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GENERAL SCHOOL POLICIES

INCLUSIVE LANGUAGE

Statement of Principle Regarding Inclusive Language: The academic community at JSTB, recognizing that the language and images used in daily communication both form and reflect the way persons perceive, regard, and treat one another, affirm the usage of unbiased and inclusive language in written, oral, and visual communication at JSTB.

PLAGIARISM

Definition:

The presentation in one's own work of another's ideas, methods, research or words without proper acknowledgement constitutes plagiarism. This includes close paraphrasing as well as quoting entire lines of another's work, either verbatim or nearly verbatim of another's work.

The *Manual for the Writers of Term Papers, 6th edition*, (Chicago: University of Chicago Press, 1996) by Kate Turabian sets forth guidelines for proper acknowledgement in written work.

JSTB's general procedure and policy on the handling of incidents of plagiarism:

JSTB recognizes that plagiarism is a serious matter in the academic community and thus must be addressed when such incidents come to light. Yet, at the same time the faculty recognizes that there are various types and degrees of plagiarism, as well as other factors which come into play, such as the student's own academic background and/or lack of familiarity with American academic research and writing procedures, confusion or lack of precision in note-taking during research, etc. All of these aspects need to be taken into account in the handling of each instance of presumed plagiarism. Therefore, in addressing an instance of presumed or suspected plagiarism the faculty and administration of JSTB will use the following procedural guidelines:

- 1) In an instance of suspected or presumed plagiarism the faculty member of the course involved will contact the student and indicate the nature of the suspected instance of plagiarism, as well as to inform the student of the intended action(s) the faculty member is considering taking.
- 2) The student has the right to appeal the handling of the presumed case of plagiarism to the Dean of JSTB.
- 3) If the appeal to the Dean is not satisfactory to the parties involved, the case may be ultimately appealed to a special grievance committee which is constituted and delegated for that purpose. The grievance committee will consist of the members of the Faculty Status Committee plus one faculty member suggested by the student involved and one faculty member suggested by the faculty professor involved.

Practical Guidelines and/or Sanctions:

Recognizing the inherent complexity and possible mitigating factors involved in an individual case of plagiarism it is difficult to detail precise guidelines and sanctions for each possible instance. However, because of the seriousness of certain types of plagiarism, the following examples of plagiarism would carry these sanctions:

- a) In the case of a research paper in which significant sections of another's work (e.g., book, article, conference paper, etc.) are incorporated without attribution the faculty member may decide to give a failing grade for the paper and/or the course.
- b) In cases in which a paper is clearly and substantially copied from another source (such as from another student), the normal sanction would be failure in the course.
- c) In cases of a thesis in which significant sections of another's work (e.g., book, article, conference paper, etc.) are incorporated without attribution the normal sanction would be dismissal from the program without recourse to re-application or re-admission.

Other instances of plagiarism may be less serious and/or due to lack of familiarity with the mechanics of proper attribution, a misunderstanding of the nature of a research paper, and the like. In such cases, the faculty member will have to exercise prudential judgment, but may be guided by the following informal general guidelines:

- d) If the suspected instance of plagiarism is both minor and judged to be largely unintentional on the part of the student, the faculty member's action may be giving pedagogical input on the accepted academic protocols for attribution of sources (e.g., footnotes), and requiring a minor revision of the work submitted.
- e) In the case of a larger research paper or thesis chapter in which significant verbatim quotes are incorporated without proper attribution the paper or chapter would be returned with the insistence that proper footnotes and references be added. In this more serious case the faculty member may want to add a sanction, such as a lower grade.

SEXUAL HARASSMENT POLICY

The Jesuit School of Theology at Berkeley strives to be a place of work and study that embodies the journey of faith and the promotion of justice that is the mission of the Society of Jesus and the School. The linking of faith and justice is rooted in the Scriptures, Church tradition, and the Ignatian heritage of the School. JSTB is therefore committed to creating and maintaining a community in which all persons who participate in School programs and activities can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual. Every member of the JSTB school community should be aware that the School is strongly opposed to sexual harassment and that such behavior is prohibited both by law and by School policy. It is the intention of the School to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior that violates this policy.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other School activity; or

submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting an individual; or

such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive School environment.

In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.

