



# Miami International University of Art & Design®



*A branch of Miami International University of Art & Design*

## STUDENT HANDBOOK 2021 | 2022

---

Main Campus: 1501 Biscayne Boulevard  
Miami, Florida 33132-1418

[www.artinstitutes.edu/miami](http://www.artinstitutes.edu/miami)  
800-225-9023

Tampa Campus: Parkside at Tampa Bay Park  
4401 North Himes Avenue, Suite 150  
Tampa, FL 33614-7086

[www.artinstitutes.edu/tampa](http://www.artinstitutes.edu/tampa)  
866-703-3277

Publication Date: April 22, 2022

---

**Table of Contents**

**INTRODUCTION ..... 3**

**CAMPUS INFORMATION ..... 4**

*Accreditation and Licensing.....4*

*Campus Facilities.....4*

**LIBRARY, COMPUTER LABS, AND TEXTBOOKS..... 11**

*Library Collection and Reference Services .....11*

*Computer Labs.....12*

*Textbooks and Supplies .....14*

*Notice of the College’s Policies to Comply With the Higher Education Opportunity Act of 2008.....15*

**STUDENT LIFE ..... 16**

*General Information .....16*

*Internships.....18*

*Registrar .....18*

*Student Life.....19*

**STUDENT FINANCIAL SERVICES ..... 22**

*Student Accounting .....22*

*Student Financial Services .....22*

**HEALTH/SAFETY POLICIES AND PROCEDURES ..... 23**

*Campus Security Report, Emergency Procedures, and Crime Statistics .....23*

*Non-Discrimination Policy .....24*

*Policy for Transgender Students and Employees on Campus.....24*

*No Harassment Policy.....25*

*Student Complaints of Discrimination and Harassment.....25*

*Sexual Harassment Policy.....27*

*Drug and Alcohol Policies .....56*

*Student Conduct Policy.....57*

*Procedures Following Suicide Threats and Attempts .....67*

*Firearms Policy .....67*

*The Family Educational Rights and Privacy Act.....68*

# INTRODUCTION

## About This Handbook

The Student Handbook is designed to serve as a valuable resource as you progress through your academic program. The Student Handbook makes it easy to know where to go for resources and information, and includes policies and procedures that are important for you to read and understand. The Student Handbook incorporates by reference the University's Catalog. Regulations and procedures found in the Institution's Catalog are considered a part of this Student Handbook. The information contained in this Student Handbook pertains to students enrolled in distance courses and programs.

## Student Handbook Notice Regarding Policies

Miami International University of Art & Design and The Art Institute of Tampa (the "University") reserves the right to change the policies contained within this Student Handbook from time to time. Notice is not required for a new policy to take effect; however, the University will make reasonable attempts to notify students promptly of any policy changes through Website or email postings, mail distributions or other methods deemed appropriate by University administration.

**\*Please note that due to COVID-19, many campus services are only available remotely. All students and employees are required to wear masks or face coverings while on campus and maintain social distancing guidelines.**

*The sole member of the "Miami International University of Art & Design, LLC" is "The Arts Institutes International LLC" (All LLC). The sole member of All LLC is the "Education Principle Foundation" (EPF).*

*The sole member of the "The Art Institute of Tampa, LLC" is "Miami International University of Art & Design, LLC" is "The Arts Institutes International LLC" (All LLC). The sole member of All LLC is the "Education Principle Foundation" (EPF).*

# CAMPUS INFORMATION

## Accreditation and Licensing

### Accreditation

Miami International University of Art & Design is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award associate, baccalaureate, and master's degrees. Questions about the accreditation of Miami International University of Art & Design may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on the SACSCOC website ([www.sacscoc.org](http://www.sacscoc.org)).

### State Licensing

The Miami International University of Art & Design and The Art Institute of Tampa are not subject to jurisdiction by the Florida Commission on Independent Education as both Institutions are exempt pursuant to Section 1005.06(c) of the Florida Statutes.

### Programmatic Accreditation

#### Miami International University of Art & Design

The interior design program leading to the Bachelor of Fine Arts in Interior Design is accredited by the Council for Interior Design Accreditation, [www.accredit-id.org](http://www.accredit-id.org), 206 Grandville Avenue, Suite 350, Grand Rapids, MI, 49503.

The CIDA-accredited program prepares students for entry-level interior design practice, for advanced study, and to apply for membership in professional interior design organizations. The Bachelor of Fine Arts in Interior Design granted by the Miami International University of Art & Design meets the educational requirement for eligibility to sit for the National Council for Interior Design Qualification Examination (NCIDQ Exam). For more information about NCIDQ Exam eligibility visit: <https://www.cidq.org/eliqibility-requirements>.

## Campus Facilities

### Locations

#### Miami:

1501 Biscayne Blvd, Suite 100  
Miami, FL 33132  
Local: 305.428.5700  
Toll Free: 800.225.9023

#### Tampa:

4401 N Himes Ave, Suite 150  
Tampa, FL 33614  
Local: 813.393.5321  
Toll Free: 866.703.3277

**Dallas:**

8080 Park Lane, Suite 100  
Dallas, Texas 75231  
Local: 214.692.8080  
Toll Free: 800.275.4243

**Orientation**

Every incoming undergraduate student, both new and re-entering, who has not earned 24 prior credits at the post-secondary level must complete the institution's web-based orientation, consisting of 23 modules, before registering for classes. Students also are strongly encouraged to attend either the virtual new student orientation via Ai Live or the campus on-ground orientation program, designed to introduce them to their learning community, campus facilities, resources, and personnel provided to support them throughout their educational journey.

Students need only complete the new orientation requirements one time, regardless of whether they defer start dates or withdraw and return. Students transferring from one campus to another, without a break in enrollment, are not required to complete orientation. Students not continuously enrolled, prior to transferring, will be treated as new students and must complete the new orientation requirements, unless they have 24 earned credits or have already completed orientation requirements at their prior campus.

**Classrooms**

Classrooms are lecture rooms, computer labs, and kitchen labs. Classes can meet during daytime and evening hours, Monday through Saturday (check your quarterly schedule)

**Offices**

The administrative and faculty offices accommodate faculty and academic administrators, school administrators, student life, admissions, Enrollment Services, Career and Professional Readiness and Student Financial Services.

**Parking and Transportation**

Miami International University of Art & Design Main Campus: The University is situated just across the street from Miami's Metromover, which is free, and from a major city bus depot. There also is a trolley stop just next to the University. Miami's trolley service is free.

<http://www.miamidade.gov/transit/riding-metromover.asp>

<http://www.miamidade.gov/transit/metrobus.asp> <http://www.miamigov.com/trolley/>

Parking can be purchased on campus directly from the Accounting office. Based on availability, the student may purchase the key card access through the school at the quarterly (every 3 months) rate of \$180, along with an agreement to the terms.

Ingress and Egress will be controlled by the magnetic access cards, which are issued at the time of the initial registration of the vehicle, payment of \$25.00 refundable deposit and payment of

the \$180.00 one-time quarterly or \$60.00 monthly fee. Parking must be paid prior to the start of each session to the Accounting Department.

The Art Institute of Tampa requires all students to have and display a parking pass tag in order to park in the designated campus parking areas (garage and parking lot). The purpose of the parking pass is to ensure that no unauthorized vehicles are parked in the lot. Students park at their own risk and liability. The campus or Highwoods Properties is not responsible for loss of property, theft, or damage to any vehicles. Students are required to park in the campus designated parking area.

The parking tag should be displayed on the driver's side windshield. If the vehicle does not have a parking tag displayed, a warning will be issued. On the second offense, the vehicle will be towed at the owner's expense. Visitor parking will be strictly enforced and is intended to be used only by visitors and non-attending students. All cars improperly parked, such as in spaces designated "Reserved," "Visitor," "Parking by Disabled Permit Only," etc., will be towed at the owner's expense. There will be a \$30 charge per quarter for the parking pass. This fee will be billed directly to each account at registration. At graduation or withdrawal from the program, the parking tag should be returned. If the parking tag is not returned, a hold could be placed on your account. You will be required to fill out an application for the parking pass, which is available at the reception desk. Please bring the tag number and vehicle make and model to complete the application. It is your responsibility to update the parking information when you have any vehicle or contact information changes. (These fees are subject to change with 90 days' notice.)

**Restrictions:** Hover boards and skateboards are not permitted on campus.

## Websites

The University's website is listed in the footer of every page in this handbook. Through this website, students can access campus and programmatic descriptions, the Institution's Catalog, Consumer Information, and Financial Aid information.

## Student Portal

Our students' creative community extends into the virtual world through <https://portal.aii.edu>, their portal to all the services and resources they need to succeed as a student at the Institution. Students receive information and directions regarding <https://portal.aii.edu/> upon matriculation and are encouraged to explore the student portal as early as possible in order to access important information, connect to resources, and assimilate to campus life. For further assistance with the <https://portal.aii.edu/> portal, students should contact the Help Desk at 866-642-2711. Registered students receive:

- Their student email address (The student email address is one of the official channels of communication between students and the Institution. It is very important that students log in and check it often!)
- Access to the Internet and social websites

- Access to online registration, grade reports, online payment, or Brightspace information for their classes, online bill payment, financial aid information, news and upcoming campus events.

For Student Grade Change Appeals please reference your academic catalog or contact the Academic Affairs Office.

### **Student Email Accounts**

Our student email accounts are created/activated when the student provisions their account at <https://portal.aii.edu/>. To ensure they receive communications from campus faculty and administrators in a timely manner, students should check their student email account regularly or set it up to forward to another account that they check more frequently.

### **Verification of Student Identity**

At this time there are no fees associated with verification of student identity for students enrolled in distance programs and courses. If any fees associated with the verification of student identity will be charged to students, it will be posted on the course registration site to provide advanced notice to students.

### **Animals On Campus**

The **University** prohibits any animals on campus property, with the exception of approved service animals. In order to receive approval to bring a service animal on campus property, please contact the Office of Disability Services at [aidisabilityservices@aii.edu](mailto:aidisabilityservices@aii.edu).

### **Appropriate Attire**

Appropriate student attire is extremely important in helping to maintain a campus climate which fosters academic excellence. Not all clothing is suitable for school. School attire should be comfortable and not disruptive or distracting to the learning environment. Any attire deemed as inappropriate and/or disruptive will result in a meeting with a representative from The Office of Student Life/Academic Affairs. Student will then be asked to leave campus and only return when dressed in appropriate attire. Masks are required while on campus. Campus Administration reserves the right to stipulate appropriate attire.

### **Children on Campus**

From time to time, children accompany parents to campus. If students have an appointment with staff when they are not attending class, they may bring children as long as they are supervising them at all times. Please be mindful, however, that children are not permitted in the classrooms or labs at any time, and are not permitted to use the Library or computer resources.

### **Identification (ID) Cards**

Student identification (ID) cards are required at the University and must be carried at all times. Students may be asked to show a valid ID card while on campus. Students enrolled at the **University** are issued ID cards that are used for a variety of purposes during their studies

including:

- To gain entrance to the building;
- For checking out Library books and resource materials;
- For checking out individual department training equipment;
- For use of open computer labs;
- For picking up class schedules, midterm grades, etc.;
- For participation in student activities and social events;
- For student discounts offered by some retailers, theaters, and restaurants.

Students should not loan their ID card to anyone for any reason, as the student will be responsible for its use (loss or damage to books or equipment). Lost cards should be reported immediately and must be replaced. It is the student's responsibility to replace their ID cards.

