

# STUDENT RIGHTS AND APPLICABLE GRIEVANCE PROCESSES

## Disability Accommodations at PLNU Accessing Accommodations at PLNU

Point Loma Nazarene University (PLNU) provides individuals with disabilities access to the programs, services, and activities of the University. Pursuant to Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and other applicable federal, state, and local laws and regulations, PLNU prohibits discrimination and harassment against a qualified individual with a disability. As stated in Section 504: "No otherwise qualified individual shall, solely by his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The PLNU Educational Access Center (EAC) is the point of contact regarding disability issues for all PLNU students including those enrolled in programs at any of our campuses or satellite sites. The EAC assists current and prospective students, by facilitating access and opportunity for participation in all activities at PLNU. For more information, visit the EAC website (<https://www.pointloma.edu/offices/educational-access-center/>).

### Reasonable Accommodations

Current and prospective students seeking an accommodation must follow the reasonable accommodation procedures. Refer to the EAC website (<https://www.pointloma.edu/offices/educational-access-center/>) for more information.

### Disability Accommodations/Academic Adjustment Grievance and Appeal Process

Any current or prospective student who believes she or he has been subjected to discrimination or harassment on the basis of disability or is unsatisfied with accommodation/academic adjustment plans provided by the Educational Access Center may file a grievance by contacting the ADA Coordinator at [ADA@pointloma.edu](mailto:ADA@pointloma.edu) or by filing an online report (<https://pointloma-public.courseleaf.com/handbooks/tug-handbook/state-federal-policies/#:~:text=Disability%20Accommodations/Academic%20Adjustment%20Grievance%20and%20Appeal%20Process>).

The Educational Access Center provides advice and support to students with disabilities, 619-849-2533.

Human Resources will provide advice and support to faculty and staff persons with disabilities, 619-849-2534.

## Education Records (FERPA) and Directory Information

The Family Educational Rights and Privacy Act (FERPA) affords eligible 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 after the day Point Loma Nazarene University ("PLNU") receives

a request for access. A student should submit to the Office of Records, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the requested records are not maintained by the school 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 are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask PLNU to amend a record should write the Office of Records, clearly identify the part of the record the student wants changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student's privacy under FERPA.

If PLNU decides not to amend the record as requested, PLNU will notify the student in writing of the decision and the student's 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 provide written consent before PLNU discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Under FERPA, PLNU may disclose education records without a student's prior written consent to school officials with legitimate educational interests. A school official includes persons employed by PLNU in an administrative, supervisory, academic, research, or support staff position (including security personnel and health staff); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of PLNU who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent, or a student volunteering to assist another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for PLNU.

Upon request, PLNU also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. PLNU will make a reasonable attempt to notify a student of these disclosures, unless the request or disclosure is initiated by the student.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by PLNU to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue  
SW Washington, DC 20202

FERPA also permits PLNU to disclose directory information without student consent. Accordingly, PLNU may, but is not required to, release directory information. PLNU has defined directory information as name, address (including electronic mail), photo, telephone number, date and place of birth, major field of study, dates of attendance, enrollment status, degrees, honors and awards received, participation in officially recognized

activities and sports, weight and height of members of athletic teams, degree candidacy, and the most recent previous educational agency or institution attended. This information may be provided, upon review by the Director of Records, as public information to individuals who demonstrate a valid need for the information.

Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, FERPA requires PLNU to record such disclosures. Eligible students have a right to inspect and review the record of disclosures.

In addition to the above, FERPA permits postsecondary institutions to disclose PII from the education records without obtaining prior written consent of the student in the following circumstances:

- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to specific requirements.
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local educational authorities. Such disclosures may be made in connection with an audit or evaluation of federal or California supported education programs, or for the enforcement of, or compliance with, federal legal requirements that relate to those programs.
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To organizations conducting studies for, or on behalf of, PLNU in order to:
  - develop, validate, or administer predictive tests;
  - administer student aid programs; or
  - improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency, subject to all FERPA requirements.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to FERPA's requirements. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding, subject to FERPA's requirements, if PLNU determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of PLNU's rules or policies with respect to the allegation made against him or her.
- To parents of a student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if PLNU determines the student committed a disciplinary violation and the student is under the age of 21.

