

INSTITUTIONAL REGULATIONS
ON:
DRUGS, ALCOHOL, TOBACCO
And
SEXUAL HARASSMENT
Revised
September 6, 2001

Mission

Following the spirit of Saint Thomas Aquinas and inspired in the multi-secular charisma of the Order of Preachers, Bayamon Central University has the mission of promoting the integral development of its students by means of an education of academic excellence that will form professionals and leaders with high social commitment, capable of constructing a cultural, scientific-technological, and business world, based on the evangelical values of Christian Humanism.

Vision

Bayamon Central University projects itself as a unique center of Christian humanist formation and social transformation through its student-centered academic programs and quality of university life. The University's professional training responds to the most essential needs of social, cultural, economic, and ecclesiastic institutions, in accordance with state of the arts knowledge, technological advancements, and the values of the Gospel.

BCU Values

Bayamon Central University, as a Catholic institution of higher education founded by the Friars of the Order of Preachers, is committed to promoting in its students, faculty, and employees the following values:

CHARITY, as a supreme evangelical value, which motivates and sustains all human deeds, therefore in the intellectual, cultural, social, economic, and technological spheres.

SPIRITUALITY, as an inherent characteristic of humans to serve society with self-awareness in relation to others, the environment and God.

STUDIOUSNESS, that seeks the attention of all human capacities to discover truths that will lead mankind to live in state of internal and external freedom.

TRUTH, as a goal and result of the dedication to study, research and spirituality, always cherished and constantly sought in the most diverse fields of knowledge and realities of human experience, according to the testimony of Saint Thomas Aquinas.

CULTURAL PROMOTION, as an expression of all the capacities of the human being that inspire and give sense to human life in society, innovating and following national and globalized tradition.

PROFESSIONALISM, that procures optimum preparation and performance for the ecclesiastic and civil society of today, from a high ethical, dynamic, and innovative sense.

INTEGRITY, which commits our institution to: comply with all the laws, norms, and regulations of the state; licensure and accreditation agencies, and institutional policies.

COMMUNITY LIFE, as a goal and principle to build a just, fulfilled and peaceful society through respectful dialogue, open and clear communication, accepting diversity as richness and committed to team work.

SOCIAL JUSTICE, as a concern and commitment to the construction and transformation of the most varied dimensions of the Puerto Rican and international society.

SOLIDARITY, that emanates from the drive for social justice and charity in the day to day actions of each member of the university community that puts to the service of others all that the Creator has offered as a gift.

Bayamon Central University is a Catholic, Dominican, autonomous, non-profit institution. This institution aims to educate critical open-minded citizens, including religious, ethical, and moral values. As part of its mission, Bayamón Central University is committed to Puerto Rican society and promotes positive morals and the eradication of vices and behaviors that degrade the human being.

Introduction

As part of its mission, Bayamon Central University aims to educate critical thinking citizens, open-minded and with critical spirits and ethical, religious and moral and values. Bayamon Central University is strongly committed to our Puerto Rican society, therefore promoting good moral values, helping to obtain the eradication of vices and behaviors that degrade the human being.

On the one hand, this Institution complies with all laws and rules relating to the use of illicit drugs and sexual harassment. Furthermore, we will encourage health care and rehabilitation options. Our philosophy is not based on punitive legalism, but a sound pastoral that emphasizes Christian values of charity, mercy and solidarity.

To this end, Bayamon Central University sets its Institutional Regulations on the use and abuse of drugs and alcohol and sexual harassment.

INSTITUTIONAL REGULATION ON: DRUGS, ALCOHOL AND TOBACCO

Illicit drugs, alcohol and tobacco are issues of great impact in our society, which can adversely affect everyone. In order to achieve, establish, and maintain an academic community free of use and abuse of drugs, alcohol, and tobacco, the institutional policy applies to all faculty, staff, and to all students and staff assistants.

ARTICLE 1: Legal Basis:

This Policy was adopted in light of the Public Acts of Congress of the United States of America, No. 100-690, 18 November 1988, and No. 101-226, 12 December 1989, and Controlled Substances Act of Puerto Rico, Issue 4, 23 June 1971 No Smoking Act, No. 40 of August 3, 1993. It is also based on the regulatory powers of the Board of Trustees and the Council of Founders of Bayamón Central University as established in its Bylaws.

ARTICLE 2:

Manufacture, possession, use, or sale and distribution of drugs on the campus of the University is prohibited and in any outside institutional activity.

ARTICLE 3:

Consumption of alcoholic beverages during working hours and class periods is prohibited. Attendance to workplaces and classrooms of people under the influence of alcoholic beverages is prohibited. Smoking is prohibited in those places established by State law.

ARTICLE 4:

As a general rule, the consumption of alcoholic beverages is prohibited. The only exception is in social events of the institution and must be pre-approved by the President of the Institution, and in activities that qualify. It should be framed within the university's standard of moderate alcohol consumption. In cases of student activities, the consumption of alcohol is not permitted. (Act No. 4 • June 23, 1971)

ARTICLE 5:

The Institution reserves the right to carry out preventive searches when there are reasonable grounds which could give bases to the existence of drugs and / or alcohol of any member of the university community. Such searches shall be made in accordance with the law. To this end, security personnel of the University will be trained in this area.

ARTICLE 6:

As a condition for employment, Bayamón Central University reserves the right to test the candidate for drugs abuse.

ARTICLE 7:

Periodically, orientation activities on the use and abuse of alcohol, drugs inside and outside the university community will be coordinated.

ARTICLE 8:

Guidance and assistance will be offered through the Center for Guidance and Counseling Program and Student Support Services (PSAE) to those with problems of use and abuse of drugs and / or alcohol that request it and are referred.