### **Personal Property**

The University is not responsible for the loss or damage of any personal property of a student. We encourage you to take measures to safeguard your property including placing your name and student number on valuable items and to avoid leaving items anywhere unattended. You may want to review your personal property or homeowner's insurance policies to ensure that valuable items are covered. You are responsible for any books or equipment you use or check out. If material is lost or damaged, you will be charged for the cost of repair or replacement at the Institution's discretion.

### **Portable Communication Devices**

The University is committed to providing an atmosphere that enables the highest quality of student learning. In order to ensure the maintenance of such an environment, the University prohibits the use of portable telecommunications/electronic devices in classrooms during class meetings and outside of the classroom at campus events (i.e. student meetings; program meetings, etc.) and other activities as designated by The Office of Student Life/Academic Affairs. Requests for exceptions to this process must be submitted seven days in advance to the Dean of Student Success or Student Life department. All above designated devices must be disabled prior to class periods and/or events. Failure to adhere to this regulation may result in grade adjustments, dismissal from class, and/or additional disciplinary action.

### **Posters, Flyers, and Banners**

The University provides bulletin boards for your use in several areas. Students may place posters and flyers that are in good taste and meet campus guidelines on these bulletin boards with approval from The Office of Student Life/Academic Affairs. Posters and signs may not be affixed to walls, elevators, or other places not intended for their display. Copies of posting guidelines are available at The Office of Student Life/Academic Affairs.

### **Smoking Policy**



The **University** provides a smoke-free environment. Smoking, vaping or other use of e-cigarettes is not permitted anywhere inside the buildings nor is it permitted near any of the buildings entrances. Smoking and vaping may be permitted outside the buildings in designated areas only.

### **Student Messages**

Staff and faculty are unable to take messages for students except in cases of emergency.

### **Visitors On Campus**

Unattended children are not permitted anywhere in any campus building or in the property surrounding it for reasons of safety and to ensure an appropriate educational environment; children and guests of students are not permitted in the building unless they have an appointment with staff. Children and guests of students are never permitted in classrooms, laboratories, or the library.

# LIBRARY, COMPUTER LABS, AND TEXTBOOKS

## Library Collection and Reference Services

Through its collections and services, the library provides direct support of the school's educational mission, encouraging the professional development of students in the creative arts and business-related and general education curricula that emphasize the communicative, interpersonal, reasoning, and technical skills necessary for their success.

The library collection consists of a wealth of digital resources in the Online Library and a physical library collection on campus. The Arts Institute Online Library, available on and off campus through the portals as well as the Brightspace online classrooms, includes both general academic research collections and specialty databases that directly support Art Institute programs, totaling hundreds of thousands of full-text electronic books, electronic journals, music and sound effect clips, streaming videos, and software tutorials, as well as millions of images.

The campus library houses a collection of physical materials that includes print books, journal and magazine titles, multimedia resources including DVDs, reference materials such as encyclopedias and dictionaries, and other vital resources relevant to the academic programs. All digital and physical library resources are discoverable through the library catalog and the Discover It search tool on the Online Library.

Library staff, available in-person in the library or remotely via email and chat through the Ask-A-Librarian Service, assists in the use of library resources and help with research, citations, and educational technology. Library staff members also offer one-on-one and group training opportunities in-person or online webinar tools. The calendar of events on the Online Library advertises scheduled group webinars; users can register to attend the live session or can receive a recorded version for later viewing.

The library maintains a set of policies governing library use and library resources circulation, which may include the possible assessment of fines and fees for violations of library policies. Library staff members enforce these policies. Please visit the library for more information.

## Computer Labs

At the campus, computer labs are normally open to all students on a first-come, first-use basis using the lab reservation system through Brightspace. At the start of each quarter, the Dean of Student Success and/or Academic Affairs will post the open lab hours for each classroom. However, at times during the school year, some or all the computers in the labs may be reserved and scheduled for a specific lab use and will not be available during those times. Notices will be posted if this situation occurs.

### Policy for Acceptable Use of Computer and Network Resources

The University is committed to ensuring a working and learning environment in which members of the Institution's communities have access to the technological tools needed to successfully achieve their academic and administrative objectives. All members of the Institution's communities are responsible for the integrity of those resources. These resources are to be used in a manner consistent with the academic and administrative functions of the University, including use for study, instruction, research, the discharge of the Institution's business or other campus sanctioned activities. Federal, state and local laws govern the use of these resources as well as University guidelines, policies and procedures published in this document, and elsewhere. Any use of the Institution's resources that is inconsistent with the intended purposes of applicable laws and school policies will be considered inappropriate use and may result in suspension or termination of access, expulsion, termination of employment or other disciplinary action.

### Who May Use Computer Labs

Full and part-time students are welcome to use the computer labs during normal campus hours. Students must have a valid (updated) Student ID card to utilize technology resources. Students should keep their ID card with them at all times while on campus. For student safety and the protection of the equipment, the presence of unauthorized persons (individuals who are not current students) in the labs should immediately be reported to a staff or faculty member.

Alumni: The University supports all alumni of The Art Institutes system of schools in their effort to improve and update their portfolios and résumés. Alumni are considered guests at the campus and must adhere to the policies established in the Student Handbook. Alumni should seek permission from The Office of Student Life/Academic Affairs to access computer labs. They will receive a temporary ID to wear on campus at all times. Campus computers are not to be used for "freelance" jobs. Campus machines and software are intended for educational use only. Due to the volume of students enrolled in classes, current students may be given priority access to equipment at the discretion of the school.

Faculty and Staff: faculty and staff have access to computer labs and equipment, although students generally have priority over usage. Students should not be surprised to see instructors and/or staff in classrooms and/or lab facilities.

## Computer Lab Rules

The following rules have been developed by the lab staff, Technology Committee and the Institution's administrators to assure the integrity of lab systems and equipment, to optimize student access and to control usage of consumables. Failure to adhere to these policies and procedures can result in the suspension of lab access privileges and/or conduct probation and/or other disciplinary action. Malicious or mischievous acts that result in damage to equipment or software may result in permanent suspension from the Institution.

1. Absolutely no food or drinks will be allowed in any of the computer labs at any time.
2. Loud or unruly behavior that disrupts other students in the lab will not be tolerated.
3. Students, faculty and staff may not install software of any kind onto any campus computer.
4. Students, faculty and staff may not remove any computer device from an existing computer system and/or install any computer-related device to any campus computer.
5. Attempting to copy software from any of the campus computers is an illegal act that violates federal copyright laws and could result in legal repercussions as well as loss of lab privileges and/or expulsion from the University.
6. Do not attempt to bypass the security arrangements in any computer lab.
7. Labs will not be kept open past posted closing times. Printers and scanners will be turned off 10 minutes prior to lab closing.
8. Modifications to the operating system environment or the application environment are NOT allowed.
9. Student, faculty and staff work must be stored on personal drives or cloud based storage (USB flash or USB portable hard drive, or cloud based such as OneDrive or Drop Box). The campuses are not responsible for the loss, theft, or any damage that may occur to personal storage devices.
10. Respect the privacy of others by refraining from seeking information on, obtaining copies of, or modifying files, media or passwords belonging to others.
11. Respect the rights of others by complying with all campus policies regarding harassment, hazing and/or discrimination. Do not engage in any behavior that violates any campus policy or that would interfere with the proper use of campus resources by others.
12. Respect the legal protection provided by copyright and licensing program, data and other sources of information by refraining from distributing or making copies of software without the permission of the copyright holder. Do not install illegally obtained software or any other unauthorized software on computers or networks.
13. Respect the intended usage of systems for electronic information exchange including the Internet. The user bears the responsibility for any material he or she chooses to

access, send or display. Internet access provided by the University may not be used in any way that contravenes campus policies, federal, state, or local laws or statutes.

14. Respect the integrity of computer systems and networks by refraining from use of any programs, transactions, data or processes that infiltrate a system or damage or alter the software, data components or configurations of systems or networks.
15. Respect the need for system and network security by refraining from any actions to infiltrate or bypass security arrangements or gain unauthorized access to facilities, resources, systems or networks.
16. Use the computer and communications resources in a manner consistent with the ethical principles set forth by the University and with accepted community standards.

Note: The user is responsible for backing up his or her files on removable media.

### **Policy on Open Computers in the Classroom**

In order to prepare students for the competitive job market, the University has computer labs to support the delivery of academic programs and to support students in the completion of assignments generated through course work. To ensure that students have the best opportunity to access a computer terminal to complete their assignments, all unoccupied computers may be accessed during normal hours of operation whether or not a scheduled class is in session. The student must wait 30 minutes after the start of the scheduled class to ensure that unoccupied computers are available for class members who may show up late. The student should enter the class quietly, find an open computer and get to work without disturbing the instructor. The student is expected to work independently and not disrupt the class in session. An instructor may ask non-class members to leave if their conduct becomes disruptive. In addition, the student may not scan or print, as these peripherals are reserved for the class in session. All students will be asked to leave a lab at the end of a class, prior to the start of the next class.

### **Textbooks and Supplies**

Students may be required to purchase program supplies from outside vendors throughout their program of study.

#### **Textbooks**

Tuition includes required textbooks for all courses within the student's program of study. Tuition also includes basic entry equipment and materials needed for beginning each program of study. Students are responsible for procuring and/or replenishing any other equipment or materials as required.

## **Notice of the College's Policies to Comply With the Higher Education Opportunity Act of 2008**

The unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students and individuals to civil and criminal liabilities. Almost all of the music, movies, television shows, software, games and images found on the Internet are protected by federal copyright law. The owner of the copyright in these works has the right to control their distribution, modification, reproduction, public display and public performance. It is generally illegal therefore to use file sharing networks to download and share copyrighted works without the copyright owner's permission unless "fair use" or another exemption under copyright law applies.

Fair use under the federal Copyright Act allows the use without permission of copyrighted material for the purpose of criticism, comment, news reporting or teaching under certain limited circumstances. There is no blanket exception from liability for students or employees of educational institutions, however, and whether the use of copyrighted material without permission falls within "fair use" or one of the other exceptions in the Act depends on a very detailed, case-by-case analysis of various factors. Students should be aware that sharing music, videos, software and other copyrighted materials is very likely not to be considered a "fair use" and therefore may be a violation of the law.

A violation of the University's policy for use of its information technology system can result in termination of network access for the student and/or other disciplinary action including removal of the student from the University. Moreover, there are severe civil and criminal penalties for copyright infringement under federal law. A copyright owner is entitled to recover actual damages and profits resulting from an infringement, but also may recover statutory damages ranging from \$750 to \$30,000 per work for a non-willful infringement and up to \$150,000 for a willful infringement, even if there is no proof of actual damages, in addition to court costs and reasonable attorneys' fees. The government also can file criminal charges that can result in fines and imprisonment.

The Art Institute's policies in regard to copyright infringement via the Internet prohibit the illegal downloading or unauthorized distribution of copyrighted materials using the University's information technology system. The Art Institute's policies prohibit use of The Art Institute's computer network to engage in illegal copying or distribution of copyrighted works such as by unauthorized peer-to-peer file sharing (i.e., the sharing of copyrighted works, typically in digital or electronic files), without permission.

# STUDENT LIFE

## General Information

The mission of the Student Life Department is to supplement The Art Institute's educational processes and to support its stated purpose by providing assistance and services to the student body in the areas of advocacy, disability, student development, counseling resources, international advising. The department actively encourages the involvement of students, faculty, and staff in activities that stimulate cultural awareness, creativity, social interaction, and professional development. To fulfill its mission, the Student Life Department has established the following objectives:

- Provide independent housing resources.
- Provide student support services.
- Provide resources and assist international students with their transition into this country.
- Provide student engagement and networking activities to complement your academic experience.
- Serve as the point of contact for military and veteran students.