Periodically, PLNU conducts formal and informal photo and video shoots (around the campus and at off-campus events and activities) for use in university publications, social media, promotional videos/commercials, and the PLNU Web site. Students who require that no identifiable image be used by the university must notify Marketing and Creative Services

in writing prior to the second Monday of each semester. Students should email their request to [photo-optout@pointloma.edu](mailto:photo-optout@pointloma.edu) and include their full name and student ID number. In addition, PLNU may submit information about students' participation in school activities to media outlets. Students who require that their names be excluded from such stories must notify Marketing and Creative Services in writing prior to the second Monday of each semester.

Questions relative to FERPA policies should be referred to the Office of Records (<https://www.pointloma.edu/offices/records/>). To notify the Director of University Compliance and Registrar of an employee's failures by PLNU to comply with the requirements of FERPA, you can email [compliance@pointloma.edu](mailto:compliance@pointloma.edu) or file an online report (<https://pointloma-advocate.symplicity.com/collections/compliance/01ce721acf586739e5a4ed72e2b709d2/>).

## Nondiscrimination and Anti-harassment

*Including Title IX, Title VI, and California SB 493*

As a Christian community shaped by grace, truth, and holiness as a way of life, Point Loma Nazarene University is committed to pursue and reflect the diversity and belonging of the kingdom of God portrayed in scripture. We believe that every human being is created in the image of God and that our diverse identities, experiences, and abilities enrich our learning community. Accordingly, Point Loma Nazarene University is committed to providing an educational and employment environment that is free from discrimination based on protected characteristics, harassment, and retaliation for engaging in protected activity.

Point Loma Nazarene University values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the resolution process during what is often a difficult time for all involved.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity, Point Loma Nazarene University has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of protected characteristic discrimination, harassment or allegations of retaliation. Please visit [www.pointloma.edu/bias](http://www.pointloma.edu/bias) (<http://www.pointloma.edu/bias/>) to view PLNU's Nondiscrimination and Anti-harassment Policy and Procedure or [www.pointloma.edu/title-ix](http://www.pointloma.edu/title-ix) (<http://www.pointloma.edu/title-ix/>) to view information on PLNU's response to sex discrimination, sexual harassment, sexual assault, domestic and dating violence, and stalking.

To make a report of discrimination or harassment, please click here (<https://pointloma-advocate.symplicity.com/collections/compliance/>).

## Jeanne Clery Act

In 1990, Congress enacted The Crime Awareness and Campus Security Act as part of an amendment to the Higher Education Act of 1965. Later renamed The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of Jeanne Clery, a university student murdered in her dorm room, it requires all postsecondary institutions participating in federal student financial assistance programs to disclose certain information on campus crime and various safety and security-related policies. Further amendments in recent years have expanded the requirements to include information on fire safety, sexual assault, and missing students.

The Annual Security and Fire Safety Reports and other information about campus safety are located on the Department of Public Safety (<https://www.pointloma.edu/offices/public-safety/>) website.

## Pregnancy and Parenting

Point Loma Nazarene University (the "University") is dedicated to providing equal access to its education programs and activities for all students and to fostering a community that welcomes and supports pregnant and parenting students, regardless of their marital status. PLNU's Pregnancy and Parenting policy and modifications process can be found at <https://www.pointloma.edu/title-ix/pregnancy-parenting> (<https://www.pointloma.edu/title-ix/pregnancy-parenting/>)

In accordance with Title IX and other applicable Federal and state laws, the University does not discriminate against any student or exclude any student from their education program or activity on the basis of a student's pregnancy, childbirth, or recovery from any of these conditions in its education programs and activities. Additionally, the University does not discriminate against any student or exclude any student from their education program or activity on the basis of a students' parenting status.

