

# University Policies

Failure to read this bulletin does not excuse students from the requirements and regulations described herein. In addition, the Indiana University Kokomo Bulletin is not intended to be a comprehensive compilation of academic and administrative policies. Students are expected to be familiar with the various regulations that are office-specific, such as regulations related to financial aid, the Office of the Registrar, academic majors, as well as campus-wide rules, to include the Student Code of Conduct.

Although every effort is made to provide accurate and current information, Indiana University Kokomo reserves the right to change rules, policies, fees, curricula, courses, and other programs described to reflect faculty or administrative action.

## Equal Opportunity/Affirmative Action Policy

Indiana University pledges itself to continue its commitment to the achievement of equal opportunity within the university and throughout American society as a whole. In this regard, Indiana University will recruit, hire, promote, educate, and provide services to persons based upon their individual qualifications. Indiana University prohibits discrimination based on arbitrary consideration of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status.

Indiana University shall take affirmative action, positive and extraordinary, to overcome the discriminatory effects of traditional policies and procedures with regard to the disabled, minorities, women, and Vietnam-era veterans.

Students have the right to exercise their individual rights as citizens. They have the right to be free from discrimination, sexual harassment, harassment based on sexual orientation, and racial harassment.

An Affirmative Action office on each campus monitors the university's policies and assists individuals who have questions or problems related to discrimination. At IU Kokomo, the Affirmative Action officer is Gerry Stroman, (765) 455-9529)

## Rules Determining Resident and Nonresident Student Status for Indiana University Fee Purposes

These rules establish the policy under which students shall be classified as residents or nonresidents upon all campuses of Indiana University for university fee purposes. Nonresident students shall pay a nonresident fee in addition to fees paid by a resident student.

Prospective students from out of state should be aware that the criteria for establishing in-state residency and thus qualifying for in-state fee rates are very strict. Except under specific circumstances, persons who have moved to Indiana for the primary purpose of attending a college, university, or other institution of higher education will not be able to qualify for in-state fees during their academic career.

1. "Residence" as the term, or any of its variations (e.g., "resided"), as used in the context of these rules, means the place where an individual has his or her permanent home, at which he or she remains when not called elsewhere for labor, studies, or other special or temporary purposes, and to which he or she returns in seasons of repose. It is the place a person has voluntarily fixed as a permanent habitation for himself or herself with an intent to remain in such place for an indefinite

period. A person at any one time has but one residence, and a residence cannot be lost until another is gained.

a) A person entering the state from another state or country does not at that time acquire residence for the purpose of these rules, but except as provided in rule 2(c), such person must be a resident for 12 months in order to qualify as a resident student for fee purposes. (Rule 2(c) applies only to unemancipated persons under 21 years of age.)

b) Physical presence in Indiana for the predominant purpose of attending a college, university, or other institution of higher education, shall not be counted in determining the 12-month period of residence; nor shall absence from Indiana for such purpose deprive a person of resident student status.

2. A person shall be classified as a "resident student" if he or she has continuously resided in Indiana for at least 12 consecutive months immediately preceding the first scheduled day of classes of the semester or other session in which the individual registers in the university, subject to the exception in (c) below, which applies only to unemancipated persons under 21 years of age.

a) The residence of an unemancipated person under 21 years of age follows that of the parents or of a legal guardian who has actual custody of such person or administered the property of such person. In the case of divorce or separation, if either parent meets the residence requirements, such person will be considered a resident.

b) If such person comes from another state or country for the predominant purpose of attending the university, he or she shall not be admitted to resident student status upon the basis of the residence of a guardian in fact, except upon appeal to the Standing Committee on Residence in each case. (This rule applies only to unemancipated persons under 21 years of age.)

c) Such person may be classified as a resident student without meeting the 12-month residence requirement within Indiana if his or her presence in Indiana results from the establishment by his or her parents of their residence within the state and if he or she proves that the move was predominantly for reasons other than to enable such person to become entitled to the status of "resident student." (This rule applies only to unemancipated persons under 21 years of age.)

d) When it shall appear that the parents of a person properly classified as a "resident student" under sub-paragraph (c) above have removed their residence from Indiana, such person shall then be reclassified to the status of nonresident; provided, that no such reclassification shall be effective until the beginning of a semester next following such removal.

e) A person once properly classified as a resident student shall be deemed to remain a resident student so long as remaining continuously enrolled in the university until such person's degree shall have been earned, subject to the provisions of subparagraph (d) above.