ARTICLE 9:

First violation:

- a. Any member of the university community who is accused of violating these rules will be notified in writing.
- b. The person concerned will be given the opportunity for a hearing to deny or accept the charges.
- c. According to the outcome of the hearing, one of the following actions may be taken:
 1. A written warning.
 2. Suspension for a set time.
 3. Expulsion or termination of contract, as applicable.
 4. Referral to a rehabilitation program.
- d. In cases of employees, the above process will be continued in the Office of Human Resources, and in the case of students, the Dean of Student Affairs.
- e. Any determination may be appealed in writing to the President within five (5) working days after receiving it. The decision of the President shall be final, binding, and conclusive.

Second violation:

- a. The accused or the person concerned shall be informed, in writing, of the specific charges. The notification will be done by the Office of Human Resources or the Dean of Student Affairs.
- b. The person concerned will have the opportunity to a hearing to deny or accept the charges.
- c. In any case in which the charges on a second violation is proven, the Institution will proceed with the expulsion or dismissal of the person concerned.
- d. Any determination may be appealed in writing to the President within five (5) working days after receiving the determination. The decision of the President shall be final, binding, and conclusive.
- e. Persons who voluntarily submit to treatment may be considered for reemployment or reinstatement as a student, at the discretion of the institution.

ARTICLE 10: Conviction by a Court

- a. As a condition of employment or to study at the institution, it shall be required of any employee or student who has been convicted of violation of the laws relating to the possession, use, disposal, distribution or sale of drugs, to report, in writing, to the University. This rule also applies to all applicants for employment or to pursue studies.
- b. The Institution will take action on expulsion, dismissal or other disciplinary action regarding the rehabilitation of the employee or the student, within thirty (30) days from notification of each conviction.
- c. The University will assist in meritorious cases if the employee or student wants to get professional help.
- d. Any employee or student, who fails to report to the University about a conviction, as mentioned in subsection A, shall be removed.

INSTITUTIONAL POLICY ON SEXUAL HARASSMENT

Introduction:

Sexual harassment is a form of illegal gender discrimination. It is the policy of Bayamón Central University, in compliance with laws and jurisprudence applicable, to provide equal educational opportunities, and does not discriminate or allow the negativity of discrimination to affect the preparation, resources or access to the academic facilities of the students.

Sexual harassment consists of gestures, comments or unsolicited sexually derogatory touches that are deliberate or repeated, objectionable to the person to whom they are addressed, and which cause discomfort or humiliation. Sexual harassment can include the pressure of a person of either gender against a person of the opposite gender or the same gender, and can occur in any relationship of employment and / or authority.

ARTICLE 1:

Any procedures and / or investigation of any event on sexual harassment in employees or students will be handled in the strictest confidentiality.

ARTICLE 2:

Bayamón Central University strictly forbids all students, faculty, staff and / or executives to annoy or harass any person within the university community with direct or indirect requirements of a sexual nature.

ARTICLE 3:

It is strictly forbidden, in this Institution, to create or permit a hostile sexual environment in which people are subjected to expressions or acts of a sexual nature.

ARTICLE 4:

When a student understands that he or she is being sexually harassed by a fellow teacher, employee, or officer or student of Bayamón Central University, or that there is a hostile sexual environment in the institution, he or she shall immediately, in person, report it to the Dean of Student Affairs.

ARTICLE 5:

When an employee understands that he or she is being sexually harassed by a fellow classmate, professor, worker or an officer of Bayamon Central University, or that there is a hostile sexual environment in the institution, he or she shall immediately, in person, report it to the Office of Human Resources.

ARTICLE 6:

If the alleged harasser is one of the people mentioned above, or has close family relationship or friendship with any of them, then he or she should complain directly to the President of the Institution.

ARTICLE 7:

The student or employee should formalize a written complaint to the appropriate office describing what happened. All complaints will be handled in the strictest confidentiality.

ARTICLE 8:

The Dean of Student Affairs and the Office of Human Resources shall establish adequate and effective internal procedures to deal with complaints of sexual harassment, including a corresponding investigation. This procedure shall be submitted to the Board of Directors for approval.

ARTICLE 9:

Bayamón Central University is required strict compliance of this regulation. It is everyone's responsibility not to engage in sexual harassment or create a hostile environment in this institution.

ARTICLE 10:

It should be clear that no one at Bayamón Central University has authority to subject any student or employee to sexual harassment. Also, no student or employee in this institution has to submit to or tolerate any conduct constituting sexual harassment, regardless of office, position or rank held by the alleged harasser.

ARTICLE 11:

It is forbidden to retaliate against:

- a. anyone who has opposed practices of an employee of this University that are contrary to the rule and regulations set forth herein.
- b. any person who has filed a written complaint.
- c. any person who has testified, assisted or otherwise participated in an investigation, proceeding or hearing on sexual harassment.

IMPLEMENTATION, APPLICABILITY AND EFFECT

ARTICLE 1: IMPLEMENTATION

The result of the implementation and adoption of the present Institutional Rules on Use and Abuse of Drugs and Alcohol and Sexual Harassment will be assessed within the period of two (2) years from the date it is effective, thereof. This review will include both the determination of the effectiveness of these Guidelines, as well as examination of the consistency in the imposition of disciplinary measures.

Article 2: Applicability

These institutional policies on drugs and alcohol, tobacco, and sexual harassment apply to all teachers, administrative staff, and all students.

Bayamon Central University will keep the campus community informed about criminal incidents in the institution and the preventive and corrective safety measures in emergencies.

ARTICLE 3: ENFORCEMENT

This Regulation shall become effective on September 6, 2001, and will be enforced from that date.

Approved in Bayamon, Puerto Rico on September 6, 2001