
GENERAL POLICIES AND DISCIPLINARY PROCEDURES MANUAL

CARLOS ALBIZU UNIVERSITY

* Revised 11/07/12

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CARLOS ALBIZU UNIVERSITY

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GENERAL POLICIES AND DISCIPLINARY PROCEDURES MANUAL

I. INTRODUCTION

Educational institutions have the duty to establish the essential eligibility requirements for those who seek their educational services and to protect their educational purposes through the reasonable regulation of student conduct and academic standards.

Each student, by the act of applying or registering to any Carlos Albizu University (CAU) campus, agrees to abide by the rules and regulations stated in the CAU Catalogs, Student Handbooks, Clinical Manuals, the *General Policies and Disciplinary Procedures Manual* (GPDPM) as well as to all CAU policies which altogether constitute the CAU Code of Conduct. Under said Code of Conduct students have rights but also responsibilities. Therefore, students must familiarize themselves with the aforementioned documents. Copies are available at their program's office, the Albizu Library, or the Student Services Office. If a student is not able to secure a copy of any of these documents at the offices indicated, a written request may be made to the Office of the Chancellor.

In addition, all CAU students are required to also abide by the guidelines and requirements established in CAU program manuals, ethical principles of their corresponding professional associations, and rules and regulations governing their respective fields.

CAU reserves the right to make changes in its policies and procedures, including academic requirements. In addition, based on institutional policies and procedures, it reserves the right to withdraw any student from the University and/or take disciplinary action as warranted. Admission of a student to Carlos Albizu University, or the act of enrollment in any of its programs does not constitute a guarantee to the student for the conferment of the degree in the selected program of study. The conferment of academic degrees is the sole province of the Board of Trustees.

II. APPLICABILITY

This Manual applies to part time and full time students, as well as to non-degree seekers. It also applies to faculty in relation to grade or academic grievances and their participation in the matters governed by these set of rules. The policies contained herein complement the ones contained in any other institutional regulations, procedures, manuals, catalogs or documents. It is expressly stated that this Manual supersedes all other previous publication or statement that may be in conflict with it.

III. DEFINITIONS

For the purposes of this Manual, the following words and phrases shall have the following definitions:

- A. Student – Any person officially enrolled at any CAU campus.
- B. Official Knowledge: The existence or occurrence of any public event, information, fact or document officially notified or known by CAU. Anonymous information will not be subject to official knowledge.
- C. Official Activity: Any activity or event duly authorized or sanctioned by the administration of CAU.
- D. Faculty: Any person employed or under contract at CAU either part-time, half time, or full time, as a professor or instructor in any campus of the institution.
- E. CAU: Carlos Albizu University.
- F. Quality Assurance Committees (QAC): A fact-finding body composed of two or more Faculty members named as needed by the appropriate functionary, at his/her discretion, to make a report on an issue or occurrence.
- G. Examining Officer (EO): Any person appointed by the President as a fact finder, to preside and conduct a formal hearing or to conduct a hearing or investigation.
- H. Working Days and Hours: Days and hours designated as such by CAU for the staff and/or academic community of each campus.
- I. CAU Premises: Includes rented, leased, owned or controlled property or any common areas, which CAU may use or share with other tenants, co-owners or sponsors.
- J. Hazing: Any initiation activity, ritual, or analogous activity which exposes a person to violations of their dignity or ridicule, or which may constitute a danger to the safety or welfare of the person involved, those present in the activity or the institutional community in general. Any such acts or those that a reasonable person may interpret as hazing are hereby prohibited.
- K. Pattern of violations of CAU's Code of Conduct: Two or more minor or major violations or combination thereof, of CAU's Code of Conduct will constitute a pattern of violations subject to a formal hearing as a separate charge under Major Violations.
- L. Notification: Any written communication delivered by any mean to a student by CAU's functionaries will be considered in full compliance of the due process afforded under these General Policies and Disciplinary Procedures Manual, or applicable procedures, when sent or delivered as required to the last official address of the student which appears in the Registrar's Office. Refusing or avoiding receipt or acceptance of delivery of the notification will not extend the terms established herein. The date of notification is the date on which the letter or communication is sent or on which delivery was attempted.

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- M. Handicapped person: Any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

- N. Catalog: Catalog is an official university document that describes administrative and academic policies, student services, degree requirements and course offerings. CAU reserves the right to make changes to its policies and procedures including academic requirements.

IV. ACADEMIC, CLINICAL AND PROFESSIONAL REQUIREMENTS

The following are required standards of conduct which provide a set of criteria for evaluation of CAU students:

A. Personal Characteristics

1. Capacity for warmth, empathy, sensitivity and sincerity
2. Enthusiasm, motivation for training, demonstration of interest in career
3. Personal integrity and honesty
4. Personal security and level of self-worth and confidence
5. Personal stability and maturity; realistic self-image in terms of strengths and liabilities
6. Self-awareness and psychological health
7. Demonstrate social skills and flexibility to receive feedback and constructive criticism.
8. Belief in the capacity for change in human attitudes and behavior

B. Cognitive Abilities

1. Analytic abilities. Proficiency in deductive and inductive reasoning; ability to think metaphorically
2. Communicate with others without bias or prejudice
3. Compose written work of undergraduate and graduate levels quality, use grammatical structures appropriately and convey ideas with clarity

C. Professional Qualities and Experience

1. Demonstrate initiative, responsibility, and reliability in vocational and academic life
2. Demonstrate multi-cultural sensitivity
3. Present themselves in a clean, neat and professional attire