3. The foreign citizenship of a person shall not be a factor in determining resident student status if such person has legal capacity to remain permanently in the United States.

4. A person classified as a nonresident student may show that he or she is exempt from paying the nonresident fee by clear and convincing evidence that he or she has been a resident (see rule 1 above) of Indiana for the 12 months prior to the

first scheduled day of classes of the semester in which his or her fee status is to be changed. Such a student will be allowed to present his or her evidence only after the expiration of 12 months from the residence qualifying date, i.e., the date upon which the student commenced the 12-month period for residence. The following factors will be considered relevant in evaluating a requested change in a student's nonresident status and in evaluating whether his or her physical presence in Indiana is for the predominant purpose of attending a college, university, or other institution of higher education. The existence of one or more of these factors will not require a finding of resident student status, nor shall the nonexistence of one of more require a finding of nonresident student status. All factors will be considered in combination, and ordinarily resident student status will not result from the doing of acts which are required or routinely done by sojourners in the state or which are merely auxiliary to the fulfillment of educational purposes.

- a) The residence of a student's parents or guardians.
- b) The situs of the source of the student's income.
- c) To whom a student pays his or her taxes, including property taxes.
- d) The state in which a student's automobile is registered.
- e) The state issuing the student's driver's license.
- f) Where the student is registered to vote.
- g) The marriage of the student to a resident of Indiana.
- h) Ownership of property in Indiana and outside of Indiana.
- i) The residence claimed by the student on loan applications, federal income tax returns, and other documents.
- j) The place of the student's summer employment, attendance at summer school, or vacation.
- k) The student's future plans including committed place of future employment or future studies.
- l) Admission to a licensed profession in Indiana.
- m) Membership in civic, community, and other organizations in Indiana or elsewhere.
- n) All present and intended future connections or contacts outside of Indiana.
- o) The facts and documents pertaining to the person's past and existing status as a student.
- p) Parents' tax returns and other information, particularly when emancipation is claimed.

5. The fact that a person pays taxes and votes in the state does not in itself establish residence, but will be considered as herein before set forth.

6. The registrar or the person fulfilling those duties on each campus shall classify each student as resident or nonresident and may require proof of all relevant facts. The burden of proof is upon the student making a claim to a resident student status.

7. A Standing Committee on Residence shall be appointed by the president of the university and shall include two students from among such as may be nominated by the student body presidents of one or more of the campuses of the university. If

fewer than four are nominated, the president may appoint from among students not nominated.

8. A student who is not satisfied by the determination of the registrar has the right to lodge a written appeal with the Standing Committee on Residence within 30 days of receipt of written notice of the registrar's determination which committee shall review the appeal in a fair manner and shall afford to the student a personal hearing upon written request. A student may be represented by counsel at such hearing. The committee shall report its determination to the student in writing. If no appeal is taken within the time provided herein, the decision of the registrar shall be final and binding.

9. The Standing Committee on Residence is authorized to classify a student as a resident student, though not meeting the specific requirements herein set forth, if such student's situation presents unusual circumstances and the individual classification is within the general scope of these rules. The decision of the committee shall be final and shall be deemed equivalent to a decision of the Trustees of Indiana University.

10. A student or prospective student who shall knowingly provide false information or shall refuse to provide or shall conceal information for the purpose of improperly achieving resident student status shall be subject to the full range of penalties, including expulsion, provided for by the university, as well as to such other punishment which may be provided for by law.

