

# STATE AND FEDERAL POLICIES

## Access to Books

Federal Student Aid requires that students be able to use available funds to purchase books by the 7th day of the payment period. To accomplish this, Student Financial Services offers "Book Advances" of up to \$600 during the first two weeks of classes.

## 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.

### Reasonable Accommodations

Current and prospective students seeking an accommodation must follow the reasonable accommodation procedures. Refer to the EAC website 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.

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 the Registrar.

## Harassment and Discrimination

Point Loma Nazarene University is committed to providing a work, learning, and living environment that provides equal opportunity for all and that is free from harassment and discrimination. Accordingly, harassment, discrimination or retaliation based upon race, color, age, national origin, sex (which includes pregnancy, childbirth, breastfeeding, and related conditions), physical or mental disability, military or veteran status, or any other basis protected by applicable federal, state, or local law is strictly prohibited. Additionally, other inappropriate conduct of a harassing or offensive nature may be considered a violation of this policy.

Harassment may take many forms, but most commonly includes the following:

- Verbal conduct such as epithets; derogatory jokes or comments; slurs; insulting sounds; unwanted sexual innuendos, advances, or propositions; and/or graphic, suggestive, or obscene comments, letters, notes, e-mails, internet posting or blogging, unwelcome invitations;
- Visual conduct such as derogatory and/or sexually suggestive images, posters, pictures, photography, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted physical contact or touching, blocking normal movement;
- Threats or demands to submit to sexual requests; and
- Retaliation for having reported or threatened to report harassment.

Sexually harassing conduct does not necessarily need to be motivated by sexual desire. Sexual harassment can also include harassment of any kind on the basis of sex or gender.

PLNU's anti-harassment policy applies to all persons involved in the University, including supervisors, managers, and administrators, as well as co-employees, students, vendors and visitors to the University.

Point Loma Nazarene University also prohibits and will not tolerate discrimination or harassment in any of its programs or activities. Such actions are prohibited not only by University policy, as provided above, but also by applicable federal law, including Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Educational Amendments of 1972 as well as California law SB 493. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence. Under California SB 493, sexual harassment includes sexual battery, sexual violence, and sexual exploitation.

Any type of harassment or discrimination may subject individuals or groups to disciplinary action and may also have legal consequences. Point Loma Nazarene University is committed to preventing and stopping discrimination or harassment whenever it may occur at the University or in its programs.

It is the responsibility of all members of the PLNU Community to report violations or suspected violations of this Policy or applicable laws. If an

employee or student becomes aware of a suspected violation, whether before or after it has occurred, they must promptly report it to university officials. Alternatively, anyone may report violations or suspected violations anonymously through the online Incident Report Form.

Inquiries may be made externally to:

Office for Civil Rights (OCR) (<https://www2.ed.gov/about/offices/list/ocr/>)

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100

Customer Service Hotline #: (800) 421-3481  
Facsimile: 202-453-6012  
TDD#: 877-521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

For complaints involving employees:  
Equal Employment Opportunity Commission (EEOC) (<https://www.eeoc.gov/field-office/sandiego/location/>)  
555 West Beech Street, Suite 504  
San Diego, CA 92101  
Phone: 800-669-4000

California Department of Fair Employment and Housing (DFEH) (<https://calcivilrights.ca.gov/contactus/>)  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
Phone: 800-884-1684

Point Loma Nazarene University also prohibits retaliation against any person because they have resisted or complained in good faith about illegal harassment or discrimination prohibited by law and by this policy. Likewise, those who participate in investigations of such conduct or aid others in bringing forward concerns are protected from retaliation.

**Title IX, California SB 493, and VAWA (Violence Against Women Act) Sexual Discrimination including Sexual Harassment, Sexual Violence, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking**

Point Loma Nazarene University is committed to maintaining work, learning, and living environment that is free from sex discrimination and prohibits discrimination on the basis of sex in its education programs and activities, including retaliation for asserting or otherwise participating in claims of sex discrimination.

The university is also committed to providing a work, learning, and living environment that is free of sexual harassment, including retaliation for asserting or otherwise participating in claims of sex discrimination.

In support of these commitments, Point Loma Nazarene University responds to allegations of discrimination on the basis of sex and sexual harassment, including sexual misconduct and relationship violence, through one of two processes:

1. Allegations that meet the threshold of Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., as updated in May 2020 ("Title IX"), specifically allegations of sexual harassment and sexual misconduct that occurred on Point Loma Nazarene University owned or managed property or at a Point Loma Nazarene University sponsored event, in the United States of America will follow the protocols outlined in the Title IX Policy. For more information, please visit our Title IX (<https://www.pointloma.edu/title-ix/>) website.

2. Allegations that do not meet the Title IX threshold, but nevertheless may meet California SB 493 threshold or violate the University policy, are responded to using the procedures outlined in the Student Conduct Process.

