

ACADEMIC AND RELATED POLICIES

Disability Support Services

Student Success Center • First Floor, Plassmann Hall • (716) 375-2065

Under Section 504 of the 1973 Federal Rehabilitation Act and the 1990 Americans with Disabilities Act (ADA), St. Bonaventure University is mandated to make reasonable accommodations for otherwise qualified students with disabilities. It is in the spirit of these federal mandates and of the Franciscan tradition that we assist those who, although disabled in some way, are potentially capable of the successful completion of college. Students with disabilities might include those with visual or auditory impairments, learning disabilities, orthopedic impairments, mobility impairments, emotional and psychological impairments, and other medical conditions. Special accommodations are arranged individually with each student depending upon the type and extent of the disability in accordance with federal law. Examples of accommodations available include extended time and an alternate location for testing, oral testing, test readers, scribes, use of a word processor/spell check, note-takers, use of a calculator, interpreter services, print magnifier/enlarged handouts, and other accommodations as appropriate.

St. Bonaventure University does not operate a specialized learning disabilities program, but does provide services to students with identified disabilities. Students with disabilities are required to provide documentation of the disability. Documentation of a learning disability or AD/HD must be current (within 3 years) and include results from the WAIS-III, an IEP or 504 Plan, and specific recommendations made by a qualified professional (i.e. neuropsychologist, neurologist, psychiatrist, or licensed doctoral-level clinical or educational psychologist). Based on this documentation, the Coordinator of Disability Support Services (DSS) provides appropriate accommodations.

A student with a disability is required to meet with the Coordinator of DSS if he or she wishes to have academic accommodations arranged for the semester. It is the student's responsibility to deliver accommodation letters to his or her professors after accommodations have been arranged. Accommodations are set up on a semester-by-semester basis; it is the student's responsibility to contact the Coordinator of DSS at the beginning of each semester to ensure appropriate accommodations can be met. A student is encouraged to discuss his or her disability with his or her professors and to arrange for specific accommodations for test-taking and other course requirements. A student applying for a course substitution should contact the Coordinator of DSS for assistance.

All disability information is treated confidentially.

The Family Educational Rights and Privacy Act

Pursuant to the Family Educational Rights in Privacy Act of 1974 (FERPA) St. Bonaventure University (the "University") adopts the following policy:

1. General Provisions

- a. **Education Records.** Education Records(s) are those records maintained by the University which directly relate to a student. Education Records do not include records of instructional, administrative and educational personnel which are in the sole possession of the maker and not accessible to anyone other than

a temporary substitute; records of campus security maintained solely for security purposes and accessible only to security personnel; student employment records made and maintained in the ordinary course of business; alumni records; and student health records.

- b. **Explanation of Records.** The University will respond to reasonable requests for explanation or interpretation of Education Records.
 - c. **FERPA Coordinator.** The office of the University Registrar has been designated to coordinate FERPA procedures.
 - d. **Records Maintained by the University.** Education Records covered by FERPA and maintained by the University are: admissions, personal, academic and financial files; and academic and placement records.
 - e. **Annual Notice.** On an annual basis the University will notify students currently in attendance at the University of their rights under FERPA. The content of this notice will be in compliance with all Federal regulations enacted under FERPA.
2. **Review and Challenge to Content of Records**
- a. **Right to Inspect.** Except as limited below, students have the right to inspect and review information contained in their Education Records, to challenge their content, to have a hearing if the outcome of that challenge is unsatisfactory to them, and to submit explanatory statements for inclusion in their Education Records if the decision of the hearing is against them. Student health records, while not considered Education Records under this policy, may be reviewed at the student's request by a physician of the student's choosing.
 - b. **Limitations of Right to Inspect.** Education Records excepted from the right to inspect and review outlined in paragraph 6 are:
 - i. Education Records containing information about more than one student, (in which case the University will permit access only to that part of the record which pertains to the inquiring student);
 - ii. Financial records;
 - iii. Confidential letters and recommendations placed in the student's file prior to January 1, 1975 that are used solely for the purpose for which they were intended; or
 - iv. Confidential letters and recommendations placed in the students file after January 1, 1975 to which the student has freely waived the rights of inspection and review in a signed writing, and which are associated with admissions, application for employment, or receipt of honors. If a student has waived the right of inspection under this section,
 - v. The University will, upon request, give the student names of persons providing confidential letter of recommendation. A student may prospectively revoke such waiver with a signed writing.
 - c. **Procedures to Request Inspection.** Students wishing to review their Education Records must make written request to the Registrar listing the item or items of interest. Records covered by FERPA will be made available to a student within 45 days of request. Students may have copies of their records made by the University at the students' expense and at the price of 10 cents per page. The University will not destroy an education record if there is an outstanding request to inspect it.
 - d. **Right to Challenge Content of Records.** Students who believe that their Education Records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights, may request the University to amend the records through written application to the Registrar. The Registrar will decide

