

2015-2016

# STUDENT HANDBOOK

& CODE OF CONDUCT



UNIVERSITY OF  
**GUAM**  
UNIBETSEDĀT GUAHAN



## **CAMPUS EMERGENCY NUMBERS**

The Security Services are provided by:

### **Group 4 Securicor (G4S)**

Dormitory II – Room 102

Safety Officer-Plant Maintenance Building

G4S Dispatch Office Phone	.....	646-9275/73
Security Office	.....	735-2365
Security Guard on Duty I	.....	888-2456
Student Health Service	.....	735-2225
Safety Office	.....	735-2370/82
Safety Administrator	.....	482-8671
Emergency Assistance	.....	911
Guam Police Department	.....	472-8911
Guam Fire Department (Barrigada)	.....	734-2264
Plant Maintenance Division	.....	735-2385/76
Building Maintenance Supt.	.....	689-8769

# **STUDENT HANDBOOK 2015 -2016**

## **DISCLAIMER**

The information contained in the Student Handbook is considered to be descriptive in nature. It does not constitute an irrevocable contract between the student and the University of Guam.

In the event that there are any apparent inconsistencies, or where there may be ambiguity, the provisions of the University of Guam Rules Regulations Policy Manuals shall be controlling over the Student Handbook or any other publication.

The University reserves the right to make any changes in the contents of this handbook that it deems necessary or desirable. Changes are made through established procedures and announced by the University in its publications.

## **UNIVERSITY OF GUAM STUDENT HANDBOOK 2015-2016**

This Student Handbook is an official publication of the Enrollment Management and Student Success-Student Life Office. It provides basic information important to student success while studying at the University of Guam. Full text of the rules and regulations that apply to every student attending UOG are found in the current issue of the general catalog. Questions about the handbook can be directed to EMSS Student Life Office located in the Student Center Building.

The policies of University of Guam are under continual examination and revision. This Student Handbook is not a contract; it merely presents the policies in effect at the time of publication and in no way guarantees that the policies will not change.

The University reserves the right to modify the requirements for admission and graduation, to amend any regulation affecting the student body, and dismiss from the University any student if it is deemed by the University to be in its best interest or in the best interest of the student to do so.

The University of Guam does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, gender identity, marital status, sexual orientation, or other characteristics protected by law, in its educational programs, and activities, admissions, or employment as required by Title IX of the Educational Amendments of 1972, the Americans with Disability Act of 1990 and the Rehabilitation of 1973, Title VII of Civil Rights Act of 1964, and other applicable laws and University policies.

In case of questions or concerns regarding these laws please contact:

Elaine Faculo-Gogue, Institutional Compliance Officer  
Equal Employment Opportunity (EEO)  
Americans w/ Disabilities Act of 1990 (ADA) and Title IX Office  
UOG Station, Mangilao, GU 96923

Telephone No: 735-2244  
TDD No: 735-2243  
Email: [eeo-ada@ug Guam.uog.edu](mailto:eeo-ada@ug Guam.uog.edu)

## CAMPUS DIRECTORY

### University Administration

Board of Regents	735-2990
Office of the President	735-2990
SVP for Academic & Student Affairs	735-2994
SVP for Administration & Finance	735-2900
College of Liberal Arts & Social Sciences	735-2850
College of Natural & Applied Sciences	735-2000
School Of Business & Public Administration	735-2501/20/51
School of Education	735-2440
School of Nursing & Health Sciences	735-2650/2

### Administration - Student Services

Dean, Enrollment Management & Student Success	735-2290/91
Director, Financial Aid	735-2266
Director, TRiO Programs	735-2245
Registrar	735-2218

### Student Services

Admissions & Records Office	735-2202/06/07/14
Alumni Affairs Office	735-2958
Athletics & Recreation Office	735-2860/61
Business Office/Cashier	735-2923
Career Development Office	735-2233
Center for Distance Education	735-2620/21
Computer Center /Info Technology Resource Center	735-2640
EEO & Disability Services –Voice	735-2244
-TDD	735-2243
Endowment Office	735-2959
English Language Institute	735-2755/6
Financial Aid Office	735-2288/89/68/69
Graduate Studies	735-2169
Human Resource Office	735-2350/6
ID Cards (School ID)	735-2290
International Students	735-2207
KUBRE	735-2243
Learning Resources (RFK Memorial Library)	735-2331/2
Professional & International Programs (PIP)	735-2600
Safety & Security Office	735-2365
Student Counseling Services	735-2271/3342
Student Housing (Residence Halls)	735-2260/2
Student Life Office	735-0246
Triton Bookstore	735-2931/34/35
US Army ROTC	735-2541
US Post Office	735-2928

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# **I. GENERAL INFORMATION**

## **A. MISSION**

*Ina, Diskubre, Setbe*

To Enlighten, To Discover, To Serve

The University of Guam is a U.S. accredited, regional Land-Grant institution. It is dedicated to the search for and dissemination of knowledge, wisdom and truth.

The University exists to service its learners and the communities of Guam, Micronesia and the neighboring regions of the Pacific and Asia.

The University prepares learners for life by providing the opportunity to acquire knowledge, skills, attitudes, and abilities through the core curriculum, degree programs, research and outreach.

At the Pacific crosscurrents of the East and West, the University of Guam provides a unique opportunity to acquire indigenous and global knowledge.

## **B. HISTORY**

The University's history dates back to June 1952, when the island government established the Territorial College of Guam as a two-year teacher-training school under the United States Department of Education. The College, located on a high school campus in the village of Mongmong, had an initial enrollment of approximately 200 students; most of them experienced teachers, and a staff of 13.

The College moved to the present campus in central Mangilao in 1960 where a two-story classroom building and a library had been erected. The College's academic programs expanded to accommodate increasing enrollment and student needs.

In 1963, administrative control of the College was transferred from the Department of Education to a five-member governing Board of Regents. Accreditation was first granted in 1963 as a four-year degree-granting institution and again in 1965. The following year, on August 12, 1968-four months after its accreditation was extended to the maximum five-year period-the College was named the "University of Guam" by an Act of the Legislature.

Enrollment in the fall of 1968 reached 1,800. Staff and faculty totaled more than 130. Additions to the campus included a new library, the Fine Arts Building, and the Science Building. A Student Center, three dormitories, and the Health Science Building were completed in the summer of 1970.

On June 22, 1972, the University was designated a land-grant institution by an Act of the United States Congress.



The University campus is on a gently sloping hundred-acre site minutes from Hagatna and other government and commercial centers. It overlooks Pago Bay and commands a breathtaking view of the Pacific Ocean.

### C. UNIVERSITY LOGO



November 2011 was the unveiling of the "Big G," a logo to symbolize UOG's 60th anniversary.

The Big G was created by UOG art professor Ric Castro and his brother Ron Castro. The green letter, highlighted by a hint of yellow and outlined in black, is in the shape of a stylized fish hook, which represents many things such as bounty, labor, art, culture, and even education.

The fishhook is a tool of sustainability that crosses geographical boundaries. The fishhook is used by many island cultures across the Pacific. Its tribal shape makes it unique and exclusive to this university and our part of the world.

The Big G will be used throughout 2012 and beyond.

### D. UNIVERSITY SEAL



The official seal of the University of Guam uses the shape of the sling stone and includes the words "The University of Guam" and "Excelsior" and the number "1952". A latte stone, a book containing the shape of the island of Guam, and a lamp of knowledge are included inside the sling stone shape. The seal was created in 1968 by Mr. Jose Martinez Flores who was employed as a draftsman when he was tapped to create the seal for the institution

The seal is the most formal symbol of the University. The seal is reserved for use on documents or forms of the highest official rank from the University President and the University Board of Regents such as diplomas, certificates, transcripts, formal academic ceremonies and legal documents.

Use of the seal must be approved in advance, by the Director of Integrated Marketing Communications.

## E. UNIVERSITY ALMA MATER

On the shore of the Western Pacific  
Stands our Alma Mater true.  
We'll long retain the memories  
Of the days we spent with you.  
In the warmth of the island magic,  
We will return some day.  
Join in and sing a song of praise.  
Hail, oh hail.  
Hail, oh hail.  
Our University

## F. IMPORTANT DATES

### FALL SEMESTER 2015

New Student Registration	Aug. 11-14
Late Registration (Former & Returning)	Aug. 14-18
1 <sup>st</sup> Day of Class for Fall 2015	Aug. 19
Labor Day Observance- No Classes	Sept. 07
Deadline for Application for Degree Completion 16/SP	Sept. 30
Voluntary Withdrawal Deadline for Fall 2015	Oct. 07
All Soul's Day Observance- No Classes	Nov. 02
Veteran's Day Observance- No Classes	Nov. 11
Thanksgiving Observance- No Classes	Nov. 26
Thanksgiving Break	Nov. 26-28
Our Lady of Camarin Day Observance- No Classes	Dec. 08
Last Day of Class for Fall 2015	Dec. 11
Final Exam Week	Dec. 14-16
Fall 2015 Commencement	Dec. 20

### SPRING SEMESTER 2016

New Student Registration	Jan. 12-15
Late Registration (Former & Returning)	Jan. 15-19
1 <sup>st</sup> Day of Class for Spring 2016	Jan. 20
Deadline for Application for Degree Completion 16/FA	Feb. 29
Guam History and Chamorro Heritage Day	Mar. 7
UOG Charter Day	Mar. 8
Voluntary Withdrawal Deadline for Spring 2016	Mar. 9
Spring Break	Mar 21-25
Last Day of Class for Spring 2016	May 13
Final Exam Week	May 16-18
Spring 2016 Commencement	May 22

## SUMMER SESSIONS 2015

Early Registration for Summer Sessions	Mar. 2-31
New Student Registration	May 26-27
Summer Session A	May 31-Jul. 1
Summer Session B	Jun. 6-Jul. 22
Summer Session C	Jul. 5-Aug. 5
Independence Day Observance-No Classes	Jul. 4
Liberation Day Observance-No Classes	Jul. 21

*The University has made every reasonable effort to ensure that the "important dates" published in the Student Handbook are accurate. However, these dates are subject to change.*

## II. UNIVERSITY CENTER AND RESEARCH INSTITUTE

Cancer Research Center Guam (CRCG)	735-2988/9
Center for Distance Education (CDE)	735-2621
Center for Excellence in Developmental Disabilities Education, Research, and Service (CEDDERS)	735-2481/
Center for Island Sustainability (CIS)	734-0478
English Language Institute (ELI)	735-2755/6
Guam Procurement Technical Assistance Center (PTAC)	735-2596
Guam Veterans Business Outreach Center (VBOC)	475-4900
Information Technology Research Center/Computer Center	735-2640
Isla Center for the Arts	735-2965/6
Marine Laboratory	735-2175/6
Micronesian Language Institute (MLI)	735-2193
Pacific Islands Small Business Development Center Network	735-2590
Professional and International Programs (PIP)	735-2600/8
Richard F. Taitano Micronesian Area Research Center (RFT-MARC)	735-2150/3
Telecommunications and Distance Learning Operations (TADEO)	735-2620
UOG Calvo Field House	735-2862
UOG Moodle's Virtual Classrooms	735-2620
UOG Pacific Center for Economics Initiatives	735-2501
Water and Environmental Research Institute of the Western Pacific (WERI)	735-2685/6
Western Pacific Tropical Research Center	735-2000

### III. ACADEMIC POLICIES

#### A. GENERAL EDUCATION REQUIREMENTS

Students who plan to complete a baccalaureate degree at the University of Guam are required to complete the General Education program described in the catalog. The General Education program emphasizes the common need for learning experiences, including an understanding of the fundamentals of major fields of knowledge. It provides opportunities for the individual majors and colleges to include, within the specific career programs they offer, further relevant general educational experiences. Please contact an academic advisor in the college/school of your interest.

Students must satisfy 55 credit hours of general education courses. Full description of the General Education requirement categories and courses are discussed in the catalog.

Category	Title	Credit Hours Required
1.	Essential Skills	15
2.	The Arts and Creative Expression	6
3.	Global Studies	3
4.	The Individual and Society	6
5.	Modern Language	8
6.	Personal Development	3
7.	Regional Studies	3
8.	The Sciences	8
9.	The Search for Meaning	3
	<b>TOTAL</b>	<b>55</b>

#### B. DEGREE REQUIREMENTS

Degree requirements or graduation requirements means all courses and credits needed to graduate, including general education requirements, college requirements, university-wide requirements and major course requirements. If a second concurrent major is attempted by the student, courses acceptable for the general education requirements for the first major may be used to satisfy requirements in the second major, but credits will not be counted twice. Students will not be allowed to participate in the commencement ceremony if they have not been officially certified by the Registrar as completing all program and degree requirements.

#### C. ACADEMIC CALENDAR

A full academic calendar is available online at  
<http://www.uog.edu/admissions/academic-calendar>

## D. MINIMUM GRADE POINT AVERAGE REQUIREMENTS

As a condition for meeting graduation requirements of the University, students must have at least the minimum overall GPA prescribed by the particular college, which in no case is lower than 2.000, and must have at least a 2.000 (C) average or better in specific courses required for the major or a "C" or better in specific courses required for the major if their college or program so requires. (See Grades, grade changes, grade points, and grade-point averages in the catalog).

