

# Manual of Policies and Procedures for Student Affairs

## Chapter 1. General Policies

### Subchapter 1-100. General Provisions

#### Sec. 1-101. Purpose and Application

a. The University of Texas at Tyler Manual of Policy and Procedures for Student Affairs constitutes the institutional rules on student services and student life. It may be consulted on the student affairs web page at [UT Tyler Student Affairs Manual of Policy & Procedures, Table of Contents](#).

b. The *Regents' Rules* of the University of Texas System have full force and effect as concerns The University of Texas at Tyler. Certain aspects of student services and student life are treated only in the *Regents' Rules* and certain portions of the Manual of Policy and Procedures for Student Affairs have, since their enactment, been superseded or amended by the *Regents' Rules*.

c. The *Regents' Rules* may be consulted on The University of Texas System web page at [The University of Texas System - Board of Regents' Rules and Regulations](#).

#### Sec. 1-201. Definitions

a. In this chapter, unless the context requires a different meaning,

1. "chief student affairs officer " means the chief student affairs officer or their designee;
2. "university" means The University of Texas at Tyler;
3. "student" means a person currently enrolled in residence at the university, or who is accepted for admission or readmission to the university, or who has been enrolled in the semester or summer session that immediately follows, or who is attending an educational program sponsored by the university while the person is on campus.
4. "faculty or staff" means a current employee of The University of Texas at Tyler.

#### Sec. 1-301. Maintenance and Amendment

a. The official version of The University of Texas at Tyler Manual of Policy and Procedures for Student Affairs is maintained in the Office of Student Affairs.

b. Amendments to this document can be drafted by any Student Affairs staff member. Each amendment is to be presented to the Chief Student Affairs Officer for review. With the approval of the Chief Student Affairs Officer the amendment will be presented at a division executive staff meeting for discussion and approval vote (simple majority). The Chief Student Affairs Officer will update the official web version of the Manual, and notify staff members of revision.

#### Sec. 1-401. Student Records - Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, and the Texas Public Information Act, Texas Government Code 552.001 et seq., are respectively a federal and state law that provide for the review and disclosure of student educational records. In accordance with these laws, the University has adopted the following policy. Individuals are informed of their rights under these law through this policy which is included in the [University Handbook of Operating Procedures \(HOP\)](#) and [Catalog](#). The University will not permit access to or the release of personally identifiable information contained in student education records without the written consent of the student to any party, except as follows:

1. to appropriate university officials who require access to educational records in order to perform their legitimate educational duties;

2. to officials of other schools in which the student seeks or intends to enroll, upon request of these officials, and upon the condition that the student be notified and receive a copy of the record if desired;
  3. to federal, state, or local officials or agencies authorized by law;
  4. in connection with a student's application for, or receipt of, financial aid;
  5. to accrediting organizations or organizations conducting educational studies, provided that these organizations do not release personally identifiable data and destroy such data when it is no longer needed for the purpose it was obtained;
  6. to the parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954, provided a reasonable effort is made to notify the student in advance;
  7. in compliance with a judicial order or subpoena, provided a reasonable effort is made to notify the student in advance unless such subpoena specifically directs the institution not to disclose the existence of a subpoena;
  8. in an emergency situation if the information is necessary to protect the health or safety of the student or other persons; or
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9. to an alleged victim of any crime of violence, the results of the alleged perpetrator's disciplinary proceeding may be released.

The University will release information in student education records to appropriate University officials as indicated in (1) above when such records are needed by administrators, faculty, or staff in furtherance of the educational or business purposes of the student or University.

A record of requests for disclosure and such disclosure of personally identifiable information from student education records shall be maintained the Registrar's Office for each student and will also be made available for inspection pursuant to this policy. If the institution discovers that a third party who has received student records from the institution has released or failed to destroy such records in violation of this policy, it will prohibit access to educational records for five (5) years. Respective records no longer subject to audit nor presently under request for access may be purged according to regular schedules.

### **Directory Information**

At its discretion, the University may release Directory Information which shall include:

1. name, address, telephone number
2. major field of study at UT Tyler
3. dates of attendance
4. most recent previous educational institutional attended
5. classification
6. degrees, certificates and awards received
7. date of graduation
8. e-mail address
9. photographs
10. participation in officially recognized activities and sports
11. weight and height of members of athletic teams
12. enrollment status (e.g. undergraduate or graduate; full-time or part-time)

Students may have all Directory Information withheld by notifying the Registrar in writing during the first 12 days of class of a fall or spring semester or the first 4 class days of a summer semester. Requests for non-disclosure will be honored by the institution until the student notifies the Registrar in writing that Directory Information may be released.

### **Access to File**

Upon written request, the University shall provide a student with access to his or her educational records. The Vice President for Administration or their designee has been designated by the institution as the custodian of record and as such to coordinate the inspection and review procedures for student education records, which include admissions files, academic files, and financial files. Students wishing to review their education records must make written requests to the Vice President for Administration or their designee listing the item or items of interest. Education records covered by the Act will be made available within 45 days of the request.