11. A student who does not pay additional monies which may be due because of his or her classification as a nonresident student within 30 days after demand, shall thereupon be indefinitely suspended.

12. A student or prospective student who fails to request resident student status within a particular semester or session and to pursue a timely appeal (see rule 8) to the Standing Committee on Residence shall be deemed to have waived any alleged overpayment of fees for that semester or session.

13. If any provision of these rules or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of these rules which can be given effect without the invalid provision or application, and to this end the provisions of these rules are severable.

## Regulations and Policies Applicable to Students on the Kokomo Campus

### Motor Vehicles Regulations

1.1 All faculty, staff members, students, and visitors to Indiana University Kokomo are commuters. Smooth traffic flow and proper parking are therefore important to the operation of the university. The following regulations are designed to provide effective, safe, and equitable management of driving and parking on university property.

a. Sec. 3.09., Indiana Burns Statutes 28-6539, I.C. 20-12-3.53. Acts 1971, P.L. 329, s.1. defines the powers and duties of campus police and powers relating to traffic and parking control. The regulations applicable to traffic and parking may include, but not be limited to, the following:

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1. Provisions governing the registration, speed, operation, parking and time, places, and manner of use of motor vehicles, bicycles and other vehicles.

2. Provisions prescribing penalties for the violation of regulations may include the imposition of reasonable charges, the removing and impounding of vehicles at the expense of the violator that are operated or parked in violation of the regulations, and the denial or permission to operate vehicles on the property of such institutions. The law does not limit or restrict the powers of any other governmental authority with jurisdiction over public streets, roads or alleys.

b. These regulations are subject to amendment at any time:

1. The speed limit for motor vehicles on university property is 15 miles per hour.

2. Motorbikes, motorcycles, and motor scooters are subject to all regulations and must be operated only on streets normally used by automobiles.

3. Any accident involving a motor vehicle on IU Kokomo property must be reported to the Campus Safety and Security Office, Room 107 or 234D, Kelley Student Center. This office is open 8 a.m. to 10 p.m. Monday through Friday, and 8 a.m. to 5 p.m. on Saturday and 1 p.m. to 6 p.m. on Sunday. When the office is closed or there is no one in the office, report accidents to Physical Plant in the Main Building.

4. Parking of motor vehicles on university property is confined to areas designated for that purpose. Parking is prohibited on grass, in construction areas, or any other place that will mar the landscape of the campus, inconvenience or endanger anyone, create a hazard, or interfere with the use of university facilities by others. Violators are subject to tickets, and vehicles may be towed away.

5. Yellow curbs designate no parking zones. Parking is also not allowed at any loading and service vehicle dock or zone, entrance to buildings, or emergency zones. Parking is not permitted on the oval entrance drive.

6. Individuals utilizing handicapped parking facilities must have a special permit in addition to the regular parking permit. There is no charge for this special handicapped permit.

7. Any vehicle in violation of parking regulations or any that are apparently abandoned may be towed away without notice and stored at the owner's expense.

8. Parking regulations are enforced from 8 a.m. to 10 p.m., Monday through Friday, including examination and holiday periods.

c. Vehicles owned by other Indiana higher education institutions, and vehicles with faculty/staff parking permits from other Indiana higher education institutions where similar parking programs are in force, will be honored. All vehicles must properly display a valid parking permit in order to park in designated parking areas of IU Kokomo.

d. Removal of a permit from a vehicle is required upon change of vehicle ownership, termination of association with the university, or expiration of the permit. The person in whose name a vehicle is registered at the IU Kokomo Office of Administration and Finance is held responsible for all violations by the vehicle bearing that person's permit.

e. The regulations are internal administrative regulations of the university and do not replace state laws or municipal ordinances. In addition to the university parking violations described below, any violation of state or municipal laws may result in arrest of the violator and/or notice to appear before state or municipal courts:

1. Parking across lines in designated parking spaces.

2. Parking against the traffic flow.

3. Parking in a posted or marked area, i.e., no parking zone, loading zone, yellow curb area, near a fire hydrant, or on a hashmarked area.