D. Academic and Clinical Skills

1. Maintain high academic standards
2. Maintain high quality clinical performance
3. Accept feedback from Faculty and supervisors
4. Maintain intellectual curiosity and flexibility
5. Maintain scientific skepticism and open-mindedness

E. Core Clinical Competencies

1. Interpersonal Skills
2. Appreciation of Individual and Cultural Differences
3. Ability to assess
4. Commitment/Professional Motivation
5. Professional and Ethical Behavior

F. Ethical Skills and Behavior

1. Adherence to the ethical standards of their profession
2. Adherence to CAU's policies and procedures
3. Commitment to correcting own errors
4. Confidentiality
5. Seek guidance and direction from directors and supervisors

G. Interpersonal Skills

1. Capacity for developing interpersonal skills (empathy, respect for others and personal relatedness)
2. Respectful and non-hostile attitude
3. Mature and appropriate behavior
4. Ability to function independently
5. Sound professional judgment and discretion in both student and professional activities
6. Capacity for conflict management resolution
7. Commitment to professional development
8. Willingness to assess own performance and take corrective measures
9. Willingness to provide, accept and utilize constructive criticism
10. Positive, respectful and effective relationship with peers, Faculty and Staff
11. Satisfactory working relationship with Faculty and supervisors

V. GENERAL INSTITUTIONAL DISCIPLINARY GUIDELINES

- A. All minor violations will be pursued under an informal proceeding to try to resolve the situation in an informal manner. All major violations will be pursued under the formal hearing dispositions. If respondent is absent, a request in writing from the student to have counsel present as an observer may be allowed. Counsel shall be informed that he/she will not intervene in or interrupt the proceeding. If there is intervention, interference or interruption by counsel, the Chairperson has the authority to bar or remove anyone from the hearing room, including counsel, who is not abiding by the rules.
- B. All hearings will be held privately. Unexcused absence at a hearing will not cancel a hearing except in case of an emergency, or extraordinary circumstances as determined by the University. CAU authorities may hold the hearing, "in absentia", on the grounds that the student has renounced his/her right to be present.
- C. Action taken outside of these procedures, which should properly be pursued under them, is viewed by the University as unethical conduct, an attempt to exert undue influence on procedural integrity and orderly functioning of the Institution, and is considered a major violation of the CAU's Code of Conduct.
- D. A particular functionary empowered to make any kind of intervention under these given General Policies and Disciplinary Procedures Manual may designate another person or functionary to make the required intervention for just cause, as determined by CAU. Whenever a functionary is mentioned in this document, it also includes designees even if not specifically mentioned.
- E. To compute any term, the day in which the event occurred is not counted (for example, in a ten working day term from the conclusion of a hearing, the day on which the hearing concluded is not counted; it begins counting on the next day). If the term ends on a non-working day, the end of the term will be the next working day.
- F. Any terms established in this document may be extended for just cause, except for appeal terms. Any extension of time will be notified in writing to the parties involved.
- G. Reasonable extensions of time requested by a student may be granted by CAU for just cause, except for the appeal terms. Time extension will be requested by the student in writing no less than three (3) working days prior to the scheduled event or end of any term. CAU will notify all parties of any time extensions granted.
- H. Any notification sent to a student by CAU's functionaries will be considered in full compliance of the due process afforded under these General Policies and Disciplinary Procedures Manual, or applicable procedures, when sent or delivered as required to the last official address of the student which appears in the Registrar's Office. Refusing or avoiding receipt or acceptance of delivery of the notification will not extend the terms established therein. The date of notification is the date on which the letter or communication is sent or on which delivery was attempted.
- I. A student dismissed for disciplinary reasons has no right to readmission to CAU or any of its affiliates.

VI. MINOR VIOLATIONS

A. Clinical Violations

1. Failure to keep complete forms in the clients'/patients' record according to the clinic's directives. (Whenever the word client/patient is used, it includes a parent or guardian, when applicable.) The only exceptions are the feedback forms (only if the client/patient has not been referred from an outside program). If the client/patient refuses to sign a form such as the consent for research, then the student must document on the form that the patient refused to sign, sign it and date it.
2. Failure to properly document any client/patient contact or other relevant information.
3. Having a client/patient sign a blank or incomplete Release of Information Form or any other required release form.
4. Having a client/patient sign a blank treatment plan form.
5. Not appearing for appointments or being late for appointments.
6. Failure to notify the client/patient and practicum site of an absence, beforehand, except in emergency situations.
7. Failing to follow through on client's/patient's no shows (including documenting said efforts to contact the client/patient).
8. Failing to check for assigned cases.
9. Failure to respond to case notices within specified time interval.
10. Not bringing all assigned charts to supervision for each session.
11. Not being accessible for clients/patients during assigned clinic hours.
12. Failure to follow specified procedures for future appointments with clients/patients.
13. Leaving the practicum or internship site during the assigned clinic hours without authorization from the Director or supervisor.
14. Failure to abide by professional ethical standards, which in the professional judgment of the supervisor constitutes a minor violation.