### STATEMENT OF STUDENT RIGHTS AND RESPONSIBILITIES

Miami International University of Art & Design and The Art Institute of Tampa are committed to providing a learning environment and educational experience that promotes student success and academic excellence. In accordance with this philosophy, the following rights and responsibilities are afforded to all students.

#### Student Rights

- All students have the right to be treated fairly and equally in all interactions and settings.
- All students have the right to participate in a positive and safe learning environment.
- All students have the right to express alternative views and diverse opinions that do not disrupt or interfere with the learning process.
- All students have the right to clear and transparent academic requirements.
- All students have the right to clear and transparent information on the expected financial cost of attendance, including tuition/fees, available aid, and applicable finance policies.
- All students have the right to accessible facilities and learning resources.
- All students have the right to confidentiality of educational records, except as permitted by state and federal law.



- All students have the right to exercise freedom of conduct that is consistent with the mission and values of the Institution.

### **Student Responsibilities**

- Each student has a responsibility to be an active and engaged learner.
- Each student has a responsibility to show respect for the rights and property of other students, faculty, and staff.
- Each student has a responsibility to demonstrate values of civility, dignity, and honesty.
- Each student has a responsibility to comply with general law and institutional policies and regulations.
- Each student has a responsibility for personal academic progress and career planning.
- Each student has a responsibility to support and maintain a safe campus and learning environment that is free of fear, discrimination, and harassment.
- Each student has a responsibility to hold others accountable for their actions when they violate institutional rules and regulations in ways that negatively influence the learning environment.

### **Student Success Advisors**

The Student Success Advisors partner with students as they select courses and progress through the student life-cycle as well as assist with financial aid questions while in school. Additionally, the Student Success Advisors will support the student while they develop professional skills and connect with potential industry opportunities related to their professional endeavors.

Students can seek guidance in registering for classes, financial aid, tips on being a successful student, support services, goal setting, and local professional engagement opportunities.

While every effort is made to assist students in planning academic schedules, it is the student's responsibility to understand program requirements, course sequence, and prerequisites. Students who fail or withdraw from a prerequisite to a course for which they have pre-registered are responsible for changing their schedule prior to the end of the drop/add period of the new quarter. However, the University may adjust students' schedules as needed for compliance with prerequisites.

### **Career Advisors**

The Student Success Advisors will also work to plan, facilitate and deliver study skills & career readiness workshops, individual or group career planning sessions, and schedule industry guest speakers/field trips in both virtual and in-person platforms, building a resume, planning a career, developing job-search strategies and more. The department also facilitates virtual interviewing and information sessions for students and graduates to engage with employers interested in recruiting entry level talent.

## Academic Resources

### Internships

See your Program Chair/Academic Affairs Office for requirements regarding Internships in your program of study.

### Graduation

For graduation requirements, students should refer to the University catalog. <https://www.artinstitutes.edu/miami/academic-catalog> concerning the University's annual commencement ceremony are covered at the quarterly "Senior Seminar" program.

Due to the continued COVID-19 large gathering restrictions, the campus does not have definite plans for an on-ground June graduation ceremony. If large gatherings are not recommended by state and local health officials for June 2021, the campus will offer a virtual celebration to honor your accomplishment.

In addition, important information can be found on the Student Portal <https://portal.aii.edu/>.

### Registrar

#### Transcript Requests

Students may obtain official transcripts through the student portal. The student will click the link and be directed to FattMerchant for their payment. After payment, their request will be sent to the transcript processing team to review the status of their financial account prior to releasing the transcript.

#### Enrollment Verification Requests

Students may obtain documentation from the Registrar's Office verifying their enrollment for student discounts, insurance, loan deferments, or other purposes.

#### Miscellaneous Requests

Various other administrative tasks such as name changes, address changes, etc., are also processed through the Registrar's Office. Students needing assistance with these tasks should report to the Registrar's Office.

### Registration

Each campus will post the schedule of courses to be offered for the upcoming quarter, along with registration instructions and deadlines. Course offerings, instructors, days, times and class locations are subject to change.

## **Schedule Adjustment Period**

During the Schedule Adjustment Period students may add or drop courses, or change sections. The Schedule Adjustment Period begins on Monday of the first week of the quarter and concludes at the end of the first class day of the second week. Tuition is charged based on registered credits at the end of this period. Students are responsible for all charges regardless of attendance. Students who fail to attend any classes or notify the Academic Affairs Department during the Schedule Adjustment Period will be withdrawn from school. If a continuing student attends a class and withdraws from school during the Schedule Adjustment Period, the student may be financially responsible for all registered courses based on the school's Refund Policy, as published in the Institution's Catalog.

## **Student Life**

### **Housing Services**

Please check the Student Portal for information on independent housing resources.

### **International Student Life**

International students in student visa (F-1 or M-1) status must meet certain requirements to maintain visa status and qualify for related benefits, such as employment authorization and vacation terms.

International Student Designated School Officials are available to help international students make informed decisions regarding visa status, academic planning, employment eligibility, and related areas. International students are strongly encouraged to consult with the Designated School Official each academic term to ensure these requirements are met. Maintaining student visa status is ultimately the responsibility of the student.

International students will find opportunities to connect with fellow international students, and American students as well. International students will find many opportunities to learn about American culture, while American students have much to gain by connecting with the international students.

### **Student and Professional Organizations**

Student and professional organizations are an excellent way for students to grow personally and professionally, as well as a way to get involved in the decision-making process at the college. Membership in field-related societies and groups gives students the opportunity to network with industry professionals, take part in educational programs, and get involved in community outreach projects. Students are encouraged to get involved with student and professional organizations.

Students have access to the V.I.B.E platform through Brightspace to join a virtual lounge and connect with other Art Institute students in similar degree programs.

## **Student Surveys**

Students' feedback and suggestions are always welcomed!

Student meetings are hosted by our Academic Departments and Student Life. This is a great opportunity for students to ask questions, provide feedback and to hear updates regarding the school from campus leadership and other school administrators. A benefit to this program is the opportunity to meet other students and connect with staff and faculty.

Once a year, students have the opportunity to participate in our Noel Levitz Student Satisfaction Survey. The Student Satisfaction Survey gives students a powerful tool to improve the quality of student life and learning. It measures student satisfaction and priorities, showing how satisfied students are as well as what issues are important to them. The feedback we receive from this tool helps the school to identify goals and action plans to improve the educational experience for students. Every quarter, students have the opportunity to complete a course survey (The Student Ratings of Instruction), this survey is used to gather students' feedback on their own learning progress, effort, and motivation, as well as their perceptions of the instructor's use of instructional strategies and teaching methods.

## **Community Resources**

The Student Life office compiles a Student Referral Guide detailing various resources available within the community, including medical and dental care, psychological services, child and elder care options, resources for pets, emergency response and community care agencies. Students can stop by the Office of Student Life/Academic Affairs for assistance with locating campus and local community resources or use the referral guide posted on the Student Portal under Resources

## **Student Health Insurance**

The Art Institute does not offer or provide referrals to student health insurance providers. International students are strongly encouraged to obtain health insurance while studying in the United States.

## **Disability Services**

The Art Institutes provide accommodations to qualified students with disabilities. The Office of Disability Support Services assists all qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs and activities at The Art Institutes.

Students who seek reasonable accommodations should notify the Office of Disability Support Services via phone at (888) 719-8607 or via email at [aidisabilityservices@aii.edu](mailto:aidisabilityservices@aii.edu) of their specific limitations and, if known, their specific requested accommodations. Students will be asked to supply medical documentation of the need for accommodation(s). Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor. Therefore, students are encouraged to request accommodations as early as

feasible with The Office of Disability Support Services to allow for time to gather necessary documentation.

If you have a concern or complaint in this regard, please contact the Student Resolution Team at [AiStudentResolution@aia.edu](mailto:AiStudentResolution@aia.edu) or by calling (888) 719-7214. Complaints will be handled in accordance with the school's Internal Grievance Procedure for Complaints of Discrimination and Harassment.

# STUDENT FINANCIAL SERVICES

## Student Accounting

The University provides Student Accounting Services to administer student billing, payment processing, drop calculations, and the maintenance of student financial records. For specific inquiries, students should contact their local Student Success Advisor.

## Student Financial Services

The University provides Student Financial Services to help students and their families develop a financial plan to enable program completion. Specialists from this department are available to help each student complete applications for grants and loans applicable to that student's circumstances. Once a student's eligibility for financial assistance has been determined, the student and the financial planning specialist develop a plan for meeting educational expenses.

Students of the University may apply for scholarships, grants, and loans to assist with college expenses. Scholarships and grants are sums of money given to an eligible student to be applied toward the student's educational costs. Students typically do not repay scholarships or grants, but must meet specific requirements to receive them. Various loans are also available to assist students with educational costs. These loans must be repaid according to specific terms. All students who receive federal- or state-sponsored financial assistance must maintain satisfactory academic progress as defined in the Academic Policies and Procedures section of the Institution's Catalog.

For detailed and complete information on all financial aid awards, processes, requirements, and deadlines, please refer to the school's current Financial Aid Guide, the Student Consumer Information on the Institutions website, or contact your Student Success Advisor directly.

# HEALTH/SAFETY POLICIES AND PROCEDURES

## Campus Security Report, Emergency Procedures, and Crime Statistics

### School Closing Announcements

The campus will rarely close due to external conditions. In the event of cancellation of classes, information will be posted on the school's website and on the main phone line (see cover for this number). Students, staff and faculty will also be notified through the My Campus Alert emergency notification system or Signal Vine, campus texting system

### Campus Security

The campus publishes an annual security report that contains information concerning policies and programs relating to campus security, crimes and emergencies, the prevention of crimes and sexual offenses, drug and alcohol use, campus law enforcement and access to campus facilities. The annual security report also includes statistics concerning the occurrence of specified types of crimes on campus, at certain off-campus locations, and on the public property surrounding the campus. The annual security report is published each year by October 1 and contains statistics for the three most recent calendar years. The annual security report is provided to all current students and employees. A copy of the most recent annual security report may be obtained from the Office of Student Life/Academic Affairs during regular business hours. Copies of the Crime Report are available on the campus website at:

- <https://d1dmo9iwh0r4qt.cloudfront.net/~media/ai/main/documents/student-consumer-information/miami/crime-report-miami.pdf>
- <https://d1dmo9iwh0r4qt.cloudfront.net/~media/ai/main/documents/student-consumer-information/tampa/crime-report-tampa.pdf>

Campus Administration provides reports to the campus community concerning the occurrence of any crime includable in the annual security report. Crimes reported to campus security or local police are those that are considered to be a threat to students or employees.

The campus reminds all students that they are ultimately responsible for their own actions regarding their safety and welfare.

The following number is also available for reporting a crime or crisis on your campus: The Art Institute Crisis Response (888) 718-8175.

### Criminal Disclosure Policy

The University is committed to maintaining a safe environment for all members of its academic communities. As part of this commitment, the University requires current students who have been arrested for any felony or misdemeanor to disclose this information to the Chief Conduct Officer (or designee) at the school prior to returning to campus or upon submission of their application as a new/re-entry student. While arrest and/or conviction does not automatically bar continued enrollment or admission, it does require review by the campus in which the

student may be subject to disciplinary action per the Student Code of Conduct.

The Criminal Disclosure Information Form (available from The Office of Student Life/Academic Affairs) must be completed and submitted to the Chief Conduct Officer. Students must agree to provide complete access to their criminal records. Additional information may be requested by the Chief Conduct Officer (or designee).