4. Moving violations.

5. Parking on curbs, crosswalks, or grass.

6. Blocking a driveway.

7. Double parking.

8. Parking in a restricted area without a properly displayed permit.

f. Fines are \$25 each. Those parked in Handicapped posted areas without proper permits will be charged \$50 for each offense. Fines are to be paid within seven days of the date of issuance of a ticket at the IU Kokomo Office of Administration and Finance between 8 a.m. and 5 p.m., Monday through Friday. Payment may be in cash or by check, payable to IU Kokomo. The traffic violation notice must accompany payment.

g. Persons have a right to appeal the issuance of a parking citation to the Parking Appeals Committee. Appeals must be in writing. Explanations, supporting statements, or memoranda must be attached.

h. Fee Schedule for Parking Permits (Parking fees are subject to change by action of the Trustees of Indiana University.)

<i>Type of Permit</i>	<i>Per semester/session</i>
Credit students	\$4.40/cr. hour per permit
Continuing Education students	\$2/course
Temporary permit	\$1/day

## 1.2 Policy on Student Records

In compliance with Section 438 of the General Education Provisions Act (as amended) entitled Family Educational Rights and Privacy Act, the following constitutes the institution's policy, which instructs the student in the procedures available to provide appropriate access to personal records while protecting their confidentiality.

a. Certain definitions and principles contained in the law and proposed guidelines are specifically adopted in the policy:

1. "Student" is defined as one who has attended or is attending Indiana University and whose records are in the files of the university.

2. Educational records do not include files retained by individuals that are not accessible to any other person except a substitute faculty/staff member.

3. Public information is limited to name, address, phone, major field of study, dates of attendance, admission or enrollment status, school college or division, class standing, degrees and awards, activities, sports, athletic information. Records of arrests and/or conviction and traffic accident information are

public information and may be released to anyone making inquiry.

b. Public information shall be released freely unless the student files the appropriate form for requesting that certain public information not be released. This form is available in the Office of Student Services. Public information that cannot be restricted includes name, enrollment status, degrees, and dates of attendance.

c. All students have records in the following offices: Registrar, Admissions, division in which student is enrolled.

d. Some divisions may maintain student records in more than one physical location. A list of these separate records, their location, and the person responsible for the records may be obtained from the chairperson or director of the division.

e. Students may also have records in offices where they have requested service:

- Director, Office of Administration and Finance
- Director, Office of Career Services
- Director, Office of Scholarships and Financial Aid
- Coordinator, Veterans Affairs
- Director of University Division

f. The privacy of all records may be broken at a time of emergency, defined in terms of the following considerations:

1. Seriousness of the threat to health or safety.
2. The need for access to the record in meeting the emergency.
3. Whether the person requesting the record is in a position to deal with the emergency.
4. The extent to which time is of the essence in dealing with the emergency.

g. A student's record is open to the student, with the following exceptions:

1. Confidential letters of recommendation placed in files prior to January 1, 1975
2. Records of parents' financial status
3. Employment records; see (h) below
4. Medical and psychological records; see (i) below
5. Some items of academic record under certain conditions; see (j) below

h. The employment records excluded from accessibility are records kept in the normal course of business that relate exclusively to persons as employees and are not used for any other purposes.

i. Medical and psychological records are presently governed by State Statute, Burns Indiana Statutes, 1971 Code Edition, 34-1-14-5 and 25-33-1-17, which rigidly protects their confidentiality. They are not available to anyone other than those providing treatment, but can be reviewed by a physician or appropriate professional of the student-patient's choice.

j. To ensure the validity and confidentiality of references prepared off-campus and on-campus, certain documents may carry waivers, signed by the student relinquishing the right of access to the document.

1. Waivers are subject to the following conditions:

i. Waivers can be signed only for the specific purpose of application for admission, candidacy for honor or honorary recognition (including financial aid based at least in part on merit), and candidacy for employment.

ii. Waivers cannot be required.

iii. The student shall be told, upon request, the names of those supplying references.

