

# APPENDIX

## ENGLISH FLUENCY

Clemson University has established a policy to assure that all instructional activities are conducted by individuals possessing appropriate proficiency in written and oral use of the English language. Instructional activities include lectures, recitation or discussion sessions, and laboratories. The individuals to be certified include full-time and part-time faculty, graduate teachers of record, graduate teaching assistants, and graduate laboratory assistants for whom English is not the first language.

A student who experiences difficulty with an instructor's written or oral English and who wishes to seek relief must do so prior to the seventh meeting of a 50-minute class and prior to the fifth meeting of a 90-minute class in regular semesters. In the five-week summer sessions, relief must be sought prior to the third class meeting.

The procedure is summarized as follows:

- a. The student must quickly bring the problem to the attention of the instructor's department chair either directly or through a faculty member such as the student's advisor. That department chair will assess the complaint and, if deemed valid, offer an appropriate remedy within two days.
- b. A student who is not satisfied with the department chair's decision or the relief suggested, may appeal within two days to a five-member hearing panel comprised of three faculty members and two students appointed by the Senior Vice Provost and Dean of Undergraduate Studies.

Students with questions should contact the Associate Dean of Undergraduate Studies, E-103 Martin Hall.

## EQUAL OPPORTUNITY AFFIRMATIVE ACTION

Clemson University, in compliance with Titles VI and VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, and Sections 503 and 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of race, color, national origin, religion, sex, or disability in any of its policies, procedures, or practices; nor does the University, in compliance with the Age Discrimination in Employment Act of 1967, as amended, and Section 402 of the Vietnam Era Veterans Readjustment Act of 1974, discriminate against any employees or applicants for employment on the basis of their age or because they are disabled veterans or veterans of the Vietnam era. Clemson University conducts its programs and activities involving admission, access, treatment, employment, teaching, research, and public service in a nondiscriminatory manner as prescribed by Federal laws and regulations.

In conformance with University policy and pursuant to Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, and Section 402 of the Vietnam Era Veterans Readjustment Act of 1974, Clemson University is an Affirmative Action/Equal Opportunity Employer.

Inquiries concerning the above may be addressed to the following:

Executive Secretary  
Clemson University Board of Trustees  
201 Sikes Hall  
Clemson University  
Clemson, SC 29634

Director, Office for Access and Equity  
207 Holtzendorff  
Clemson University  
Clemson, SC 29634

Director, Office for Civil Rights  
Department of Education  
Washington, DC 20201

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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

1. The right to inspect and review the student's education records (provided the student has not waived this right) within 45 days of the day the University receives a request for access.

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request identifying the record(s) they wish to inspect.

The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. To challenge the accuracy of an education record, the student should write to the registrar or other University official responsible for the record and clearly identify the part of the record he/she wants changed and specify why it is inaccurate or misleading. If the University official decides not to amend the record as requested by the student, the University official will notify his/her vice president. The vice president will then notify the student of his/her right to a hearing regarding the request for an amendment. Additional information regarding the hearing procedures will be provided to the student when notified of his/her right to a hearing.

*Note:* The challenge of a student under this paragraph is limited to information which relates directly to the student and which the student asserts is inaccurate or misleading. With regard to a student's grade, this right does not permit the student to contest a grade on the grounds that a higher grade is deserved, but only to show that the grade has been inaccurately recorded.

3. The right to consent to the disclosure of personally-identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interest. A school official is a person employed by the University; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another University official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibilities.

Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to refuse to permit the designation of any or all of the following categories of personally-identifiable information as directory information, which is not subject to the above restrictions on disclosure: student's full name, home address and telephone number, campus address and telephone number, campus e-mail address, state of residence, date and place of birth, marital status, academic class, class schedule and class roster, name of advisor, major field of study, including the college, division, department or program in which the student is enrolled, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance and graduation, degrees and honors and awards received including selection to a dean's list or honorary organization and the grade-point average of students selected, and the most previous educational institution attended. Photographic, video, or electronic images of students taken and maintained by the University are also considered directory information.

Directory information may be disclosed by the University for any purpose, at its discretion. Any student wishing to exercise his/her right to refuse to permit the designation of any or all of the above categories as directory information must give written notification to the Registration Services Office (E-206 Martin Hall) by the last day to register for the enrollment period concerned as published in the Clemson University calendar.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Clemson University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington, DC 20202-4605.

## FAMILY PERSONAL PRIVACY ACT

The South Carolina Family Personal Privacy Act (SC Code 30-2-10 et. seq.) defines personal information as "...information that identifies or describes an individual including, but not limited to, an individual's photograph or digitized image, social security number, date of birth, driver's identification number, name, home address, home telephone number, medical or disability information, education level, financial status, bank account(s) number(s), account or identification number issued by and/or used by any federal or state governmental agency or private financial institution, employment history, height, weight, race, other physical details, signature, biometric identifiers, and any credit records or reports."