### **Non-Discrimination Policy**

The Art Institutes system of schools does not discriminate or harass on the basis of race, color, national origin, sex, gender, sexual orientation, gender identity or expression, disability, age, religion, veteran's status, genetic marker, or any other characteristic protected by state, local or federal law, in our programs and activities. The Art Institutes system of schools provides reasonable accommodations to qualified individuals with disabilities. The Art Institutes system of schools will not retaliate against persons bringing forward allegations of harassment or discrimination.

The Art Institutes system of schools has designated staff members who handle inquiries and coordinate individual campus compliance efforts regarding the non-discrimination policy. The Office of Student Resolution can be reached by calling 888-719-7214 or sending an email to [aistudentresolution@aii.edu](mailto:aistudentresolution@aii.edu).

### **Policy for Transgender Students and Employees on Campus**

The purpose of this policy is to provide a respectful environment for everyone in the campus community and to stay abreast of federal, state, and local rules and regulations regarding sexual identity. As used in this policy, sexual identity encompasses transgender persons, those with non-conforming gender identity, and others of any gender identity or expression. The University is committed to creating a safe and respectful work and learning environment for all. This policy specifically forbids discrimination or harassment of any person on the basis of any gender identity or gender non-conformity.

### **Preferred Name and Pronouns**

In appropriate circumstances, the University will honor employee or student requests for preferred names or pronouns that do not match the official state-issued or government-issued documents that the University uses for its official records. Upon a written request from a student or employee, the University will use best efforts to use a preferred name and/or preferred pronoun that more closely align with gender identity. In order to change a student or employee's name or identity on an official record or document, however, including any records with the Registrar, class registration or attendance lists for students, and other official records for employees, the University requires either an official court-issued document with the legal name change or a valid driver's license or state identification card with the new name displayed. Formal employment records, such as those relating to payroll, retirement accounts, tax records, etc., may not be changed without appropriate legal process, to include a court-issued document or valid identification document displaying the new name or identity.



## **Privacy**

Students and employees have the right to discuss their gender identity or expression openly, or to keep that information private. The University regards such information as personal, confidential information and shares such information only with employees, faculty, or other staff with a need-to-know in order to accomplish their jobs or mission. Generally, the University regards information about an employee's gender identity as confidential medical information protected under privacy laws such as HIPAA and FERPA.

## **Use of Restrooms and Other Facilities**

Recognizing that access to restrooms is a health and safety priority, the University encourages students and employees to use restrooms and facilities that correspond with their gender identity. Employees and students are not required to provide medical or legal documentation of their gender identity in order to access gender-appropriate facilities. The University requires appropriate and professional restroom etiquette by all students, employees, and third-parties, noting that the value of inclusiveness is best served by all individuals respecting the needs and interests of others. The University makes available, where possible, single-occupancy, gender-neutral facilities. Any employee or student who communicates a need or desire for increased privacy, irrespective of the underlying reason, will be provided access to a single-stall restroom, if one is available. Alternative arrangements will be provided where possible, depending upon facilities and availability of such alternatives, upon the request of any employee or student, irrespective of the underlying reason or concern.

## **No Harassment Policy**

The Art Institute is committed to providing workplaces and learning environments that are free from harassment on the basis of any protected classification including, but not limited to race, sex, gender, color, religion, sexual orientation, gender identity or expression, age, national origin, disability, medical condition, marital status, veteran status, genetic marker or on any other basis protected by law. Such conduct is unprofessional, unproductive, illegal, and generally considered bad for business. Consequently, all conduct of this nature is expressly prohibited, regardless of whether it violates any law. (Please note that sexual harassment is more thoroughly addressed in the Sexual Harassment Policy.)

## **Student Complaints of Discrimination and Harassment**

Students who believe they have been subjected to discrimination or harassment (other than sexual harassment) in violation of the Non-Discrimination Policy should follow the procedure outlined below. (Please note that students who believe they have been subjected to sexual harassment should follow the reporting process in the Sexual Harassment Policy.) This complaint procedure is intended to provide a fair, prompt and reliable determination about whether the University Non-Discrimination Policy has been violated.

1. Complainants are encouraged to file a complaint as soon as possible after an alleged incident of discrimination has occurred. Any student who chooses to file a discrimination

complaint should do so either with the (for Miami) Student Life Office, 1501 Biscayne Blvd, Suite 100, Miami, FL 33132, 305-428-5900; (and for Tampa) Director of Student Services, 4401 N Himes Ave #150, Tampa, FL 33614, 813-316-3909, or with University Provost, 1501 Biscayne Blvd, Suite 100, Miami, FL 33132, (305) 428-5656.

Students can also submit their complaints via the following phone number or email address: Student Resolution (888) 719-7214, AIStudentResolution@aii.edu.

2. The University will investigate the allegations. Both the accuser and the accused are entitled to have others present during a disciplinary proceeding. Both will be informed of the outcome of any campus disciplinary proceeding. For this purpose, the outcome of a disciplinary proceeding means only the University's final determination with respect to the alleged offense and any sanction that is imposed against the accused. Both the complainant and the accused will have the opportunity to meet and discuss the allegations with the investigator and may offer any witnesses in support of their position to the investigator during the course of the investigation. A student may be accompanied during investigation meetings and discussions by one person (family member, friend, etc.) who can act as an observer, provide emotional support, and/or assist the student in understanding and cooperating in the investigation. The observer may not be an attorney, unless otherwise required by local law. The investigator may prohibit from attending or remove any person who disrupts the investigation in the investigator's sole discretion.
3. The student who made the complaint and the accused shall be informed promptly in writing when the investigation is completed, no later than 45 calendar days from the date the complaint was filed. The student who made the complaint shall be informed if there were findings made that the policy was or was not violated and of actions taken to resolve the complaint, if any, that are directly related to him/her, such as an order that the accused not contact the student who made the complaint. In accordance with institutional policies protecting individuals' privacy, the student who made the complaint may generally be notified that the matter has been referred for disciplinary action, but shall not be informed of the details of the recommended disciplinary action without the consent of the accused.
4. The decision of the Investigator may be appealed by petitioning the Campus Leader's Office of the University. The written appeal must be made within 20 calendar days of receipt of the determination letter. The Campus Leader, or his or her designee, will render a written decision on the appeal within 30 calendar days from receipt of the appeal. The Campus Leader's decision shall be final.
5. Insert the University will not retaliate against persons bringing forward allegations of harassment or discrimination.

6. Matters involving general student complaints will be addressed according to the Student Complaint Procedures, a copy of which can be found in the Student Handbook or Academic Catalog.
7. For more information about your rights under the federal laws prohibiting discrimination, please contact the Office for Civil Rights at the U.S. Department of Education

## **Sexual Harassment Policy**

### **I. Policy Statement**

Consistent with The Art Institutes International LLC' ("AI") Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX") (*see* 34 C.F.R. § 106 *et seq.*), AI prohibits Sexual Harassment that occurs within its education programs and activities.

As further defined herein, Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty members, staff, students, contractors, guests, and other members of the AI community who commit Sexual Harassment are subject to the full range of AI discipline including verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; fines; permanent separation from the institution (i.e., termination or dismissal); physical restriction from AI property; cancellation of contracts; and any combination of the same.

AI will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to AI's education programs and activities.

### **II. Scope**

This policy applies to Sexual Harassment that occurs within AI's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the AI community.

This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of AI's Education Programs and Activities; such Sexual Misconduct may be prohibited by other AI policies and standards.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in AI's Education Programs and Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if

committed by a student, the Faculty Handbook if committed by a faculty member, or other AI policies and standards if committed by an employee.

### III. Definitions

- A. “Sexual Harassment” is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.
- B. “Quid Pro Quo Sexual Harassment” is an employee of AI conditioning the provision of an aid, benefit, or service of AI on an individual’s participation in unwelcome sexual contact.
- C. “Hostile Environment Sexual Harassment” is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to AI’s education programs and activities.
- D. “Sexual Assault” includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.<sup>1</sup>
  - 1. “Rape” is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is “carnal knowledge” if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.
  - 2. “Sodomy” is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  - 3. “Sexual Assault with an Object” is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.

---

<sup>1</sup> AI’s definition of “Sexual Assault” is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require AI to adopt a definition of “Sexual Assault” that incorporates various forcible and non-forcible sex crimes as defined by the FBI’s Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

4. “Fondling” is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  5. “Incest” is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by applicable law.
  6. “Statutory Rape” is sexual intercourse with a person who is under the statutory age of consent as defined by applicable law.
- E.** “Domestic Violence” is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under applicable domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person’s acts under applicable domestic or family violence laws.
- F.** “Dating Violence” is violence committed by a person –
1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  2. Where the existence of such a relationship will be determined based on a consideration of the following factors:
    - The length of the relationship;
    - The type of relationship; and
    - The frequency of interaction between the persons involved in the relationship.
- G.** “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for their safety or the safety of others; or
  - Suffer substantial emotional distress.
- H.** “Consent” refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is Incapacitated is not capable of giving Consent.

- I.** “Incapacitated” refers to the state where a person does not appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep.
- J.** “Retaliation” is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
- K.** “Complainant” means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.
- L.** “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.
- M.** “Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that AI investigate the allegation of Sexual Harassment in accordance with this policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in AI’s education programs and activities. A “document filed by a Complainant” means a document or electronic submission (such as an email) that contains the Complainant’s physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.
- N.** “Supportive Measures” are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to AI’s Education Programs and Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or AI’s education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.
- O.** “Education Programs and Activities” refers to all the operations of AI, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by AI. It also

includes off-campus locations, events, or circumstances over which AI exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by AI.

#### **IV. UNDERSTANDING HOSTILE ENVIRONMENT SEXUAL HARASSMENT**

In determining whether a hostile environment exists, AI will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. AI will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

AI encourages members of the AI Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact
- Unwelcome kissing, hugging, or massaging
- Sexual innuendos, jokes, or humor
- Displaying sexual graffiti, pictures, videos, or posters
- Using sexually explicit profanity
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities
- E-mail and Internet use that violates this policy
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin
- Sending sexually explicit emails, text messages, or social media posts
- Commenting on a person's dress in a sexual manner
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes

## **V. Understanding Consent and Incapacitation**

### **A. Consent**

Lack of consent is a critical factor in determining whether Sexual Harassment has occurred. As defined above, consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through manipulation, Force or Coercion of any kind, and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/ temporary psychological or physical disability, and being below the age of consent (age 16) are factors which detract from or make consent impossible.

Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

### **B. Incapacitation**

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual contact is occurring.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One’s own intoxication is not an excuse for failure to recognize another person’s incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual’s:

- Decision-making ability
- Awareness of consequences



- Ability to make informed judgments
- Capacity to appreciate the nature of circumstances of the act.

No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.

## **VI. Reporting Sexual Harassment**

Any person may report Sexual Harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

The name and contact information for the Title IX Coordinator is:

Nicole Schell  
Director of the Office of Student Resolution, Title IX Coordinator  
139 E Main St #744  
Carnegie, PA 15106  
412-588-1679  
nschell@aia.edu

In addition to reporting to the Title IX Coordinator, any person may report Sexual Harassment to any AI employee with managerial authority over other employees, including campus presidents, campus directors, deans, department heads, unit supervisors, and other managers (collectively "Reporting Officials") who must promptly forward such report of Sexual Harassment to the Title IX Coordinator.

AI employees who are not Reporting Officials are strongly encouraged to notify the Title IX Coordinator of any reports of Sexual Misconduct.