Point Loma Nazarene University is committed to supporting the rights of a person reporting an incident of discrimination on the basis of sex, sexual misconduct or relationship violence to make an informed choice among options and services available. More information is available on our Title IX (<https://www.pointloma.edu/title-ix/>) website. If you have experienced an incident of discrimination on the basis of sex, sexual misconduct or relationship violence you may report the incident at any time, regardless of how much time has elapsed since the incident occurred through one of the following methods:

- Report the incident to the Title IX Coordinator  
619-849-2313  
[titleix@pointloma.edu](mailto:titleix@pointloma.edu)  
Office Location: Nicholson Commons 326A
- Online Reporting Form ([https://cm.maxient.com/reportingform.php?PointLoma&layout\\_id=1](https://cm.maxient.com/reportingform.php?PointLoma&layout_id=1))

All PLNU employees, except those deemed confidential, are "responsible employees" and have a duty to report sexual harassment to the Title IX Coordinator. For a list of confidential resources at PLNU, please visit [www.pointloma.edu/title-ix](http://www.pointloma.edu/title-ix) (<http://www.pointloma.edu/title-ix/>).

The university strongly encourages students to also report sexual assaults to the Department of Public Safety at 619-849-2525 and the San Diego Police Department at 619-531-2000.

## Pregnancy and Breastfeeding Policy

Point Loma Nazarene University affirms that all human life, including life developing in the womb, is created by God in His image and is, therefore, to be nurtured, supported, and protected. A student, no matter their marital status, who becomes pregnant will receive grace-filled care and support. Point Loma Nazarene University does not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy or childbirth-related conditions or recovery. Students are encouraged to work with their faculty members and the Title IX Office to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence and stay on track as efficiently and comfortably as possible. The Title IX Coordinator will assist with plan development and implementation as needed.

Title IX Coordinator  
[titleix@pointloma.edu](mailto:titleix@pointloma.edu)  
619-849-2313

**Accommodations:** Pregnant students are able to access accommodations and support in the same way as someone who has a temporary condition. The Title IX Coordinator has the authority to determine that such accommodations are necessary and appropriate. As with other Title IX and EAC accommodations, information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary in order to provide the reasonable accommodations. Faculty and staff will regard all information associated with such requests as private and will not disclose this information unless necessary. Administrative responsibility for these

accommodations lies with the Title IX Coordinator, who will maintain all appropriate documentation related to accommodations.

**Leave of Absence:** The University can also grant pregnant students a medical leave of absence at the students' request for one semester and then effectively will reinstate the student to the same status as was held when the leave began. The leave term may be extended in the case of extenuating circumstances or medical necessity.

As long as a student can maintain appropriate academic progress, faculty, staff, or other University employees cannot require a student to take a leave of absence, or withdraw from or limit their studies as the result of pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.

Continuation of a student's scholarship, fellowship, or similar University-sponsored funding during the leave term will depend on the student's registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar University-supported funding by exercising their rights under this Policy.

**Breastfeeding:** Breastfeeding students will be granted reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible. Bathroom stalls do not satisfy this requirement. PLNU also provides students and employees with access to designated lactation spaces on campus. To access use of this space, please contact the Title IX Coordinator.

## Parental Accommodations for All Parents

This policy provides at least six weeks of "Parental Accommodation" for students who become parents through birth, adoption, guardianship or fostering. This policy can also be applied to a student who has a child who is hospitalized.

During this time the student is entitled to a reasonable extension of deadlines and academic expectations to accommodate the student's new parental responsibilities including assignments, exams and other requirements, as determined in consultation with student's professors. These accommodations may suspend requirements for class attendance, exams, other course-related requirements, lab work, or work toward a degree. The accommodation period preserves student status, funding, health insurance, and housing eligibility.

In addition to the accommodation period, students are permitted to take a leave of absence. This leave can be in the form of personal or medical leave for one semester, with a possibility of extension.

For more information, contact the Title IX Coordinator.

Title IX Coordinator  
titleix@pointloma.edu  
619-849-2313

## Disability Discrimination and Harassment

Point Loma Nazarene University provides equal opportunity for qualified persons with disabilities in compliance with the requirements of Section 504 of the Rehabilitation Act of 1990 and the Amended Americans with Disabilities Act of 2008. Any student who feels that he or she has experienced any form of disability discrimination or harassment should report the incident to the ADA/Section 504

Coordinator at ADA@pointloma.edu. For more information on reasonable accommodation procedures, please refer to the EAC website.

## Other Forms of Discrimination and Harassment

Any student who feels that he or she has experienced or witnessed any other form of prohibited discrimination or harassment should report it to a university official or use the online Incident Report Form.

## 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 web page.

## 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\\_VIBwlwDersel8J1IMgnOgfGF9WH/view/](https://drive.google.com/file/d/1GKU_VIBwlwDersel8J1IMgnOgfGF9WH/view/)).

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