within a reasonable period of time whether or not to amend the record as requested. If the University decides not to amend the record, it will inform the student of this decision and of his/her right to a hearing.

e. **Right to a Hearing.** A student's request for the hearing provided for in Paragraph 9 must be made in writing to the vice president for academic affairs who, within a reasonable period of time after receiving such request, will inform the student of the date, place and the time of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of his/her choice, including an attorney, at the student's expense. The panel which will decide such hearings will be composed of three administrators who have no direct interest in the outcome of the hearing (the "Panel") appointed by the vice president for academic affairs. Decisions of the Panel will be final, will be based solely on the evidence presented at the hearing, and will consist of 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 decisions of the Panel if the decision is in favor of the student, and the student will be so informed in writing. If the decision is against the student, he/she may place a statement in the Education Records commenting on the information in the records, or setting forth any reasons for disagreeing with the decisions of the Panel. This statement will be maintained as part of the Education Records, and released whenever the records in question are disclosed.

3. Disclosure of Personally Identifiable Information

a. **Disclosure.** Personally Identifiable Information is any information which would make the student's identity easily traceable. Except as such disclosure is permitted by law, no one outside the University shall have access to, nor will the University disclose, such information from a Student's Education Records without the signed written consent of the student specifying: the records which may be disclosed, the purpose of the disclosed and the identity of the parties to whom disclosure is made. Under FERPA disclosure absent consent is permitted:

i. To personnel within the University whom the University has determined have legitimate education interest in the information. Only those employees of the University, individually or collectively, acting in the student's educational interests are allowed access to Student Education Records.

All on a need-to-know basis:

- ii. To officials of other institutions in which students seek to enroll;
- iii. To authorized representatives of federal, state or local government requesting access to the educational records in connection with an audit or evaluation of federal or state supported educational programs, or for the enforcement of or compliance with Federal legal requirements which relate to those programs;
- iv. To persons or organizations providing student financial aid which the student has received, or for which the student has applied, providing that the information requested is necessary to determine eligibility for aid, the amount of aid, the conditions for aid or to enforce the terms and conditions of the aid;
- v. To organizations conducting studies for the University to develop, validate or administer predictive tests; administer

student aid programs; or improve instruction, provided that this information may be used only by such organization and will be destroyed when no longer needed;

- vi. To accrediting agencies carrying out their accreditation function;
 - vii. To parent(s) or guardian(s) of a dependent student, as Code of 1986 as amended. The University considers all Students dependent unless they submit written proof of their independence to the Registrar. Such proof must be received by the Registrar no later than five days after the first day of class for the fall semester;
 - viii. To persons in compliance with a judicial order or lawfully issued subpoena, provided that in advance of compliance, the University will make a good faith effort to notify the Student of the order or subpoena; and
 - ix. To persons in an emergency in order to protect the health or safety of students or other persons.
- b. **Directory Information.** "Directory Information" is information contained in a student's education record which would not generally be considered harmful or an invasion of privacy if disclosed. The University has designated the following types of information as Directory Information: Student name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, and most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams.
- c. **Disclosure of Directory Information.** Under FERPA Directory Information may be disclosed by the University for any purpose at its discretion. Currently enrolled students may withhold disclosure of any or all Directory Information pertaining to them by notifying the Registrar in writing no later than five (5) days after the first day of class in the fall semester to this effect. Requests for non-disclosure will be honored by the University for only one academic year; therefore, requests to withhold Directory Information must be filed annually.
- d. **Disclosure of Records.** The University will maintain a record of each request for access to and each disclosure of personally identifiable information from a student's Education Record, unless the request is from the student, University personnel, a person with Consent or is for Directory Information. This record will include the name of the party requesting the information and their interest in it. This record will be maintained with the Student's Education Record.

