ACADEMIC LEADERSHIP PROGRAM
OCTOBER 2, 2012
LEGAL ISSUES FOR DEPARTMENT CHAIRS

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Senior Vice President and General Counsel
The Office of Senior Vice President and General Counsel manages and supervises all legal affairs for the University. The General Counsel serves as the legal officer to the Board of Governors and the University by providing legal advice to the President, Board of Governors, and administration on a broad array of legal issues and represents the University in all legal proceedings. http://generalcounsel.rutgers.edu

University Policy Library
Most Rutgers University policies can be found in the University Policy Library on the web, which is the official source for the policies governing the academic, administrative, operational, and business affairs of the University. The library holds policies in the following eight functional-based sections: academic; administrative; environmental health, safety and parking; financial management; governance and legal matters; human resources; information technology; and university relations. http://policies.rutgers.edu

University Indemnification Policy
The University Indemnification Policy provides that Rutgers shall defend and indemnify, to the full extent permitted by law, any officer or employee acting as an agent of the University for any act or omission arising out of and in the course of the performance of the duties of his or her office, position or employment with the University. The full text of the University Indemnification Policy is at http://policies.rutgers.edu/PDF/Section50/50.3.3-current.pdf

Equal Employment Opportunity and Affirmative Action
It is the policy of Rutgers to make the benefits and services of its educational programs available to students, and to provide equal employment opportunity to all employees and applicants for employment, regardless of race, religion, color, national origin, ancestry, age, sex, sexual orientation, gender identity and expression, disability, atypical cellular or blood trait, marital status, civil union status, domestic partnership status, military service, veteran status, or any other category protected by law. The current University Policy on Equal Opportunity and Affirmative Action is found at: http://policies.rutgers.edu/PDF/Section60/60.1.8-current.pdf

Labor Issues
The Office of Academic Labor Relations provides advice on faculty labor issues. The Office of Labor Relations provides advice on staff labor issues. Various policies related to faculty and staff employment issues can be found at the following sites:
http://academicaffairs.rutgers.edu/index.shtml
http://uhr.rutgers.edu/ir/hr/services.htm

(00132097.1 / 007331)
Policy Prohibiting Discrimination & Harassment
The Office of Employment Equity serves faculty, staff and students from all campuses who believe that they have been discriminated against or harassed by a Rutgers employee in violation of the Policy Prohibiting Discrimination and Harassment, which prohibits discrimination and harassment based on race, religion, color, national origin, ancestry, age, sex, sexual orientation, gender identity and expression, disability, atypical hereditary cellular or blood trait, marital status, civil union status, domestic partnership status, military service, veteran status, and any other category protected by law. The current policy is found at:
http://policies.rutgers.edu/PDF/Section60/60.1.12-current.pdf
As part of its commitment to fostering an academic and work environment that is free from sexual harassment, Rutgers offers an interactive online course which educates employees on preventing sexual harassment in the workplace and on campus. The purpose of the course is to help employees recognize and respond to situations that may involve sexual harassment, as well as understand how to handle complaints of sexual harassment appropriately. This course is found at: http://uhr.rutgers.edu/psh

Student Affairs Compliance
The Office of Student Affairs Compliance, among other things, oversees university compliance with disability, privacy and nondiscrimination laws and university policies, including Title IX, as they apply to students.
http://compliance.rutgers.edu/about-us/mission-statement

Office for Violence Prevention and Victim Assistance
Violence Prevention and Victim Assistance (VPVA) provides crisis intervention, confidential counseling and advocacy services, educational programming, and training as well as consultation and policy development services to the University community.
http://sexualassault.rutgers.edu

Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the New Jersey Law Against Discrimination (NJLAD)
Students with disabilities have the right to an accessible education, as mandated by both state and federal law. In order to obtain an accessible education, students with disabilities may require certain accommodations. The Office of Disability Services for Students website is found at:
http://disabilityservices.rutgers.edu

Services for Students with Disabilities Faculty Handbook can be found at:
http://disabilityservices.rutgers.edu/docs/faculty-manual.pdf

Psychological/Counseling Centers
Counseling and Psychological Services provides a variety of psychological services for students. These services offer students help in resolving some of the difficulties associated with the college experience.
New Brunswick
http://rhscaps.rutgers.edu/services/counseling

Newark
http://www.rutgersnewarkcounselingcenter.com/CC/

Camden
http://healthservices.camden.rutgers.edu/psychservices/psychinfo-services.html