Some of the information in documents which students provide to Clemson University may be personal information as defined above. Pursuant to Section 30-2-40 B, students are advised that this information may be subject to public scrutiny or release. They are also advised that personally-identifiable information contained in these educational records falls under the federal Family Educational Rights and Privacy Act of 1974, as amended (FERPA). If students elect to opt out of the release of directory information under FERPA, the University will not release any personal information except as otherwise required or authorized by law.

## PATENTS AND COPYRIGHTS

All students enrolling in Clemson University do so with full understanding that

1. The University has full ownership rights in any inventions, discoveries, developments and/or improvements, whether or not patentable (inventions), which are conceived, developed, or reduced to practice or caused to be conceived, developed, or reduced to practice by undergraduate students during the course of their academic activities conducted as part of any undergraduate curriculum. Any such invention will be handled by the University in the same manner as set forth in the *Faculty Manual of Clemson University*, the pertinent provision for which appears as Part IXB entitled "Patent Policy."

2. Copyright ownership of any research work will be determined by University policy and by policies of organizations responsible for publishing or distributing copyrighted material.

Copies of the policies on patents and copyrights are available in the individual departments and colleges and in the Special Projects Office.

## INFORMATION RESOURCES FOR STUDENTS

Clemson University computing resources are the property of Clemson University, to be used for University-related business. Students have no expectation of privacy when utilizing University computing resources, even if the use is for personal purposes. The University reserves the right to inspect, without notice, the contents of computer files, regardless of medium, the contents of electronic mailboxes, and computer conferencing systems, systems output, such as printouts, and to monitor network communication when

1. it is considered reasonably necessary to maintain or protect the integrity, security, or functionality of University or other computer resources or to protect the University from liability;
2. there is reasonable cause to believe that the users have violated this policy or otherwise misused computing resources;
3. an account appears to be engaged in unusual or unusually excessive activity;
4. it is otherwise required or permitted by law.

Use of University computing resources, including network facilities, account numbers, data storage media, printers, plotters, microcomputer systems, and software for computing activities other than those authorized by the University is strictly prohibited. Unauthorized use of such resources is regarded as a criminal act in the nature of theft, and violators are subject to suspension, expulsion, and civil and criminal prosecution.

The following are examples of misuse of computing resources:

1. Unauthorized duplication, distribution, or alteration of any licensed software. This includes software licensed by the University and licensed software accessed using the computing networks.
2. Attempting to gain unauthorized access to any computing resource or data, at Clemson or anywhere on the Internet, or attempting to disrupt the normal operation of any computing resource or network.
3. Attempting to use another student's or employee's computer account or data, without their permission.
4. Using the University electronic mail system to attack other computer systems, falsify the identity of the source of electronic mail messages; sending harassing, obscene, or other threatening electronic mail; attempting to read, delete, copy, or modify the electronic mail of others without their authorization; sending, without official University authorization, "for-profit" messages, chain letters, or other unsolicited "junk" mail.
5. Knowingly infecting any computing resource with a software virus.

6. Tampering with the University computer network or building wiring or installing any type of electronic equipment or software that could be used to capture or change information intended for someone else.

7. Participating in a "denial of service" attack on any other computer, whether on or off campus.

8. Using University computing or network resources for personal gain or illegal activities such as theft, fraud, copyright infringement, sound or video recording piracy, or distribution of child pornography or obscenities.

Any suspected violations of this policy or any other misuse of computer resources by students should be referred to the Office of Student Judicial Services. That office will investigate the allegations and take appropriate disciplinary action. Violations of law related to misuse of computing resources may be referred to the appropriate law enforcement agency.

Notwithstanding the above, the Division of Computing and Information Technology may temporarily suspend, block, or restrict access to an account, independent of University disciplinary procedures, when it appears reasonably necessary to do so in order to protect the integrity, security, or functionality of University or other computer resources, to protect the University from liability, or where the emotional or physical well-being of any person is immediately threatened. When DCIT unilaterally takes such action, it will immediately notify the account holder of its actions and the reason therefore in writing. The account holder may appeal the action taken by DCIT in writing to the vice provost of the Division of Computing and Information Technology.

Access will be restored to the account holder whenever the appropriate investigatory unit of the University determines that the protection of the integrity, security, or functionality of University or other computing resources has been restored and the safety and well being of all individuals can reasonably be assured, unless access is to remain suspended as a result of formal disciplinary action imposed through the Office of Student Judicial Services.