Educational records do not include:

1. financial records of the student's parents or guardian;
2. confidential letters of recommendation which were placed in the educational records of a student prior to January 1, 1975;
3. records of instructional, administrative, and educational personnel which are kept in sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute for the maker;
4. records of law enforcement units;
5. employment records related exclusively to an individual's employment capacity;
6. medical and psychological records;
7. thesis or research paper; or
8. records that only contain information about an individual after the individual is no longer a student at the institution.

### **Challenge to Record**

Students may challenge the accuracy of their educational records. Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy may discuss their problems informally with the Registrar. If agreement is reached with respect to the student's request, the appropriate records will be amended. If not, the student will be notified within a reasonable period of time that the records will not be amended, and they will be informed by the Registrar of their right to a formal hearing.

Student requests for a formal hearing must be made in writing to the Registrar who, within a reasonable period of time after receiving such requests, will inform students of the date, place and the time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the student's expense. The hearing officer that will adjudicate such challenges will be appointed by the Vice President for Academic Affairs.

Decisions of the hearing officer will be final, will be based solely on the evidence presented at the hearing, will consist of the written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned.

The education records will be corrected or amended in accordance with the decision of the hearing officer, if the decision is in favor of the student. If the decision is unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records or statements setting forth any reasons for disagreeing with the decision of the hearing office, or both.

The statements will be placed in the education records, maintained as part of the student's records, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may appeal in writing to the President of the institution.

## **Copies**

Students may have copies of their educational records and this policy. These copies will be made at the student's expense at rates authorized in the Texas Public Information Act, except for transcripts and other records which may be subject to specific fees pursuant to other legislative enactments. Official copies of academic records or transcripts will not be released for students who have a delinquent financial obligation or a valid hold at UT Tyler.

## **Complaints**

Complaints regarding alleged failures to comply with the provisions of the FERPA may be submitted in writing to the Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605.

## **Sec. 1-501. Approved Student Absences**

### **Official University Events or Activities**

University events and activities are a valued part of a student's complete academic and university experience. Examples of these activities may include presentations at research conferences, musical and theatre performances, debate team competitions, and intercollegiate athletics. Participation in these officially sanctioned university activities often requires a student to miss class. On those occasions when it is necessary for students to miss one or more regularly scheduled classes in order to participate in an official university event or activity, faculty sponsors and program directors will assist students to assure they have the opportunity to make up missed work. In doing so they are requested to observe the following procedures:

1. At least one month prior to the date(s)\* on which students will be absent from class, the faculty sponsor or program director shall send a memorandum to the Chief Student Affairs Officer. This memorandum shall include information concerning the nature of the event or activity, the dates(s) on which students will be absent from class, and the names of the students involved. The Chief Student Affairs Officer approves the requested student absence by initialing the memorandum and returning it to the faculty sponsor or program director.
2. The faculty sponsor or program director provides copies of the memorandum to the students.
3. Each student delivers a copy of the memorandum to the instructors, in person, at least two weeks\* prior to the date of the planned absence. At that time the instructor will set a date and time with the student when the make-up assignment will be completed. Make-up assignments will be mutually arranged and will be without penalty to the student, however, availability of the instructor will be given priority in setting the arrangements.
4. It is expected that students will not abuse the privilege of being absent from class for authorized university events or activities.

\*Events scheduled within the first month of an academic term may require a shortened lead time than permitted by this schedule.

## **Sec. 1-601. Copyrighted Material**

It is the policy of The University of Texas System and UT Tyler to follow the requirements of the *United States Copyright Law of 1976*, as amended, (Title 17, United States Code, hereinafter, the "Copyright Act"). Accordingly, all faculty, staff and students of UT Tyler should follow these policy guidelines:

1. Only copyrighted materials are subject to the restrictions in this policy statement. Uncopyrighted materials may be copied freely and without restriction. Because a copyright notice is not required for copyright protection of works published on or after March 1, 1989, most works (except those authored by the United States Government) should be presumed to be copyright protected, unless further information from the copyright holder or express notice reveals that the copyright holder intends the work to be in the public domain. With regard to works published prior to March 1, 1989, a copyright notice generally is required in order for them to be copyright protected.

