# Administrative Policies and Regulations

## Clery Act

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Santa Clara University annually collects information about campus crimes and other reportable incidents as defined by the law. Information presented in compliance with this act is made available to assist current and potential students and employees in making informed decisions regarding their attendance or employment at the University. These reports and other information about the law are available on the Campus Safety website. It is the policy of Santa Clara University that the campus community will be informed on a timely basis of all reports of crime and other information affecting the security of our campus and the personal safety of our students, faculty, staff, and guests.

## Communication by the University to Undergraduate Students

The University will communicate with undergraduate students through a variety of formats. Information that is sent to undergraduate students from the University via their campus mailbox, local address, or their Santa Clara email address is considered official communication and should be treated as such. Students are asked to check their campus mailbox and their Santa Clara email account on a daily basis, and are responsible for reading and responding to the information they receive from the University. The University urges undergraduate students to use their Santa Clara email address as their primary email; students who will not be checking that address regularly should forward their email to their preferred email account.

## Consensual Relations Between Employees and Students

In addition to prohibiting sexual harassment under the Policy on Unlawful Harassment and Unlawful Discrimination, the University prohibits any consensual dating, romantic, or sexual relationship between an employee and a student over whom that employee has any instructional, supervisory, advising, or evaluative responsibility. Such a relationship is fraught with problems, including the potential for exploitation, favoritism, and conflict of interest. The appearance of impropriety or unfairness may also adversely affect the learning and work environment for other students and employees. This policy applies to faculty, staff, and student employees. Employees who violate this policy are subject to sanctions for misconduct under the policies of the Faculty Handbook, Staff Policy Manual, or Student Employment Handbook, as appropriate to their employment status. Employees or students with questions about this policy should contact the Director of Equal Opportunity and Title IX or the Department of Human Resources.

## Drug-free Workplace and School Program

It is the goal of Santa Clara University to maintain a drug-free workplace and campus. The unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcohol is prohibited on the Santa Clara University campus, in the workplace, or as part of any of the University’s activities. This includes the unlawful use of controlled substances or alcohol in the workplace even if it does not result in impaired job performance or in unacceptable conduct.

The unlawful presence of any controlled substance or alcohol in the workplace and campus itself is prohibited. The workplace and campus are presumed to include all Santa Clara premises where the activities of the University are conducted.

Violations will result in disciplinary action up to and including termination of employment for faculty and staff or expulsion of students. A disciplinary action may also include the completion of an appropriate rehabilitation program. Violations may also be referred to the appropriate authorities for prosecution.

The program information is distributed on an annual basis to all faculty, staff, and students. New staff employees are given a copy at New Employee Orientation. New faculty employees are given a copy at New Faculty Orientation. The program is reviewed at least biennially by the Office of Student Life and the Department of Human Resources.

## Notice of Student Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974 (FERPA) is the federal law that protects the confidentiality of the educational records of students maintained by the University and affords students certain rights with respect to those records. A student is any person who attends or has attended a class at the University, which includes courses taken through videoconference, satellite, internet, or other electronic and telecommunication technologies. Students’ rights under FERPA include:

**The right to inspect and review educational records**

Students have the right to inspect and review their education records. Students should submit a written request to the Office of the Registrar that specifies what records the students would like to inspect and review. Within 45 days of receipt of the request, the Office of the Registrar will make arrangements for access and will notify students of the time and place where the records may be reviewed.

**The right to seek amendment to educational records**

Students have the right to request the amendment of their educational records to ensure that those records are not inaccurate, misleading, or otherwise in violation of students’ privacy or other rights. Students who wish to seek an amendment to a record should write the University Registrar, clearly identify the part of the record they want changed, and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify students in writing of the decision and their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to students when notified of the right to a hearing.

**The right to consent to disclosure of educational records**

Students have the right to consent to the disclosure of personally identifiable information contained in their educational records. In some instances, the University may disclose personally identifiable information from a student’s educational record without the student’s consent. One such instance is to a school official who has a legitimate educational interest in the record. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position; a person elected to the Board of Trustees; or a person or entity under contract with the University who has been designated a school official by the University and is performing specific duties for the University that require a legitimate educational interest.

A school official has a legitimate educational interest if the official needs to review any educational records in order to fulfill his or her professional responsibility.

The University is authorized under provisions of FERPA to release directory information without the student’s prior consent, unless a student explicitly requests in writing that the University not do so and keep directory information confidential.

Directory information is designated as follows:

* Name
* Address: Campus post office box, local, and permanent addresses (residence hall and room numbers are not disclosed)
* Telephone number
* Email address
* Photograph
* Date and place of birth
* Major field of study
* Classification level/academic standing
* Dates of attendance (defined as academic year or quarter)
* Participation in officially recognized activities and sports
* Weight and height of members of athletic teams
* Degrees (including expected or actual degree date), honors and awards received, and dates
* Most recent educational agency or institution attended

Students may submit a Request to Prevent Disclosure of Directory Information form to the Office of the Registrar, which directs the University not to disclose directory information. Once filed, the nondisclosure remains in effect until the beginning of the next academic year or a shorter period if designated by a student. Graduating students must notify the Office of the Registrar in writing to remove the nondisclosure from their record.