Students

Any incident of sexual harassment by a student (including students with teaching or classroom responsibilities) toward any other student, faculty or staff member or administrator that the complainant cannot or does not desire to resolve directly with the alleged harasser should be reported to the Dean of Students. If the incident involves the Dean of Students, the President should be notified.

The Dean of Students will review and investigate the complaint as deemed appropriate to determine the merits of the allegation. The investigation may involve interviews and/or written statements from the complainant, the alleged harasser and any witnesses who may be able to provide pertinent information about the facts of the case. In the course of the investigation, the alleged harasser will be informed of the allegation, the identity of the complainant, the facts surrounding the allegations and will be afforded the opportunity to respond to the allegations.

As a result of the investigation, the alleged harasser may be found not to have committed a violation of School rules and regulations or may be found responsible for such violations or other inappropriate behavior. Individuals responsible for such behavior are subject to sanctions, including, but not limited to, a verbal or written warning, mandatory counseling, a ban from specific areas of the School, loss of specific student privileges, community service, loss of housing privileges, disciplinary probation, disciplinary suspension or permanent dismissal. Students found responsible may ask for review of the matter by the President. Students dismissed from the school may appeal dismissal from the School following the procedures outlined in Section III, Article 2, of the Policies and Procedures (*Regulationes*).

Faculty

Any incident of sexual harassment by a faculty member that the complainant cannot or does not desire to resolve directly with the alleged harasser should be reported to the

Academic Dean. The initial discussion between the complainant and the Dean is for the purpose of providing guidance as to the complainants options and available procedures. After discussion with the complainant, the Dean will begin an investigation at the request of the complainant. If the incident involves the Dean, the President should be notified.

The Dean will review and investigate the complaint as deemed appropriate to determine the merits of the allegation. The investigation may involve interviews and/or written statements from the complainant, the alleged harasser and any witnesses who may be able to provide pertinent information about the facts of the case. In the course of the investigation, the alleged harasser will be informed of the allegation, the identity of the complainant, the facts surrounding the allegations and will be afforded opportunity to respond to the allegations.

The results of the investigation may fall into two categories:

A. Unfounded. If the complaint is determined to be without merit, the complaint will be regarded as resolved.

B. Founded. If after conducting the investigation the complaint is determined to be with merit, i.e., there was sexual harassment or other inappropriate conduct, the complaint will be resolved by formal or informal procedures as described below:

i. Informal Resolution. In appropriate circumstances and with the approval of both the complainant and the alleged harasser, the investigator may attempt private mediation in an effort to resolve the alleged complaint without the need for additional proceedings.

ii. Formal Resolution. The Dean will take appropriate disciplinary action, including, but not limited to, counseling or education about sexual harassment, a verbal or written reprimand, or other disciplinary sanctions up to and including suspension. Faculty appeals from such disciplinary actions will be handled pursuant to the procedures for Faculty Grievances as outlined in the Faculty Handbook. If the investigation reveals that the conduct is such that dismissal is contemplated, the procedures for Termination as outlined in Article 3 of the Policies and Procedures (*Regulationes*) shall be followed. The results of the investigation will be communicated in writing to both the complainant and respondent.

Staff and Administrators

Any incident of sexual harassment by a staff member or administrator toward a student, faculty member or other staff member or administrator, that the complainant cannot or does not desire to resolve directly with the alleged harasser, should be reported to the Vice President for Finance and Administration, or at the option of the complainant, it may be reported to the complainant's or the alleged harasser's supervisor who will report it to the Vice President for Finance and Administration. The initial discussion between the complainant and the Vice President for Finance and Administration or supervisor is for the purpose of providing guidance as to the complainants options and available procedures. After discussion with the complainant,

the Vice President for Finance and Administration will begin an investigation at the request of the complainant. If the incident involves the Vice President for Finance and Administration, the President should be notified. If the incident involves the President, any of the School's Vice Presidents or any member of the Board of Trustees should be notified.

The Vice President for Finance and Administration, will investigate the complaint and determine whether there is a reasonable basis for believing the alleged violations of the policy have occurred

or that there has been other inappropriate conduct. The investigation may include oral interviews and/or written statements from the complainant, the alleged harasser and any witnesses who may be able to provide pertinent information about the facts of the case. In the course of the investigation, the alleged harasser will be informed of the allegations, the identity of the complainant, the facts surrounding the allegations and will be afforded the opportunity to respond to the allegations.

