

2009-2010 Course Catalog

The University Of Montana

Student Rights

Public Safety Report and Alcohol and Drug Guidelines

The health and safety of students, faculty, staff, and visitors are of paramount concern to The University of Montana. Each year the University publishes an annual report outlining on-campus security and safety information and crime statistics. The report provides important information for security awareness and crime prevention programs, emergency procedures and reporting crimes, plus law enforcement and safety services on campus.

Additionally, the booklet contains the University's policy on sexual assault and information about support services for victims of sexual assault. The booklet also includes information about the University's drug and alcohol policy, programs and support services for substance abuse, and risk management guidelines for University-related events.

The booklet is available by writing or calling the Office of Public Safety (406) 342-6131 or the Office of the Vice President for Student Affairs (406) 243-5225, The University of Montana, Missoula, Missoula, MT 59812. The information can also be accessed on the web at:

www.umt.edu/studentaffairs/ and www.umt.edu/pulicsafety/campact.htm.

Student Complaint Procedures

Under the terms of the Collective Bargaining Agreement between The University of Montana University Faculty Association and The Montana University System, there is a formal procedure for students who have a complaint against a faculty member or an administrator. Information about this procedure is available at <http://www.umt.edu/provost/facultyinfo/docs/CBA2005-09.pdf> on page 113 under 21.000. The ASUM Student Resolution Officer is available to answer questions about procedures and to assist with the process. Time restrictions are important, so student should review procedures immediately if they feel they may have a complaint. The Resolution Officer receives voice mail at 243-5431 or email at asum.resolutionoff@mso.umt.edu.

Family Educational Rights and Privacy Act of 1974, as amended (Buckley Amendment)

Consistent with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) and University policy, every person who is or has been a student at this University, and the parents of students under 18 who are not taking postsecondary courses, have the following rights:

1. Upon completion of the appropriate request form and submission thereof to the person responsible for the custody and maintenance of the records, a student has the right to inspect and review within 45 days from the date of initial request that portion of any official record which directly relates to the requesting student and to have a copy thereof upon payment of the cost of the copy. An "official record" is any record intended to be used for "school use" or to be available to parties outside the school or school system, specifically including but not necessarily limited to identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns.

The right of inspection and review shall not extend to psychiatric, medical, or counseling records which are intended for personal diagnostic or treatment purposes only. Neither does the right extend retroactively to items of record previously obtained with assurances that confidentiality would be maintained.

With regard to such confidential items, the student has the option of either waiving the right of inspection and review and having those items retained as a part of the record, or of requesting that such confidential items be removed from the student's record and returned to the source or destroyed.

2. The right to a hearing before the Student Court to delete any portion of any record which is inaccurate, misleading or inappropriate. Discrepancies should first be brought to the attention of those responsible for maintaining the records so they may have an opportunity to cure any defects. To the extent defects are not cured, upon request a hearing may be initiated by a written request from the student delivered to the Office of the Vice President for Student Affairs. The matter before the Student Court will be the question of the accuracy or appropriateness of the record itself and will not be extended to questions of the judgment of those who contributed to the record. The court will consider (1) whether the record accurately reflects matters intended to be contained here. (2) whether the record is misleading because in its present form it would lead a reasonable person to an incorrect conclusion, or (3) whether matters within the record are inappropriate because the record does not usually or should not reasonably contain such matters as those in question. Upon appropriate determination of the court, any such matters may be ordered deleted from the record.
3. The right to have education records or personally identifiable information from education records kept confidential and not released to third parties without the written consent of the student, except for release to the following:
 - a. University personnel for legitimate purposes and to the extent required in the ordinary course of the performance of their duties.
 - b. Authorized representatives of (a) the Comptroller General of the United States, (b) the Secretary, (c) an administrative head of an education agency, or (d) state educational authorities having access to student or other records which may be necessary in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of the federal legal requirements which relate to such programs. Provided, that, except when collection of personally identifiable data is specifically authorized by federal law any data collected by such officials with respect to individual students shall not include information (including Social Security numbers)

- which would permit the personal identification of such students and their parents after the data so obtained has been collected.
- c. In compliance with judicial order or any lawfully issued subpoena upon condition that the student is notified of compliance.
 - d. In connection with a student's application for or receipt of financial aid.
 - e. The University of Montana may forward educational records to other institutions for students intending to transfer.
4. The right to refuse to permit the designation of any or all categories of personally identifiable information as "directory information" which is not subject to the above restrictions. The University of Montana has defined the following as directory information: student's name, addresses including e-mail, telephone number, dates of attendance, full time/part time status, date of graduation and degree received, school or college, majors, class, and academic awards or honors.

Any student wishing to exercise this right must inform the University Registrar in writing within two weeks after the start of classes of any personally identifiable information which is not to be designated as directory information with respect to that student in that academic year.

5. The right to have available for inspection by the student a written form signed by any representative of the Comptroller General of the United States, the Secretary, or any administrative head of an education agency who requested and was granted access to the records which states the legitimate educational or other interest that each such person had in requesting access to that particular record.
6. The right to have personal student records transferred to third parties only on condition that such parties will not permit any other party to have access to such information without the written consent of the student. All student records transferred to third parties shall have printed or stamped thereon: "No other person may have access to this information without written consent of the student."

Students may file a complaint with the U.S. Department of Education concerning alleged failures by The University of Montana-Missoula 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 20202-4605.

Equal Opportunity

The University of Montana is committed to a program of equal opportunity for education, employment and participation in University activities without regard to race, color, sex, age, religious creed, political ideas, marital or family status, physical or mental disability, national origin or ancestry, or sexual orientation.

Statement Of Law

Equal opportunity laws and orders applicable to The University of Montana include, but are not limited to, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Rehabilitation Act of 1973, Vietnam Era Veterans Readjustment Act of 1974, Executive Order 11246, Civil Rights Restoration Act of 1988, Montana Fair Practices Act of 1974, The Americans with Disabilities Act, and the Montana Nondiscrimination by State and Local Government Act of 1975.

It is illegal in the State of Montana to discriminate against anyone because of race, religion, color, political ideas, age, marital status, sex, mental or physical disability, national origin or ancestry in employment, training, public accommodations, financing, education and government services. With the exception of marital status, this also applies to housing.

Discrimination Grievance Procedure

The University of Montana has established a discrimination grievance procedure for employees, students, and applicants for employment or admission who claim to have been unlawfully discriminated against because of any University regulation, policy, practice or the official action of any University employee.

The University is prohibited from retaliating against an individual who has made charges, testified, assisted or participated in any way in any proceeding, investigation or hearing in regard to the violations or alleged violations of laws or orders requiring equal educational and/or employment opportunity.

Persons believing they have been discriminated against should contact:

Lucy France, Director, Equal Opportunity/Affirmative Action University Hall 020, The University of Montana (406) 243-5710

OR

Montana Human Rights Division PO Box 1728 Helena, MT 59624-1728 (406) 449-2884

Complaints must be filed within 60 days of the alleged discrimination if filing with the University Discrimination Grievance Officer and within 180 days if filing with the Montana Human Rights.