A student's cumulative grade-point standing at the University will, at any time, be based on all academic work attempted at the University of Guam and at the institution(s) from which the student transferred.

## E. ACADEMIC PROBATION, SUSPENSION AND DISMISSAL

### **Academic Probation**

If at the end of any given semester, a student fails to maintain the minimum grade-point average indicated, (2.000) or accumulates 3 or more UW's, she or he will be placed on probation. The student is allowed to continue into the next regular semester but must earn a minimum GPA of 2.000. If the student does not maintain the minimum GPA, the student will be suspended.

NOTE: The Nursing Program has specific probation, suspension, and program dismissal policies that supersede the UOG academic probation, suspension and dismissal policies for Nursing Majors only when the rules are more stringent than University rules.

### **Academic Suspension**

If a student fails to maintain the minimum GPA during a probationary semester (see Probation section above), she or he will be suspended. A student placed on suspension may not enroll for one regular semester. After a lapse of one regular semester, a suspended student may enroll on a probationary status. She or he must then maintain the required minimum GPA. Failure to maintain a current minimum required GPA will result in dismissal from the University.

### **Academic Dismissal**

A student dismissed from the University must wait one full calendar year for readmission and must petition the University in order to be re-admitted. If her or his petition is approved, she or he will be admitted on a probationary status and must maintain a current minimum required grade-point average or she or he will be dismissed again. Students who have been dismissed a second time may not appeal for readmission until three (3) academic years have passed.



## F. RETAKING OF COURSES

A student may repeat a course at UOG to raise his/her grade only if he/she earns a grade of "D" or below in such University of Guam course. All students are urged to repeat courses (when the course is scheduled) in this situation (this is particularly important for students who are on probation). If the course is repeated, the original course attempted remains on the student's transcripts but only the last grade made in the course (except W) will be considered in determining the student's grade-point average and for transfer and graduation records.

NOTE: STUDENTS RECEIVING FINANCIAL ASSISTANCE MUST CONSULT WITH THE FINANCIAL AID OFFICE AS ACADEMIC REQUIREMENTS FOR FINANCIAL AID ELIGIBILITY MAY DIFFER FROM INSTITUTIONAL REQUIREMENTS.

## G. ADVANCED STANDING AND CREDIT

The University of Guam recognizes the high scholastic achievement of students who successfully complete the Advanced Placement Program of the College Board Exam while in secondary school. For advanced placement within the English Program, students who document a score of 3 on the AP exam for English Language and Composition are placed in EN 110; students who document a score of 4 or 5 are placed in EN 111 as well as given credit for having taken EN110. AP Literature scores of 4 or 5 will count for EN 210 credit. Requests for AP credit must be made to the Registrar upon admission to the university.

The English Program also accepts the results of the College Level Examination Program (CLEP) Tests. For CLEP general examination in English scores reported by Educational Testing Services (ETS) as ranking in the:

39th to 49th percentile:	Students are placed in EN111 and given credit for having taken EN110
50th percentile or above:	Students need not take Freshman Composition but are given credit for having taken EN110 and EN111.

Additionally, the English Program recognizes students who take the International Baccalaureate (IB) Language A1 exam. Students who document a score of 4 on the IB Language A1 exam are placed in EN100 (unless they take the UOG Placement Test and score higher); students who document a score of 5 are placed in EN110; and students who document a score of 6 are placed in EN111 as well as given a credit for having taken EN110.

Students who report a score of 3 on the AP Calculus AP will be placed in courses beyond that level in the University. Students who report scores of 4 to 5 on these exams will receive advanced placement and three (3) hours of academic credit.

Scores of 3, 4 or 5 on other AP exams may be accepted for advanced placement and/or credit after negotiation with faculty of relevant disciplines. No AP credit will be considered for qualifying scores in biology, chemistry or physics unless the AP class included at least three hours of laboratory per week.

#### H. ATTENDANCE & ABSENCES FROM CLASSES

Class attendance policy is at the instructor's discretion and may be a component of students' final grades.

#### I. ADD/DROP AND WITHDRAWAL POLICY

##### **Administrative Drop**

Students are responsible for registering only for those courses for which they have met the stated prerequisites. Students who register for classes without the proper prerequisite courses or exemption from the prerequisites and are administratively dropped after the refund period are not eligible for a refund of tuition or fees.

##### **Student-Initiated Schedule Adjustment/ Add/Drop**

Students may drop from a class or classes during the first week of instruction of a regular semester and the first day of a summer session without anything being recorded on their transcripts. See Cancellation Fee section for applicable charges in the catalog.

##### **Student-Initiated – Official Withdrawal**

From the second through the eighth week of instruction of a regular semester and from the second day of classes for each summer session through the third week of each summer session, students may withdraw by filing a withdrawal form in the Records Office. This form must be signed by the student's advisor. A "W" (indicating an official withdrawal) will be recorded. If students fail to file the withdrawal form and do not attend the class, a "UW" (Unofficial Withdrawal) will be recorded. The "UW" will be calculated in the GPA in the same way as an "F." See Cancellation Fee section for applicable charges in the catalog.

After the eighth week of instruction of a regular semester and after the third week of a summer session, students may NOT withdraw from individual courses without submitting to the Records Office a Petition to Withdraw form that has been approved by the class instructor and the student's advisor. Students requesting a complete withdrawal from the University must file a withdrawal form available at the Records Office and obtain the required signatures. See Cancellation Fee section for applicable charges in the catalog.

## **Unofficial Withdrawal**

When students leave the University or stop attending a class without requesting an official withdrawal according to this regulation, the administrative mark "UW" will be recorded unless the instructor submits an academic grade. For GPA purposes, a UW is regarded as an F grade. All tuition and fees apply.

### **J. LEAVE OF ABSENCE**

The University of Guam does not permit leaves of absence except as described in the Withdrawal Policy.

### **K. CREDIT HOURS, CLASS LOADS AND CLASS LEVELS**

#### **Credit hours**

In general, each credit unit or hour represents one hour per week in class and two hours in preparation. Under special circumstances, courses may be offered with reduced credit value per clock hour spent in the classroom. For example, courses involving laboratory activity or other applications such as Nursing Clinicals normally require more hours of class or clinical attendance than is reflected in the number of credit hours given.

#### **Normal class load (number of credit hours)**

The normal class load for a student is from 12 to 18 credit hours per regular semester and 6 credit hours per summer term. A combination of a 3-credit course and a 4-credit laboratory plus lecture course, for a total of 7 credits, will be considered a permissible exception to the 6-credit normal class load for a student during a summer term. A full-time student is one registered for at least 12 credits during Fall and Spring Semester.

#### **Overload (additional credit hours)**

A student who has earned less than 60 credits and is making satisfactory progress may carry an overload up to a total of 19-21 semester hours provided she or he has submitted the Request for Class Overload form and has the approval of his or her academic advisor.

A student who has completed 60 credits or more and is making satisfactory progress may carry an overload up to a total of 22-24 semester hours provided she or he has submitted the Request for Class Overload form approved by her or his academic advisor, and the Dean of the student's college/school.

## **Excess Credits**

Credits taken in excess of the 24-hour maximum (10 for summer term), or credits taken over the normal load without official authorization, will not be granted or recorded as earned credit. Under these conditions the hours for which credit will not be granted will be those with the latest enrollment date which constituted the overload.

## **Class levels**

Student's class levels are determined on the basis of credit hours earned, as follows:

Freshman:	1 to 30 credits, inclusive
Sophomore:	31 to 60 credits, inclusive
Junior:	61 to 90 credits, inclusive
Senior:	91 credits and above

## **L. COURSE LISTING**

Students can find current course offerings online through the Web Advisor. The University of Guam reserves the right to make changes in the courses offered and to cancel or reschedule any class where low enrollment or other considerations warrant. UOG does not offer every course every semester.

## **M. GRADES, GRADE POINTS AND GRADE POINT AVERAGE**

### **Grades**

Grades are given in a course by the instructor as recognition of certain degrees of accomplishment and are to be interpreted as follows: A-Excellent; B-Good; C-Average; P-Passing; D-Barely Passing; F-Failure; I-Incomplete (work is of passing quality but incomplete for good cause); NC-No Credit. The letter grades A,B,C,D, and F (and I) must be used in every course unless specified otherwise in the official catalog course description. In some courses the specified grades are A,P,F, or NC. (The grade NC is not used in most courses). Other symbols, assigned by the Office of Admissions and Records, are administrative and do not evaluate academic work: W-Official Withdrawal; UW-Unofficial Withdrawal (Note: For GPA calculation, UW is treated as an F grade); CW-Credit Withheld.

The grade report may be requested at the Admissions and Records Office with photo identification two regular office days after the deadline for faculty to submit grades. Students may also review their grades using Web Advisor.

**Grade changes from Incomplete** (letter grades of "I") - An "I" may be given to a student who has failed to complete a small, but important part of the course if the reasons for the Incomplete are justified by the instructor and the dean. The appropriate incomplete form must be completed and signed by the dean before the Incomplete can be assigned to the student. The Incomplete form remains on file in the Dean's Office. To receive credit for an undergraduate course marked "I," the student must satisfactorily complete the unfinished work by the last day of classes of the following regular semester after the incomplete grade was issued. The faculty will issue a grade following normal timelines.

Should the student fail to complete the specified work to the satisfaction of the instructor, no credit will be recorded and the symbol "I" will be changed to an "F" on her or his record. No requests for time extension will be accepted.

In exception to this policy on Incomplete: (1) For those courses which do not use the "F" grade, the equivalent non-credit grade will be assigned, and (2) All grades of Incomplete must be resolved prior to certification for graduation. If a student who is applying for graduation has an unresolved Incomplete at the time that the Registrar certifies their eligibility for graduation, the "I" will be changed to an "F" or equivalent non-credit grade and used in the final GPA calculation.

For other grade changes issues, see catalog for information.

**Grade Points** - Quality points (for computing averages) are assigned to grades as follows: A-4.00; B-3.00; C-2.0; D-1.00; F-0.00 points.

**Grade-Point average (GPA)** - A GPA is computed from the credit hours of all courses (100-level or above) for which conventional grades are reported. (The grade NC is not used in these computations.) The GPA is determined by dividing the total number of grade points by the total number of credit hours attempted for which a letter grade of A, B, C, D or F has been assigned. The GPA is calculated to three decimal places and is not rounded. GPA averages listed in these regulations are cut-off points and not measurements.

A student's cumulative grade-point standing at the University will, at any time, be based on all academic work attempted at the University of Guam and at the institution(s) from which the student transferred credit.

## N. PRESIDENT'S LIST, DEAN'S LIST AND REGENT SCHOLARS

### **President's List and Dean's List**

Full-time undergraduate students who are seeking their first baccalaureate degree and achieve at least a 3.500 GPA for all course work completed during an academic term are listed on the "Dean's List" of their respective colleges. In order to qualify for the "Dean's



List," an undergraduate student must complete at least 12 credit hours that carry letter grades only (i.e., A,B,C,D). In order to qualify for the "President's List," an undergraduate student must complete at least 12 credit hours that carry letter grades only (i.e., A,B,C,D) and have a 4.000 grade point average for that semester. In addition, students may not have any "I" grades on their record when grades are posted for the semester.

## **Regent Scholar**

The undergraduate must be a full-time student and a permanent resident of Guam for five years prior to becoming a Regent Scholar. To qualify the student must have been placed on the Dean's or the President's List for two consecutive regular semesters (does not include inter-session or summer sessions). 1) A Regent Scholar who has failed to be named to the Dean's or President's list for one semester shall forfeit the award. He/she may be reinstated if placed again on the Dean's or President's list for two consecutive semesters.

A Regent Scholar may receive a partial or full waiver of tuition and fees (subject to availability of funds) in accordance with the combined grade point average for two consecutive semesters approved under the Board of Regents. Contact the Financial Aid Office for more information.

## **O. GRADUATION WITH HONORS**

Graduating seniors completing their first baccalaureate degree are recognized for academic achievement at commencement ceremonies each year. The appropriate Latin term, below, indicating the degree of achievement is inscribed on the graduate's diploma and specified in the official transcripts.

Transfer students must earn at least half the total hours required (124) at the University of Guam with letter grades in order to be eligible for honors at graduation. Courses graded Pass/Fail/No Credit will not be included in the required minimum.

- Summa Cum Laude 3.900 or higher cumulative grade-point average
- Magna Cum Laude: 3.700 to 3.899 cumulative grade-point average
- Cum Laude: 3.500 to 3.699 cumulative grade-point average

## **IV. ADDITIONAL POLICIES AND REGULATIONS**

### **A. STUDENT RIGHT TO KNOW POLICY**

The University of Guam complies with the Student Right to Know Act, which requires the University to disclose graduation or completion rates annually for the student body in general and athletes in particular.