2. All items in the academic record not covered by waivers are open to the student. Material not covered by waivers may not be protected by keeping it out of the student's file.

k. Student records are open to members of the faculty and staff who have a legitimate need to know their contents, except where access is prohibited by special policies such as those governing medical and psychological records.

1. The determination of "a legitimate need to know" will be made by the person responsible for the maintenance of the record. This determination must be made scrupulously and with respect for the individual whose record is involved.

2. Academic documents inaccessible to students (because the documents have been filed before January 1, 1975, or are segregated by waivers) are to be used only for the purpose for which they were prepared.

1. The university has established the following procedures enabling the student to have access to his or her record and has provided for interpretation and challenge:

1. The student may see his or her record by filling out a request form at the office where the record of interest is maintained.

2. Access is to be granted promptly and no later than 30 days from the date of request.

3. The student may make the request in person or by mail.

4. The student may obtain copies upon request (for which the university may charge).

5. The student may request and receive interpretation of his or her record from the person (or designee) responsible for the maintenance of the record.

6. If the student considers the record faulty, he or she can request and receive an informal and/or formal hearing of the case to the end that the record will be corrected if judged faulty or in violation of privacy:

i. The informal hearing will be in conference with the person (or his or her designee) responsible for the maintenance of the record and — where appropriate — the party or parties authoring the record segment in question.

ii. The student may request a formal hearing by obtaining from the Office of the Vice Chancellor of Student Services a request form, on which he or she must designate the location of the record in question and a brief explanation of the reason for faulting the record. A panel of not fewer than 10 Hearing Officers will be appointed by the chief administrative officer for each campus. The director of student services will forward a copy of the request to the person responsible for the record and will provide the student and the keeper of the record with three names of Hearing Officers. The parties (student and keeper of the record in challenge) shall each

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strike one name; the remaining Hearing Officer shall conduct an administrative hearing with the parties present. The hearing shall be held within a reasonable period of time; notice of the date, place, and time must be given reasonably in advance. The student shall be afforded a full and fair opportunity to present relevant evidence and may be assisted or represented by any person of his or her choosing (including an attorney at the student's expense). A written decision based solely upon the evidence presented shall be prepared within a reasonable amount of time, and shall include a summary of the evidence and the reasons for the decision. The judgment of the hearing officer shall be final, and the record shall be changed or retained as recommended. If the institution decides the information is accurate, it shall inform the student of his or her right to place in his or her educational record a statement commenting upon the information, and/or noting any reasons for disagreeing with the decision. Any statement of this sort shall be maintained as long as the student's educational record or contested portion is maintained; if the student's educational record or contested portion is disclosed to any party, the student's statement shall also be disclosed.

m. Normally, records can be released — or access given — to third parties (i.e., anyone not a member of the faculty and staff) only at the written request of the student.

1. Without the consent of the student, releases to third parties may be given only as follows:

- i. To parents of students who are dependents, as defined by IRS standards
- ii. To federal officers, as prescribed by law

iii. As required by state law

iv. To research projects on behalf of educational agencies for test norms, improving instruction, etc. (provided that the agencies guarantee no personal identification of students)

v. To accrediting agencies carrying out their functions

vi. In response to a judicial order or lawfully issued subpoena (provided that the student is notified prior to compliance, or provided that a reasonable attempt to notify the student has been made)

vii. By IU police to other law enforcement agencies in the investigation of a specific criminal case

2. A student may secure from the registrar's office a "consent form" authorizing the release of specified records to specific individuals.

3. A notation of releases made to third parties must be kept in the student's record. This notation is open only to the student and the person in charge of the record.

4. The third party must be informed that no further release of personally identifiable data is authorized without the written consent of the student.

n. Nothing in this policy requires the continued maintenance of any student record. However, if under the terms of this policy a student has requested access to the record, no destruction of the record shall be made before access has been granted to the student. Persons in charge of records should ensure that only pertinent items are retained in student files.