

03.25.2008

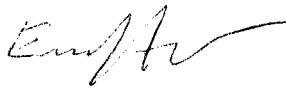
To Mr. Peter Cymbolic, Vice President for Academic Affairs,

I, Erkan Acar, would like to make a formal complaint and express my thoughts about a grievous insult that has been made to Islam at Marywood University. I have been faced with cartoons that insult an Abrahamic religion (Islam) which is believed more than one billion people in the world. Dr F. Fagal, from department of social science, put these cartoons on his office door. The first cartoon illustrates women in religious garb waiting for Muslims as they enter paradise. Each "nun" is armed with a huge gun. I felt this is not only gravely offensive but also a threat and harassment to all Muslims on campus, an assault on their dignity and an implied menace to their safety. Beside this cartoon, another one also offensively illustrated the prophet Muhammed (pbuh). In addition to these cartoons, misinterpreted and biased verses about the wars from Quran were also hung on his office's door. I found these seriously offensive and a fact to create a dangerous attitude toward Muslims among all who read these misleading interpretations.

I believe and support the freedom of speech and thoughts. Universities are the places where people can express their thoughts liberally. However this belief can not be used to insult the other people's beliefs, faiths and thoughts especially about a religion and its prophet. Marywood University's statement on "Civil Rights" states that the university will not tolerate discrimination, harassment, or assault based on creed and religion.

As a PhD student at the department of human development, I always have seen great thoughtfulness, understanding and respect to my religious identity at Marywood University. Last three years, I also found the warmth of my home, back in Istanbul, at Marywood. I believe that Marywood's people, faculty, staff, and students, showed this respect for not only they were part of a respected University but also they were part of a Christian tradition which was always at the core of the University. I also believe that I understood and appreciated University's tradition which comes from the immaculate hearth of Mary, mother of Jesus (peace and blessing be upon them). Dr Fagal's actions are totally conflicting the Marywood's tradition. I also believe that this kind of insults to any religions damage the institutions' reputation. For this matter, I request you to act to end this insult that has been made to Islam.

Sincerely,



Erkan Acar
PhD Student
Department of Human Development
Marywood University

ALCOHOLIC BEVERAGE POLICY

The presence and/or consumption of alcohol is not permitted on campus, with the exception of University-sponsored events at which alcohol is part of the menu provided by Dining Services. Students who are 21 years of age or older may consume alcohol at such events.

Violations of the relevant laws of the Commonwealth and related regulations of the University, if the offense occurs on campus, will be subject to campus disciplinary/judicial action and may constitute a civil case.

Furthermore, reference to alcoholic beverages of any form is not permitted in advertising, announcements, fliers, etc. promoting programs on or off campus.

CIVIL RIGHTS POLICY

Marywood University declares and reaffirms a policy of equal educational and employment opportunity and non-discrimination in the provision of educational and other services to the public. Marywood University does not condone and will not tolerate discrimination, harassment, or assault by any member of the Marywood community upon another individual, regardless of whether the action is based on race, sex, color, national or ethnic origin, age, creed, ancestry, religion, disability, or any other legally protected status.

Marywood University recognizes its duties and obligations under Affirmative Action, Act 504, Title IX, and the Rehabilitation Act of 1973 as amended. These are explicit civil and legal applications of the formulation of beliefs already cherished in Marywood's religious commitment, objectives, and practices.

DEFINITIONS

SEXUAL HARASSMENT

Marywood University adopts the following definition of sexual harassment based on the statement endorsed by the American Association of University Professors, revised June 1995, and considers it applicable to the entire Marywood community:

Sexual advances, requests for sexual favors, and other conduct of a sexual nature constitute sexual harassment when:

1. such advances or requests are made under circumstances implying that one's response might affect academic or personnel decisions that are subject to the influence of the person making the proposal; or
2. such speech or conduct is directed against another and is either abusive or severely humiliating and/or persists despite objection of the person targeted by the speech or conduct; or
3. such speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work opportunity of students, colleagues, or co-workers. If it takes place in the teaching context, it must also be severe, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

SEXUAL ASSAULT

Sexual assault is defined as threats of, or deliberate physical contact of a sexual nature

that is against another person's will or without consent. Examples of such behavior include, but are not limited to the following:

1. deliberate physical contact of a lewd type, including brushing, touching, grabbing, pinching, patting, hugging and kissing;
2. deliberate or reckless threats, actual or implied, of physical contact of a sexual nature that results in reasonable fear of sexual assault or physical harm;
3. coerced sexual activities, including rape. Rape, the most severe type of sexual assault, is legally defined in Pennsylvania as sexual intercourse that is coerced through force or threats of force, or with someone who is unconscious or with someone who is so mentally deranged or deficient as to be incapable of consent.

Approved by the Board of Trustees 1989, 2000

CIVIL RIGHTS COMPLAINT PROCEDURES

The following process must be followed any time a member of the Marywood University community believes s/he has been the victim of or witness to discrimination, harassment, or assault by any member of the University community on University property or any property controlled by the University. Confidentiality is expected of all persons involved in the process.