All current students and prospective students may request from the Office of Admissions and Records general information on graduation rates. "Prospective student" means any person who has contacted the University requesting information concerning admission.

Any potential student who is offered "athletically related student aid" will receive more detailed information concerning graduation or completion rates for the previous year and the average of the last four (4) years. This category of aid encompasses any scholarship, grant, or other financial aid that requires the recipient to participate in intercollegiate athletics.

### **B. RELEASE OF INFORMATION**

#### **THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (F.E.R.P.A)**

Annually, University of Guam informs students of the Family Educational Rights and Privacy Act of 1974, as amended. This Act, with which the institution intends to comply fully, was designated to protect the privacy of education records. The Family Educational Rights and Privacy Act (FERPA) afford students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the Office of the Registrar, the college dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will arrange 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.
2. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write to the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student the University will notify the student of the decision and advise the student of his or her 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.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Regents; 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 responsibility. Another exception where records may be released without student consent is to parents or legal guardians upon submission of evidence that the parents or legal guardians declared the student as a dependent on their most recent income tax form. For more information on other exceptions, contact the Registrar's Office.

### C. DIRECTORY INFORMATION

The following is considered "Directory Information" at the University and will be made available to the general public unless the student notifies the Office of the Registrar in person or in writing before the last day to add classes:

*Student's name, telephone number, e-mail address, mailing address, date and place of birth, major field of study, participation in officially recognized activities and sports, dates of enrollment, honors, awards, degrees completed and dates of degrees conferred, institutions attended prior to admission to UOG, gender, class level, and full-time/part-time status.*

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Guam 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 20202-4605.

## D. STUDENT APPEALS

Students have the right to appeal decisions made in relationship to admission requirements, records, registration and academic rules. The forms for requesting an appeal are available through the Admissions & Records Office.

Students also have the right to appeal if they feel that their academic rights, such as being informed of course requirements and being graded fairly, have been violated. The Committee handling these second types of appeals is the Student Discipline and Appeals Committee. This Committee also hears cases in which it is alleged that students violated the Code of Student Conduct.

### **Student Appeal Procedures for Waiver of Academic Rules**

Students may petitions appealing decisions made in relation to admission requirements, records, registration and academic rules. The forms for requesting an appeal are available through the Admissions & Records Office.

Appeal procedures are as follows:

1. On the appeal form describe the problem as clearly and completely as possible.
  - a. Tell why the Registrar should consider the appeal.
  - b. Give all details that will help the Registrar better understand the situation.
  - c. Give your full name, mailing address, academic major, contact phone number, and date.
  - d. If help is needed in completing the Appeal Form, the Office of the Dean of the College in which you are majoring will designate an advisor to help you. The Dean of Enrollment Management and Student Success will designate an advisor for undeclared students needing help.
2. Attach to the completed forms any documents, records, or recommendations that will help the Registrar make a decision.
3. Turn the complete appeal packet into the Registrar's Office, Admissions and Records desk.
4. The decision of the Registrar is final.

### **Student Academic Appeal/Grievance Procedure**

This procedure will be followed when a student would like to resolve a grievance or complaint against a student, faculty member, administrator, or other employee of the

University. For the purpose of this procedure, business days are defined as weekdays during the Fall and Spring semesters when classes are in session.

For assistance in determining how to follow these procedures or advice on grievances, contact the Student Life Office or the SGA. You may be accompanied by a friend (faculty or student) at any stage in this process. At each step of the grievance procedure, both parties to the dispute will be informed of any decisions taken.

At any point in the following procedure, outlined in Steps 1 through 6 below, failure by the dissatisfied party to appeal within the time line shall result in the termination of the grievance and the decision, at the level it is stopped, shall stand.

## **STEP 1**

1. A student must attempt problem resolution by conferring with the faculty member or other party within thirty (30) business days after becoming aware of the problem. At this point, both parties shall apprise themselves of their own rights and those of the other party.

In accordance with the University's nondiscrimination and affirmative action policy, students who feel uncomfortable meeting with the faculty member or other party against whom they have a grievance may skip step 1 of the grievance process. Also, a student grievant may be accompanied by a representative at all stages of the grievance process.

2. If this conference does not resolve the problem, the person bringing the grievance shall notify the other party in writing within 10 days after the conference that he or she is initiating the grievance procedure and again shall seek to resolve the problem through a second informal conference. If the student skips Step 1 and goes directly to Step 2, the student, within 30 business days after becoming aware of the problem, shall notify the other party in writing that he or she is initiating the grievance procedure.
3. If this second conference does not resolve the problem, the procedure shall continue to the next step.

## **STEP 2**

1. The student shall present a written statement, within 10 business days after the second conference, to the appropriate Division Chair or Director and to the party against whom the student has the grievance. The statement must describe the problem in concrete terms, supply all written evidence pertinent to the problem and state the requested solution.
2. In the case of divisions lacking a Chair or a Director, the grievance shall proceed to Step 3.



3. If the faculty member against whom the student has a grievance is a Chair, Director, or higher, the grievance shall proceed to the appropriate higher level.
4. The Chair or Director shall facilitate a resolution of the problem.
5. If an agreement is reached, the Chair or Director shall put the agreement in writing. This shall be signed by both parties with the Chair or Director as witness. Copies of the agreement shall be given to both parties and the Chair or Director shall retain the original. If the recommendation resolves the problem, the appropriate Dean shall act on the recommendation.
6. If no agreement is reached, the Chair or Director shall decide the issue and provide both parties and the appropriate Dean with a written copy of his or her recommendation within 5 business days.
7. If this recommendation fails to resolve the problem, the dissatisfied party may continue the grievance procedure by appealing the recommendation to the appropriate Dean within 5 business days from receipt of the Chair or Director's decision.

### **STEP 3**

1. The case may be heard by the appropriate Dean alone, unless the Dean or one of the parties to the dispute, requests in writing to the Chair of the University Student Discipline and Appeals Committee that the grievance be heard by that Committee.
2. If the Dean hears the case, he or she shall review the chair or Directors recommendations and such other factors as may be known to him or her and, except for extraordinary circumstances, shall notify both parties of his or her decision within 10 business days. If this decision fails to resolve the grievance, the dissatisfied party may continue the grievance procedure.

### **STEP 4**

1. If the dean or one of the parties to the dispute, requests in writing to the Chair of the University Student Discipline and Appeals Committee that the grievance be heard by that Committee, the Committee shall be convened to hear the grievance and to make recommendations to the appropriate Vice President.
2. The University Discipline and Appeals Committee shall conduct an investigation according to the procedures below.

3. Within 10 business days after receiving written notification, the Chair of the University Student Discipline and Appeals Committee will notify committee members of the upcoming grievance. He or she will also contact both parties of the grievance to set a date for the formal hearing.
4. All documents produced for Step 2 and Step 3 shall be given to the University Discipline and Appeals Committee by the appropriate Dean.
5. During the formal hearing the grievant and the person against whom the grievance has been brought shall have 15 minutes to present his or her case. Each party may have an additional 30 minutes for testimony by other persons. Each party shall have 10 minutes to respond to the other's position. Committee members may ask questions of either party following the presentation of the case.
6. If one party fails to appear, except for absences due to extraordinary circumstances (as determined by the Student Discipline and Appeals Committee), the hearing will nevertheless proceed.
7. During the formal hearing, the reliance upon evidence shall be determined by fundamental principles of fair play. Rules of evidence in courts of law shall not, as such, be applied. The hearing is closed to the public to maintain confidentiality of the student and the party against whom the grievance has been brought.
8. At the conclusion of the proceedings the University Discipline and Appeals Committee shall meet in closed session to deliberate and formulate its recommendations to the appropriate Vice President.
9. With the exception of extraordinary circumstances, the recommendations and the supporting documentation shall be forwarded to the appropriate Vice President with 10 business days with a copy of the recommendations provided to the appropriate Dean.

## **STEP 5**

1. The dissatisfied party may appeal the decision of the Student Discipline and Appeals Committee by appealing in writing to the appropriate Vice President.
2. The appropriate Vice President will be the Senior Vice President for Academic and Student Affairs.
3. The Senior Vice President for Academic and Student Affairs will review all documentation regarding the case, and except for extraordinary circumstances, make a decision within 15 business days.

## **STEP 6**

1. The dissatisfied party may appeal the decision of the Senior Vice President for Academic and Student Affairs by appealing in writing to the President.
2. The President will review all documentation regarding the case, and except for extraordinary circumstances, make a decision within 15 business days.
3. The President's decision shall be final.

## **E. ACADEMIC RIGHTS AND RESPONSIBILITIES OF STUDENTS**

### **Academic Rights of Students**

Students have the following rights:

- a. To have competent instruction, which shall encompass the following:
  - 1) To be informed of course requirements (which shall include, course content, methodology and grade determination).
  - 2) To engage in free and open inquiry and expression, so long as this does not interfere with the rights of the instructor(s) and other students; and
  - 3) To protect against prejudice and/or capricious academic evaluation.
- b. To have competent advisement,
- c. To have qualified, impartial assistance from the faculty of the support and research divisions of the University,
- d. To have protection against misuse of original work,
- e. To be treated in accordance with the University's Statement of Nondiscrimination and Affirmative Action.
- f. To have protection, through orderly procedures, if any of the above rights are violated, and
- g. To be accompanied by a representative at all stages of any grievance procedure.

## **Academic Responsibilities of Students**

Students have the obligation to be competent students, which includes the following:

- a. To ascertain course, program and University requirements,
- b. To maintain standards of academic performance established for any course in which they are enrolled.
- c. To exercise their rights with honesty, maturity, and responsibility, and
- d. To not plagiarize, and
- e. To initiate investigative procedures if they believe that their academic rights have been violated.

## **F. STUDENT GOVERNANCE**

A Student Government Association (SGA) has been established to provide students: 1) a forum for organized input on University academic related governance and activities, and 2) the opportunity to conduct University sanctioned social activities and events. The SGA shall fall under the guidance and jurisdiction of the of the Dean, Enrollment Management and Student Success.

## **G. STUDENT COUNSELING SERVICES**

Student counseling services shall be established to provide friendly, caring, informative and confidential services for the students of UOG that support the academic and student development mission of the University.

The academic counselors, under the direction of the Coordinator of Counseling division, strive to help students accomplish their academic, personal, and career development goals. Counseling Services is committed to diversity and is dedicated to serving all students and values respect for, and appreciation of, individual and group differences.

### **1. Counseling Services**

The counselors seek to assist students with a wide range of personal concerns and problems. The goal of counseling is to help the students develop the personal awareness and skills necessary to overcome problems, to grow and develop in a way that will allow them to maximize their educational opportunities at UOG. Professional services are offered to help students cope with personal problems or learning difficulties that are obstacles in gaining maximum benefit from their educational experiences.

Individual counseling is offered to assist students in resolving issues that cause emotional distress and interfere with personal goals and academic attainment. Counseling is provided to help students bring about positive changes in their lives. Group counseling is provided to afford the opportunity to work together with peers to deal more effectively with personal concerns. Group counseling focuses on effective personal and social skills and the resolution of personal concerns.

Recognizing the importance of prevention and education, counseling services seeks to provide the opportunity for students to maintain a drug-free learning environment through substance abuse counseling, prevention and education.

The Board of Regents mandates through this policy that students of the University of Guam be provided appropriate guidance and counseling relevant to their college career, professional and vocational aptitudes, and personal adjustment. The President and administrative staff shall establish a systematic plan to ensure that all students are afforded suitable guidance and counseling services throughout their undergraduate years at the University, particularly during the early stages of their collegiate career.

## **2. Academic Advisement**

Academic advisement is an integral part of the educational process and academic goal attainment. It helps students to understand the demands and skills associated with their educational aspirations in order to make immediate and long range educational plans. Counseling Services provides academic advisement to all students whose major is undeclared. Counselors must sign course selections for undeclared majors. Any such student who needs help with academic and advisement is encouraged to seek assistance from the counselors.

University students are adults who bear the responsibility for shaping their education and career preparation. Many students at the University of Guam, however, are "first generation" University students and are not familiar with such things as general education requirements, pre- and co-requisite courses, core courses and tracks within a major program. It is also true that all undergraduate and graduate students can benefit from regular conversations with academic faculty about their course choices, their progress in a major field of study, and their approach to completion of their degree.

Therefore, the University strongly urges that all students solicit academic advisement from a member of the academic faculty before registering for each new semester's courses. All faculty post, on their office doors, the times when they are available to students for such conversations. They may also provide sign-up sheets for scheduled appointments. The University's goal is



to have every faculty computer communicate with our registration software so that students are able to register in their advisor's office.

Personal and career counseling is provided by the counseling staff, which is part of the Office of Enrollment Management and Student Success. These services are free and available by appointment or on a drop-in basis.

### **3. Liaison with high schools**

The staff of Counseling Services maintains contact with assigned high school counselors and students to coordinate the visit of the University administration and members of the Recruitment Team at least once a year. This is done in conjunction with the administration of the UOG Placement Test in English and Math levels. The counselors are also to assist the schools in accessing any needed services for their students. They likewise participate in the New Student Orientation for incoming freshmen and transfer students in the fall semester.