Hurtado Student Health Center – 11 Bishop Place – College Avenue Campus
(00132097.1 / 007331)
Hurtado Health Services provides health care services to students and to employees regarding work-related health issues. Health Services also provides Psychiatric Services, which includes consultation and treatment services for stress management, different types of anxiety, mood problems, coping skills, psychiatric issues in conjunction with substance abuse/use, eating disorders, and sleep-related problems. Information about Health Services can be found at:
http://health.rutgers.edu/

University Records
The current policy on records retention can be found on the library web site.
http://rmp.rutgers.edu/

Open Public Records Act
As a public institution, Rutgers is bound by the NJ Open Public Records Act ("OPRA"). Links to the Act and the procedure that Rutgers follows are found at the Records site.
http://records.rutgers.edu/

Family Educational Rights and Privacy Act ("FERPA")
FERPA affords students certain rights with respect to their "education records." Generally, education records are all "those records that are (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution." (citations omitted) These rights include the following:

1. The student has the right to inspect and review his/her education records within 45 days of the date Rutgers receives a proper request for access to such records.

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

3. Rutgers shall obtain the prior consent of the student before disclosing personally identifiable information contained in the student's education records, except to the extent FERPA authorizes disclosure without consent (for example of so-called "directory information", see:
http://compliance.rutgers.edu/ferpa/confidentiality)

4. The student may direct complaints concerning the alleged failure of Rutgers to comply with the requirements of FERPA to the Office of Student Affairs Compliance.
http://compliance.rutgers.edu/ferpa

Student Records and Parental Notification
In some circumstances, FERPA permits disclosure of certain information to a parent or guardian without the prior consent of the student. These permissible disclosures include questions related to financial aid and certain safety and health emergencies. See the Policy on Parental Notification at

Grade Posting Policy
In accordance with FERPA and other laws related to privacy, University policy prohibits the use of personally identifiable information, including social security numbers or identification numbers, in the public posting of grades. See Grade Posting Policy at
http://academicleadership.rutgers.edu/archive/GradePosting.pdf

The Copyright Policy
The Copyright Policy sets forth the rights and responsibilities of the University, its faculty, students and employees in their roles as members of the University Community in creating and using copyrighted works.
http://policies.rutgers.edu/PDF/Section50/50.3.7-current.pdf
The web page for the Rutgers University Libraries is an excellent resource for information about copyright as well as appropriate procedures to follow in preparing course packs and other materials for teaching. http://libguides.rutgers.edu/cat.php?cid=25877

Internet Technology Security
In case of sensitive data breaches, contact Information Protection and Security at:
http://rusecure.rutgers.edu/

Office of Research and Sponsored Programs
ORSP provides information, services and support to faculty regarding obtaining outside funding to conduct scientific research, create works of art, compose music, write books and articles, improve their performance in the classroom, and better serve their students, their professions and the public. All grant applications should be reviewed by ORSP. In accomplishing their mission, ORSP ensures accountability, compliance and stewardship for sponsored programs and compliance with all applicable Federal, State, and University policies, procedures and regulations.
http://orsp.rutgers.edu/

University Code of Student Conduct
 Specifies prohibited types of behavior, the sanctions that can be applied, and the jurisdiction, structure, and operation of the University system for adjudicating student disciplinary cases.
http://studentconduct.rutgers.edu/

Policy on Academic Integrity for Undergraduate and Graduate Students
The maintenance of the standards of academic honesty is of key importance to the University. This policy sets forth examples of ways in which academic honesty can be violated as well as procedures to be followed for resolving complaints of academic dishonesty.
http://academicintegrity.rutgers.edu/

University Controller
The Office of the University Controller is responsible for providing the Rutgers community with administrative services to assist in the management of assets, revenues and resources.
http://www.rci.rutgers.edu/~univcont

Purchasing Department
Purchasing oversees a broad range of university areas including interior design, supplier diversity and travel. Its primary function is to support the academic departments in procuring goods and services in the most efficient and effective manner.
http://purchasing.rutgers.edu/

Rutgers Environmental Health and Safety (REHS)
REHS manages laboratory, chemical, radiation and biological safety, as well as waste and environmental issues at the University.
http://rehs.rutgers.edu

Important Contact Information
Hurtado Student Health Center, 732-932-7402
Office of Employment Equity, 732-932-3020, x4030