B. Disruption

The disruption or interruption of a lawful meeting within the University is prohibited. Disruption shall also include the following and any other conduct considered disruptive by a reasonable person. If violence or verbal or physical abuse is involved, it will constitute a major violation and it shall also be grounds for summary removal from the

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classroom, the Institutional premises or an institutionally sanctioned activity. Other forms of disruption include:

1. Interference with academic freedom or freedom of speech, in a classroom, but also any interference with the freedom of a speaker invited by the CAU, or any of its functionaries, organizations or community members, to express his/her views. Faculty or CAU functionaries are authorized to have students removed from class, or from any activity or reunion for disruptive behavior, if it is warranted in their judgment.
2. Blocking of entryways to buildings, rooms, sections of buildings, hallways, or stairways, in such fashion that people find it difficult or impossible to pass through or go about their business, or threatening in any way.
3. Blocking of vehicular traffic.
4. Noise making, or other behavior which is so distracting that it is difficult or impossible to conduct a class, a meeting, or any other authorized event. Violations of this section may be pursued by CAU as a major violation according to the severity of the disruption, the effect on the best interests and image of CAU and/or the need to protect the safety and welfare of its constituencies.

C. Unauthorized Distribution or Posting

Students must request and receive approval from the Chancellor or designee for flyer or information distribution and/or posting. CAU reserves the right to establish reasonable rules as to time, place and manner for distribution or posting of information.

D. Disobedience of Reasonable Orders of CAU Officials

Students are required to comply with reasonable requests or orders by authorized CAU officials or representatives acting on behalf of the Institution.

E. Damage, Defacement or Destruction of Property

Damage, defacement or destruction done to property belonging to Carlos Albizu University or members of the CAU community, constituencies or guests. Any such incident resulting in a monetary liability to the CAU exceeding \$200.00 (two hundred dollars) will be considered as a major violation. Non-reporting of accidental damage within five (5) working days from its occurrence by the person who caused the damage or by anyone who witnessed it will be considered as a separate minor offense subject to sanctions under this title.

F. Unauthorized Campus Activities and Events

The use of institutional facilities is prohibited without previous authorization. Promotion for any activity or event must be approved by the administration.

G. Complicity

A student who aids, abets or conspires with another person to violate CAU's Code of Conduct constituting a minor violation, will also be charged with a minor violation, under this General Policies and Disciplinary Procedures Manual.

VII. MAJOR VIOLATIONS

A. Verbal or Physical Violence or Abuse

Verbal or physical violence or abuse of any person which may also be classified as assault and battery on CAU premises, or at CAU-sponsored or supervised functions, or conduct which threatens or endangers the health, safety or welfare of any person. The following circumstances will be considered aggravating circumstances: when the victim or intended victim is a minor, an elderly person, a person challenged by disabilities or member of a minority group as established by current local, federal laws and jurisprudence, or if violence or abuse was motivated or partially motivated by the victim's gender, skin color, race, ethnicity, religion, political ideas, national background, sexual identity or preference or handicap, and forcible interference with the freedom of movement of another student, a functionary, guest or client/patient of CAU. If the violation occurred during an activity reasonably considered as hazing, the student will also be charged for a violation to the hazing policy. A student charged with any of these violations may be summarily suspended from CAU.

B. Violation of Probation, Suspension, Dismissal or Sanctions

Violation of CAU's academic or clinical regulations and policies, which entail a probationary period, suspension and/or dismissal or violation or non-compliance with any sanction or condition imposed under this General Policies and Disciplinary Procedures Manual and/or any other academic policy at CAU.

C. Falsification of Records

Material alteration of records, including, but not limited to: admission application statement of facts about past criminal record or activity or unlawful or unethical behavior; registration; student disciplinary records; clinical records, whether active or closed; research records; transcripts; grades and identification cards, by forgery or other means of deception; registration for clinical hours and then leaving the clinic or abandoning the site without either deleting or amending said registration before leaving the premises, or without receiving authorization from the clinical Supervisor; and records related to requests for transfer of credits or prior learning credits falsification of the signature of CAU's functionaries any other institutional form or record will be considered a record falsification.

D. Breach of Confidentiality and/or Privacy

Sharing or disclosing information related to a client/patient or any violation of Health Insurance Portability and Accountability Act (HIPPA) norms or not duly safeguarding a client's/patient's clinic's record, employment, student record or official institutional records of any kind to an unauthorized person or entity.

E. Disclosing Academic Information to Non Authorized Persons

Sharing or disclosing confidential academic information in violation of federal or state laws, or CAU policies and procedures.

F. Breach of Peace

Conduct or expressions on CAU premises or activities, which disrupt the orderly functioning of, said activity, or which is lewd, indecent or obscene, offensive or discriminatory. CAU may summarily suspend a student or students involved in this conduct. Any CAU functionary or security personnel may also remove a student from the premises.

G. Defamation, Threat, or Extortion

Oral or written communication which unlawfully exposes any individual or group to hatred, contempt, or ridicule, and thereby injures the person, property, or reputation of another person or of any CAU campus. Oral or written communications that threaten another with a crime or offense, or threaten another person, his or her property, or threaten to damage or damage the reputation of another, is prohibited. Exposing another to disgrace, with the intent to extort money or obtain any advantage whatsoever, is also prohibited. A student may be summarily suspended when charged with this violation.

H. Contracting or Representation in the name of CAU or its Functionaries

TH Students are prohibited from soliciting or contracting in the name of Carlos Albizu University, unless duly authorized in writing by the concerned Chancellor and/or President. He/she may not claim to be an official representative of CAU for any commercial or any other purpose or for any personal or private gain.

I. Providing False Information

No student shall knowingly give false, perjured or incomplete information or testimony in any CAU document, investigation or proceeding. No student shall give false information to a CAU official or in any official document or show disregard for truth.

J. Unauthorized use of the Institution's Name, Logo or Symbol

Unauthorized use of the Institution's name, logo or symbols is prohibited under this disposition.

