



- This presentation will be available electronically.
- To access the presentation, go to:

<http://gradlife.uncc.edu/>



Overview

- FERPA (Family Educational Rights and Privacy Act)
- ADA (Americans with Disabilities Act)
- Civil Rights
 - Sexual Harassment & Relationships with Students
- Public Records Laws
- Students of concern/disruptive students
- Constitutional Law
 - Establishment Clause
 - Freedom of Speech
 - Due Process



FERPA

- FERPA protects the confidentiality of student records
- FERPA gives students the right to:
 - Inspect their own records
 - Prevent disclosure of their records
 - Amend their records
 - Complain to the U.S. Dept. of Education



FERPA

- A student education record is:
 - Personal information other than directory information
 - Grades
 - Schedules
 - Disability status
 - Academic standing
 - Social Security Number
 - Student ID Number



FERPA

- A student education record may be in any format, including:
 - Paper document
 - Computer printout
 - Class list
 - Computer display screen
 - Email message
 - A photograph or video
 - Written notes



FERPA Rules

- Written consent from the student is required to release
- Possession = responsibility to protect
- Directory information may be shared
- Access student records for legitimate educational purpose
- In doubt, contact the Registrar's Office:
75505



Directory Information

- Is defined by policy statement #69 as:
 - name,
 - local and permanent address,
 - email address,
 - telephone number,
 - date and place of birth,
 - class,
 - major field of study,
 - dates of attendance,
 - enrollment status,
 - degrees and awards,
 - participation in officially recognized activities and sports,
 - weight and height of members of athletic teams, and
 - the most recent previous educational agency or institution attended.



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FERPA Commandments

Thou shalt not:

- Use any portion of a student name, SSN, or Student ID # in a public posting of grades
- Link the name of student with SSN or Student ID #
- Leave graded tests or papers in a place where students will retrieve them by sorting through papers
- Discuss the progress of any student with anyone other than the student or other employees with a legitimate purpose without the written consent of the student. (No parents)
- Provide anyone with class roster
- Provide anyone with student schedules or assist anyone other than a University employee with finding a student by using the schedule.



Civil Rights

Do not discriminate (including harassment) on the bases of:

- **Gender**
- **Race**
- **Color**
- **National Origin**
- **Religion**
- **Age**
- **Beliefs**
- **Disability**
- **Military Service**
- **Sexual Orientation**



ADA

- All students with disabilities must register with the Office of Disability Services (ODS)
- ODS will contact you with the proposed accommodations
- Accommodations may include:
 - Extended test times
 - Note takers
 - Text books in alternate formats
 - Interpreting services
 - Moving classrooms or providing different tables or desk
 - Assistive technology



Do not :

- identify a student with a disability
- discriminate against a student with a disability
- modify the accommodation
- make accommodations on your own
- ask for medical documentation
- refuse to provide accommodation
- provide materials in an inaccessible format



ADA

Do:

- contact ODS with concerns or suggestions
- ensure that the classroom and other meeting places are accessible
- be prepared to help student with accessible routes
- plan for evacuating students with disabilities



ADA

- Questions about ADA, contact the Office of Disability Services at: **74355**
- Information regarding **evacuating students with disabilities:**
<http://www.ds.uncc.edu/StudentServices/evacuationinfo.htm>
- Refer to **Campus Accessibility** website for more information:
<http://accessibility.uncc.edu/>



Sexual harassment

- Quid Pro Quo
- Hostile Environment
 - Two-part test
 1. Does it offend the person?
 2. Would it offend the average reasonable person?



Sexual harassment

- Policy Statement #9, Relationships Between Students and Faculty Members or Other University Employees
- You may not have an amorous or familial relationship with anyone whom you evaluate or supervise.
 - This means to assess, determine or influence (1) one's academic performance, progress, or potential or (2) one's entitlement to any right, benefit or opportunity.



Sexual harassment

Survival tip:

1. You are in a position of power – don't abuse it
2. You are the teacher, NOT the friend, buddy, etc.
3. Do not do anything that would even LOOK questionable:
 - Closed-door meetings
 - Risqué jokes
 - Facebook/twitter



Sexual harassment

Reporting:

- PS #9 – If you are entering into such a relationship, report it ahead of time to allow the conflict of interest to be handled.
- Sexual Harassment: if you see or a student reports sexual harassment, you **MUST** report it and keep reporting it until someone takes action



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Sexual harassment

Report sexual harassment to:

- Dean of Students – Michele Howard: 76569
- HR Employee Relations - Jeanne Madorin or Cindy Edwards: 72804
- Chair of the program
- Dean of the College
- Confidential discussion – refer to the counseling center



First Amendment to the Constitution guarantees the freedom of religion:

- Reasonable accommodation
- True tenets and beliefs

Most common accommodations:

- Absences
- Materials that may be contrary to a student's religion
- Clothing



- North Carolina statute 116-11(3a):
- Policy Statement #134 sets forth requirements and procedure:
<http://legal.uncc.edu/policies/ps-134.html>
- Students must complete a Request for Religious Accommodation Form prior to the census date (typically 10th day of class):
<http://legal.uncc.edu/policies/ps-134-AccommodationForm.pdf>



Public Records

North Carolina Public Records Act

- All documents of any type made or received in the course of business are subject to inspection by the public, except:
 - Student records
 - Personnel records – (the disclosure of which is a criminal offense)
 - A few other narrow exceptions

Survival tip: If you don't want to read it on the front page of the newspaper, don't write it or email it



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Students of Concern

Disruptive students:

- Code of Student Responsibility – PS #104
- Dean of Students Office – 76569
- Police and Public Safety – 704-687-2200
(program in phone)
- Smart classroom console



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Students of Concern

Interactive simulation:

- Online training helps you to identify and approach students in mental distress and, if necessary, refer them to the counseling center:

<http://aruf.kognito.com>

Enrollment key: uncc89

Questions: contact counseling center - 72105



Constitutional Law

First Amendment – Freedom of Religion

- Establishment Clause
 - University employees cannot promote a certain religion or religious belief



Constitutional Law

Freedom of Speech

- Disruptive speech
- Offensive speech
- Fighting words
- Other ways of speaking:
 - Clothes
 - Art
 - Actions



Constitutional Law

Due Process – 14th Amendment

- Substantive Due Process
 - Must use processes established in
 - Code of Academic Integrity
 - Code of Student Responsibility
 - Grade Appeal Procedures
 - Grievance Policies
 - Other policy statements



Resources

Office of Legal Affairs: <http://legal.uncc.edu/legal.html>

FERPA Tutorial: <https://49erconnect.uncc.edu/ferpa/>

Code of Academic Integrity: <http://legal.uncc.edu/policies/ps-105.html>

Code of Student Responsibility: <http://legal.uncc.edu/policies/ps-104.pdf>

Syllabus Guidelines: <http://legal.uncc.edu/syllabus.html>

Sexual Harassment: <http://legal.uncc.edu/policies/ps-61.html>