## **H. STUDENT WITH DISABILITIES**

The Institutional Compliance Officer coordinates the provision of disability-related services for students with disabilities. The mission of the EEO/ADA Office is to ensure that qualified individuals with disabilities have equal access and nondiscriminatory access to all benefits, privileges, opportunities and obligations provided by the University of Guam and to ensure a process for the University's full compliance with the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, taking into account the regional, economic and multicultural diversity of the University.

## **I. STUDENT HEALTH SERVICES**

Our primary mission of Student Health Service is three-fold ... 1) To provide health clearance for University enrollment, pursuant to Public Law 22-130, Title 10 of the Guam Code Annotated; 2) To provide strong, effective prevention, health promotion, health counseling and educational program/services; 3) To enable students to develop healthy lifestyles that will enhance their intellectual growth and development consistent with the mission of the University. The SHS is an institutional member of the American College Health Association (ACHA) and the Pacific Coast College Health Association (PCCHA).

### **HEALTH REQUIREMENTS**

All applicants must supply evidence of having been vaccinated against Measles, Mumps and Rubella (MMR#1 & MMR#2) and the results of a tuberculin skin test taken no earlier than 6 months of the date of application. Student Health Service offers this test at no charge provided your application fee is paid for and your application for re-entry is submitted. In addition, applicants must complete a Report of Medical History form and submit it to the Student Health Service. Required documents must be submitted to

Student health Service and be cleared before orientation and registration. Failure to submit documents to clear health requirements will delay your registration. All students are highly encouraged to purchase a medical health insurance plan valid on Guam. For more detail information, you may contact us at:

Student Health Service  
Monday-Friday 08:30-12:00pm, 1:00 pm-04:30pm  
UOG Student Center Mangilao, Guam 96923  
Phone: (671) 735-2225 Fax: (671) 734-4651

#### J. DEAL WRITING CENTER

The DEAL Writing Center, located in EC 204, provides tutoring support to students enrolled in Developmental English and Freshman Composition classes. For more information and current semester hours, visit the Division of English and Applied Linguistics webpage and select the Writing Center link.

#### K. RESERVE OFFICERS TRAINING CORPS

The University of Guam Army ROTC program provides college-educated officers for the active Army, Army National Guard, and US Army Reserve. The program is designed to complement the students' civilian goal of acquiring a baccalaureate degree in a course of study of their choosing. Special objectives of the program include developing student's leadership potential, providing the opportunity for managerial experience and development of self-confidence, and improving communication skills. In addition to the traditional four-year program, advanced placement may be available for transfer students, students with military experience, and other students who missed ROTC during their first two years of college.

Some Military Science courses may be taken as electives by any University student. The program is open to both men and women. All ROTC courses are tuition free, and all books, uniforms and materials are furnished. Scholarships are also available.

Specific requirements for enrollment in Military Science courses are detailed under the College of Natural and Applied Sciences in the University catalog.

#### L. STUDENT PRESS

##### Student Publications

The student newspaper, Triton's Call, provides opportunities for students to acquire experience in various phases of journalism, such as writing, editing, photography, layout, production, and advertising under the guidance of a faculty advisor.

## M. VETERANS AFFAIRS

The University of Guam accepts veterans and their spouses/dependents and active duty members (tuition and fees only) under Educational Assistance Programs established by the Federal Government. Authorization for training according to federal laws obtained from the Veterans Administration through its regional office in Honolulu, Hawaii. The program is administered by the Office of Veterans Affairs at the Financial Aid Office.

In order to comply with VA regulations, the University requires that all veterans report to the Office of the Veterans Affairs 30 days prior to the first week of classes and apply in writing their intention to attend classes for a specified term/semester.

Veterans must declare a major with the VA and must take those courses specified in their degree program. Those veterans taking courses not pertaining to their degree program will not be paid for those courses. Veterans are urged to see their college advisor to determine what course is specified in their degree program. Notify VA counselor for any repeat courses you plan to take, or change of major.

Education benefits to an eligible veteran or person for courses for which the assigned grades are not used in computing graduation requirements such as audited course and non-punitive grades (W, UW and NC) must be repaid or justified.

All recipients who drop/add or withdraw from course(s) must report to the Veterans Affairs Office, so that an amended certification can be initiated and reported. Any veteran or dependent of a veteran failing to report may automatically be terminated for VA benefits purposes.

Veterans who are on a half time or more bases are entitled to the Tutorial Assistance Program also administered by the Office of Veterans Affairs.

FAO Recipients under the following Veterans Program: VEAP Chapter 32), Montgomery GI Bill (Chapters 30 and 1606), Vocational Rehabilitation (Chapter 31), Survivors and Dependents Educational Assistance (Chapter 35), and are enrolled at least 3/4 time are eligible to apply for the Veterans Work-Study Program. Work-Study is non-taxable.

Veterans and their dependents that have been suspended or dismissed by the University must contact the Financial Aid Office to be reinstated under the G.I. Bill.

## N. STUDENT ORGANIZATIONS

The University of Guam is committed to ensuring an enriching student life on campus by (1) providing an atmosphere conducive to mutual understanding and respect among the diverse ethnic and multicultural composition of students and (2) promoting professional interests of students. Students are therefore encouraged to form

organizations that further this commitment. With these principles in mind, the University of Guam Student Government Association, in conjunction with the Student Life Office, shall develop guidelines and procedures that seek to support the existence of student organizations, and activities.

## **Student Organization Policies & Procedures**

To be officially recognized and maintained as a UOG Student Organization (SO), the following policies and procedures must be adhered to.

- a. All SOs must update their membership under the Student Government Association (SGA) by the 2<sup>ND</sup> Friday of September during Fall semester of each academic year. This is done through the Student Life Office which provides the "Student Organization Application for Recognition" form for new and returning SOs. New SOs are encouraged and may be formed at any time.
- b. All new and returning SOs must submit the completed Student Organization Application for Recognition form to the Student Life Office for processing. SOs will be notified of the decision on their application within two weeks after submission. Recognized SOs will be provided with a mailbox at the SGA Session Hall as soon as the application is approved.
- c. A current Financial Status Report is required at the time the SO submits its application for consideration and at the end of the academic year.
- d. The SO President or representative(s), must attend all student organization executive meetings called by the Student Life Office. In addition, a SO representative(s) must be appointed to attend all meetings of the SGA Council. SGA will provide all SOs with a meeting schedule upon availability.
- e. Each SO must have at least one active full-time faculty advisor.

Advisor(s) must be notified at least three (3) days prior to SO meetings. Minutes must be kept for record purposes and copies must be provided to the Advisor(s). Meeting minutes should contain the following:

- (1) Date, time and location
  - (2) Members present and absent and guests
  - (3) Treasurer's Report
  - (4) Content of Meeting
- f. A constitution is required of all student organizations. However, if the SO is returning, only an amendment to the constitution is required. The constitution must be concise, professionally written and legible. A guide called "Drafting a Constitution" is available at the Student Life Office.

- g. The Student Organization Activity Permit form must be completed for all SO activities planned (except for regular meetings), and submitted to the Student Life Office for approval at least two weeks before the date of the activity. A SO may request use of parts of the Student Center (i.e., Cafeteria, Rotunda, etc.) for an activity by completing the Authorization for Use of Facility.
- h. A copy of all correspondence executed in the name of the SO must be submitted to the Student Life Office. The SO must also submit financial statements and financial reports to the Student Life Office at the beginning and ending of the semester through submission of End-Term Report; due at the end of each semester.
- i. SOs requesting funding must submit a budget proposal, a constitution, and a financial status report to the SGA Finance Committee, which will forward the proposal to the SGA Senate for action. The budget should show an itemization of how the funds will be used. Expenditures of SGA awarded funds will be through the UOG purchase order process (Business Office).

A student organization that is awarded funds by SGA must deposit all monies under its name into a Business Office account. SGA fund transactions may be initiated only after the student organization establishes an account in the Business Office.

- j. All SGA and SO requests and correspondence sent to the various administrative divisions of UOG should be routed through the Student Life Office.
- k. SOs must submit a Waiver of Liability. There shall be a waiver of liability form releasing and discharging the University of Guam, its agents, servants, and employees and all other acting on its behalf, from all claims, demands, or other actions for any damages to person or property arising out of student participation in voluntary University activities, including but not limited to, field trips, athletic activities, and University-sponsored off-island trips.

The Waiver is available in the University Counsel's Office and/or the Dean's Office of Colleges/Schools.

## O. STUDENT HOUSING / RESIDENCE HALLS

Full information on Residence Halls can be found online (application, requirements, forms, room rates, deadline dates, rules and regulations, etc.):

<http://www.uog.edu/life-at-uog/living-on-campus>

## **V. STUDENT CODE OF CONDUCT**

The mission of the University of Guam is to provide higher education programs for the people of Guam and the Western Pacific Island Communities. To fulfill this mission, the University of Guam must provide opportunities for intellectual, emotional, social, and physical growth. University students assume an obligation to act in a manner compatible with the fulfillment of the mission. The University community recognizes its responsibility to provide an atmosphere conducive to growth. With these principles in mind, the University of Guam Student Government Association in conjunction with the Dean, Enrollment Management and Student Success, the Senior Vice President for Academic and Student Affairs, establishes the Student Code of Conduct, which is hereby contained in Sections G through K of this article.

Any questions of interpretation regarding the Student Code shall be referred to the Dean, Enrollment Management and Student Success, or designee.

The Student Code shall normally reviewed every year by the Student Government Association in conjunction with the Dean of Enrollment Management and Student Success, and the University Student Discipline and Appeals Committee.

### **A. DEFINITIONS**

1. The term University means University of Guam.
2. The term "student" includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate, graduate, or professional studies and those who attend post-secondary educational institutions other than the University of Guam and who reside in University Residence Halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "students."
3. The term "faculty member" means any person hired by the University to conduct teaching, service, or research activities.
4. The term "University official" includes any person employed by the University, performing assigned administrative responsibilities.
5. The term "member of the University community" includes any person who is a student, faculty member, University official or any other person employed by the University.
6. The term "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).

7. The term “organization” means any number of persons who have complied with the formal requirements for University recognition.
8. The term “judicial body” means any person or persons authorized by the President to determine whether a student has violated the Student Code or other regulations and to recommend imposition of sanctions. The “judicial body” for violations of the Student Code is the University Student Discipline and Appeals Committee.
9. The term “judicial advisor” means a University official authorized on a case-by-case basis by the President to impose sanctions upon students found to have violated the Student Code. The President may authorize a judicial advisor to serve simultaneously as a judicial advisor and the sole member or one of the members of a judicial body. Nothing shall prevent the President from authorizing the same judicial advisor to impose sanctions in all cases. Unless otherwise noted, the “judicial advisor” of the University is the Dean of Enrollment Management and Student Success.
10. The term “appellate board” means any person or persons authorized by the President to consider an appeal from a judicial body’s determination that a student has violated the Student Code, other regulations, or from the sanctions imposed by the judicial advisor.
11. The term “shall” is used in the imperative sense.
12. The term “may” is used in the permissive sense.
13. The term “policy” is defined as the written regulations of the University as found in, but not limited to, the Student Handbook, the Student Code, Residence Hall Handbook, Graduate/Undergraduate Catalogs and the University Policy Manual.
14. The term “cheating” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
15. The term “plagiarism” includes, but is not limited, to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

16. Business Day or days are weekdays during the Fall and Spring semesters when classes are in session.

## B. JUDICIAL AUTHORITY

1. The University Student Discipline and Appeals Committee is the judicial body authorized to hear cases alleging violations of the Student Code.
2. The judicial advisor shall determine the composition of judicial bodies and appellate boards, other than the University Student Discipline and Appeals Committee, and determine which judicial body; judicial advisor and appellate board shall be authorized to hear each case.
3. In cases not involving violations of the Student Code, the judicial advisor shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings, which are not inconsistent with provisions of the Student Code.
4. Decisions made by a judicial body and/or judicial advisor shall be final, pending the normal appeal process.
5. A judicial body may be designated as arbiter of disputes within the student community in cases, which do not involve a violation of the Student Code. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.

## C. PROSCRIBED CONDUCT

1. Jurisdiction of the University.

Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises or areas off campus over which the University has jurisdiction or which adversely affects the University Community and/or the pursuit of its objectives.

2. Conduct Rules and Regulations

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in section D.2 of this article.

- a. Acts of dishonesty, including but not limited to the following:

1. Cheating, plagiarism, or other forms of academic dishonesty.
2. Furnishing false information to any University official, faculty member or office.