K. Violation of Public Laws

Any act by a student, which constitutes a violation of a public law, occurring either on or off any CAU campus may be cause for disciplinary action. CAU may present charges under this section against any student for conduct or acts related to charges of violation of public laws, which may constitute a violation of the personal and professional requirements to be a student at CAU, or which constitutes conduct sanctioned under these policies and procedures, regardless of the status of any related charges before any other forum.

Conduct or acts related to charges, convictions or nolo contendere pleas, in any forum, before enrollment at CAU, will be considered under this section, if in any way related to the professional or personal conduct required for students at CAU, constitutes a threat to CAU constituencies, or is detrimental to the image or best interest of CAU. A student who is charged or convicted with public law violations will immediately inform CAU of said charges. If the University acquires knowledge by any other means of the alleged charges against the student or involving a student, and the information is validated, the following procedure will be followed: the Chancellor concerned may summarily suspend the student, if the conduct involved constitutes, or is reasonably believed to constitute, a direct or imminent threat to the safety or welfare of CAU community members, constituencies or guests, or is detrimental to the image or best interest of CAU. CAU may make an independent adjudication of any charges against a student before any forum.

L. Violation of the Code of Conduct

Violations of one or more of the regulations stated in CAU's Code of Conduct, as defined in this General Policies and Disciplinary Procedures Manual may be grounds for Summary Suspension.

M. False Representation

Students shall not represent themselves, or allow themselves to be represented by any party, as being in possession of a doctorate, master or bachelor level degree, either orally or in writing, directly or indirectly, until the Board of Trustees has conferred the degree. A student shall not append "B.S. Candidate", "M.S. Candidate", "Ph.D./Psy.D. Candidate", or some similar designation, after the student's name.

N. Violation of Probationary Status

A student who is found to have violated a probationary sanction under the CAU's Code of Conduct may be charged with the separate offense of violating said probationary status.

O. Complicity

A student who is present during the commission of an act by another student or person, and/or aids, abets or conspires to violate CAU's Code of Conduct will be charged in a separate case with a major violation under this General Policies and Disciplinary Procedures Manual.

P. Worthless Payments

Students shall not make and/or deliver any payments to CAU, which are not supported by sufficient funds on deposit or are in any other way worthless. The student, upon notification from the bank or CAU, must make restitution immediately to CAU, whichever

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comes first. After a first occurrence, such student will be required to make future financial transactions by way of bank certified checks, cashier's check or money order. If restitution is made within the next three (3) days of the notification either by CAU or the bank, the offense will not be brought at a hearing. A subsequent offense will be brought to a hearing.

Q. Vandalism or Malicious Property Damage

Vandalism or malicious damage to property belonging to Carlos Albizu University or its affiliates, or belonging to a member of the academic community, guests or clients/patients, constitutes a major violation, if the monetary liability exceeds \$200.00 or if violence is involved. If the liability is \$200.00 or less it will be submitted as a minor violation, unless violence against a person is involved, in which case it will be pursued as a major violation. Restitution will be required as part of the sanction to be imposed under this section. Vandalism of any facility especially designed or designated for the use of persons with disabilities, will be a separate offense punishable as a major violation, regardless of the liability amount.

R. Unethical Conduct

Violations of the Code of Ethics instituted by any regulating or professional association are prohibited.

S. Academic Dishonesty

Students are expected to conduct their academic affairs in a forthright and honest manner. Cheating, (defined as the act of obtaining or attempting to obtain credit for academic work by the use of dishonest, deceptive, and fraudulent means) plagiarism (defined as the appropriation of another person's ideas, processes, results or words without giving appropriate credit), and any other misrepresentation of work are prohibited. CAU considers an act of academic dishonesty punishable under this General Policies and Disciplinary Procedures Manual as a major violation. Academic dishonesty includes, but is not limited to: (1) submitting work which has already been published, presented to another professor or professional or representing it as a new original work to be graded or considered as part of required coursework, seminar or workshop, without the specific knowledge and consent of the professor that the work has already been presented or handed by him/her or by another student, to the same or to another professor or professional at another course, seminar, or workshop for any other purpose, (2) failing to cite an author for ideas incorporated in a paper, (3) cutting and pasting paragraphs from the Internet without acknowledging it, (4) submitting as one's own work papers purchased from third persons, and (5) submitting a paper downloaded, printed or copied from the Internet.

T. Interference with Academic Freedom and Freedom of Speech

Any act which restricts or interferes with a professor, another student or guest's right of speech is prohibited. The following circumstances will be taken in consideration to impose sanctions:

1. The activity is suspended or interrupted for a substantial length of time, taking into consideration the duration of the activity and nature of the interference;
2. Nature of the interference, whether violent or physical threats are made, violent language or conduct was used;
3. Whether the Institution's image and best interests are damaged or put in danger of being damaged

U. Copyrights Infringement

Copying or using copyrighted material without the proper authorization, not qualified under the fair use dispositions, is prohibited. The use of CAU property or equipment for said purpose constitutes a separate offense punishable as a major violation.

V. Misuse of Licensed Computer Software or Equipment

The use of licensed computer software or equipment in violation of the license agreement with CAU, by unauthorized duplicating, sharing, or by any other means or ways is prohibited. Use of CAU materials or equipment for unauthorized purposes is prohibited.

W. Sexual Harassment

Unwelcome sexual advances or conduct, either physical or verbal are prohibited. Sexual harassment cases will be pursued under the Sexual Harassment and Discrimination Policies and Procedures.

X. Discrimination

Charges brought by basing of decisions and or treatment of a person on race, skin color, national origin, political ideas, religion, sex, sexual orientation, age, physical appearance, disability or status will be pursued under CAU's Policies and Procedures for Sexual Harassment and Discrimination Grievances.