St. Bonaventure University Statement of Maintenance of Public Order

(Adopted to comply with Section 129-A of The Education Law of the State of New York)

Rules for Maintenance of Public Order

The University recognizes that all members of the University community have, within the law, the right of free expression and advocacy and encourages the responsible exercise of those rights.

All members of the University community are expected to recognize that they, on the other hand, have the obligation to conduct themselves lawfully, maturely and responsibly, and must exercise their rights of free expression and advocacy in ways which do not obstruct the orderly operation of the University, disrupt academic functions, impede the

process of education or interfere with others in the exercise of their rights. The rules of conduct include but are not limited to the provisions below.

The following conduct is prohibited:

1. Obstruction or disruption of teaching, research, administration, or other University activities, including health care functions or other authorized activities on University premises.
2. Physical abuse of any person on University property or at University-sponsored or supervised functions, or conduct that threatens or endangers the health or safety of such person.
3. Seizure of, theft or damage to the property of the University or a member of the University community or campus visitor.
4. Violation of University regulations concerning entry into or use of University facilities, or the time, place and manner of public expression.
5. Use of, or assistance to others in the use of, illegal force or disruption of any kind on University premises.
6. Use of language intended to precipitate or prolong violence.
7. Disorderly disruption of recruiting activities authorized by the University.

Regulations Concerning Enforcement of Rules

In the event any person violates the foregoing rules the University will utilize one or more of the following means to restore order.

1. Request violators to desist.
2. Inform violators that continuation of the violations will result in disciplinary action and penalties, as set forth below.
3. Use of campus security officers to restore order.
4. Request assistance from police in restoring order.
5. Request court injunction barring continued obstruction or disruption.
6. Institute civil suits to recover money damages from those who destroy property.
7. Use such other means as are appropriate under law. Determination as to which of the foregoing means will be utilized to maintain order will be made in the light of the circumstances of each specific case after taking into account the nature and extend of the disorder, the type and degree of the disruption caused and the intensity of any violence accompanying the disorder.

Policy on Academic Honesty

Academic dishonesty is inconsistent with the moral character expected of students in a university committed to the spiritual and intellectual growth of the whole person. It also subverts the academic process by distorting all measurement. It is a serious matter and will be dealt with accordingly. A list of unacceptable practices, penalties to be assigned, and procedures to be followed in prosecuting cases of alleged academic dishonesty may be found in the current Student Handbook. Students should familiarize themselves with these very important provisions of the Student Handbook. Copies of the Student Handbook are available through the office of student life.

Academic Integrity

A resolution regarding the responsibility of the Academic Honesty Board in cases of academic dishonesty:

Whereas, the judicial system at St. Bonaventure University is based on the assumption that all members of the University Community are to be guaranteed the benefits of a fair adjudicative process, and

Whereas, the Academic Honesty Board, which is responsible for the adjudication of cases' alleged honesty, has developed and will continue to develop procedures to protect the rights of faculty and students involved in such cases.

Be it resolved, that the faculty of St. Bonaventure University urges individual faculty members to prosecute cases of academic dishonesty in accordance with the procedures outlined below:

The faculty recognizes that the individual instructor has the prerogative under the canons of academic freedom to dispense with such cases through the issuance of a punitive grade and by such other means as the assignment of additional work.