In furtherance of Marywood University's commitment to its duties and obligations, regular training on harassment, discrimination and related topics is provided for managers and supervisors in the Marywood community.

INTERNAL PROCESS

1. As soon as possible, but at least within 30 working days, except in unusual circumstances, after the alleged incident(s) occurs, the complainant must present the complaint to the appropriate administrator as listed below:

Claims Against Faculty Members or Librarians

Contact: Academic Dean or Director of Library and/or Vice President for Academic Affairs

Claims Against Administrators or Staff Members

Contact: Immediate supervisor and/or a vice president

Claims Against Students

Contact: Dean of Students and/or Vice President for Student Life.

In all cases, individuals may contact the Assistant Vice President for Human Resources and Affirmative Action Officer if they feel they cannot contact the appropriate individual as noted. In cases that involve two or more categories of Marywood community members, the administrator first contacted will consult with the President of the University to determine the appropriate course of action.

2. The initial discussion between the complainant and the administrator will be kept confidential to every extent possible. The administrator must contact the Assistant Vice President for Human Resources and Affirmative Action Officer in cases involving employees.

3. If the complainant, after an initial meeting with the administrator, decides to proceed, the complainant submits within 10 working days a formal complaint, preferably in writing, to the appropriate administrator. The complaint must include detailed factual information concerning the incident(s), and should include what the victim feels will correct the situation.
In certain serious cases the administrator may proceed even without a formal complaint.
Cases involving alleged discrimination, harassment, and sexual assault are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case is to be limited, so as to insure, as fully as possible, the privacy of the individuals involved.
4. The complainant must be informed not to discuss the allegations with the offender(s) or any witnesses while the investigation is pending. The alleged offender must be informed not to discuss the allegations with the complainant or any witnesses while the investigation is pending. Any individual who retaliates against the complainant will be subject to discipline up to and including discharge from employment and/or termination of student status. The administrator must present a summary of the complaint and the proceedings to date to both the complainant and the alleged offender within 10 working days. Every effort will be made to protect both parties from retaliatory action by those named in the complaint as well as from all others.
5. After a formal complaint is submitted, the administrator must, within 10 working days, initiate whatever steps s/he deems appropriate to effect an informal resolution of the complaint, acceptable to both parties.
6. Appropriate remedial action will be determined by the appropriate administrator after consultation with executive officer(s) and/or legal counsel if deemed necessary. Action will be taken to eliminate the discriminatory or harassing conduct, including but not limited to warning, suspension, transfer, community service, discipline, discharge, or dismissal of the offender or anyone making a knowingly false complaint. The remedial action may also include offering assistance/training to the victim and/or the offender. The parties will be formally notified of the final decision, including punishment or sanctions.

Either party may appeal the decision if they believe and can provide specific support that there was inadequate, arbitrary, or capricious consideration; that certain relevant evidence was not reviewed; or that new evidence is available.

Faculty Members including Librarians

Contact: Faculty Grievance and Appeals Committee

Process: Written appeal due 15 working days after resolution

Process is outlined in the Guidelines for Faculty Grievance and Appeals.

Final decision of the President of the University is binding internally.

Administrators and Staff

Contact: Appointed committee of 5 from administrative, professional, and hourly employees

Process: President of the University appoints committee within 10 working days.

Committee reviews evidence and resolution
Decision as soon as possible but within 45 working days
Parties notified within 10 working days
Appeal to President of the University within 15 working days of notice
President gathers information via appointed committee
President's decision within 30 working days is final.
Final decision is binding internally.

Students

Contact: Dean of Students and/or Vice President for Student Life

Process: Vice President for Student Life constructs an Appeal Board within 10 working days of student's request for appeal.

Appeal Board reviews evidence and resolution, and advises the Vice President for Student Life.

Vice President's decision is communicated to the President of the University.

Final decision of the President of the University is communicated to the student in writing immediately and is binding internally.

EXTERNAL PROCESS

Victims may choose to file a report with the proper law enforcement authorities. Marywood University has personnel on staff who can explain criminal complaint procedures and assist victims in beginning the process. Police investigation and legal prosecution are conducted outside of and in addition to University procedures.

RESOURCES

A list of Marywood University and community resources is available at the Human Resources Office and the Student Life Offices. Students are encouraged to use the services of the Counseling and Student Development Center, the Student Health Services Office, and the Students with Disabilities Services Office.

Approved by the President of the University 4/03/00, 7/21/03

CLEAN AIR POLICY

The University is committed to providing a safe and healthy environment for students, faculty, staff and guests. The Pennsylvania Clean Indoor Air Act of 1988 and the findings of the U.S. Surgeon General's Office that "... tobacco use in any form, active or passive, is a significant health hazard..." guide the University's efforts to maintain a clean air learning and work environment. Smoke from tobacco products has direct adverse effects on the health of smokers and non-smokers. Therefore, smoking and other uses of tobacco products are prohibited

- in all University buildings;
- on all University athletics fields and spectator areas;
- in any University vehicle; and
- at any other place on campus, unless the University has clearly designated it as a smoking area.

All members of the community share responsibility for adherence to this policy.