Y. Violation of the Drug and Alcohol Free Campus and Workplace

Use, possession or distribution of illegal drugs and/or alcohol, in violation of the Drug and Alcohol Free Campus and Workplace Act and CAU Policies to that effect, on campus or at CAU sponsored activities, is a major violation.

Z. Publication or Diffusion of Obscene, Lascivious or Hate Material

The definition of obscene or lascivious material is: the accepted definition by the laws and jurisprudence in the corresponding State. Publication or diffusion of any material expressing hate towards any ethnic, religious, gender, physically impaired, sexual orientation, racial or social group is prohibited. Hate material is such as defined by a reasonable person's standards.

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AA. Guns

Any act in violation of the Gun Free Schools Act, as applicable to either campus, of possessing, exhibiting, handling, mishandling, threatening to use or using a firearm or weapon as defined by the applicable laws, at CAU sponsored activities or on premises. In the case of authorized safety officials, federal agents, and/or police officers, they must abide by the statutes, rules and regulations.

BB. Hazing

Any acts that constitute hazing are prohibited by CAU. CAU strictly prohibits any hazing activities, either in campus or outside campus. Any student or group of students or members of a student association who engage in hazing will be summarily suspended from CAU and sent before an Examining Officer or QAC for a hearing.

CC. The following clinical violations are major violations:

1. Lying or making professional misrepresentations
2. Violation of statutes, ethical standards, APA guidelines, policies and procedures at the Clinical Center or practicum center
3. Disobeying or disregarding supervisor directives
4. Failure to respond to incident reports
5. Removing charts or other property from premises
6. Abandoning a case by not keeping it up to date on appointments, follow up on treatment plan, record keeping, or forcing the Goodman Center to reassign the case or properly follow up on it.
7. Inappropriate behavior, meaning behavior or conduct, which is contrary to the norms or directives of the clinic or practicum center or applicable ethical code or guidelines
8. Handling of cases or receiving information about a case from any source without the proper authorization of the Clinic Director or supervisor.
9. Breach of confidentiality

DD. Student Council Regulations

Violation of the regulations applicable to the Student Council members regarding eligibility to belong to said body.

EE. Grievances

Untruthful, distorted or malicious grievances against a member of CAU's staff, administrative employee or faculty member are prohibited and may constitute grounds for summary suspension.

VIII. SANCTIONS

- A. The Program Director or his/her designee will impose the sanctions for minor violation cases, which could be:
 - 1. Oral or written reprimand, to be filed in the student's disciplinary record. Student may not be allowed to participate in any non-academic/non-clinical activities until released from this restriction. Research may be exempted from this sanction.
 - 2. Probation.
 - 3. Restitution.
 - 4. Any combination of the above.

- B. Major violation complaints will be referred to the Program Directors and/or the Director of the respective CAU Mental Health Clinic for a formal hearing. A major violation will result in one or more of the following sanctions:
 - 1. (a) Giving a zero or F on the paper, examination, or project, or
(b) NP in the course grade, seminar, or project.
 - 2. Community work for an academic semester or summer session.
 - 3. Probation.
 - 4. Suspension for an academic semester or a summer session.
 - 5. Dismissal from the University.
 - 6. Restitution in appropriate cases, which may be imposed in addition to any other sanction.
 - 7. Denial of readmission, if applicable.
 - 8. Revoke or declare null a previously given diploma or academic title.

IX. DISCIPLINARY PROCEDURES

- A. Informal Hearing Procedure – In the case of minor violations, CAU encourages informal attempts to solve any grievances between the concerned parties. Grievances which have not been resolved by such attempts will be brought to the attention of the appropriate Program Director. If not resolved, the aggrieved party or appropriate functionary will file a complaint with the appropriate Program Director, who will include the conduct allegedly in violation of CAU's Code of Conduct, the specific dispositions of the Code, the time, and place of the occurrence and a list of witnesses. In case of minor violations, the informal hearing procedure established below will be followed.

A written notification of the complaint will be sent to the student, either personally or by certified mail to his/her last known address by the corresponding Program Director or his/her designee within twenty (20) days of the receipt of the date of the complaint.

The notification shall include:

1. The full name and address of the student
2. Institutional student identification number, if any
3. The specific section or sections of the Code of Conduct which the student allegedly violated
4. Date, time, place and circumstances when the alleged violation occurred
5. Witnesses' names and addresses. For purposes of the Code of Conduct, the address of the witness, if a member of the academic community or guest, will be the office of the Program Director. The Program Director will forward any notification to the witness in an expedient manner.
6. List of documents or evidence purportedly to be used against the student
7. Date, place and hour in which the informal hearing will be held before the Program Director or designee

The student may bring witnesses and/or present evidence on the date, hour, and place designated for the hearing. The informal hearing will be held within twenty (20) days of the date of the notification. The student will have the opportunity to object in writing, at least three (3) working days before the informal hearing, to the participation of the Program Director or designee in the proceedings. The Chancellor or designee will be notified and a new designee will be appointed, at the Chancellor's discretion, within ten (10) days of the receipt of the request, upon good cause shown by the student.

An informal meeting will be held before the Program Director or designee on the date, time and place indicated in the notification:

The Program Director or designee will read the charges and state the evidence available to CAU to support the charges. The student will be given a reasonable opportunity to examine said evidence during the hearing. Rules of evidence applicable to civil or criminal matters are not applicable.