3. Forgery, alteration, or misuse of any University document, record, or instrument of identification.
  4. Tampering with the election of any University recognized student organization.
- 
- b. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other university activities, including its public-service functions on- or off-campus, or other authorized non-University activities, when the act occurs on University premises.
  - c. Physical abuse, verbal abuse, threats, intimidation, harassment, sexual harassment, sex offenses, domestic violence, dating violence, sexual assault, stalking, coercion and/or other conduct, which threatens or endangers the health or safety of any person.
  - d. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property.
  - e. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.
  - f. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
  - g. Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of University premises.
  - h. Violation of published University policies, rules or regulations.
  - i. Violation of federal, state or local law on University premises or at university sponsored or supervised activities.
  - j. Use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
  - k. Use, possession or distribution of alcoholic beverages except as expressly permitted by the law and University regulations, or public intoxication.
  - l. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises.
  - m. Participation in a campus demonstration which disrupts the normal operations of the University and infringes on the rights of other members of

the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

- n. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
- o. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored or participated by the University.
- p. Theft or other abuse of computer time, including but not limited to:
  - 1. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - 2. Unauthorized transfer of a file.
  - 3. Unauthorized use of another individual's identification and password.
  - 4. Use of computing facilities to interfere with the work of another student, faculty member or University official.
  - 5. Use of computing facilities to send obscene or abusive messages.
  - 6. Use of computing facilities to interfere with normal operation of the University computing system.
- q. Abuse of the Judicial System, including but not limited to:
  - 1. Failure to obey the summons of a judicial body or university official.
  - 2. Falsification, distortion, or misrepresentation of information before a judicial body.
  - 3. Disruption or interference with the orderly conduct of a judicial proceeding.
  - 4. Institution of a judicial proceeding knowingly without cause.
  - 5. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
  - 6. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding.
  - 7. Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding.
  - 8. Failure to comply with the sanction(s) imposed under the Student Code.
  - 9. Influencing or attempting to influence another person to commit an abuse of the judicial system.

### 3. Violation of Law and University Discipline

- a. University disciplinary proceedings may be instituted against a student charged with violation of a law, which is also a violation of this Student Code. If both alleged violations result from the same factual situation,

proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

- b. When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and University employees, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

## D. JUDICIAL POLICIES

### 1. Charges and Hearings

- a. Any member of the University community may file charges against any student for misconduct. Charges shall be prepared in writing and directed to the judicial advisor responsible for the administration of the University judicial system. Any charge should be submitted as soon as possible after the event takes place, preferably within ten (10) business days. The following procedures, proceedings and timelines are intended to provide a prompt, fair and impartial process from the original investigation to the final result.
- b. The judicial advisor may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the judicial advisor. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the judicial advisor may later serve in the same matter as the judicial body or a member thereof.
- c. All charges shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five nor more than fifteen (15) business days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the judicial advisor.
- d. A judicial body shall be appointed by University policy or as approved by the Dean, Enrollment Management and Student Success. Members of the

judicial body receive annual training before serving in order to protect the safety of complainants and students and to promote accountability in the investigative and hearing process. Hearings shall be conducted by a judicial body according to the following guidelines:

1. Hearings normally shall be conducted in private. At the request of the accused student, and subject to the discretion of the Chair, a representative of the student press may be admitted, but shall not have the privilege of participating in the hearing.
  2. Admission of any person to the hearing shall be at the discretion of the judicial body and/or its judicial advisor.
  3. In hearings involving more than one accused student, the Chair of the judicial body may permit the hearings concerning each student to be conducted separately.
  4. The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused is responsible for presenting their own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a judicial body.
  5. The complainant, the accused and the judicial body shall have the privilege of presenting witnesses, subject to the right of cross examination by the judicial body.
  6. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a judicial body at the discretion of the Chair.
  7. All procedural questions are subject to the final decision of the Chair of the judicial body.
  8. After the hearing, the judicial body shall determine (by majority vote if the judicial body consists of more than one person) whether the student has violated each section of the Student Code, which the student is charged with violating.
  9. The judicial body's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code.
- e. There shall be a single verbatim record, such as a tape recording, of all hearings before a judicial body. The record shall be the property of the University.

- f. Except in the case of a student charged with failing to obey the summons of a judicial body or University official, no student may be found to have violated the Student Code solely because the student failed to appear before a judicial body. In all cases, the evidence in support of the charges shall be presented and considered.

## 2. Sanctions

- a. The following sanctions may be imposed upon any student found to have violated the Student Code:
  1. Warning: A notice in writing to the student that the student is violating or has violated institutional regulations.
  2. Probation: A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
  3. Loss of privileges: Denial of specified privileges for a designated period of time.
  4. Fines: Previously established and published fines may be imposed.
  5. Restitution: Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  6. Discretionary Sanctions: Work assignments, service to the University or other related discretionary assignments.
  7. Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  8. Residence Hall Expulsion: Permanent separation of the student from the residence halls.
  9. University Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  10. University Expulsion: Permanent separation of the student from the University.
- b. More than one of the sanctions listed above may be imposed for any single violation.
- c. Other than University suspension or expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, maintained by the Admissions and Records Office, but shall become part of the student's confidential record, maintained by the Dean, Enrollment Management and Student Success. Upon graduation, the student's confidential record may be expunged of disciplinary actions, University

suspension or University expulsion, upon application to the judicial advisor.

d. In addition to the penalties outlined in section "a" above, groups or organizations may also face:

1. Deactivation;
2. Loss of all privileges, including University recognition, for a specified period of time.

e. In cases involving violations of the Student Code, members of the judicial body (University Student Discipline and Appeals Committee) shall determine and impose sanctions. In other cases, the judicial advisor is not limited to sanctions recommended by members of the judicial body. Following the hearing, the judicial body and the judicial advisor shall simultaneously advise both the complainant and the accused, as well as the Senior Vice President for Academic and Student Affairs, in writing of its determination and of the sanction(s) imposed, if any. The disclosure of the outcome of the hearing shall include only the name of the accused, the violation alleged, whether any institutional rules or code sections were violated, essential finding(s) supporting such result, and any sanction imposed, including a description of disciplinary action, date of imposition of such action, and the duration of such action. The complainant and the accused shall also be notified of any appeal procedures, any change to the results that occur prior to the time that such results become final and when such results become final.

f. In cases involving sanctions that include probation, suspension, and expulsion, the judicial body shall inform, by memorandum, the Offices of the Dean of Enrollment Management and Student Success and Admissions and Records.

1. The office of the Dean of Enrollment Management and Student Success shall ensure that the imposed sanctions are implemented and observed by the guilty party.
2. If the guilty party fails to satisfy the sanctions imposed by the judicial body, the case may be referred back to the judicial body for further disciplinary action.

### 3. Interim Suspension

In certain circumstances, the President, or designee, may impose a University or residence-hall suspension prior to the hearing before a judicial body.

- a. Interim suspension may be imposed only: i) to ensure the safety and well-being of members of the University community or preservation of University property; ii) to ensure the student's own physical or emotional safety and well-being; or iii) if the student poses a definite threat of disruption of or interference with the normal operations of the University.
- b. During the interim suspension, students shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the President or the judicial advisor may determine to be appropriate.
- c. The Offices of the Dean of Enrollment Management and Student Success and Admissions and Records shall be notified in writing of the interim suspension.

#### 4. Appeals

- a. A decision reached by the judicial body or a sanction imposed by the judicial advisor may be appealed by accused students or complainants to an appellate board within five (5) business days of the decision. Such appeals shall be in writing and shall be delivered to the judicial advisor or his or her designee. In cases where the University is the complainant, the University shall have no right of appeal.
- b. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
  - 1. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with the prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
  - 2. To determine whether the decision reached regarding the accused student was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code occurred.
  - 3. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code, which the student was found to have committed.
  - 4. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
- c. In considering an appeal, the Appellate Board may recommend to the President: (i) uphold the appeal and reduce or suspend sanctions, (ii)

uphold the appeal and increase or impose sanctions, (iii) dismiss the appeal and affirm the original sanction(s).

d. The decision of the President shall be final.

## E. NOTIFICATION OF SANCTIONS

When imposition of any sanction includes restrictions on attendance in class or University-sponsored activities, the Offices of the Dean of Enrollment Management and Student Success and of Admissions and Records shall be notified in writing within five (5) business days.

## **VI. POLICIES COMMON TO ADMINISTRATORS, FACULTY, STAFF AND STUDENTS**

### A. CRIME AWARENESS AND CAMPUS SECURITY

The University complies with the Crime Awareness and Campus Security Act of 1990 and provides information relating to crime statistics and security measures to prospective students, matriculated students and employees.

The cooperation and involvement of University students, faculty and employees themselves in a campus safety program is absolutely necessary. University students, faculty, and employees must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions.

University students, faculty and employees have access to academic, recreational and administrative facilities on campus.

The general public can attend cultural and recreational events on campus, with access limited to facilities in which these events are held.

The University will ensure that the campus is adequately lighted.

The University's Campus Security Office submits monthly Uniform Crime Reports to the Guam Police Department. Crime statistics for the most recent one-year period, which reflect the incidents reported to the Guam Police Department, are available on request from the Safety Office. Pursuant to the Act, the University annually publishes and distributes to students, employees, and to prospective students and employees who request it a report containing crime statistics together with the information set forth below.



## B. CAMPUS SECURITY ACT ANNUAL REPORT

### 1. Security Policies and Procedures

The University does not currently request information from faculty applicants concerning involvement in criminal offenses. Applicants for support staff and campus security positions are required to divulge that information.

Access to residence halls, however, is limited to students and their guests, according to University procedure (see Residence Hall Handbook). Access to the residence halls by University employees is on an as-needed basis and incorporates strict key control procedures.

### 2. Campus Security Office

Campus safety and security are coordinated by the Campus Security Office, which has fully trained security officers on duty at all times. These officers undergo continuing training to upgrade their skills. They are trained in first aid and cardio-pulmonary resuscitation (CPR). Campus security officers conduct foot and vehicular patrols of the campus and residence hall areas.

On campus, security officers enforce all regulations and laws both of the University and the Territory of Guam. The Campus Security Office also works very closely with the Guam Police Department to assist them with incidents that may occur on campus. Campus security officers enforce all laws regulating the consumption of alcohol, the use of controlled substances and weapons. Alcohol is not permitted in public places and illegal drugs are not permitted on campus. Firearms and dangerous weapons of any type are not permitted on campus or in the residence halls. Intentional use, possession or sale of firearms or other dangerous weapons is strictly forbidden. Members of the University community should also be aware of the University policies concerning substance abuse and on maintaining a drug-free workplace, both of which may be found in the University Policy Manual.

Criminal actions and other emergencies on campus should be reported directly to the Campus Security Office. Upon receipt of the call, Campus Security Officers are dispatched immediately to the site of the complaint and have the authority to detain individuals, if necessary. Security officers prepare and submit incident reports to the Guam Police Department.

Information on safety and security must be provided to students and employees regularly through seminars, films, bulletins, crime alerts, posters, brochures or University and student newspapers.

### 3. Plant Maintenance and Safety

The Plant Maintenance Division maintains the University buildings and grounds with a concern for safety and security. Division personnel inspect campus facilities regularly, promptly make repairs affecting safety and security, and respond immediately to reports of potential safety and security hazards, such as broken windows and locks.

Any questions and concerns about security services or personnel should be brought directly to the Safety Office.

### 4. Security In the Residence Halls

The University of Guam has co-ed residence halls, each with 24-hour inter-visitation. There is no on-campus housing for married students. All students have the opportunity to request changes in room assignments, which are accommodated as quickly as possible based upon available facilities. Off-campus housing includes apartments, individual homes and individual rooms in private homes. The University does not provide supervision for off-campus housing.

The professional head resident and resident assistants, who all are members of the University residence life staff, live in the residence halls and are on call 24 hours a day. All resident life staff members undergo thorough training in enforcing residence hall security.

As part of its responsibility for residence hall security, the residence life staff participates in lectures and seminars about campus security conducted by University administrators, the Campus Security Office, the Safety Officer, and the Guam Police Department and the Guam Fire Department.

Overnight guests in the residence halls are not permitted.

### 5. The Students' Responsibility

For example, room doors should be locked at night and when the room is unoccupied. Valuable items such as stereos, cameras and television sets should be marked with engraving instruments. Bicycles should be secured with a sturdy lock. Students with cars must park them in their assigned area and should keep their vehicles locked at all times. Valuables should be locked in the trunk.

Auto liability insurance is required on Guam by public law. Parking spots at the residence halls will not be awarded unless proof of liability insurance is provided.

Student residents are encouraged to look into obtaining renter's insurance from a local insurance company. Students should report any suspicious looking individuals whom they feel do not belong in their residence hall or report any unusual incidents in and around the residence halls to the residence life staff or to the Campus Security Office.

Further information about campus safety can be obtained from the Dean, Enrollment Management and Student Success; the Senior Vice President of Administration and Finance; or the Campus Security Office.

## 6. Prevention of Sex Offenses, Domestic Violence, Dating violence, Sexual Assault and Stalking

The University prohibits sex offenses, domestic violence, dating violence, sexual assault and stalking. Further, the University makes coordinated efforts in maintaining an environment free of such incidences.