Former or current borrowers of funds from any Title IV student loan program should note carefully that nondisclosure will not prevent the University from releasing information pertinent to employment, enrollment status, current address, and loan account status to a school lender, subsequent holder, guarantee agency, the United States Department of Education, or an authorized agent.

**The right to file a complaint with the U.S. Department of Education**

Students have the right to file a complaint with the United States Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. Written complaints should be directed to the Family Policy Compliance Office, Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5920.

For further information regarding Santa Clara University’s FERPA policy, please refer to [www.scu.edu/ferpa/scu-ferpa-policy/](http://www.scu.edu/ferpa/scu-ferpa-policy/), or contact the Office of the Registrar.

## Notice of Nondiscrimination

Santa Clara University’s fundamental principles of academic excellence through diversity and inclusion is central to the University’s Jesuit, Catholic values, and requires us to provide a workplace and educational environment free from discrimination. In accordance with federal and state law, Santa Clara University does not discriminate and prohibits discrimination against any individual on the basis of race, ethnicity, nationality, religion, age, gender, gender expression, gender identity, sexual orientation, marital status, registered domestic partner status, veteran or military status, physical or mental disability (including perceived disability), medical condition (including cancer related or genetic characteristics), pregnancy (including childbirth, breastfeeding, and related medical conditions), or other protected classes under the law. This policy therefore affects employment policies and actions, as well as the delivery of educational services at all levels and facilities of the University including in admissions, scholarships and loan programs, athletics, hiring, promotion, job assignment, retention, and compensation. The University will promptly investigate all complaints of illegal discrimination, sexual harassment, and related retaliation in accordance with applicable federal and state laws.

**Title IX of the Education Amendments of 1972**

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 et seq., is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Santa Clara University is committed to providing an environment free from discrimination based on sex and provides a number of resources and services to assist students, faculty and staff in addressing issues involving sex discrimination. Under Title IX, discrimination on the basis of sex can include sexual harassment or forms of sexual violence, such as rape, sexual assault, domestic violence, dating violence, sexual exploitation, and stalking also prohibited by University Policy.

Inquiries regarding the University's equal opportunity and nondiscrimination policies may be directed to the Director for the Office of Equal Opportunity and Title IX who serves as the University’s designated Title IX Coordinator and ADA/504 Coordinator, and Affirmative Action Officer.

Belinda Guthrie, Director of Equal Opportunity and Title IX

Santa Clara University | Office of Equal Opportunity and Title IX

500 El Camino Real | Santa Clara, CA 95053

Office Location: Loyola Hall, Suite 140, 425 El Camino Real, Santa Clara, CA 95053

Main Office: 408-551-3043 | Direct Line: 408-554-4113

Email: [bguthrie@scu.edu](mailto:bguthrie@scu.edu)

Web: [www.scu.edu/title-ix](http://www.scu.edu/title-ix)

Sex discrimination claims or other inquiries concerning the application of Title IX of the Education Amendments of 1972 and its implementing regulations may also be directed to the Director of Equal Opportunity and Title IX, the Assistant Secretary, Office for Civil Rights or both, and to the Equal Employment Opportunity Commission (EEOC), and/or the California Department of Fair Employment and Housing (DFEH).

**Americans with Disabilities Act / Section 504 of the Rehabilitation Act of 1973**

Santa Clara University, in compliance with state and federal laws and regulations including Section 504 of the

Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and the Americans with Disabilities Act

Amendments Act (ADAAA) does not discriminate on the basis of disability in administration of its education-related

programs and activities. The University is committed to providing individuals with disabilities including those with

learning disabilities, ADHD, chronic health conditions, traumatic brain injuries, hearing impairments, physical

disabilities, psychological disorders, visual impairments, and other health impairments equal access to the academic

courses, programs, activities, services and employment opportunities, and strives in its policies and practices to

provide for the full participation of individuals with disabilities in all aspects of University life.

For information concerning policies and procedures for students with disabilities,isee the Office of Accessible Education

(OAE) website, https://www.scu.edu/oae/. Students with disabilities who are registered with the OAE office may be

qualified to receive accommodations, auxiliary aids or services based on supporting documentation. To register with

OAE, contact the Director at 408-554-4109 or by email at oae@scu.edu. Faculty and staff should contact Human

Resources for information on how to request employee disability-related accommodations, auxiliary aids or services,

https://www.scu.edu/hr/. Students, faculty, and staff who believe they have been subjected to unlawful discrimination

on the basis of disability, or have been denied access to services or accommodations required by law, should contact

the Director of Equal Opportunity and Title IX, https://www.scu.edu/title-ix/.

## Student Conduct Code

All members of the University community have a strong responsibility to protect and maintain an academic climate in which the fundamental freedom to learn can be enjoyed by all and where the rights and well-being of all members of the community are protected. To this end, certain basic regulations and policies have been developed to govern the conduct of all students as members of the University community. Copies of the Student Handbook, which includes the Student Conduct Code, and information about the policies and procedures regarding the student judicial system are available from the Office of Student Life and at [www.scu.edu/osl/student-conduct/](http://www.scu.edu/osl/student-conduct/).