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At the hearing, the student will have the opportunity to offer his/her verbal version of the charges, and to present evidence and cross examine witnesses. The student may request the opportunity to present witnesses or evidence to support his/her position. A continuance for this purpose may be granted, only if issues arise that are directly related to the notification or availability of a pertinent witness or document.

The student does not have the right to be represented by counsel or to be accompanied by one during the informal proceedings.

Minutes of the proceedings will be prepared and signed by the student and the Program Director or designee within fifteen (15) days of the conclusion of the informal hearing.

The student will be notified in writing of the resolution of the complaint by the Program Director or designee and of the sanctions, if any, within thirty (30) days of the conclusion of the informal hearing by certified mail or personal notification. A copy will be included in the student's disciplinary record. If the charges are dismissed, all references to the charges will be expunged from the student's records.

B. Appeal Procedure from an Informal Hearing

The student may appeal to the next available appeal channel when there are allegations of violation of due process, when the sanction imposed is in dispute, or when there is new evidence not available at the hearing, by submitting a written appeal within ten (10) days of the date of the notification of the Resolution of the complaint. The appeal term is not subject to extension.

The appeal will be based on the record, although any channel at its discretion may receive new evidence not available at the hearing.

The next channel may dismiss the charges, modify the sanction, affirm, or modify the decision. The student has ten (10) days to appeal to the following channel from the date of the notification of the Resolution of the case from the previous channel, in strict order as indicated below:

CHANNELS OF APPEAL

Director of Student Services
Chancellor
Vice President of Academic and Student Affairs
President
Board of Trustees

- C. Formal Hearing Procedure – A formal hearing is mandatory in cases of major violations. The corresponding Program Director or designee may appoint a Quality Assurance Committee composed of two Faculty members or will, at his/her discretion, request from the Chancellor the appointment of an Examining Officer (EO), who may be a person from outside the CAU. The Chancellor concerned must present all requests for the appointment of an Examining Officer to the President of the CAU. The appointment of the QAC or the Examining Officer will be made within twenty (20) days of the date of the receipt of the complaint of a major violation.

The complaint must state the specific conduct, applicable dispositions of the Code of Conduct which were allegedly violated, the time and place and circumstances of the occurrence of the alleged violation, a list of the witnesses and a list of documentation and evidence to be presented at the hearing.

A formal hearing will be scheduled within thirty (30) days of the date of the appointment of the Quality Assurance Committee or Examining Officer.

The Program Director or designee will notify the complaint to the student, only by certified mail, with return receipt requested, or by messenger. The notification of the formal hearing to the respondent will include the same information that apply to the listed under the informal proceeding notification, which are applicable to the formal hearing.

The student respondent may submit an answer to the complaint before the hearing. The student may request advance personal inspection of any documents, material evidence to be presented at the hearing, or statements made by witnesses. The student respondent has the following rights:

1. To request the opportunity to inspect any affidavits, documents or material evidence before the hearing on a mutually agreed date with the functionary submitting the charges. There is no right to an attorney at the discovery meeting; the student may obtain copies of the documents examined at his/her cost.
2. To bring counsel to the hearing to advise him/her at his/her expense. The student may request reasonable time to consult with his/her counsel during the course of the hearing. Counsel will not be allowed to question witnesses or to address the panel or Examining Officer, unless specifically authorized to do so by the panel or Examining Officer. It is the responsibility of any party who brings counsel to a hearing to advise him/her as to the role of counsel in said hearings and the responsibility of any party to abide by this General Policies and Disciplinary Procedures Manual. Counsel will be barred from the hearing room if in violation of this General Policies and Disciplinary Procedures Manual, interference or interruption of the proceedings. If counsel accompanies the student, the University may also have counsel or an advisor

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present to advise or counsel the person who will present the case for CAU, the Chairperson of the QAC or the EO.

3. To testify, to present witnesses, documents and evidence
4. To hear the evidence against him/her and to question them (personally, not through counsel). A determination of the facts of each case will be made by the University solely on the basis of the evidence presented at the hearing.
5. To record the hearing at his/her own expense. Students shall request authorization to record and shall bring all the equipment needed to record the hearing. The University reserves the right to record the hearings or to have a transcription made.
6. The right to appeal.

The hearing will be chaired by one of the members of the QAC selected at their discretion, or by the Examining Officer. The University may select a person to present the case before the QAC or EO. The EO or QAC Chair will conduct the hearing and establish the order of presentation of witnesses or evidence and may conduct the questioning of the witnesses of the parties and accept evidence. Rules of evidence applicable to civil or criminal matters will not be applied.

The Quality Assurance Committee or Examining Officer will submit a report to the Program Director or designee, including findings of facts, list of witnesses examined, and evidence received within 30 days from the date of the conclusion of the hearing.

The Program Director(s) or designee will issue a resolution adjudicating the complaint, determining the sanctions to be applied, if any, and the effective date, within thirty (30) days from the date of the receipt of the Report from the QAC or Examining Officer. The resolution of the complaint will be notified to the student within twenty (20) days from the date of the Resolution of the Program Director or designee. It will include findings, sanctions, if any, and the effective date of the sanctions. A copy of the charges and the above resolution will be included in the student's disciplinary file. If the case is dismissed, any reference to the charges will be expunged from the student's file.

- D. The appeal procedure from a formal hearing will be the same as the one from an informal hearing.

X. ACADEMIC POLICIES & PROCEDURES

A. Academic Probation

Academic probation will occur automatically under any of the conditions established in the applicable catalog. A student's continued enrollment depends upon the maintenance of satisfactory performance during the period of probation and compliance with any special conditions imposed. Probation may also be imposed for disciplinary reasons.