### DEFINITIONS

**Advisor:** Any individual who provides the accuser or accused support, guidance, or advice.

**Awareness programs:** Community-wide or audience specific programming, initiative, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

**Bystander intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander intervention includes:

- Recognizing situation of potential harm;
- Understanding institutional structure and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

**Consent:** Consent can be established if the following four conditions are present:

- Both participants are fully conscious;
- Both participants are equally free to act;
- Both parties have clearly communicated their willingness/permission; and
- Both parties are positive and sincere in their desires.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse;
- Dating violence does not include acts covered under the definition of domestic violence.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence:** A felony or misdemeanor crime of violence committed

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Ongoing prevention and awareness campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

**Primary prevention programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in a healthy and safe direction.

**Proceeding:** All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to fact finding investigations, formal or informal meetings, and hearings. Proceeding does not

include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

**Programs to prevent dating violence, domestic violence, sexual assault, and stalking:** Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

**Prompt, fair, and impartial proceeding:** A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay:

Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused;
- Includes timely notice of meeting at which the accuser or accused, or both, may be present; and
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

**Result:** Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters with the institution. The result must include any sanctions imposed by the institution.

**Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program.

**Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition:

- *Course of conduct* means two or more acts, including but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitor, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## **PREVENTION AND RISK REDUCTION PROGRAMS**

The University conducts primary prevention and awareness programs for all incoming students and new employees through the Dean of Enrollment

Management and Student Success (EMSS), in conjunction with the Student Government Association (SGA) and the Violence Against Women Prevention Program (VAWPP). These educational programs promote student awareness of sex offenses, including rape, attempted rape, other forms of sexual assault, domestic violence, dating violence and stalking. The VAWPP serves as a resource and victim services center for University of Guam students, staff, faculty, and members of their families. VAWPP services include education and training programs, interactive classroom presentations, prevention and community outreach, and victim services such as victim advocacy, counseling and emotional support, crisis intervention, risk assessment and safety planning, advisement on legal options, and referrals to other services.

The VAWPP provides ongoing campus-wide prevention and awareness campaigns and education outreach activities for students, faculty and employees, such as prevention exhibits, campus displays, movie nights, screening days, and other events. These outreach activities engage the broader campus community to learn more about domestic violence, dating violence, sexual assault, and stalking, and where to access services.

The VAWPP provides information on risk reduction to recognize the warning signs of abusive behavior and how to avoid potential attacks. The different forms of domestic violence, dating violence, sexual assault, and stalking are discussed and steps to take are outlined to ensure an individual's safety and to obtain assistance from informal resources such as family and friends, and formal resources such as the VAWPP, Campus Security, the Student Disciplinary Appeals Committee (SDAC), and the Guam Police Department (GPD).

## **BYSTANDER INTERVENTION**

One of the most effective methods of preventing sexual assault is bystander intervention, which encourages people to identify situations that might lead to sexual misconduct and then safely intervene to prevent misconduct from occurring.

- A. Recognizing when to intervene. Some people might be concerned that they are being encouraged to place themselves in jeopardy to stop crimes in progress. This is not the case. There are many situations and events that occur prior to sexual misconduct that are appropriate for intervention. Bystander intervention encourages people to watch for those behaviors and situations that appear to be inappropriate, coercive and harassing.
- B. Responsibility to intervene. The University deems that it is every person's responsibility to take safe and reasonable actions to prevent sexual misconduct.

C. Ways to intervene.

1. Making up an excuse to get a person out of a potentially dangerous situation;
2. Letting an individual know that his or her actions may lead to serious consequences;
3. Not leaving a person's side who may be in trouble despite the efforts of someone else to get him/her alone or away from you;
4. Using a group of friends to remind someone behaving inappropriately that his or her behavior should be respectful;
5. Taking steps to curb someone's use of alcohol before problems occur;
6. Calling the authorities when the situation warrants.

D. Understanding how to safely implement the choice. Safety is paramount in bystander intervention. Usually, intervening in a group is safer than intervening individually. Also, choosing a method of intervention that de-escalates the situation is safer than attempting a confrontation. However, there is no single rule that can account for every situation. Please use good judgment and always put safety first.

**WRITTEN NOTIFICATION; REPORTING OPTIONS; PRESERVATION OF EVIDENCE; INTERIM ACCOMMODATIONS**

When a sex offense, domestic violence, dating violence, sexual assault or stalking occurs, victims should contact the Campus Security Office Campus Security Office at (671) 735- 2365, 888-2456 (Security Cell), 649-3127 (G4S dispatch) or the Guam Police Department at (671) 472- 8911 or 911 for emergencies, the Dean of Enrollment Management and Student Success at 735-2290, and/or the VAWPP at 735-2890.

Student victims may obtain on-campus assistance at the Student Health Services Center, Student Counseling Services, Isa Psychological Services, and the VAWPP. These offices shall also make appropriate referrals to off-campus services. The on-campus person to whom the victim reports the offense shall offer to assist the victim in notifying law enforcement authorities, if the victim so chooses.

A victim may decline to notify such authorities; and, where applicable, a victim will be advised of the victim's rights to obtain orders of protection, no contact



orders, restraining orders, or similar lawful orders issued by a criminal or civil court, or by the institution. These advisements to the victim shall be both verbal and in writing.

Victims reporting a sex offense, domestic violence, dating violence, sexual assault or stalking shall be advised of the importance of preserving evidence for the proof of a criminal offense, such as keeping a log of violent incidents or obtaining a forensic examination at the appropriate health care facility if a victim is sexually assaulted, and that they may prosecute the alleged offender either through the criminal process, the University disciplinary procedure or both.

In appropriate circumstances, upon request of the student victim, the University will change a student victim's academic or living situation if the requested change can be reasonably accommodated, regardless of whether the victim chooses to report the crime to campus authorities or local law enforcement. The University will notify the student victim in writing of any such interim accommodations, which may include changing academic, living, transportation, working situations or protective measures. Failure to adhere to the parameters of any interim accommodation may be considered a separate violation of this Policy and may result in disciplinary sanctions.

## **ANONYMOUS AND CONFIDENTIAL REPORTING**

When considering reporting options, victims should be aware that certain University personnel can maintain strict confidentiality, while others have mandatory reporting and response obligations. For public recordkeeping purposes, such as the Clery Act reporting and disclosures, personally identifying information about the victim is not disclosed. University personnel who receive a report of sexual misconduct may be required to share the information with appropriate administrative authorities for investigation and follow up. The University will protect the confidentiality of a victim by refusing to disclose the victim's information to anyone outside the University to the maximum extent permitted by law. As for confidentiality of information within the University, the University must balance a victim's request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the University community. Where the University cannot take disciplinary action against an alleged discriminator or harasser because of a complainant's insistence of confidentiality, the University will pursue other steps to limit the effects of the alleged sexual misconduct and attempt to prevent its recurrence.

The University has on-campus personnel who can maintain strict confidentiality. Campus crisis counselors can assist in a crisis situation and provide information

about options including medical assistance, psychological counseling, victim advocacy resources, legal resources, University disciplinary action, and criminal prosecution. The crisis counselors can provide safe and confidential support, explain common reactions to crises, and discuss coping methods that may assist immediately following the assault and later. Talking about concerns may help the victim sort through feelings and decide what to do. Victims need not reveal their names if calling for information. Crisis counselors will not reveal the victim's identity to anyone without the victim's permission except under very limited exceptions (e.g., if an immediate threat to the victim or others is present, or if the victim is a minor).

The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community. This information is also regularly distributed at classroom presentations, outreach activities, and trainings.

## **UNIVERSITY DISCIPLINARY PROCEDURES**

Sex offenses, domestic violence, dating violence, sexual assault and stalking violate the University of Guam Code of Student Conduct, the Negotiated Agreement between the Board of Regents of the University of Guam and the UOG Faculty Union (BOR-Union Agreement), and the Policy for Equal Employment Opportunity and Non-Discrimination/Non-Harassment Policy of the University of Guam (EEO Policy), in addition to local and federal laws.

A victim will be advised of the victim's rights to obtain orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal or civil court, or by the institution. These advisements to the victim shall be both verbal and in writing.

### **A. Complaints Against Students**

Any member of the University community may file charges with the Student Discipline and Appeals Committee (SDAC) against any student for a sex offense, domestic violence, dating violence, sexual assault or stalking. The VAWPP trains SDAC members annually on responding effectively to cases of

domestic violence, dating violence, sexual assault and stalking. SDAC member appointments are set by University policy or as approved by the Senior Vice President for Academic and Student Affairs. Members receive annual training before serving on the SDAC in order to protect the safety of victims and promote accountability in the investigative and hearing process.

The Student Handbook outlines the procedures, steps, anticipated timelines, and decision-making process, including the rights and responsibilities of both the complainant and the accused. These written procedures will be provided to the complainant, which can be accessed at the University's website at [www.uog.edu](http://www.uog.edu). The proceedings and timelines of such proceedings are set by policy which is intended to provide a prompt, fair and impartial process from the initial investigation to the final result. The standard of evidence used during any SDAC proceeding is whether it is more likely than not that the accused student violated the Student Code. Both the complainant and the accused have the right to be assisted by any advisor of their choice, which may be an attorney. However, advisors are not permitted to speak or participate directly in any SDAC hearing.

Students found guilty of sex offenses following a disciplinary proceeding may have the following sanctions imposed: written warning, probation, loss of privileges, fines, restitution, discretionary sanctions, residence hall suspension, residence hall expulsion, University suspension, University expulsion, a combination of more than one of the above.

#### B. Complaints Against Faculty

Complaints of sex offenses, domestic violence, dating violence, sexual assault and stalking against faculty may proceed in accordance with the BOR-Faculty Union Agreement, Article X, Disciplinary Action Including Adverse Action. The steps, anticipated timelines, and decision-making process are explained therein, and can be accessed at the University's website at [www.uog.edu](http://www.uog.edu). These procedures are intended to provide a prompt, fair and impartial process from the initial investigation to the final result. If appealed, a five-member Adjudication Committee which consists of administrators and tenured faculty will conduct a hearing. Members will have received annual training on issues related to dating violence, domestic violence, sexual assault and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The standard of evidence used will be based on the preponderance of the evidence. Both the complainant and the accused have the right to be assisted by any advisor of their choice, which may be an attorney. Advisors may speak or participate directly in a faculty adverse

action proceeding. Sanctions include but are not limited to an oral or written warning, a letter of reprimand, docking of pay, suspension without pay, loss of step, demotion in rank, and dismissal from employment.

### C. Complaints Against Members of the University Community

Complaints of sex offenses, domestic violence, dating violence, sexual assault and stalking against members of the University community, which includes faculty, students, student-employees, staff, administrators and applicants for such positions may proceed in accordance with the EEO/ADA & Title IX Policy and Procedures. A copy of the policy is given to a complainant and can be accessed at the University's website at [www.uog.edu](http://www.uog.edu). Complaints are expected to begin expeditiously and resolved promptly, ordinarily no later than 45 days from receipt of the complaint. Complaints may be made to the University EEO officer, a University EEO counselor, or to an administrator or officer of the University in the reporting relationship above the complaining individual or one who is above the person about whose behavior the complaint is made. Complaints will be reviewed, generally by the University's EEO officer and resolved according to this policy, including an investigation, if warranted. The EEO officer is an official who has received annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, and who has been trained on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The EEO officer will prepare a written summary of the relevant facts and the recommended corrective action, if any, to a decision maker who will be selected by the EEO officer or the Senior Vice President, with consideration of the reporting and/or academic relationships of the complainant, accused and others involved. The decision maker will make a determination of the complaint in a manner consistent with the particular facts and circumstances of the complaint. This policy is intended to provide a prompt, fair and impartial process from the initial investigation to the final result. Violations of this policy include but are not limited to disciplinary action such as warning, suspension or termination from employment or of any other affiliation with the University.

Both the complainant and the accused have the right to be assisted by any advisor of their choice, which may be an attorney, at any EEO related meeting or proceeding. Advisors may speak or participate directly in any proceeding under the EEO Policy.

Both the complainant and the accused shall be advised simultaneously in writing of the outcome of any disciplinary proceeding, the procedures to appeal the results of the disciplinary proceeding, if any, any change to the results that

occurs prior to the time that such results become final and when such results become final. The disclosure of the outcome of the disciplinary proceeding shall include only the name of the accused, the violation alleged, and whether any institutional rules or code sections were violated, essential findings supporting such result, and any sanction imposed including a description of disciplinary action, date of imposition of such action, and the duration of such action.

The University prohibits any member of the University community from knowingly making false complaints of a sex offense. Knowingly making false complaints of a sexual offense constitutes a violation of the University's policies and will result in disciplinary action. However, a complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct.

## **RETALIATION**

The University prohibits retaliation against anyone who exercises rights under the Clery Act and Title IX, in accordance with federal law.

## **SEX OFFENDER REGISTRY**

The central repository for the Guam Sex Offender Registry Program is housed with the Judiciary of Guam, Probation Services Division, located at 120 West O'Brien Drive, Hagåtña, Guam 96910. The Sex Offender Registry website is found at <http://www.guamcourts.org/sor/index.html>.

## **7. Reporting of Crime Statistics**

In order to ensure complete reporting of criminal offenses every employee in the University to whom crimes are reported shall immediately report the same (anonymously if requested by the victim) to the Campus Security Office.

