

STUDENTS RIGHTS AND GRIEVANCE POLICIES AND PROCEDURES

FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.
 - a. Students should submit to the registrar, dean, head of the academic department, Vice President, or other appropriate Official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University 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 or misleading.
 - a. Students may ask the University to amend a record that they believe is inaccurate or misleading. The student should write the University official responsible for the records, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
 - b. If the University decides not to amend the record as requested by the student, the University will notify the student in writing of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student in writing when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
 - a. Disclosure without consent to University officials with legitimate educational interests is permitted. A University official is defined as a person employed by the University in an administrative, supervisory, academic or research, or support staff position such as Campus Safety, Counseling Center, or Health Center personnel; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
 - b. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
 - c. Other exceptions that permit disclosure without consent are:
 - i. To authorized representatives of the Comptroller General of the United States; the Attorney General of the United States (for law enforcement purposes); the Secretary of the Department of Education of the United States; and state and local educational authorities.
 - ii. To parents of dependent students, as defined in section 152 of the Internal Revenue Code of 1986.
 - iii. To a parent or a legal guardian in connection with a health or safety emergency.
 - iv. To a parent or a legal guardian of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the student is under the age of 21 and the institution determines that the student has committed a disciplinary violation with respect to that use or possession.
 - v. If a parent or eligible student initiates legal action against the University, the University may disclose to the court, without a court order or subpoena, the student's education records that are necessary for the University to defend itself.
 - vi. The disclosure is in connection with a disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of a crime of violence.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Vanguard University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

The University may release public directory information concerning students. Such information includes, but is not limited to, the student's name, address, email address, student identification number, telephone listing, date and place of birth, major field of study, dates of attendance, class level, enrollment status (e.g., undergraduate or graduate; full-time or part-time; enrolled or withdrawn), participation in officially recognized activities and sports, weight and height of members of athletic teams, photograph, degrees, honors and awards received, and the most recent educational agency or institution attended. The above designated information is subject to release by the campus at any time unless the campus has received a prior written objection from the student specifying information which the student request not be released.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expanded the circumstances under which education records and personally identifiable information (PII) contained in such records, including Social Security Number, grades, or other private information, may be accessed without the student's consent. First, Federal and State Authorities may allow access to student's records and PII without consent to any third party designated by a Federal or State Authority to evaluate a federal or state supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to



education records and PII without consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain and share without consent PII from education records, and they may track participation in education and other programs by linking such PII to other personal information about students that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

GRIEVANCE RIGHTS AND PROCEDURES FOR TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

Vanguard University subscribes to the principle of equal educational opportunity, regardless of gender (cf. Title IX of the EDUCATION AMENDMENTS OF 1972). Any member of the University community who has a grievance related to this principle should petition in writing or online to the Title IX Coordinator, who will work with the petitioner for a resolution of the problem. A trained appellate board shall serve as ultimate board of appeal for such questions. Additional information is available on the university's website regarding *Title IX Policies and Procedures*.

CLERY COMPLIANCE

In accordance with the Jeanne Clery Act, Vanguard University's Campus Safety Office collects and reports campus crime data, supports victims of violence, and publicly outlines the policies and procedures we have put into place to improve campus safety. In addition, each year we publish our Annual Security Report by October 1, which includes statistics of campus crime for the preceding three calendar years, plus details about efforts taken to improve campus safety. We also include policy statements regarding (but not limited to) crime reporting, campus facility security and access, law enforcement authority, incidence of alcohol and drug use, and the prevention of/response to sexual assault, domestic or dating violence, and stalking. The Campus Safety Office provides timely warnings and emergency notifications when a crime covered by the Clery Act occurs. Campus officials evaluate if there is a serious or ongoing threat to the campus community to determine if a timely warning needs to be issued to all staff and students. In the event of an immediate, significant danger to the health or safety campus community (e.g., weather, disease outbreak), campus officials may issue an emergency notification. This notification can include the entire campus or be limited to a specific area deemed to be at risk.