The results of the investigation may fall into two categories:

A. Unfounded. If the complaint is determined to be without merit, the complaint will be regarded as resolved.

B. Founded. If after the conducting the investigation the complaint is determined to be with merit, i.e., there was sexual harassment or other inappropriate conduct, the alleged harasser's supervisor, in conjunction with the Vice President for Finance and Administration, will take appropriate disciplinary action which may include (but not be limited to) counseling or education about sexual harassment, verbal or written reprimands, suspension or termination. Staff personnel may appeal such decisions in the same manner as other staff grievances. Administrators may appeal such decisions to the President. If the President is involved, appeal may be made to the Vice-Chancellor of the School.

Confidentiality, Retaliation, Protection of the Alleged Harasser.

A. Confidentiality. Sexual harassment is a particularly sensitive issue that may affect any member of the School community. The right to confidentiality of all parties involved in a sexual harassment charge shall be strictly adhered to insofar as it does not interfere with the School's legal obligation to investigate allegations of sexual harassment when brought to the School's attention and to take corrective action.

B. Non-Retaliation. Any attempt by a member of the faculty, staff or administration, or student, to penalize or retaliate in any way against a person bringing a sexual harassment charge is prohibited and will be treated as a separate incident to be reviewed in its own right.

C. Protection of the Alleged Harasser. In the event allegations are not substantiated, all reasonable steps will be taken to restore the reputation of the alleged harasser if it was damaged by the proceeding. A complainant found to have been intentionally dishonest in

making the allegations or to have made them maliciously is subject to the full range of the School's disciplinary procedures from official reprimand to dismissal.

CRIME AWARENESS AND CAMPUS SECURITY

Annually, the Jesuit School of Theology at Berkeley provides students with information on crime awareness and campus security at JSTB in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), codified at 20 U.S.C. 1092(f) as part of the Higher Education Act of 1965 (HEA) and the Crime Awareness and Campus Security Act of 1990. The annual notification is contained in the *JSTB Information Book*. Crime and security statistics are available upon request from the JSTB Business Office.

DRUG-FREE SCHOOL

Annually, the Jesuit School of Theology at Berkeley provides notification of its Drug Free School policy in accordance with the Drug Free Schools and Communities Act Amendment of 1989 (Public Law 101-226). This annual notification is contained in the *JSTB Information Book*.

The Drug Free Schools and Communities Act Amendment of 1989 (Public Law 101-226) requires all schools receiving federal funding of any kind (e.g., Stafford Loans) to notify all students and employees of the following on an annual basis:

1. The Graduate Theological Union and its member schools, including the Jesuit School of Theology at Berkeley, require that their campuses be drug free. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while at GTU or any of its member schools is prohibited. Abuse of alcohol (including underage drinking) on GTU campuses is also not allowed. Violation of this policy will be considered cause for termination of employment or dismissal from a student's program of study.
2. JSTB is required to impose sanctions, up to and including dismissal from all programs of study or termination of employment, on any students or employees engaged in the abuse of alcohol or the unlawful possession, use, or distribution of illicit drugs while on GTU or member school premises. In addition, any student or employee involved in such illegal activity is subject to legal sanctions under local, State, and Federal law. Information regarding specific penalties is available at the GTU Business Office.

In addition, an employee convicted of any criminal drug statute for a violation occurring in the workplace is required to notify the JSTB Vice President for Finance and Administration of such a conviction no later than five days from the date of the conviction.

3. The health risks associated with the use of illicit drugs and the abuse of alcohol are many. Detailed information concerning the known health hazards resulting from the abuse of drugs and alcohol may be obtained from your physician, from the University of California at Berkeley's Health Services (Tang Center) or from the GTU Business Office.

4. Several drug and alcohol counseling, treatment, and rehabilitation programs are available to you. Should you or someone you know need help in dealing with a drug or alcohol dependency problem, you may call **(510) 869-8850**. You will be connected with Merritt Peralta Institute's Chemical Dependency Department, where your initial consultation is free. The consultation includes assessment of the problem and the recommendation of a treatment plan. In addition, you may call **(510) 839-8900** for referral to an Alcoholics Anonymous program near you, or **(510) 444-4673** for referral to a local Narcotics Anonymous program.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

JSTB FERPA Policy

The term "student" includes an individual who has been admitted to and has enrolled in or registered with an academic program at the Jesuit School of Theology at Berkeley. The term "student" does not include an individual who has not been in attendance at the Jesuit School of Theology at Berkeley. An individual who is or has been enrolled in one program of an institution, who applies for admissions to a second program, has no right to inspect the records accumulated for the second program until enrolled therein.