## **VII. Special Advice for Individuals Reporting Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

If you believe you are the victim of Sexual Assault, Domestic Violence, or Dating Violence, do everything possible to preserve evidence by making certain that the incident scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they are victims of Sexual Assault, Domestic Violence, or Dating Violence, AI recommends the following:

- Get to a safe place as soon as possible.

- Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one’s mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding where the assault occurred- preserve for law enforcement
- Preserve all forms of electronic communication that occurred before, during, or after the assault
- Contact law enforcement by calling 911.
- Get medical attention - all medical injuries are not immediately apparent. This is also necessary to collect evidence in case the individual decides to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with a professional licensed counselor, or local health support service who can help explain options, give information, and provide emotional support.
- Make a report to the Title IX Coordinator.
- Explore this policy and avenues for resolution under the Title IX Grievance Process.

It is also important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of Sexual Harassment investigations.

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the victim has several options such as, but not limited to:

- obtaining Supportive Measures
- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- filing a Formal Complaint
- requesting that no further action be taken

### **VIII. Preliminary Assessment**

Upon receipt of a report made pursuant to Section VI, the Title IX Coordinator will conduct a preliminary assessment to determine:

- Whether the conduct, as reported, falls or could fall within the scope of the policy specified in Section II; and

- Whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of the policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act (“FERPA”). The Title IX Coordinator may refer the report to other AI offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of the policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant as specified in Section IX.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

## **IX. Contacting the Complainant**

If a report is not closed as a result of the preliminary assessment specified in Section VIII and the Complainant’s identity is known, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures specified in Section X; to discuss and consider the Complainant’s wishes with respect to such Supportive Measures; to inform the Complainant of the availability of such Supportive Measures with or without filing a Formal Complaint; and to explain the process for filing and pursuing a Formal Complaint. The Complainant will also be provided options for filing complaints with the local police and information about resources that are available on campus and in the community.

## **X. Supportive Measures**

If a report is not closed as a result of the preliminary assessment specified in Section VIII, AI will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and AI will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. AI will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

AI will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair AI’s ability to provide the Supportive Measures in question.

## **XI. Interim Removal**

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from AI's education programs and activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to meet with the Respondent within twenty-four hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, AI may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process specified in Sections XVI and XVII.

For all other Respondents, including independent contractors and guests, AI retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

## **XII. Formal Complaint**

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that AI investigate and adjudicate a report of Sexual Harassment in accordance with the provisions of Sections XVI and XVIII. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of AI's education programs or activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in Section VI above. No person may submit a Formal Complaint on the Complainant's behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of AI if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the AI Community. Factors the Title IX Coordinator may consider include (but are not limited to): (a) was a weapon involved in the incident; (b) were multiple assailants involved in the incident; (c) is the accused a repeat offender; and (d) does the incident create a risk of occurring again.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then AI will commence an investigation as specified in Section XVI and proceed to adjudicate the matter as specified in Section XVIII. In all cases where a Formal Complaint is filed, the Complainant will be treated as a party, irrespective of the party's level of participation.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes.

### **XIII. Consolidation of Formal Complaints**

AI may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this policy to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable. A Formal Complaint of Retaliation may be consolidated with a Formal Complaint of Sexual Harassment.

### **XIV. Dismissal Prior to Commencement of Investigation**

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the policy specified in Section II (i.e., because the alleged conduct did not occur in AI’s Education Programs and Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section XIV, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal as specified in Section XX. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other AI offices, as appropriate. A dismissal pursuant to this Section XIV is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

### **XV. Notice of Formal Complaint**

Within five (5) days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of this policy or a hyperlink to this policy;
- Sufficient details known at the time so that the parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in

the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);

- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice, as specified in Section XXI.
- Notifying the Complainant and Respondent of their right to inspect and review evidence as specified in Section XVI.D.
- Notifying the Complainant and Respondent of AI's prohibitions on retaliation and false statements specified in Sections XXXIII and XXXIV.
- Information about resources that are available on campus and in the community.

Should AI elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, AI will provide a supplemental written notice describing the additional allegations to be investigated.

## **XVI. Investigation**

### **A. Commencement and Timing**

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with AI and not with the parties. The investigation will culminate in a written investigation report, specified in Section XVI.E, that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, AI strives to complete each investigation within thirty (30) to forty-five (45) days of the transmittal of the written notice of Formal Complaint.

### **B. Equal Opportunity**

During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered

solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant, as specified in Section XXIII. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

### **C. Documentation of Investigation**

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

### **D. Access to the Evidence**

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the Investigating Officer will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence AI may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have ten (10) days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

### **E. Investigation Report**

After the period for the parties to provide any written response as specified in Section XIII.D has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a

copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

## **XVII. Adjudication Process Selection**

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes specified in Section XVIII. The notice will explain that the hearing process specified in Section XVIII.A is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as specified in Section XVIII.B as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in lieu of the hearing process. Parties are urged to carefully review this policy (including the entirety of Section XVIII), consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each party will have three (3) days from transmittal of the notice specified in this Section XVII to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

## **XVIII. Adjudication**

### **A. Hearing Process**

The default process for adjudicating Formal Complaints is the hearing process specified in this Section XVIII.A. The hearing process will be used to adjudicate all Formal Complaints unless both parties timely consent to administrative adjudication as specified in Section XIV above.

#### **1. Hearing Officer**

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator as specified in Section XVI.D.

#### **2. Hearing Notice and Response to the Investigation Report**

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's



appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; and setting a date and time for the hearing. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) days from the date of transmittal of the written notice specified in this Section XVIII.A.2.

A party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in Section XXIII, or for any other reason;
- A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;
- If the party does not have an advisor who will accompany the party at the hearing, a request that AI provide an advisor for purposes of conducting questioning as specified in Section XVIII.A.5.

A party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

### 3. Pre-Hearing Conference

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary AI personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

#### 4. Issuance of Notices of Attendance

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any AI employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

AI will not issue a notice of attendance to any witness who is not an employee or a student.

#### 5. Hearing

After the pre-hearing conference, the hearing officer will convene and conduct a hearing. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary AI personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the hearing may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;
- Opportunity for each party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;
- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary AI personnel. With the exception of the investigator and the parties, witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them pursuant to Section XIII.D.

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section XVIII.A.5, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this Section XVIII.A.5 are met.

## 6. Subjection to Questioning

In the event that any party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the parties' advisors, the statements of that party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing officer may consider the testimony of any party or witness, whether given during the investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither party requested attendance of the witness at the hearing.

In applying this Section XVIII.A.6, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

## 7. Deliberation and Determination

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or by operation of Section XVIII.A.6. The hearing officer will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

## 8. Discipline and Remedies

In the event the hearing officer determines that the Respondent is responsible for violating this policy, the hearing officer will, prior to issuing a written decision, consult with an

appropriate AI official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

## 9. Written Decision

After reaching a determination and consulting with the appropriate AI official and Title IX Coordinator as required by Section XVIII.A.8, the hearing officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by AI upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate AI official as referenced in Section XVIII.A.8;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of AI's process and grounds for appeal, as specified in Section XX.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in Section XX.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, AI strives to issue the hearing officer's written determination within fourteen (14) days of the conclusion of the hearing.

## **B. Administrative Adjudication**

In lieu of the hearing process, the parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator as specified in Section XIV. At any time prior to the issuance of the administrative officer's determination, a party has the right to withdraw from administrative adjudication and request a live hearing as specified in Section XVIII.A.

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator as specified in Section XVI.D.

The administrative officer will promptly send written notice to the parties notifying the parties of the administrative officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer's meetings with the parties will not be held any earlier than ten (10) days from the date of transmittal of the written notice specified in this paragraph.

A party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in Section XXIII, or for any other reason;
- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the parties' written responses, the administrative officer will meet separately with each party to provide the party with an opportunity make any oral argument or commentary the party wishes to make and for the administrative officer to ask questions concerning the party's written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each party, the administrative officer will objectively reevaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Thereafter, the administrative officer will consult with any AI official and the Title IX Coordinator, in the manner specified in Section XVIII.A.7 and will prepare and transmit a written decision in the manner as specified in Section XVIII.A.8 which shall serve as a resolution for purposes of informal resolution.

Transmittal of the administrative officer's written determination concludes the administrative adjudication, subject to any right of appeal as specified in Section XVII.

Although the length of each administrative adjudication will vary depending on the totality of the circumstances, AI strives to issue the administrative officer's written determination within twenty-one (21) days of the transmittal of the initiating written notice specified in this Section XVIII.B.

## **XIX. Dismissal During Investigation or Adjudication**

AI may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by AI, as the case may be; or
- Specific circumstances prevent AI from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section XIX, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal as specified in Section XX. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other AI offices, as appropriate. A dismissal pursuant to this Section XIX is presumptively a final determination as it

pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

## **XX. Appeal**

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, hearing officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within seven (7) days of the date they receive notice of dismissal or determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in writing to Institutional Director of Student Affairs, who serves as the appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and



transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, AI strives to issue the appeal officer's written decision within (21) days of an appeal being filed.

## **XXI. Advisor of Choice**

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in Section XVIII.A.5, the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with AI about the matter without the party being included in the communication. In the event a party's advisor of choice engages in material violation of the parameters specified in this Section XXI and Section XVIII.A.5, AI may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing specified in Section XVIII.A.5, and requests AI to provide an advisor, AI will provide the party an advisor, without fee or charge, who will conduct questioning on behalf of the party at the hearing. AI will have sole discretion to select the advisor it provides. The advisor AI provides may be, but is not required to be, an attorney.

AI is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing specified in Section XVIII.A.5 and requests that AI provide an advisor.

## **XXII. Treatment Records and Other Privileged Information**

During the investigation and adjudication processes, the investigator and adjudicator, as the case may be, are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or
- Information or records protected from disclosure by any other legally-recognized privilege, such as the attorney client privilege;

unless AI has obtained the party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, as the case may be, may consider any such records or information otherwise covered by this Section XIX if the party holding the privilege affirmatively discloses the records or information to support their allegation or defense, as the case may be.

## **XXIII. Sexual History**

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this Section XXIII for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this Section XXIII.

## **XXIV. Informal Resolution**

At any time after the parties are provided written notice of the Formal Complaint as specified in Section XV, and before the completion of any appeal specified in Section XX, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication as specified in Section XVIII.B is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another AI official, or a suitable third-party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by AI, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to AI. Notwithstanding the forgoing if the form of informal resolution is Administrative Adjudication as specified in Section XVIII.B, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process specified in Section XVIII.B, all other forms of informal resolution pursuant to this Section XXIV are not subject to appeal.

A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) days. If an informal resolution process does not result in a resolution within twenty-one (21) days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Other language in this Section XXIV notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

#### **XXV. Presumption of Non-Responsibility**

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

#### **XXVI. Resources**

Any individual affected by or accused of Sexual Harassment will have equal access to support services offered through AI. AI encourages any individual who has questions or concerns to seek support of AI identified resources. The Title IX Coordinator is available to provide information about AI's policy and procedure and to provide assistance. A list of AI identified support resources is located under the Student Services tab on the student portal at the following link: <https://portal.aii.edu/>.

#### **XXVII. Conflicts of Interest, Bias, and Procedural Complaints**

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any party who believes one or more of these AI officials has a material conflict of interest or material bias must raise the concern promptly so that AI may evaluate the concern and find a substitute, if appropriate. The failure of a party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal specified in Section XX or otherwise.

## **XXVIII. Objections Generally**

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that AI may evaluate the matter and address it, if appropriate.