Pursuant to federal law, the criminal offenses of murder, rape (so classified prior to August 1, 1992 and as sex offenses, forcible and non-forcible after that date), robbery, aggravated assault, burglary, motor-vehicle theft and statistics regarding the above offenses which manifest evidence of prejudice based on race, religion, sexual orientation or ethnicity are to be reported separately from arrests (as opposed to simple allegations of criminal offenses) for liquor law violations, drug-abuse violations, weapons possessions and statistics regarding the above offenses and arrests which manifest evidence of prejudiced based on race, religion, sexual orientation or ethnicity.

Further information about campus safety may be obtained from the Senior Vice President of Administration and Finance, or the Campus Security Office. Refer to the Security Office for the latest calendar year reports.

### C. FIREARMS ON CAMPUS

No individual shall be permitted to possess firearms on the University campus, except under the following circumstances: 1) Law enforcement officers, during on-duty status, 2) University security guards with the approval of the President, and 3) Members of the ROTC training program, when so required by a provision of the ROTC training program, Department of Army Pamphlet 710-2-1.

### D. SUBSTANCE ABUSE

The University of Guam is committed to standards of conduct that clearly prohibit the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the property of the University or as any part of this University's activities. The University will impose sanctions on students and employees consistent with Guam and Federal laws and consistent with the Code of Student Conduct, the Student Disciplinary Hearings Procedure, the Personnel Rules and Regulations (Classified Services Employees), the Agreement Between the University of Guam Board of Regents and Faculty Union, Guam Federation of Teachers, Local 1581, and the Agreement Between the University of Guam Board of Regents and Guam Federation of Teachers, Local 1581: Maintenance and Custodial Employees. These sanctions will include penalties up to and including expulsion or termination of contract and referral for prosecution for violations of the University's standards of conduct.

The following materials will be distributed to each student and employee:

1. A description of the applicable legal sanctions under Territorial and Federal Law for unlawful possession, use, or distribution of illicit drugs and alcohol.
2. A description of the health risks associated with the use of illicit drugs and the use of alcohol.
3. A description of drug and alcohol counseling, treatment, and rehabilitation programs that is available on Guam to students and employees.

The University will conduct at least a biennial review of the University's Substance Abuse Program (a) to determine its effectiveness and implement changes if they are needed, and (b) to ensure that the sanctions are consistently enforced. The Wellness Committee is charged with this review.

### E. LEGAL SANCTIONS FOR UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL

Listed here are some of the legal sanctions attached by the Territory of Guam to the violation of its laws about drug and alcohol abuse. This list does not cover all the violations, but does include the ones in which college students are perhaps more

likely to be involved. The sanctions (fines and imprisonment) depend on the category under which the offense falls.

- Possession of less than one ounce of marijuana (\$100 fine).
- Violations: (Fines up to \$500).
- Public intoxication if there have not been two previous convictions within a period of one (1) year.
- Petty Misdemeanors: (Fines up to \$500 and sixty (60) days in jail).
- Public intoxication if there have been two previous convictions within a period of one (1) year.
- For a person under 18 to go into a bar (unless it is a public eating place).
- Selling alcoholic beverages to a person under 18
- Possession of more than an ounce of marijuana.
- For a person under 18 to use a false ID to purchase alcoholic beverages.
- Consuming alcoholic beverages on a public highway or road.
- Third Degree Felony (First Offense: 0-3 years in jail; repeat offense: 0-5 years).
- Driving while under the influence of alcohol or drugs or both, and, in that condition, causing bodily injury to anyone else.
- Knowingly and intentionally possessing a controlled substance, i.e. an illegal drug, if the drug involved is not marijuana.
- Second Degree Felony: (First offense: 1-8 years in jail; repeat offense: 3-10 years), or
- First Degree Felony: (First offense: 3-15 years in jail, repeat offense: 5-20 years).
- Any person who knowingly and intentionally manufactures, delivers or possesses with intent to sell a controlled substance is guilty of a first degree, second degree or a third degree felony. This depends on how dangerous the drug in question is: the government lists five different "Schedules" of drugs.
- Possession with intent to distribute, manufacture or deliver a controlled substance is also a violation of federal law. The types and range of penalties are too complex to list in detail.

Normally, federal authorities concentrate on more serious offenses and will leave prosecution of less serious offenses to local authorities.

## F. SMOKING/ TOBACCO-FREE POLICY

Pursuant to Board of Regents Resolution No. 13-24, the University of Guam (UOG) has a total ban on the sales, smoking and the distribution and use of tobacco and tobacco-based products on the UOG Campus, and properties.

The purpose of this policy is to protect the public health and welfare by prohibiting smoking and the use of tobacco products or simulated smoking devices, including but not limited to E- cigarettes, on the UOG campus and properties; to guarantee the right

of nonsmokers to breathe smoke-free air, while recognizing that the need to breathe smoke-free air shall have priority over the desire to smoke; and to encourage a healthier, more productive living/learning environment for all members of our University community.

## Definitions

A. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, including a hookah pipe, or any other lighted or heated tobacco or plant product, including but not limited to marijuana, intended for inhalation, in any manner or in any form. "Smoking" also includes the use of an e-cigarette which creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Policy.

B. "Tobacco Product" means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation or digestion; but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

C. "E-cigarette" means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

This Tobacco-Free Policy applies to all UOG facilities and vehicles, owned or leased, regardless of location. Smoking and the use of tobacco products or e-cigarettes shall not be permitted in any enclosed place, including privately owned vehicles, residential areas/dormitories, and businesses within University of Guam campus and properties. Smoking and the use of tobacco products or e-cigarettes shall also be prohibited outdoors on all UOG properties, including the campus and parking lots. This policy applies to all students, UOG employees, and other persons on campus and on UOG properties, regardless of the purpose for their visit.

Copies of this policy shall be distributed to all University employees and shall be included with information given to all admitted students. Announcements shall also be printed in campus newspapers to insure that everyone understands the policy. All contracts with activities or services on campus or University properties shall also reflect this policy in writing with intent to actively announce and enforce compliance. Signs prohibiting



smoking and the use of tobacco products shall be posted at points of entry to the University of Guam campus and at all University of Guam building entrances. No ashtrays shall be provided at any location on University properties. No tobacco products or paraphernalia shall be sold or distributed as samples on university grounds, either in vending machines or any area on campus or on University properties.

The success of this policy will depend on the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. All students and University employees share in the responsibility for adhering to this policy. Violations of this policy will be addressed in accordance with UOG disciplinary procedures and other enforcement action as permitted by UOG policy.

Tobacco cessation programs and other resources to assist and encourage individuals who wish to quit using tobacco products will be made available by UOG. Questions regarding this policy and its enforcement should be handled through existing departmental administrative channels and administrative procedures.

Tobacco-related advertising or sponsorship shall not be permitted on UOG properties at UOG- sponsored events, or in publications produced by the University of Guam, with the exception of advertising in a newspaper or magazine that is not produced by the UOG and which is lawfully sold, bought, or distributed on UOG properties. For the purposes of this policy "tobacco related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or motto, selling message, recognizable pattern or colors, or any other indicia of product identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

Individuals and/or businesses convicted of violating Guam law regarding prohibitions of smoking are subject to significant fines and penalties, in accordance with 10 GCA Ch. 90 Natasha Protection Act of 2005 or other related mandates.

#### G. BULLETIN BOARD USE

University students, faculty and employees have access to designated bulletin boards on campus. All bills, flyers and posters shall be posted ONLY on bulletin boards provided by the University.

It shall be the responsibility of individuals and organizations that post such documents to remove them on a timely basis. Administrative units will have bulletin boards assigned to them for monitoring. The heads of these units will periodically remove and discard posted documents that are dated or are posted in such a manner as to be unsightly (i.e. documents poorly stapled). Responsibility for the content shall lie in the hands of those posting the handbill. Documents posted elsewhere will be removed and discarded without notice.

## Bulletin Board locations and officials for document approval:

Fine Arts Building	CLASS Dean/ Designate
RFK Library	LR Dean/ Designate
Field house	Field house Manager
Science building	CNAS Dean/ Designate
Health Science Building	SNHS Dean/ Designate
Dorm I & II	Residence Hall Director/ Designate
Student Center	EMSS Dean/ Designate
Deans Circle	Admin Of House Appropriated
Marine Lab	Director Marine Lab
Administration Building	VP, Admin & Finance/ Designate
MARC	Director of Marine Lab
Computer Center	Director of Computer Center
English Building	CLASS Dean/ Designate
Leon Guerrero Building	SBPA Dean/ Designate
HSS Building	CLASS Dean/ Designate
School of Education	SOE Dean/ Designate

## H. POLICY FOR EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION/ NON-HARASSMENT

The University of Guam Policy for Equal Employment Opportunity and Non-Discrimination / Non-Harassment was adopted on July 17, 2003, as Board of Regents Resolution #03-24 and replaces Article VI.H of the Rules, Regulations and Procedures Manual, and was amended by Board of Regents Resolution #03-33, which was adopted on September 18, 2003.

**Intent:** The University is committed to maintaining the campus community as a place of work and study for faculty, staff and students, free of all forms of discrimination and harassment that are unlawful under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et seq., or other applicable law. The University prohibits unlawful discrimination or harassment against any member(s) of the University community including faculty, student, employees, staff and administrators and applicants for such positions. Students (including student-employees) should also review the policies as summarized in the student handbook, and faculty should consult the faculty collective bargaining agreement. In case of questions or concerns regarding this Policy, please contact the University's Equal Employment Opportunity Office, (671) 735-2244, 735-2243 (TDD); Office of the President, UOG Station, Mangilao, Guam 96923, (671) 735-2990/5; or the University's Senior Vice President of Academic and Student Affairs Office, (671) 735-2991/4.

**No Discrimination/No Retaliation:** The University is an equal opportunity employer and is firmly committed to non-discrimination in its hiring, termination, compensation, promotion decisions and in all other employment decisions and practices and in the

application of its personnel policies and collective bargaining agreements. In compliance with all applicable laws, except where a bona fide occupational qualification exists, employment decisions will be made irrespective of the employee's or applicant's race, color, religion, religious creed, national origin, age (except for minors), gender, citizenship status, military service status, and/or any other status protected by law. This policy prohibits retaliation because one has in good faith filed a complaint concerning behavior prohibited by this policy, or has reasonably opposed, reported or stated the intent to report such behavior or is participating in a related investigation, proceeding or hearing regarding such a matter.

All members of the University community must comply with this policy. The University will take prompt and effective corrective action in response to any complaint showing a violation of this policy.

The University will reasonably accommodate qualified individuals with disabilities as defined by federal law if the individual is otherwise qualified to safely perform all essential functions of the position and if it will be done without undue hardship to the University.

The University's policy is supported by, and consistent with federal law. This policy thus accepts the mandate set for in Titles VI and VII of the Civil Rights Acts of 1964 and Title IX of the Educational Amendments of 1972.

**No Harassment:** Harassment based on race, gender, national origin, color, religion, religious creed, age, disability, citizenship status, military service status, or any other status protected by law, is prohibited by University policy. Prohibited harassment in any form, including verbal and physical conduct, visual displays, threats, demands and retaliation is a violation of this policy and will not be tolerated. Prohibited acts that constitute harassment take a variety of forms. Examples of the kinds of conduct that may constitute harassment include, but are not limited to:

- Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, or comments;
- Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;
- Physical conduct such as unwanted touching, blocking normal movement, or interfering with work because of gender or any other status protected by law;
- Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and/or offers of job benefits or conditions in return for sexual favors;
- Retaliation in the form of adverse actions because one has opposed, reported or stated the intent to report harassment or because one is participating in a related investigation, proceeding or hearing.

**Sexual Harassment:** Sexual harassment is a specific form of prohibited harassment which occurs when an individual's behavior constitutes (1) unwelcome sexual advances

or (2) unwelcome requests for sexual favors, or (3) other unwelcome verbal or physical behavior of a sexual nature where:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's education or employment; or
- Submission to, or rejection of, such conduct by an individual is used as the basis for academic or employment decisions affecting the individual's welfare; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's welfare, academic, residential life or work performance, or creates an intimidating, hostile, or offensive educational, living or work environment at the University.

### **Complaint Review Process:**

**In General:** The University encourages individuals who believe they may have experienced discrimination or harassment in violation of University policy, or is aware that another person has allegedly engaged in such discrimination or harassment, to report such information using this complaint process. It is expected that review of these matters will begin expeditiously and that complaints will be resolved promptly and ordinarily no later than 45 days from receipt of the complaint. Confidentiality will be maintained to the extent appropriate in consideration of the circumstances. In addition to these procedures, complaints may be filed with the Equal Employment Opportunity Commission (EEOC) at the Hawaii District Office, Honolulu Office, Prince Kuhio Federal Building, 300 Ala Moana Blvd., Rm 7-127, Honolulu, HI 96850-0051, and the Office of Civil Rights of the US Department of Education at Federal Building, 50 United Nations Plaza, Room 239, San Francisco, CA 94102.