B. Academic Dismissal

Academic dismissal represents an administrative mandatory separation from CAU with no promise of future admission according to the dispositions of the applicable catalog.

C. Admission

Admission into the program is granted under the terms and conditions of the catalog in effect at the time of admission.

D. Readmission

Readmission to CAU after an academic dismissal will be on a petition basis, in order for the readmission to be considered. The student must wait for a one-year period from the date of dismissal before submitting a readmission petition. Readmission into a program may be granted only under the terms and conditions of the catalog in effect at the time of the readmission.

E. Academic or Grade Grievances

Academic grievances not covered under a minor or major violation shall be attempted to be resolved by the student requesting a meeting directly and with the concerned Faculty member. If not resolved, the student may bring it to the attention of the corresponding Program Director or designee within ten (10) days of the last attempt to resolve the issue with the Faculty member. The Program Director or designee will notify the concerned Faculty member and set a meeting date with the Faculty member and the student within ten (10) days of the complaint. A meeting will be held to try to resolve the complaint.

Dislike of a grade, believing one's level of knowledge is not reflected by a grade, or believing that one's level of effort is not reflected by a grade are not sufficient bases on their own to present a grade or academic grievance. Letter grades or scores received in academic or clinical courses, scores received in Comprehensive or Qualifying Examinations, admission and readmission or termination for academic reasons from any of our programs of study are not open to a grievance procedure, as they are the sole province of the Faculty. The Program Director's resolution in those cases is firm and final and not appealable, except as indicated below.

If the complaint was not resolved or no agreements could be reached, the student will notify the Program Director in writing within ten (10) days of the meeting that the academic or grade grievances were not resolved by preliminary attempts. The Program Director or designee shall then appoint, within fifteen (15) days of the date of receipt of the complaint, a different Faculty member with expertise in the subject area to review the student's work or issue and submit his/her decision within fifteen (15) days from date of appointment.

In the case of oral examinations, a Faculty member will be appointed, also within fifteen (15) days from the receipt of the complaint, by the Program Director or designee to resolve any impasse by listening to the recorded examination or by any other appropriate means. The decision of the Faculty member in either case is final and may not be contested by the first examining faculty member (or members).

The Program Director or designee will notify the student of the resolution of the complaint within thirty (30) days of the date of the receipt of the decision of the Faculty member.

However, if the Program Director or designee determines that the grievance involves issues of sexual harassment or discrimination, the Chancellor or designee will be informed immediately in order to make a determination as to any interlocutory measures needed and/or whether charges will be filed and pursued against the offending party under the Sexual Harassment and Discrimination Policies and Procedures. If the Grade or academic grievance cannot be resolved, in the opinion of the Program Director or designee, until the sexual harassment or discrimination case is adjudicated, then the academic or grade grievance procedure will be put on hold until the conclusion of the sexual harassment or discrimination proceedings.

Only grade or academic grievances which are substantiated by allegations of capriciousness, arbitrariness, discriminatory treatment and/or contrary to the class syllabus, may be submitted to the Program Director by the student, in writing, within ten (10) days of receipt of the grade or from the date of the action or omission involved, after the informal proceedings have been exhausted, under the following procedure:

1. The Program Director will investigate the grievance.
2. If the Program Director determines that the grievance is groundless, the grievance will be dismissed and the student will be informed thereof in writing within twenty (20) days of date of receipt of grievance.

3. If the Program Director determines that there are grounds for sexual harassment or discrimination, he or she will notify the parties that the grievance will be pursued under the applicable manual.
4. The Program Director will notify the student, and the Faculty member, with a written notification of the decision to pursue the grievance under the applicable dispositions of the informal hearing under this Manual or the Sexual Harassment and Discrimination Police and Procedures Manual, as applicable.
5. If the Program Director determines that the Faculty member act in conduct contrary to his/her employment contract, he/she will present a fact-finding report to the Chancellor for proper action. This report will not include recommendations. The Human Resources Director will be also notified of the report. The Chancellor will adjudicate the grievance.
6. The appeal procedures for the faculty member are established in the Faculty Manual.

F. Summary Suspensions

A summary suspension is defined as an immediate suspension decision from the University taken by the Chancellor or President, for the violation of the Code of Conduct of CAU for any major violation as defined in this document, when the conduct involved constitutes a threat to the safety and/or welfare of CAU community, constituencies, guests or clients/patients, when it is detrimental to the image or best interest of CAU, or for any other reason stated in this General Policies and Disciplinary Procedures Manual or CAU's Code of Conduct or institutional documents. The student will be notified either personally or by certified mail of the summary suspension and the basis for said suspension. Summary suspensions are interlocutory measures that are not appealable.

In cases of summary suspensions the Chancellor or President will request the student's Program Director to appoint a Quality Assurance Committee (QAC), within twenty (20) days from the date of notification to the student of the summary suspension, to determine in a formal hearing to be held within thirty (30) days of the appointment of the QAC, whether the suspension will be maintained or rescinded and for the adjudication of the charges in a formal procedure. Both of the issues will be consolidated into one formal hearing. The University may also present at said hearing any charges against the student under the Code of Conduct. All charges and issues will be included in the notification as required for a formal hearing.

The Chancellor or President will receive the report from the QAC or EO and will issue a resolution within thirty (30) days of the receipt of the report. A notification will be sent to the Admissions and the Registrar's Offices in the event that the former student requests readmission.