The University will not tolerate discrimination or harassment on the basis of pregnancy, childbirth, recovery from any of these conditions, or their parenting status in its community and will promptly and equitably respond to reports of discrimination and harassment. The University also prohibits retaliation against any individuals for reporting discrimination or harassment prohibited by this policy or for exercising or attempting to exercise a right under this policy.

To make a report of discrimination, harassment, or retaliation, to request assistance with reasonable modifications, or to ask questions regarding this policy, please contact:

Title IX Coordinator  
Nicholson Commons 326A  
[pointloma.edu/title-ix](http://pointloma.edu/title-ix) (<http://pointloma.edu/title-ix/>)  
[titleix@pointloma.edu](mailto:titleix@pointloma.edu)  
619-849-2313

## Religious Expression

Founded in 1902, Point Loma Nazarene University (PLNU) is a Christian university committed to the liberal arts and professional preparation. A combination of challenging academics, deep spirituality, and service-centered action prepares students for living purpose-filled lives and integrating knowledge with beliefs, values, and actions.

Being of Wesleyan heritage, and affiliated with the Church of the Nazarene, we strive to be a learning community where grace is foundational, truth is pursued, and holiness is a way of life. We also strive to provide a learning and living environment that promotes safety, transparency, personal integrity, civility, mutual respect and freedom from unlawful discrimination.

This integration of faith and learning is recognized by the United States and California Constitutions and many state and federal laws. For example, exemptions in Title IX1 and the California Equity in Higher Education Act2 recognize the right of religious educational institutions such as PLNU to incorporate religious beliefs into all aspects of university life and maintain faith-based standards of behavior which all community members voluntarily agree to follow. A full statement of

PLNU's mission and community expectations for undergraduate students can be found at:

Why PLNU (<https://www.pointloma.edu/why-plnu/>)

Personal Conduct (<https://catalog.pointloma.edu/content.php?catoid=60&navoid=3307>)

Residential Life Housing Policy ([https://catalog.pointloma.edu/content.php?catoid=49&navoid=2784#Residential\\_Life\\_Policy\\_Exceptions](https://catalog.pointloma.edu/content.php?catoid=49&navoid=2784#Residential_Life_Policy_Exceptions))

PLNU seeks to recruit students of the Christian faith and to create an institutional environment conducive to their growth in Christ; however, we do not require that students be confessing Christians. We welcome and value students of every background and faith. As a Christian community, we expect that all of our students will respect the nature of our community, learn about our traditions and participate in our community practices. PLNU affirms that a Christian liberal arts education includes an understanding of and appreciation of the differences in faith, living, and practice.

1. 20 U.S.C. Section 1681(a)(3).
2. Cal. Ed. Code Section 66271.

## State Authorization Complaint Process

An individual may contact the Department of Consumer Affairs of the Bureau for Private Postsecondary Education (<https://www.bppe.ca.gov/enforcement/complaint/>) for review of a complaint. The Bureau may be contacted at:

2535 Capitol Oaks Drive  
Suite 400  
Sacramento, CA, 95833

Email: [bppe@dca.ca.gov](mailto:bppe@dca.ca.gov)  
Phone: 916-431-6959  
Fax: 916-263-1897

## Student Consumer Complaint Process

The U.S. Department of Education has amended the Higher Education Act (HEA) authorizing the "Program Integrity Rule." This amendment provides, among other things, regulations associated with the federal student financial aid program that require colleges or universities authorized to offer postsecondary education in one or more states to ensure access to a complaint process 34 CFR 668.43(b) that will permit student consumers to address the following:

1. Alleged violations of State consumer protection laws that include but are not limited to fraud and false advertising;
2. Alleged violations of State laws or rules relating to the licensure of postsecondary institutions; and
3. Complaints relating to the quality of education or other State or accreditation requirements.

View a copy of PLNU's Student Complaint Process ([https://drive.google.com/file/d/1GKU\\_VIBwIwDersel8J1IMgnOgfGF9WH/view/](https://drive.google.com/file/d/1GKU_VIBwIwDersel8J1IMgnOgfGF9WH/view/)).

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