The faculty believes, however, that formal adjudication of such cases by the designated Board, operating under accepted rules of fair process, will best protect the rights of both the student and the faculty member, avoid contentiousness and lessen the likelihood of court litigation. Furthermore, the formal adjudication of all such cases in accordance with the rules of fair process will promote consistency among the punishments meted out for similar offenses.

Appealing Academic/Administrative Decisions

Students will have the right to appeal academic or administrative decisions that they believe to be inequitable or inappropriate. All initial and successive appeals must be filed in writing within two weeks of the issuance of the decision. The Academic Vice President will be responsible for the final appeal and will appoint a committee as appropriate for the final review.

Method and Frequency of Title IV Financial Aid Disbursements

Federal Perkins Loans are credited directly to a student's account with the Business Office. One-half of a student's total award is credited per semester. Students receiving a Federal Work Study (FWS) award are paid on a biweekly basis for hours worked. Federal Stafford Loan funds are typically sent by electronic funds transfer (EFT) and credited directly to the student's account. Generally, one-half of the total loan is sent for each semester, less any origination fees deducted by the lender. The same is usually the case for Federal Grad PLUS Loans.

If a check is received for either a Federal Stafford or Grad PLUS loan, the Business Office will obtain the appropriate endorsement from the student.

Financial Aid Refund Policy

When a student withdraws from the University prior to the end of the semester and has received financial aid other than Federal Work Study, calculations are done to determine if any money needs to be returned to the sponsoring aid programs. Withdrawal policies and procedures can be found in the Expenses & Financial Aid section of the catalog.

State Scholarships

Refunding proration is done according to specific regulations of the sponsoring state.

Private (Outside) Scholarships

Refunding proration is done according to specific regulations of the sponsoring agency.

Federal Programs (Title IV)

Regulations require each educational institution to have a written policy for the refund and repayment of federal aid received by students who officially withdraw during a term for which payment has been received.

These policies are effective only if a student completely terminates enrollment or stops attending classes before completing more than 60 percent of the enrollment period.

Federal aid is earned in a prorated manner on a per diem basis based on the academic calendar up to the 60 percent point in the semester.

Federal aid is viewed as 100 percent earned after that point in time.

A copy of the worksheet used for this calculation can be requested from the Office of Financial Aid. After the dollar amount to be refunded to the federal programs has been determined, the refund is applied to the accounts in the following sequence: Unsubsidized Federal Direct Loan, Subsidized Federal Direct Loan, Federal Perkins Loan, and Federal Graduate PLUS Loan.

Federal Program Repayment Policy

The amount of Title IV aid that a student must repay is determined via the Federal Formula for Return of Title IV funds as specified in Section 484B of the Higher Education Act. This law also specifies the order of the return of the Title IV funds to the programs from which they are awarded which is listed above.

A repayment may be required when cash has been disbursed to a student from financial aid funds in excess of the amount of aid a student earned during the term. The amount of Title IV aid is earned by multiplying the total Title IV aid (excluding Federal Work Study) for which the student qualified by the percentage of time during the term that the student was enrolled.

If less aid was paid than earned, the student may receive a late disbursement for the difference. If more aid was disbursed than was earned, the amount of Title IV aid that must be returned is determined by subtracting the amount earned from the amount actually disbursed.

The responsibility for returning unearned aid is allocated between the university and the student according to the portion of disbursed aid that could have been used to cover university charges and the portion that could have been disbursed to the student once the university charges were covered. St. Bonaventure University will distribute the unearned portion of the disbursed aid that could have been used to cover university charges and the portion that could have been disbursed directly to the student once university charges were covered. St. Bonaventure University will distribute the unearned aid back to the Title IV programs as specified by law. The student will be billed for the amount the student owes to the Title IV programs and any amount due to the university resulting from the return of Title IV funds used to cover university charges.

The requirements for Title IV program funds when you withdraw are separate from the refund policy of the university. The refund policy of the university can be found in the Expenses & Financial Aid section of the catalog. Therefore, you may still owe funds to the university to cover unpaid institutional charges.

Copies of common refund examples are available in the Office of Financial Aid.