The Family Educational Rights and Privacy Act of 1974, as amended, is a Federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students be made available. The law provides that the institution will maintain the confidentiality of student education records.

The Jesuit School of Theology at Berkeley accords all the rights under the law to students who are declared independent. No one outside the institution shall have access to nor will the institution disclose any information from students' education records without the written consent of students except to designated personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

Within the Jesuit School of Theology at Berkeley community, only those members individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include personnel in the Academic Dean's Office (including Assistant Academic Dean, Admissions Officers, Common Registrar of the Graduate Theological Union, and Financial Aid Officer of the Graduate Theological Union) and academic personnel within the limitations of their need to know, e.g., academic advisors.

Authorized administrative personnel have the right of access to all information on the Student Information Form. The institution may provide Public Information to others in accordance with the provisions of the Act to include: student name, address, telephone number, date of birth, place of birth, program of study, area of study, year in school, dates of attendance, degrees received, thesis title, religious affiliation/order, diocese, scholarships and honors, most recent previous degree and school, country of citizenship, school/school of affiliation, names of spouse and children. Students may withhold Public Information from non-JSTB persons/organizations

or from the School Directory by notifying the Assistant Academic Dean in writing by the general registration deadline of Fall Semester. A form for this notification is available from the Assistant Academic Dean.

Request for non-disclosure will be honored by the institution for **only one** academic year; therefore, authorization to withhold Public Information must be filed annually in the Assistant Academic Dean's office.

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if they are dissatisfied with the outcome of the challenge, and to submit explanatory statements for inclusion in their files if they are dissatisfied with the decisions of the hearing panels. The Assistant Academic Dean at the Jesuit School of Theology at Berkeley has been designated by the institution to coordinate the inspection and review procedures for student education records, which include admissions, personal, academic, and financial and placement records. Students wishing to review their education records must make written requests to the head of the appropriate office as listed in the Directory of Student Educational Records, listing the item or items of interest. Only records covered by the Act will be made available within forty-five days of the request. Students may have copies made of their records with certain exceptions (e.g., a copy of the academic record for which a financial "hold" exists or a transcript of an original or source document which exists elsewhere). Transcripts are available for a charge of \$3.00 per copy. Student education records **do not include** records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute for the person who made the record; **do not include** employment records; and **do not include** alumni records.

Students **may not** inspect and review the following as outlined by the Act: confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access **only** to that part of the record which pertains to the inquiring student. The institution is **not** required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights may discuss their problems informally with the Assistant Academic Dean. If the Assistant Academic Dean's decisions are in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended; and they will be informed by the Assistant Academic Dean of their right to another informal hearing with the Academic Dean, who will follow the procedures outlined in the Policies and Procedures of the School (Section I, Article 5; Section II, Article 3; and, Section III, Article 2).

Student requests for a formal hearing must be made in writing to the Academic Dean, who, within a reasonable period of time after receiving such requests, will inform students of the date, place, and time of the hearings. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the students' expense. The hearing panels which will adjudicate such challenges will conduct the hearing in accordance with the procedures outlined in the Policies and Procedures of the School (Section I, Article 5; Section II, Article 3; and, Section III, Article 2). The hearing panel will consult with legal counsel as appropriate.

Decisions of the hearing panels will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panels, if the decisions are in favor of the student. If the decisions are unsatisfactory to the student the student may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the President of the institution to aid them in filing complaints with The Family Educational Rights and Privacy Act Office (FERPA), Department of Education, Room 4074, Switzer Building, Washington, D.C. 20202.

Revisions and clarifications will be published as experience warrants.

Directory of Student Educational Records:

<u>Type of Record</u>	<u>Location</u>
Academic and Admissions File	Assistant Academic Dean's Office
Financial Aid Files:	
(1) JSTB Internal Aid	JSTB Business Office
(2) Federal Stafford Loans	GTU Financial Aid Office (2465 LeConte Avenue)
Other Financial Data	Business Office
Placement File	Office of Student Services
Transcripts	GTU Consortial Registrar's Office (2465 LeConte Avenue)