ALCOHOL AND OTHER DRUG POLICY

The Alcohol and Other Drug (AOD) policy is created to comply with the Drug-Free Workplace and Drug-Free Schools & Communities Act Amendments of 1989 (Public Law 101-226), which requires the University to adopt and implement a program to prevent the unlawful use and/or abuse of drugs or alcohol by faculty, staff and students and to set forth standards to provide a safe, healthy, and productive community setting for work and study. The purpose of this policy is to describe University

standards of conduct concerning alcohol and drugs, communicate the health risks and other legal and disciplinary consequences of failing to adhere to university standards of conduct, and provide information as to available assistance and resources. Vanguard provides the AOD Policy to all students on a biennial basis.

STUDENT ACADEMIC GRIEVANCE PROCEDURES

Students currently enrolled at Vanguard University who feel they have been unfairly dealt with in any area of the University can follow administrative procedures to address concerns and/ or complaints.

For concerns and/or complaints that pertain to academic related matters, the following procedure applies:

1. Contact the appropriate academic department chair or program director in the academic area for which the concern and/or complaint exists.
2. If the grievance is unresolved, it will escalate to the respective School/College Dean in which the academic department chair or program director reports.
3. If preliminary procedures fail to resolve the concern and/or complaint the student may submit an appeal in writing stating the nature of the grievance, the evidence upon which it is based, and the redress sought. The grievance can be filed on a Vanguard University Complaint Form (<https://www.vanguard.edu/student-portal/forms/vanguard-university-complaint-form/>) and submitted to the Office of the Provost.
4. The final decision for appeals made in all student academic matters resides with the Provost/Vice President Academic Affairs, who serves as the Chief Academic Officer of the University.

For concerns and/or complaints that pertain to non-academic related matters, which includes residential housing and student conduct, the following procedure applies:

1. Contact the appropriate Director in the department which the concern and/or complaint exists.
2. If preliminary procedures fail to resolve the concern and/or complaint the student may submit an appeal in writing stating the nature of the grievance, the evidence upon which it is based, and the redress sought. The grievance can be filed on a *Vanguard University Complaint Form*.
3. The appropriate area Vice President listed below will review and act to bring formal resolution to the stated grievance. Vice Presidential area oversight is as follows:
 - a. Vice President for Student Affairs - oversees areas Student Affairs, Residence Life, Campus Safety, Counseling Center, and the Health Center.
 - b. Vice President for Finance - oversees areas of risk and fiscal management, including the Office of Accounting Operations, and Maintenance and Facilities services.
 - c. Vice President for Enrollment Management - oversees areas of university admission and financial aid
 - d. Vice President for University Development - oversees Athletics and Food Services.



4. If satisfactory action is not achieved, the final appeal may be directed to the University President.

It is expected that currently enrolled students will fully utilize any/all of the University's administrative procedures to address concerns and/or complaints in as timely a manner as possible. On occasion, however, a student may believe that these administrative procedures have not adequately addressed concerns. In those select cases, the following independent procedures are provided.

Students currently enrolled at Vanguard University may also file a concern and/or complaint through the WASC Senior College and University Commission (<http://www.wascsenior.org/comments>) if they feel the University is not in compliance with the WSCUC Standards of Accreditation (<https://www.wscuc.org/content/standards-glance-2013/>) and Commission policies. Additionally, online student may seek redress through their home state's higher education agency.

In accordance with California Education Code Section 94874, Vanguard University is contracted with the Bureau for Private Postsecondary Education (Bureau). For the Bureau to review and act on complaints concerning the institution. An individual may contact the Bureau for Private Postsecondary Education for review of a complaint. The Bureau may be contacted at:

Mailing Address:

Bureau for Private Postsecondary Education
P.O. Box 980818
West Sacramento, CA 95798-0818

Physical Address:

Bureau for Private Postsecondary Education
1747 North Market Blvd., Suite 225
Sacramento, CA 95834

Telephone (916) 574-8900

Toll Free (888) 370-7589

Fax (916) 263-1897

<http://www.bppe.ca.gov> (<http://www.bppe.ca.gov/>)

The Office of the Attorney General for the State of California is authorized to investigate and prosecute violations of State consumer laws, including laws relating to deceptive advertising, credit, charitable solicitations, telecommunications, telemarketing and sales. The Office cooperates with other States, the Federal Trade Commission and other federal agencies in addressing national consumer protection issues. Further, the California Department of Justice Office of Consumer Protection litigates cases that are referred to the Department by other States agencies.