## **XXIX. Relationship With Criminal Process**

This policy sets forth AI's processes for responding to reports and Formal Complaints of Sexual Harassment. AI's processes are separate, distinct, and independent of any criminal processes. While AI may temporarily delay its processes under this policy to avoid interfering with law enforcement efforts if requested by law enforcement, AI will otherwise apply this policy and its processes without regard to the status or outcome of any criminal process.

## **XXX. Recordings**

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by AI and is considered property of AI, subject to any right of access that a party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only AI is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this policy is strictly prohibited. Any party who wishes to transcribe a hearing by use of a transcriptionist must seek pre-approval from the hearing officer.

## **XXXI. Vendors, Contractors and Third Parties**

AI does business with various vendors, contractors, and other third-parties who are not students or employees of AI. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, AI retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And AI retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

## **XXXII. Bad Faith Complaints and False Information**

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this policy. Violations of this Section XXXIII are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Student Code of Conduct in the case of students and other AI policies and standards, as applicable, for other persons.

### **XXXIII. Retaliation**

It is a violation of this policy to engage in Retaliation. Reports and Formal Complaints of retaliation may be made in the manner specified in Sections VI and XII. Any report or Formal Complaint of Retaliation will be processed under this policy in the same manner as a report or Formal Complaint of Sexual Harassment, as the case may be. AI retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

### **XXXIV. Confidentiality**

AI will keep confidential the identity of any individual who has made a report or Formal Complaint of Sexual Harassment or Retaliation including any Complainant, the identity of any individual who has been reported to be a perpetrator of Sexual Harassment or Retaliation including any Respondent, and the identity of any witness. AI will also maintain the confidentiality of its various records generated in response to reports and Formal Complaints, including, but not limited to, information concerning Supportive Measures, notices, investigation materials, adjudication records, and appeal records. Notwithstanding the foregoing, AI may reveal the identity of any person or the contents of any record if permitted by FERPA, if necessary to carry out AI's obligations under Title IX and its implementing regulations including the conduct of any investigation, adjudication, or appeal under this policy or any subsequent judicial proceeding, or as otherwise required by law. Further, notwithstanding AI's general obligation to maintain confidentiality as specified herein, the parties to a report or Formal Complaint will be given access to investigation and adjudication materials in the circumstances specified in this policy.

While AI will maintain confidentiality specified in this Section XXXV, AI will not limit the ability of the parties to discuss the allegations at issue in a particular case. Parties are advised, however, that the manner in which they communicate about, or discuss a particular case, may constitute Sexual Harassment or Retaliation in certain circumstances and be subject to discipline pursuant to the processes specified in this policy.

Note that certain types of Sexual Harassment are considered crimes for which AI must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information.

### **XXXV. Other Violations of this Policy**

Alleged violations of this policy, other than violations of the prohibitions on Sexual Harassment and Retaliation, will be subject to review under the Student Code of Conduct for students, the Faculty Handbook for faculty, or other AI policies and standards for employees.

### **XXXVI. Other Forms of Discrimination**

This policy applies only to Sexual Harassment. Complaints of other forms of sex discrimination are governed by AI's Non-Discrimination Policy.

### **XXXVII. Training**

AI will ensure that AI officials acting under this policy, including but not limited to the Title IX Coordinator, investigators, hearing officers, administrative officers, informal resolution facilitators, AI provided advisors, and appeals officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii) and any other applicable federal or state law.

### **XXXVIII. Recordkeeping**

AI will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of seven years after which point in time they may be destroyed, or continue to be retained, in AI's sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

### **XXXIX. Discretion in Application**

AI retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if AI's interpretation or application differs from the interpretation of the parties.

Despite AI's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case AI retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy and the Hearing Procedures referenced in Section XVIII.A.5 are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, AI retains discretion to revise this policy and the Hearing Procedures at any time, and for any reason. AI may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

## **General Student Complaint Procedure**

If you have a complaint or problem you are encouraged to follow the Student Complaint Procedure. You should discuss complaints with the individual(s) within the appropriate department. Initial discussion should be with the person most knowledgeable of the issues involved or with immediate decision-making responsibility. If you feel that the complaint has not been fully addressed, a written account should be submitted to the Regional Dean of Student Life at [adburt@aii.edu](mailto:adburt@aii.edu). Students can also submit their complaints via the following phone number or email address: Student Resolution (888) 719-7214, [AIStudentResolution@aii.edu](mailto:AIStudentResolution@aii.edu).

The University will investigate the complaint. The written account should indicate your name, phone number, and ID# and discuss the steps you have taken to remedy the situation. The appropriate University staff member or department will be notified of the complaint. A follow-up meeting with you and the Regional Dean of Student Life will be held within ten school days of the date of the written complaint in an effort to resolve the issue. If you are not satisfied with the results, you may file an appeal with the Campus Leader's Office. The appeal should be in writing and contain your name and phone number. You should summarize the steps you have taken to remedy the situation and indicate why the results are not satisfactory. You will hear the results of the appeal within ten class days from the date the appeal is received.

If you follow this complaint procedure and still feel dissatisfied with the results you may send a written copy of the complaint to:

Florida Commission for Independent Education  
325 W. Gaines St., Suite 1414  
Tallahassee, FL 32399-0400  
[www.fldoe.org/cie](http://www.fldoe.org/cie)  
By fax at (850) 245-3238

or you may contact:

Southern Association of Colleges and Schools Commission on Colleges  
1866 Southern Lane Decatur, GA 30033-4097  
404-679-4500 Or Fax 404-679-4558

## **Drug and Alcohol Policies**

In keeping with section 120(a) through (d) of The Higher Education Act of 1965, as amended, including the Drug-Free Schools and Communities Amendments of 1989 (Public Law 101-226), a "Drug Free Schools and Campuses" publication, the 'Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program', is provided to all students and employees annually.

Pursuant to federal and state drug laws, employees and students are prohibited from the unlawful manufacture, distribution, possession, sale or use of illicit/illegal drugs. The University



also enforces state laws regarding underage drinking. This prohibition applies while on the property of the campus or when participating in any campus activity. Students or employees who violate this policy will be subject to disciplinary action up to, and including, expulsion from the campus or termination of employment.

For more information, please refer to the Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program

- <https://d1dmo9iwh0r4qt.cloudfront.net/~media/ai/main/documents/student-consumer-information/miami/drug-alcohol-policy-miami.pdf>
- <https://d1dmo9iwh0r4qt.cloudfront.net/~media/ai/main/documents/student-consumer-information/tampa/drug-alcohol-policy-tampa.pdf>.

Hard copies of the policy are available on campus.

## **Student Conduct Policy**

### Section I – Guiding Principles

The Miami International University of Art & Design and its branch campus, The Art Institute of Tampa recognizes its students as responsible and dedicated men and women who are preparing for career employment. An integral part of their career and professional development is the expectation that they conduct themselves during the education process in the same manner as will be expected in all employment situations. As members of the University's community, students have responsibilities and duties commensurate with their rights and privileges. In this policy, the University provides guidance to students regarding those standards of student conduct and behavior considered essential to its educational mission. This policy also provides guidance regarding the types of conduct that infringe upon the fulfillment of the Institute's mission.

### Section II - Scope

This Student Conduct Policy applies to all students and student organizations at the University.

### Section III - Reach

The Student Conduct Policy shall apply to student conduct that occurs on campus premises including online platforms, at campus-sponsored activities, or at student organization sponsored events. At the discretion of the Chief Conduct Officer (Regional Dean of Student Life, Academic Affairs Office or a delegate as appointed by the President or Campus Leader), the policy also shall apply to off-campus student conduct when the conduct, as alleged, adversely affects a substantial institutional or campus interest and potentially violates an institutional or campus policy.

### Section IV - Responsibilities of Dual Membership

Students are both members of the campus community and citizens of the state. As citizens, students are responsible to the community of which they are a part, and, as students, they are

responsible to the academic community of the campus and to other individuals who make up the community. By enforcing the Student Conduct Policy, the campus neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the campus will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action.

#### Section V - Disciplinary Offenses

The offenses listed below are given as examples only. Other conduct not specifically included on this list maybe sanctioned.

##### Scholastic Dishonesty:

- Plagiarism
- Cheating on assignments or examinations
- Engaging in unauthorized collaboration on academic work
- Taking, acquiring, or using test materials without faculty permission
- Submitting false or incomplete records of academic achievement
- Altering, forging, or misusing a college academic record
- Fabricating or falsifying data, research procedures, or data analysis
- Deceiving the campus and/or its officials

##### Misuse or Abuse of Campus Assigned Email Address or Log-in Information

- Sharing a username or password for any campus assigned system with any student or non-student individual
- Logging-in to a campus assigned system with the intention to display classroom environment to other student or non-student individuals
- Allowing an individual access to post information in the on line environment on your behalf or with the intention of impersonation.
- Sharing or giving access to the student portal to other students or non-student individuals (unless designated for training purposes at the direction of a campus official)

##### Illegal or Unauthorized Possession or Use of Weapons

- Possession or use of firearms, explosives, fireworks, ammunition, dangerous chemicals (including mace) or other weapons, likenesses of weapons, on campus property, or at campus sponsored functions, except where possession is required by law.

### Sexual Assault or Nonconsensual Contact

- Any form of unwanted sexual attention or unwanted sexual contact. (See the Sexual Harassment Policy for more detail. For all cases covered by the Sexual Harassment Policy, the investigation and disciplinary procedures outlined in that policy shall govern.)

### Threatening, Violent or Aggressive Conduct

- Assault, battery, or any other form of physical abuse of a student or campus employee.
- Fighting or physical altercation.
- Conveyance of threats by any means of communication including, but not limited to, threats of physical abuse and threats to damage or destroy campus property or the property of other students or institutional employees.
- Any conduct that threatens the health or safety of one's own self or another individual. Threats to commit self-harm and/or actual incidents of self-harm by any student.

### Theft, Property Damage, and Vandalism

- Theft, attempted theft, vandalism/damage, or defacing of campus property, campus controlled property or the property of another student, faculty, staff member, or guest.
- Extortion.
- Setting fires, tampering with fire safety and/or firefighting equipment.

### Disruptive or Disorderly Conduct

Disruptive behavior, such as, interference with the normal operations of the campus (i.e., disruption of teaching and administrative functions, disciplinary procedures, pedestrian or vehicular traffic or other activities). Engaging in behavior that substantially or repeatedly interrupts either the faculty's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program-based requirements or related activities.

- Written or verbal acts or uses of technology, which have the effect of disrupting the online classroom learning environment.
- Use of cell phones and pagers during scheduled classroom times. Disorderly, lewd, indecent, or obscene conduct
- Disruptive attire, including but not limited to any type of clothing, gang colors, gang symbols or materials worn or brought onto the premises by any student or guest deemed to be lewd, indecent or obscene as determined by campus officials.
- Breach of peace on institutional property or at any campus-sponsored or supervised program.

- Any on campus, online, or off-campus act considered inappropriate or as an example of misconduct that adversely affects the interests of the campus and/or its reputation.

#### Illegal or Unauthorized Possession or Use of Drugs or Alcohol

- Use, sale, possession or distribution of illegal or controlled substances, drug or drug paraphernalia on institutional property or at any function sponsored or supervised by the campus.
- Being under the influence of illegal or controlled substances on institutional property or at any campus function.
- Use, sale, possession, or distribution of alcoholic beverages on college property or at any function sponsored or supervised by the campus.
- Being under the influence of alcohol on institutional property or at any campus function is also prohibited.

