses. Resolution of complaints of sexually harassing behavior should be attained as informally as possible, but in the absence of that cooperation, we will enforce our policies to the fullest, up to and including dismissal.”

7.8 FREEDOM OF ASSEMBLY AND EXPRESSION

Kennesaw State University recognizes and upholds First Amendment Rights of Freedom of Speech and Assembly. Demonstrations and assemblies can be valid expressions for dissenting opinions provided they do not disrupt academic and administrative functions of the institution. The opinions expressed by organizations, groups or individuals using Kennesaw State University’s facilities do not necessarily reflect the position of Kennesaw State University. Kennesaw State University affirms its commitment to the freedom of speech, assembly and expression even though the language or ideas of those seeking a venue for free expression may contradict university ideals and policies or the personal views of university employees and students. The institution expects members of the faculty, staff, and student body to refrain from, and discourage, behaviors that threaten the rights, freedoms and respect every individual deserves.

Administrative procedures and guidelines pertaining to Freedom of Assembly and Expression are detailed in the KSU Student Handbook.

7.9 NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS

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

The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

*Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901*

7.10 RIGHTS PERTAINING TO STUDENT RECORDS

Confidentiality Pertaining to Student Records

Education Records at Kennesaw State University are defined as any portion of the educational history of a student that is maintained by the University for the purpose of sharing by other academic officials and is intended to support the academic degree progress of the student. Typical examples are the academic files maintained in a department or university administrative office. These records include: files, documents and materials in multiple mediums (handwritten, tape, disks, microfilm, CD-ROM, etc.) that contain information directly related to the academic educational efforts of the student. Academic records do not include law enforcement unit records, medical records (vis-à-vis doctor patient privilege), alumni records, or human resource records.

Sole Possession Records are defined as records (notes maintained by a faculty member) that are not shared with any other educational office. Notes maintained in a sole possession record are not subject to the guidelines of FERPA. Sole Possession records that are merged with the academic record require full disclosure per FERPA guidelines.

Third Party Disclosures are prohibited by FERPA without the written consent of the student. Any persons other than the student are defined as Third Party, including parents, spouses, and employers. All educational officials are required to secure written permission prior to the release of any academic record information.

Directory Information will be withheld if requested by the student. To withhold directory information, the student must complete the **Release of Directory Information form** and mail the request to the Office of the Registrar, 1000 Chastain Rd, MB #0116, Kennesaw, Georgia, 30144, or hand-deliver the request to the Office of the Registrar located in Kennesaw Hall or fax the request to 770-423-6541.

The items below are designated as “Directory Information” at Kennesaw State University and may be released for any purpose at the discretion of Kennesaw State University:

- Name
- Address
- Telephone Number
- Major
- Advisor
- Dates of Attendance
- Degrees Awarded
- Participation in Recognized Activities and Sports
- Weight and Height of Athletic Participants

Students should consider very carefully the consequences of any decision to withhold “Directory Information.” Choosing the item “Student Confidentiality” will result in the exclusion of all student record information, including student name/address from printed materials. Informing Kennesaw State University not to release “Directory Information” means any future requests for such information from non-institutional persons or organizations will be refused.

Types of Educational Records and Officials Responsible for Their Maintenance

The following are lists of student records and the officials responsible for their maintenance. Access to these records will be made available to students upon individual written requests. Such requests must be addressed to the official responsible for the maintenance of the record.

Director of Admissions

- Application for Admission
- Application Processing Fee
- High School, College, and University Transcripts
- University Entrance Exam SAT or ACT Scores
- General Equivalency Development (GED) Examination Scores
- GRE and GMAT Examination Test Scores
- International Admission Documents, TOEFL

Director of Student Financial Aid

- Loan Processing
- Request Financial Aid Application
- Award Notification

Chair of University Studies

- University Placement Examination Scores (Placement and Exit)
- International Regents' Test

Registrar

- University Level Examination Program Scores
- Grades and Academic Standing Status
- Petition for a Degree
- Regents' Test Results and Tracking
- Georgia and U.S. History and Constitution
- Test Results Registration Information—Enrollment Data
- Veterans' Records
- Rules and Regulations

Director of Student Success Services

- Individual Standardized Tests
- Georgia and U.S. History & Constitution Test Results
- CLEP Tests
- ISAT Tests
- COMPASS Exam

Vice President for Student Success

- Letters of Recommendation

Director of Student Conduct and Academic Integrity

- Discipline Files

Health Clinic

- Health Insurance Brochures