Complaints may be filed with the California Department of Justice Office of Consumer Protection at: <http://oag.ca.gov/consumers> (<http://oag.ca.gov/consumers/>)

ACADEMIC APPEAL PROCEDURE

A student seeking a variance from any stated academic policy should consult with the department of the course/policy in question. *Academic Policy Exception Request* forms are available online in the student portal (<https://www.vanguard.edu/login/>) (login required) or in the Office of

the Registrar. The final appeal in all student academic matters is to the Provost, who serves as the Chief Academic Officer for the university.

DISTANCE LEARNING STUDENT COMPLAINT PROCESS

Vanguard University of Southern California is authorized to offer a number of its online educational programs to students residing in the following states:

Alaska¹, Arizona, California, Colorado, Florida, Hawaii², Idaho², Illinois, Iowa², Kentucky², Louisiana², Maine, Massachusetts, Mississippi², Missouri, Montana, Nebraska, Nevada, New Hampshire², New Jersey, North Carolina³, North Dakota, Ohio², Oklahoma, Pennsylvania², South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington², and West Virginia².

This list continues to evolve as legislation changes. Please contact Graduate and Professional Admissions for the most current information. In addition, we encourage applicants who reside outside our authorized states to consider becoming residential students. Click here (<https://catalog.vanguard.edu/admissions-information/professional-nontraditional/>) for more information.

1

The program is exempt from authorization because the program is online, and the institution does not have a physical presence in the state.

2

Practicum placements within these states are not allowed.

3

Only certain programs are allowed.

INTERNAL COMPLAINT PROCEDURES

As a university community, we are committed to the fair and equitable treatment of all our students, regardless of educational modality. Online students currently enrolled at Vanguard University who feel they have been unfairly treated in any way by the university or by university personnel should follow the administrative procedures outlined below.

Title IX Policies and Procedures

For Title IX and discrimination complaints, go here: Title IX Policies and Procedures (<https://www.vanguard.edu/resources/title-ix/>).

Grade Appeals

See *Grade Appeal Process and Procedure* under Academic Policies section of the catalog for more information.

Procedure for filing a Distance Learning (Online) Grievance

For other academic concerns and/or complaints, please complete the steps below. Students are encouraged to adhere to these procedures in the order presented and to escalate to the next level only when they have not received a satisfactory response

PRELIMINARY INTERNAL PROCEDURE

1. Students should first contact the appropriate program chair/director which the concern and/or complaint exists.

2. If the concern and/or complaint is unresolved, then students may escalate their concerns to the respective School/College Dean to whom the program chair/director reports.

FORMAL INTERNAL PROCEDURE

1. If preliminary procedures fail to resolve the complaint, the student may submit an appeal in writing stating the nature of the grievance, the evidence upon which it is based, and the redress sought. This formal complaint must be lodged using the Vanguard University Complaint Form. (<https://www.vanguard.edu/fs/pages/1465/>) (NOTE: must be a current university student to use the online feature as university login credentials are required.)

The final decision for appeals made in all student academic matters resides with the Provost/Vice President for Academic Affairs, who serves as the Chief Academic Officer of the university.

EXTERNAL COMPLAINT PROCEDURES (DISTANCE LEARNING)

Students enrolled in distance learning (online only) courses may also file complaints with the California Bureau for Private Postsecondary Education:

Bureau for Private Postsecondary Education
P.O. Box 980818
West Sacramento, CA 95798-0818
<http://www.bppe.ca.gov/>

Additionally, distance learning students may submit specific concerns about academic quality or policies to WASC Senior College and University Commission (<http://www.wascsenior.org/comments> (<http://www.wascsenior.org/comments/>)) if they have issue with compliance with the WSCUC Standards of Accreditation (<https://www.wscuc.org/content/standards-glance-2013/>) and/or commission policies. Moreover, they may also seek redress through their home state's higher education agency.

COMPLIANCE STATEMENT

Vanguard University provides this information in compliance with federal law as set forth in the Higher Education Act of 1965 and specifically in CFR 34, sections 600.9 (b) (3) and 668.43(b). The process outlined herein does not limit the right of students to seek available criminal or civil remedies to address their specific situations. Click here for more information on the *University's Student Grievance Process* above; or for more information on the university's disclosure and compliance statements, please visit our website (<https://www.vanguard.edu/about/compliance-and-disclosures/>).