#### Verbal Assault, Defamation and Harassment, Verbal Abuse of a Student or Employee

- Harassment by any means of any individual, including coercion and personal abuse, including, but is not limited to, written or verbal acts or uses of technology, which have the effect of harassing or intimidating a person.
- Harassment based on sex, race, color, national origin, religion, sexual orientation, age, disability or any other criteria protected by state, federal or local law.

#### Hazing

- Any form of “hazing” and any act that endangers the safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. “Hazing” includes any method of initiation or pre-initiation into a student club or any pastime or amusement engaged in with respect to such a club that causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any student or other person attending the University.

#### Falsification

- Willfully providing campus officials with false, misleading, or incomplete information.
- Forgery, falsification, alteration, or misuse of documents, records, or identification with the intent to injure, defraud, or misinform.

#### Abuse of the Campus Disciplinary Hearing process including but not limited to:

- Failure to obey the summons of a disciplinary body or campus official.

- Falsification, distortion, or misrepresentation of information before a disciplinary body or campus official.
- Disruption or interference with the orderly conduct of a disciplinary proceeding.
- Attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the course of the disciplinary proceeding.
- Verbal or physical harassment and/or intimidation of a member of a disciplinary body prior to, during, and/ or after the disciplinary proceeding.
- Failure to comply with the sanction(s) imposed under the Student Conduct Policy.
- Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

#### Unauthorized Use or Misuse of Campus Facilities

- Unauthorized entry into, unauthorized use of, or misuse of campus property, including computers and data and voice communication networks.

#### Violation of Federal or State Laws

- Violation of federal, state, or local laws and rules and regulations on campus property or at campus-sanctioned or campus-sponsored functions.
- Students must disclose any criminal conviction received while a student to the Regional Dean of Student Life within five days of the conviction who will determine whether, due to the nature of the crime, the conviction constitutes a violation of the Student Conduct Policy.

#### Insubordination

- Persistent or gross acts of willful disobedience or defiance toward campus personnel.
- Failure to comply with direction of campus officials, faculty, staff, or security officers who are acting in the performance of their duties.
- Failure to exit during fire drill.
- Failure to identify oneself when on campus property or at a campus-sponsored or supervised functions, upon request of any campus official acting in the performance of his/her duties.

#### Violations of Institutional or Campus Rules

- Violations by guest of a student on campus property. Students are responsible for the actions of their guests.

- Violation of campus safety regulations, including but not limited to, setting fires, tampering with fire safety and/or firefighting equipment, failure to exit during fire drill, turning in false fire alarms, and bomb threats.
- Smoking in classrooms or other campus buildings or areas unless designated as a smoking area.
- Any violation of institutional policies on the responsible use of technology, including but not limited to:
  - The theft or abuse of computer, email, Internet, or Intranet resources
  - Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose
  - Unauthorized transfer of a file
  - Unauthorized downloading of copyrighted materials in violation of law
  - Unauthorized use of another individual's identification and/or password
  - Use of computing facilities to interfere with the work of another student, faculty member, or campus official
  - Use of computing facilities to send obscene or abusive messages
  - Use of computing facilities to interfere with normal operation of the campus computing system
  - Failure to satisfy institutional financial obligations.

The above list is illustrative only, and the University may sanction other conduct not specifically included on this list.

#### Section VI - Sanctions

The University and/or respective campus may impose sanctions for violations of the Student Conduct Policy. The type of sanction imposed may vary depending upon the seriousness of the violation(s). The University and/or respective campus reserves the right to immediately impose the most severe sanction, if circumstances merit.

Although not exhaustive, the following list represents the types of sanctions that may be imposed upon any student or student organization found to have violated the Student Conduct Policy:

1. Warning: A notice in writing that a student has failed to meet some aspect of the University's standards and expectations.

2. Probation: Probation is used for repeated violations or a specific violation of a serious nature as a first course of action. The Chief Conduct Officer or his/her delegate defines the terms of probation.

3. Discretionary Sanctions: The student may be required to complete an educational service, attend classes specific to the violation, provide a doctor's release, or have restricted privileges.

4. Suspension: Separation of the student from the campus for a pre-determined period of time. The student may be able to return to campus once specified conditions for readmission are met. The student may not attend classes, use campus facilities, participate in or attend campus activities, or be employed by the University or campus during his/her suspension.

5. Expulsion: The student will be expelled from the University immediately. The student will not be permitted to continue his or her studies at the campus and may not return to the campus or participate in activities at any time or for any reason. A separate notation is necessary if the student is not allowed to apply to any other Art Institute in the system.

6. Restitution: Compensation for loss or damage to property leased, owned, or controlled by the University or campus. This may take the form of monetary or material replacement.

The above list is only a general guideline. Some sanctions may be omitted, and other sanctions not listed above may be used.

## Section VII – Disciplinary Procedures

### Complaint

Any member of the campus community may file a complaint against any student for misconduct or for otherwise being in violation of institutional or campus policies.

1. The complaint shall be prepared in writing or in an incident report and directed to the Chief Conduct Officer or his/her delegate.

2. The written complaint or incident report should include the nature of the offense, date, approximate time and location of incident. The name of the victim, offender, and any witness(es) may be included.

3. Complaints or incident reports should be submitted within 48 hours after the alleged violation occurred unless there are extenuating circumstances requiring a longer timeframe.

The Chief Conduct Officer or his/her delegate may review and investigate the complaint to determine if the allegations have factual merit, to identify violations of the Student Conduct Policy, and to impose sanctions for such violations.

Generally, the accused should be given the opportunity to tell his or her account of the situation and to provide this information, in writing, unless the campus determines that the circumstances do not warrant disclosure of some or all of the facts.

### Search of Student's Property

Students have no expectation of privacy in their personal property while on campus. The campus reserves the right to search the contents of students' personal property or belongings

at any time and for any reason, including when there is reasonable suspicion on the part of the campus staff that a risk to the health, safety, or welfare of students, and/or the campus community exists and including searches pursuant to an investigation of potential wrong doing. This includes, but is not limited to, vehicles brought onto property leased, owned, or controlled by the campus, backpacks, portfolios, and clothing. This policy also applies to student, student e-mail, and/or computers.

#### Notification and Determination of Violations that Warrant Disciplinary Meeting

1. The Chief Conduct Officer or a delegate may choose to conduct a virtual or on-ground disciplinary meeting. Potential attendees include a student or students, the Chief Conduct Officer or his/her delegate, and others who may have relevant information. The student should receive advance notice of the allegations and the reason for the meeting.
2. After the meeting, the Chief Conduct Officer or his/her delegate will determine whether it is more likely than not that a violation occurred, may render and communicate the decision to the student in writing, which shall describe the violation and the sanctions imposed, if any, and the student's right to appeal. If the Chief Conduct Officer determines that there was no violation, that decision may be documented in writing to the student as well.
3. If a student fails to appear for the virtual or on-ground meeting, the Chief Conduct Officer or his/her delegate may make a determination of violations of institutional policy on the basis of the information available, and impose sanctions for such violations.

#### Notification and Determination of Violations that Warrant Disciplinary Hearing or Panel

In some cases involving serious violations, the Chief Conduct Officer or his/her delegate, hereby referred to as "Hearing Officer", in his or her sole discretion, may choose to assemble a Disciplinary Panel to adjudicate the process.

1. The Hearing Officer may immediately (before a hearing takes place) remove the student from the campus community pursuant to an Administrative Interim Suspension until the Disciplinary Panel is convened as detailed within the section entitled Administrative Interim Suspension.
3. The student should receive advance notice of the allegations and the reason for the meeting. A student may forgo attendance at the hearing and a determination of the sanction will be made by the Disciplinary Panel.
4. Hearings normally shall be conducted in private. The Disciplinary Hearing is an academic hearing, not a legal hearing. Therefore, legal counsel is not allowed at the hearing.
5. The student may be accompanied by one person (family member, friend, etc.) to provide support, however any such person will not be permitted to provide testimony during the hearing. The Disciplinary Panel may prohibit from attending or remove any person who disrupts the proceedings of the committee.
6. In hearings involving more than one student, the Hearing Officer, at his or her discretion, may permit the hearing concerning each student to be conducted separately.



7. The Disciplinary Panel may hear from any person who may have relevant information. The Disciplinary Panel may review any documents presented to them. Pertinent records, documents and written statements may be considered by the Hearing Officer at his/her discretion. The Disciplinary Panel may ask questions and may seek information not provided to it.

8. The Disciplinary Panel may determine whether it is more likely than not that a violation occurred. The Disciplinary Panel should communicate to the Hearing Officer its decision and its recommended sanction, if any.

9. After the hearing, the Hearing Officer will issue a written decision to the accused student which identifies the accusations and the Disciplinary Panel's conclusions, any sanctions, and the student's right of appeal.

10. In general, the accused will have access to the documentation reviewed by the Disciplinary Panel, however identifying names and information may be removed from the documentation when necessary to protect other student's privacy rights.

#### Disciplinary Panel

A Disciplinary Panel may consist of members of the institutional Executive Committee, staff, faculty, or student body. When students are permitted on the Disciplinary Panel, the accused student should sign a form granting permission to release his/her educational records to a student serving on the Disciplinary Panel. Failure to sign the permission constitutes an agreement to having no student on the Disciplinary Panel.

#### Administrative Interim Suspension

Students may be administratively suspended on an Interim basis when:

1. Serious allegations, which may threaten campus safety or wellbeing, are being investigated;
2. Serious allegations, which may threaten campus safety or wellbeing, are pending before a disciplinary panel;
3. When a student potentially poses a threat of harm to him/her self, others, campus property, or a member of the campus community.

During the Interim Suspension, students are denied access to the campus (including classes, labs, library) and/or all other campus activities or privileges for which the student might otherwise be eligible, as the Chief Conduct Officer or his/her designee may determine to be appropriate.

This Interim Suspension period should last no longer than three business days unless circumstances warrant an extension of the Interim Suspension. Best efforts will be utilized to minimize the length of any Interim Suspension.

The Interim Suspension is not to be considered disciplinary, but it is a tool to separate potential adversaries until a reasoned decision can be made.

## Section VIII – Appeal Procedures

Students have a right to appeal disciplinary actions when they believe there are extenuating circumstances or believe themselves to have been treated in an arbitrary or biased fashion or without adherence to the institutional policy and procedures.

- During an appeal, the student should continue to obey the terms of the decision, i.e., a student who has been suspended from the campus may not be on campus property.
- The student must write a letter of appeal in the student's own words, addressed to the President or Campus Leader or his/her delegate. This letter must clearly state the extenuating circumstances or the grounds for believing the decision was arbitrary or biased or that it was without adherence to the institutional policy and procedures, and provide any supporting documentation. The letter must be delivered to the President or Campus Leader his/her delegate within seven calendar days following the student's receipt of the decision.
- The student should provide documentation to support the basis of the appeal.
- The President or Campus Leader his/her delegate may appoint an ad hoc Appeal Committee to review appeals and make a recommendation regarding disposition of the appeal within thirty calendar days of the date of receipt of the appeal. This Appeal Committee will be comprised of faculty or staff members not involved in making the initial disciplinary decision.
- The President or Campus Leader and/or the Appeal Committee may decide to convene either a virtual or on-ground appeal hearing. The student will be notified in writing of the date and time of the appeal. The student will be expected to attend the meeting, and failure to do so, for other than documented emergencies, may be considered forfeiture of the right to present further information regarding the appeal.
- The student making the appeal may be provided an opportunity to address the Appeal Committee either virtually or in person. The student may be accompanied by one person (family member, friend, etc.) as an observer; however, any such person will not be permitted to provide testimony during the hearing. The Appeal Committee may prohibit from attending or remove any person who disrupts the proceedings of the Committee.
- The Appeal Committee hearing is an academic hearing, not a legal hearing. Therefore, legal counsel is not allowed at the meeting.
- Audio recording of the academic hearing is not permitted. Minutes of the meeting are confidential.