2. Copyrighted software may be copied without the copyright owner's permission only in accordance with the Copyright Act. Section 117 of the Act permits the making of a single archival back-up copy. Most software, however, is licensed to the user and the terms of the license agreement may give the user permission to make copies of the software in excess of the single archival copy permitted by the Copyright Act. Each software license agreement is unique. As a result, the extent of the user's rights to copy licensed software beyond that which is permitted under the Copyright Act may only be determined by reading the user's license agreement. It is the policy of the University of Texas System that any copying or reproduction of copyrighted software on System or UT Tyler computing equipment must be in accordance with the Copyright Act and the pertinent software license agreement. Further, faculty, staff and students may not use unauthorized copies of software on System or UT Tyler owned computers or networks or computers housed in System or component institution facilities.
3. Copyrighted materials may be copied without the copyright owner's permission where such copying constitutes "fair use" under the Copyright Act.
4. In order to copy materials, including software, where (a) the materials are copyrighted, (b) use exceeds what is permitted by license or the Rules of Thumb, and (c) the four factor use test indicates that the use is likely not fair, permission should be obtained from the copyright owner.
5. If permitted by State law and procedures, The University of Texas System will defend any faculty or staff member against a civil action alleging copyright infringement:
  - a. where the use is in accordance with the provisions of a valid software license agreement,
  - b. where the use is within the Rules of Thumb,
  - c. where the permission of the copyright owner has been obtained, or
  - d. where the Office of General Counsel has assisted in determining that the use was permissible.
 Otherwise, the faculty or staff member will be personally responsible for the defense of a civil action for copyright infringement.
6. UT Tyler will post notices reflecting this policy at all computers and photocopying stations which may be used for reproducing copyrighted materials, e.g., departmental copy rooms and libraries, and at or near all computers.
7. For educational uses of music, the guidelines set forth in the legislative history of 107 of the Copyright Act are generally applicable. With respect to emergency copying permitted under those guidelines, special implementing details are set forth in the Regents' Rules and Regulations regarding Fair Use of Copyrighted Materials.

### **Sec. 1-701. Non-Academic Student Grievance Policy**

UT Tyler strives to provide its students with a fair and efficient process to present and resolve complaints and grievances arising out of their interactions with employees. Students may present complaints and grievances concerning their treatment by an employee or department related to their status as a student. Grievances should identify the basis of the dispute, including specific facts, and provide relevant documents or any other information pertinent to the matter. Grievances should also include the student's desired result.

Please note that the Non-Academic Student Grievance process outlined below should not be used to address academic grievances, discrimination or sexual harassment grievances. Please refer to the following information on how to file a grievance for discrimination/sexual harassment, or an academic grievance.

- **Academic Grievances:** if you have an academic grievance, you must follow this process; <http://www.uttyler.edu/registrar/policies/academicgrievance.php>
- **Discrimination or Sexual Harassment Grievances:** if your grievance involves a charge of discrimination or sexual harassment, you must follow the process found in section 2.4.1 , 2.4.3, of the Handbook of Operating Procedures

## **Non-Academic Student Grievance Process**

### **Informal Procedure: Initial Consideration of Grievance**

In an effort to resolve misunderstandings or concerns, a student must first make every effort to resolve the matter informally by discussing his or her concerns with the employee, supervisor or department against whom the complaint is initiated within 30 calendar days of the time of the incident. The person to whom the complaint is presented must respond orally or in writing within 10 business days after receipt of the complaint.

### **Formal Procedure: Appeal to Supervising Vice President**

If the complaint is not resolved to the student's satisfaction by the employee, supervisor, or department head, the student may submit a final formal appeal Non-Academic Student Grievance Form to the Dean of Students to be forwarded to the Vice President supervising the department where the complaint originated, The student must submit this appeal within 10 business days after the student receives the response from the department head. The Vice President and/or designee will provide a written response to the student within 10 business days of the receipt of the student's appeal. Decisions at the vice presidential level will be final.

### **Sec. 1-801. University Grounds**

Students are expected to follow all University facility policies and guidelines and policies outlined by UT Tyler Environmental Health & Safety and UT Tyler Facilities Management.

#### **1. Tree Hammock and Slackline Usage Guidelines**

These guidelines are to protect the health of the trees and ensure the safety of the students. The hammock and slacklining guidelines are:

- a. the only approved hammock/slacklining area will be around both Harvey Lake and Little Pond.
- b. Only one hammock/slackline per tree, no multi-tier hammocks.
- c. Students must abide by the hammock's maximum weight limit.
- d. Hammocks and slacklines must not be set up more than three feet above the ground.
- e. Students must remove trash once finished.
- f. Unhealthy/unsafe trees should not be used, and should be reported to Environmental Health & Safety via e-mail or phone (903.566.7011)
- g. Students should report any unsafe act to the University Police Department via e-mail or phone (903.566.7300) or to Environmental Health & Safety via e-mail or phone (903.566.7011).
- h. The use of hammocks and slacklines is at the student's own risk. The university assumes no responsibility or liability for damages and injuries caused by the use of hammocks and slacklines.

#### **2. Skateboarding in University Facilities**

For safety and maintenance reasons; roller blades, skateboards, bicycles, scooters, and similar devices are not permitted to be operated inside university facilities or exterior facility corridors, mezzanines, balconies, or courtyards, In addition, the use of roller blades, skateboards, and bicycles for stunts or recreation on walls, seating areas, rails, or benches on campus property is prohibited. Bicycles and scooters may not be brought within any facility. Wheelchairs/knee-scooters (medical purposes), strollers, and wheeled maintenance carts are exempt from this policy.