**Intake:** Complaints may be made in the following ways: An individual ("Complainant") may present the complaint to the University EEO officer, a University EEO counselor (collectively, "University intake person"), or to an administrator or officer of the University in the reporting relationship above the complaining individual or one who is above the person about whose behavior the complaint is made. A list of the available University intake persons and their phone numbers is contained on the University web site. Wherever possible, the complaint should be made in writing and as soon as possible after the Complainant becomes aware of the prohibited behavior. If the Complainant declines to present a complaint in writing, the University intake person or the other University administrator or officer who receives the complaint will prepare a memorandum of the complaint made in oral fashion and in all situations promptly notify the University's EEO officer of the filing of the complaint, unless the complaint is against the University's EEO officer. Should the Complainant choose not to file a complaint with these persons, he/she may bring the complaint to the University's Senior Vice President or any vice president, dean or other senior University administrator, and should reference the matter wherever possible as arising under the University Policy for Equal Employment Opportunity and Non-Discrimination/Non-Harassment. The University's EEO officer shall be responsible to see that the Complaint is handled in the manner

prescribed in this Policy, unless the complaint is against the University's EEO officer, in which case the University's Senior Vice President shall do so.

The University's EEO officer will inform the Complainant and where appropriate, the person whose conduct is alleged to violate the policy ("Respondent"), of this Policy, the procedures for resolution and the administrator or officer of the University who will be responsible for a final determination of the complaint ("decision maker"). The selection of the decision maker will be made with consideration of the reporting and/or academic relationships of the Complainant, Respondent and others involved. It is not possible to prescribe in advance the identity of the decision maker in all situations, given the unique organization of academic institutions.

**Process:** The Complaint will be reviewed, generally by the University's EEO officer, and resolved according to this policy, including that an investigation will be conducted if one is warranted. If the complaint is against the University's EEO officer or an individual in supervision over the EEO officer, the University will designate an individual independent of the University and who is not employed by an entity of the government of Guam, who is trained and experienced in EEO matters, to conduct the investigation if one is warranted and/or otherwise appropriately inquire into the complaint. Any investigation will proceed expeditiously and appropriately to investigate the matter, including interviews of individuals, if necessary and a written summary of the facts relevant to the complaint will be prepared and, if any, the recommended corrective action.

**Resolution:** The University shall take prompt and effective action in response to the complaint. The decision maker will make a determination of the complaint in a manner consistent with the particular facts and circumstances of the complaint.

If the decision maker finds that the complaint in whole or in part shows a violation of the University policy, the decision maker shall determine what corrective action is appropriate and including, where appropriate, disciplinary action of the Respondent or others. Violations of this policy may result in disciplinary action such as warning, suspension or termination from employment or of any other affiliation with the University, etc. The decision maker may determine that the complaint does not show a violation of the University policy. If so, the decision maker shall so inform the Complainant and Respondent.

The decision maker will prepare a written summary of his/her determination. After the determination regarding the complaint has been made, to the extent appropriate the determination will be communicated in person to the Complainant within 5 days if the Complainant is available to meet.

**Non-Retaliation:** No member of the University community may be subjected to interference, coercion or reprisal for seeking advice concerning a matter under this Policy, reasonably filing a complaint, or otherwise in good faith participating in the internal complaint process or in a complaint process external to the University. The University will not so retaliate against any person making a complaint and will not knowingly permit retaliation.

**Appeal of Discipline:** Respondents or others who receive disciplinary action as a result of a complaint under this process may appeal under the provisions of the appropriate grievance procedures, if any, for faculty, staff, and students.

**Other University Procedure:** Time periods for filing of complaint, investigation and resolution should be advanced if proceedings under University collective bargaining agreements or other University procedures so warrant it.

## I. TITLE IX COMPLIANCE STATEMENT

The University of Guam does not discriminate on the basis of sex in the admission to or employment in its education programs or activities. Inquiries concerning the application of Title IX and its implementing regulations may be referred to the University's Title IX Coordinator, located at the EEO/ADA Office, Dorm 2, Iya Hami Hall, Room 106, Tel. No. 735-2244, TDD: 735-2243; or to the Office of Civil Rights (OCR).

## J. POLICY AND PROCEDURE FOR STUDENTS AND APPLICANTS WITH A DISABILITY

Policy and Procedure for Students and Applicants with a Disability (BOR Resolution No. 04-32, October 28, 2004, superseded by BOR Resolution No. 10-11, April 22, 2010).

**General Policy:** In accordance with the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973, the University does not discriminate against students and applicants on the basis of disability in the administration of its educational and other programs. The University will reasonably accommodate individuals with disabilities, as defined by applicable law, if the individual is otherwise qualified to meet the fundamental requirements and aspects of the program of the University, without undue hardship to the University. Harassment on the basis of disability issues is prohibited.

**Policy Regarding Reasonable Accommodation:** The University offers reasonable accommodations for a student or applicant who is otherwise qualified, if the accommodation is reasonable, effective and will not alter a fundamental aspect of a University program, nor will otherwise impose an undue hardship on the University, and/or there are not equivalent alternatives. Students are expected to make timely requests for accommodation, using the procedure below. If appropriate, the University may choose to consult with such individuals, at or outside the University, to provide expertise needed to evaluate the request for accommodation.

### Definitions:

**Individual with a disability is a person who:**(a) has a physical or mental impairment which substantially limits one or more major life activities (such as walking, seeing,

speaking, learning, or working); or (b) has a record with the University by which the University has in fact recognized the student as having such impairment.

Qualified student or applicant is an individual with a disability as defined by this policy and applicable law, who meets the academic and technical standards requisite to admission and participation in the educational program or activity of the University.

**Accommodations** are such reasonable learning aids (not personal equipment or personal attendants), assistance measures and limited modifications to the course, program or educational services, as are necessary and effective for the individual, which do not alter a fundamental element of a University course, program or service. Accommodations do not include exemption from academic evaluation standards or from behavior standards including those of the student code of conduct. To be eligible to continue at the University, the student or applicant must meet the qualifications and requirements expected generally of its students, and must also be able to perform the requirements of the individual major or program in which s/he is enrolled or intends to enroll, either with or without reasonable accommodation.

**Note:** In the event that a request for reasonable accommodation is denied, the University may occasionally choose to afford the student some temporary measure or flexibility, which is not based on the asserted disability issue, but which otherwise is considered appropriate, if it does not alter a fundamental element of the course, program or service and is not viewed by the University as inequitable toward other students. In such few cases, such temporary measure or flexibility will not be a precedent, nor be it a reasonable accommodation and the student thereby will not be regarded as an individual with a disability.

**General Procedure for Seeking Accommodations:** A student or applicant who requires an accommodation, aid or assistance measure (hereinafter called "accommodations"), whether for academic or other uses at the University, and who believes s/he is qualified under the University's policy, should contact the Institutional Compliance Officer, who serves as coordinator of disability accommodations and services (Coordinator).

Individuals who may apply to become a student are also encouraged to contact this office to request general information. In addition, visitors to the campus who request access information for individuals with disabilities should contact the EEO/ADA Office at 735-2244/2971 or 735-2243 (TTY).

**Process to Request Accommodation:** A student or applicant who seeks an accommodation should first contact the Coordinator. Students must meet with the Coordinator to identify needs and discuss accommodations. University request forms for accommodation will be provided. Documentation is necessary to establish a disability and the need for accommodations. Students must provide documentation that supports their disability and their requested accommodations. Faculty and staff members who receive student-initiated inquiries or requests regarding accommodations should promptly refer those students to the Coordinator.

Students who seek academic accommodations are expected to contact the Coordinator well in advance of the commencement of the course(s), and to provide the requested supporting information to the Coordinator at least four weeks before classes begin.

**Late requests for accommodations may cause a delay in the requested accommodation or services.**

**Determination of Accommodation Requests and Right to Obtain Further Review:** Provided that all requested forms and information are submitted by the student in a timely fashion, the Coordinator will respond, in writing, to the request for accommodation and will do so in a manner consistent with this policy. Academic accommodation determinations shall be made only after consultation with the appropriate dean and faculty member and with the approval of the Coordinator. Faculty and administrators are not authorized to provide accommodations related to a specific disability without prior approval from the Coordinator. Arrangements for accommodations are made on an individual basis and are designed to equalize access to educational opportunities.

Where the accommodation is for an in-class note taker, the Coordinator will identify the person who will serve as the note taker and will make the compensation arrangements with the note taker.

In the event there is a delay by the student in providing requested forms and information, the University may occasionally choose to afford the student some temporary measure or flexibility, which is not based on the asserted disability issue, but which otherwise is considered appropriate, if it does not alter a fundamental element of the program and is not viewed by the University as inequitable toward other students. In such few cases, such temporary measure or flexibility will not be a precedent, nor will be it a reasonable accommodation and the student thereby will not be regarded as provided for one semester. If the student fails to provide the requested forms and information by the end of the semester, the temporary measure will not be provided the following semester.

If the student agrees with the response, the faculty and staff members will be involved in providing or facilitating the accommodation will be informed of the accommodation in writing, but the Coordinator will not provide confidential, personal medical or health-related information, unless such information is appropriate in order to allow them to assist in implementing the accommodation. The records of the Coordinator are confidential and private.

If the student disagrees with the determination made by the Coordinator, the student may request review by the Accommodations Evaluation Committee (AEC), by presenting in a timely manner a written request, transmitted to AEC through the Coordinator. The Coordinator will provide the relevant information to the AEC which, after consulting with the student, will notify the student and the Coordinator in writing of the final determination. The AEC presently consists of the Executive Assistant to the President,



the Senior Vice President of Academic and Student Affairs, and the Dean of Enrollment Management and Student Success. The decision of the AEC is final.

**Responsibility of Student:** Each student bears the responsibility for initiating and then documenting a disability- related request for accommodation in the manner requested in this policy. The available forms should be used and the student must provide documentation to the Coordinator to support the request. Documentation from the appropriate health care professional should reflect the nature of and present level of disability, how the disability affects the student's needs in a collegiate setting, and how the requested accommodation will resolve the needs. The Coordinator has discretion to determine what type of professional documentation is necessary, and this may vary depending on the nature of the disability and/or accommodation.

Students must renew their accommodation requests each semester by meeting with the Coordinator. Students should arrange an individual appointment with their professors to discuss their accommodation needs during the first week of the semester. Students should schedule an appointment with the Coordinator if they need to modify their accommodation requests; if they are experiencing academic difficulties; or if they have questions or need advice.

**Harassment:** Disability-based harassment is prohibited by the policy for Equal Employment Opportunity and Non- Discrimination/Non-Harassment, a copy of which is on the University website. All complaints of such harassment should be presented using that policy and in the event of any questions, please contact the Institutional Compliance Officer at 735-2244/2971 or 735-2243 (TTY).

FOR MORE INFORMATION, PLEASE CONTACT THE APPROPRIATE REPRESENTATIVE  
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**EEO / ADA & TITLE IX OFFICE:**

Telephone: 735-2244

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**Institutional Compliance Officer:** Elaine Faculo-Gogue [efgogue@uguam.uog.edu](mailto:efgogue@uguam.uog.edu)

EEO/ADA & TITLE IX Office  
Dorm 2, Iya-Hami Hall, Room 106  
UOG Station, Mangilao, Guam 96923

# UNIVERSITY OF GUAM CAMPUS MAP LEGEND

## 1. Administration Building

- Bursar's Office
- Business Office
- Human Resources Office
- Procurement Office

## 2. Agriculture & Life Sciences Building

- Cooperative Extension Service
- CCYFN
- 4H

## 3. Annex A and B

## 4. CLASS Lecture Hall

## 5. MARC / Computer Center

- Computer Lab
- Professional & International Programs (PIP)
- Richard F. Taitano Micronesian Area Research Center (MARC)

## 6. Dorm 1- UOG Army ROTC

## 7. Dorm 2- Iya-Hami

## 8. Dorm 3- Guma'ta Hall

## 9. Field House

- Admissions & Records Office
- Athletics & Recreation Office
- Financial Aid Office
- TRiO Programs (2nd Floor)

## 10. Fine Arts Theatre

## 11. Humanities & Social Sciences Building

(College of Liberal Arts & Social Sciences)

## 12. Jesus & Eugenia Leon Guerrero School of Business & Public Administration Building

- Office of the President
- Office of the Senior Vice President, Academic & Student Affairs
- Office of the Vice President, Administration & Finance
- Pacific Small Business Development Center Network (PSBDCN)

## 13. Marine Lab

## 14. Plant Maintenance

## 15. School of Education

## 16. School of Nursing & Health Sciences Building

- Office of Graduate Studies, Sponsored Programs & Research

## 17. Science Building

## 18. Student Services Center

- Enrollment Management & Student Services
- Food Court
- Student Government Association Hall
- Triton Bookstore

## 19. English & Communication Building (College of Liberal Arts & Social Sciences)

## 20. Tan Siu Lin Building-RFK Memorial Library

## 21. Water Environmental Research Institute (WERI)