Following appropriate review and deliberation, the Appeal Committee will report to the President or Campus Leader his/her delegate with its recommendation following its review of the appeal. The President or Campus Leader his/her delegate will render a written decision on the appeal within thirty calendar days from receipt of the appeal. This decision will be final.

### **Procedures Following Suicide Threats and Attempts**

The University is committed to the well-being and safety of its campus communities. The University expects and encourages students to maintain a reasonable concern for their own self-welfare and in turn, the welfare of the campus community. In the event that the Dean of Student Success or Department of Student Life has reasonable cause to believe that a student attempted, will attempt, or has engaged in efforts to prepare to commit suicide, the Dean of Student Success or Student Life Department may require the student to suspend their studies at the campus until the student can demonstrate that they have sought help or assistance from others including family, mental health professionals, support groups or any other resource that offers support around suicidality. Students with psychological impairments that affect the student's ability to function in the campus community (academically, socially or otherwise) may opt for a medical withdrawal or a medical leave of absence. The Dean of Student Success or Student Life Department, at his/her discretion, may set restrictions and/or conditions for the student to return to campus including receiving outside counseling and signing a safety contract.

The University cannot provide the long-term psychological treatment that is necessary for students experiencing suicidal distress. Because of the serious nature of attempted suicide and/or suicidal ideation, the student's parents or other support person(s) may be contacted by the Student Life Department or Dean of Student Success and informed of the student's condition. The Family Educational Rights and Privacy Act (FERPA) permits school officials to contact parents without the student's consent, "if knowledge of the information is necessary to protect the health and safety of the student or other individuals." If circumstances indicate further harm may come to a student by contacting family members, other options may apply.

### **Firearms Policy**

Firearms, including concealed weapons, are not permitted on the campus premises and/or at campus events, except that sworn members of a law enforcement agency acting in performance of their duties and/or employees of a licensed armored car service providing contracted services to the campus or to the campus's vendors and contractors (where approved by the campus) may carry weapons. Firearms are not permitted in any vehicle while the vehicle is parked on campus property, whether said property is owned or leased by the University or provided to the campus for its use, except where otherwise required by law. Any employee or student who becomes aware of a violation of this policy should immediately notify the Student Life Department or their designee, the President or campus security. Violation of this policy is considered a serious offense that endangers the safety of anyone on the College premises. Any person violating this policy may be required to leave the College premises. Students violating this policy are subject to suspension or dismissal from school.

## **Bullying, Cyberbullying, and Hazing Policy**

Bullying, cyberbullying, and hazing of students or student groups is strictly prohibited. Bullying is defined as acts of unwanted, repetitive, and /or aggressive behaviors that intimidate, intentionally harm, attack, or control another person physically, emotionally, or socially. Cyberbullying is defined as instances of bullying that take place using electronic technology, which may include devices and equipment, such as cell phones, computers, and tablets, as well as communication tools, including social media sites, text messages, chat, and websites. Hazing is defined as any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any club or organization operating under the sanction of an University of higher education.

Individuals and/or student clubs that force, require, and/or endorse violations of this policy will be held directly responsible according to the student code of conduct and, if appropriate, through local authorities, which may pursue criminal action. Students who wish to make a complaint under this policy should follow the student complaint process. The negligence or consent of a student or any assumption of risk by the student is not a defense to an action brought pursuant to this policy. Student club activities or programs must not interfere with the rights and activities of others and should always reflect the best interests of the members of the organization it represents and the institutional community as a whole. In all cases of alleged violations of this policy, faculty and staff advisors and the national/international headquarters, if applicable, of any organization will be notified.

## **The Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act of 1974, as amended ("FERPA") sets out requirements designed to afford students certain rights with respect to their education records. In addition, it puts limits on what information The Art Institute may disclose to third parties without receiving prior written consent from the student. This information also pertains to students enrolled in distance courses and programs. In addition, it puts limits on what information the University may disclose to third parties without receiving prior written consent from the student.

### **I. Procedure to Inspect Education Records**

Students have the right under FERPA to inspect and review their education records. A student who wishes to inspect and review his/her records should submit a written request to the Office of the Registrar. The request should identify as precisely as possible the records the student wishes to inspect. If the requested records are subject to inspection and review by the student, arrangements for access will be made within a reasonable period of time but in no case more than 45 days after the request was made, and the student will be notified of the time and place where the records may be inspected. The school may require the presence of a school official during the inspection and review of a student's records.

Certain limitations exist on a student's right to inspect and review their own education records. Those limitations include, for example, the following: (i) financial information submitted by parents; (ii) confidential letters and recommendations placed in their files prior to January 1, 1975; (iii) confidential letters and recommendations placed in their files after January 1, 1975 to which the student has waived his or her right to inspect and review and that are related to the student's admission, application for employment or job placement, or receipt of honors. In addition, the term "education record" does not include certain types of records such as, by way of example, records of instructional, supervisory, administrative, and certain educational personnel that are in the sole possession of the maker thereof, and are not accessible or revealed to any other individual except a substitute.

When a record contains personally identifiable information about more than one student, the student may inspect and review only the information that relates to him/her personally.

## **II. Disclosure of Educational Records**

The Miami International University of Art & Design and its branch campus, The Art Institute of Tampa generally will not permit disclosure of personally identifiable information from the records of a student without prior written consent of the student. Personally identifiable information is disclosed (some items are mandatory, some discretionary) from the records of a student without that student's prior written consent to the following individuals or institutions or in the following circumstances:

1. To The Art Institute officials who have been determined by the school to have legitimate educational interests in the records. A school official is
  - a) a person employed by the school or its corporate parent in an administrative, supervisory, academic or research, or support staff position. This includes, but is not limited to human resources and accounting staff for purposes of the tuition reimbursement plan; or
  - b) a person employed by or under contract to the school to perform specific tasks, such as an auditor, consultant, or attorney, a person on the Board of Trustees, or a student serving on an official committee or assisting another school official.

Any school official who needs information about a student in the course of performing instructional, supervisory, advisory, or administrative duties for The Art Institute has a legitimate educational interest.

2. To certain officials of the United States Department of Education, the Comptroller General of the United States, the Attorney General of the United States, and state and local educational authorities in connection with state or federally supported educational programs.
3. In connection with the student's request for, or receipt of, financial aid necessary to determine the eligibility, amounts or conditions of financial aid, or to enforce the terms and conditions of the aid.
4. To organizations conducting certain studies for or on behalf of the school.
5. To accrediting commissions or state licensing or regulatory bodies to carry out their functions.
6. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code.
7. To comply with a judicial order or lawfully issued subpoena.
8. To appropriate parties in health or safety emergencies.
9. To officials of another school in which a student seeks or intends to enroll.

10. To an alleged victim of a crime of violence or a nonforcible sexual offense, the final results of the disciplinary proceedings conducted by the school against the alleged perpetrator of that crime or offense with respect to that crime or offense.
11. To persons in addition to the victim of a crime of violence or nonforcible sexual offense, the final results of the disciplinary proceedings described in paragraph 10 above but only if the school has determined that a student is the perpetrator of a crime of violence or nonforcible sexual offense, and with respect to the allegation made against him or her, the student has committed a violation of the University's rules or policies. (The school, in such instances, may only disclose the name of the perpetrator not the name of any other student, including a victim or witness without the prior written consent of the other student(s)).
  - a) Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the University's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
12. To a parent regarding the student's violation of any federal, state, or local law or of any rules or policy of the school governing the use or possession of alcohol or a controlled substance if the school determines that the student has committed a disciplinary violation with respect to that use or possession, and the student is under 21 at the time of the disclosure to the parent.
13. Directory information (see Section IV below).
14. Student Recruiting Information as requested by the U.S. Military. Student recruiting information includes ONLY: name, address, telephone listing, age or date of birth, class level, academic major, place of birth, degrees received and most recent educational institution attended. It does not include and The Art Institute will not provide: social security numbers, race, ethnicity, nationality, GPA, grades, low performing student lists, religious affiliation, students with loans in default, veteran's status, students no longer enrolled. Students who opt out of the directory also opt out of student recruiting information.

### **III. Record of Requests for Disclosure**

Except with respect to those requests made by the student themselves, those disclosures made with the written consent of the student, or to requests by or disclosures to The Art Institute officials with legitimate educational interests and disclosures of directory information (or other exceptions described in the applicable regulations), The Art Institute will maintain a record indicating the parties who have requested or obtained personally identifiable information from a student's education records and the legitimate interests those parties had in requesting or obtaining the information. This record may be inspected by the student.

#### **IV. Directory Information**

The Art Institute designates the following information as directory information. (Directory information is personally identifiable information which may be disclosed without the student's consent):

1. Student's name
2. Address: Local, email and website
3. Telephone number (local)
4. Date and place of birth
5. Program of study
6. Participation in officially recognized activities
7. Dates of attendance
8. Degrees and certificates awarded
9. Most recent previously attended school
10. Photograph of the student, if available
11. Enrollment status (i.e., enrolled, continuing, future enrolled student, reentry, leave of absence, etc.)
12. Student honors and awards received.
13. The height and weight of athletic team members

Notice of these categories and of the right of an individual in attendance at The Art Institute to request that his/her directory information be kept confidential will be given to the student annually. Students may request nondisclosure of student directory information by specifying nondisclosure, in writing, to the Office of the Registrar.

Miami International University of Art & Design  
1501 Biscayne Blvd, Suite 100  
Miami, FL 33132

The Art Institute of Tampa  
4401 N Himes Ave #150  
Tampa, FL 33614

Failure to request nondisclosure of directory information will result in routine disclosure of one or more of the above designated categories of personally identifiable directory information.

#### **V. Correction of Educational Records**

Students have the right under FERPA to ask to have records corrected which they believe are inaccurate, misleading, or in violation of their privacy rights. The following are the procedures for the correction of records:

1. A student must ask the Registrar to amend a record. As part of the request, the student should identify the part of the record they want to have changed and specify why they believe it to be inaccurate, misleading, or in violation of his/her privacy rights.

2. The University may either amend the record or decide not to amend the record. If it decides not to amend the record, it will notify the student of its decision and advise the student of the right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.
3. Upon request, The Art Institute will arrange for a hearing and notify the student reasonably in advance of the date, place, and time of the hearing. The hearing will be conducted by an individual who does not have a direct interest in the outcome of the hearing. That individual may be an official of the University. The student shall be afforded a forum for the opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by other people, including an attorney.
4. The Art Institute will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence, and the reasons for the decision.
5. If, as a result of the hearing, The Art Institute decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it will (a) amend the record accordingly; and (b) inform the student of the amendment in writing.
6. If, as a result of the hearing, The Art Institute decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school.
7. If a statement is placed in the education records of a student under paragraph 6 above, The Art Institute will: (a) maintain the statement with the contested part of the record for as long as the record is maintained; and (b) disclose the statement whenever it discloses the portion of the record to which the statement relates.

#### **VI. Student Right to File Complaint**

Any student has the right to file a complaint with the United States Department of Education concerning alleged failures by the University to comply with the requirements of the Family Educational Rights and Privacy Act of 1974 (FERPA). The name and address of the governmental office that administers FERPA is as follows:

Family Policy Compliance Office  
United States Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605