XI. APPEALS

The student has ten (10) days to present an appeal to the next available channel, starting from the notification date of the decision took by the Program Director, its designee or the previous appeal channel, whatever the case may be. The appeal will be reviewed through the record, although the different channels may, at their discretion, receive evidence not available to the other channels. Each channel has thirty (30) days to issue a Resolution.

XII. ADMINISTRATIVE GRIEVANCES

A student aggrieved by conduct or actions from a staff member of CAU or administrative employee(s) may present a written grievance to the Human Resources Office. The grievance shall be resolved under the Employee Handbook conflict management procedures or CAU's Sexual Harassment and Discrimination Policies and Procedures, as applicable.

A student may present a grievance against a Faculty or staff member for conduct or actions not covered under the Academic Grievances section of this Manual, under the following procedure:

1. The student will request an appointment with the Faculty or staff member and attempt to resolve the situation in an informal manner.
2. A complaint will be presented in writing to the Faculty member's Program Director or the staff member's Department Director if the informal procedure failed to resolve the situation.
3. The Director will proceed according to the applicable manual.

XIII. SPECIAL CONDITIONS AND REQUIREMENTS

In case the student is found by the one or more members of the Faculty to be lacking in any of the following: compliance with the academic and professional requirements listed in this document, the Institutional Catalog, and the applicable institutional or professional handbook, manuals or codes; personal or professional requirements for students at CAU; academic and clinical skills; or ethical and interpersonal skills and behavior, CAU reserves the right to require an evaluation of the student by a professional in human conduct of CAU's choice. A report will be submitted by such member or members of the Faculty to the Program Director, who should thereafter present it to the whole Faculty of the Department in order to determine if the student is qualified to continue pursuing studies at CAU. If from the evaluation it is learned that the student is in need of professional help, the student will be required by the Program Director to seek the recommended professional help. It is the student's responsibility to seek the recommended professional help at his/her own cost or under his/her medical plan. The University reserves the right to make a determination of the student's status, taking into consideration the best interests of the student and the CAU community. The Faculty is not bound by the evaluation submitted by the student and will make a decision based on their professional judgment and on all available information.

Students challenged by any disabilities will notify their Program Director and the Director of Student Services in writing, of any disability that may require reasonable accommodation, in such a manner as to allow CAU time to evaluate the request and make a determination about its feasibility.

If the Program's Faculty has reasonable basis to believe that the student is a person challenged by a disability, but otherwise qualified to study at CAU, they will present their recommendations to the Program Director. The Program Director may request medical or professional evidence about any disability. The Director of Student Services in collaboration with/or the Student Affairs Director will make recommendations about reasonable accommodation alternatives available. The Chancellor will make the final determination about the accommodation recommendations. If the student is found not to be qualified to pursue studies at the CAU or if the Chancellor determines that no reasonable accommodation can be made, the student will be notified within twenty (20) days of the date of the resolution of the Chancellor.

CAU has a clear commitment and policy of compliance with all laws and regulations applicable to qualified students challenged by a disability. Once a qualified student officially notifies CAU of the existence of a disability, CAU will attempt to reasonably accommodate the student through the Director of Student Services or Student Affairs in accordance with the applicable laws and regulations.

When a student is medically, mentally and/or emotionally disabled, rendering him/her not qualified to receive educational services, such students shall apply for a leave of absence.

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Should the student decide to return to CAU, medical evidence providing support of the student's request will be required prior to readmission.

A student is not qualified to receive educational services at CAU if he/she poses a direct or imminent threat to the health, safety or welfare of others, or whose conduct (past or present) of which official knowledge has been obtained, is detrimental to the image or best interest of CAU and its constituencies, and may be summarily suspended.

XIV. MISCELLANEOUS PROVISIONS

- A. Students have the obligation to keep CAU informed of their current address. Any change of address has to be reported to the Registrar within 10 days of the change. Any notification sent by CAU to the last reported address would be deemed to be properly notified under this General Policies and Disciplinary Procedures Manual. Institutional rules, regulations and policies appear in separate documents, and the University's website including the latest editions of the institutional Catalog. It is the student's responsibility to familiarize himself or herself with all the institutional and professional rules, regulations and policies. The General Policies and Disciplinary Procedures Manual hereby established supersedes existing policies and procedures on these matters, unless otherwise indicated.
- B. A Quality Assurance Committees (QAC) may be appointed from time to time by the proper functionary as a fact finder to make recommendations on a particular situation. QAC are not adjudicating bodies unless specifically indicated in this document.
- C. In accordance with the summary suspension procedures herein established, the University reserves the right to suspend or dismiss at any time a student who has violated CAU's regulations and/or acceptable standards of ethical and professional conduct, or whose conduct constitutes a direct or imminent threat to the safety or welfare of CAU community members, constituencies or guests or is detrimental to the best interests and image of the University.
- D. CAU reserves the right to amend this General Policies and Disciplinary Procedures Manual at any time.
- E. This Manual will come into effect as of the date of its approval by the Board of Trustees or any other specific date set forth by them.

XV. SEPARABILITY

An invalidation of any section or part thereof of this General Policies and Disciplinary Procedures Manual will not invalidate the remaining sections or parts of a section.

Last revision:

29- Aug-2012 (RSL)

05-Nov-2012 (IGZ)

Endorsed by BOT's Academic & Students Affairs' Committee at meeting held on November 13, 2012.

Submitted to the Board of Trustees, for approval, by Dr. María de los A. Ortiz-Chair of Academic and Student Affairs Committee, at the Board meeting held on December 15, 2012.

Approved by referendum and ratified by the Board of Trustees at Board meeting held on February 26, 2013.



Gualberto Rodríguez
Secretary to the Board of Trustees