

## **Resident Student Policies and Procedures**

### **Introduction**

#### *Standards of Community Living*

Our Lady of the Lake University is a community of persons from diverse cultural, racial, and ethnic backgrounds. Each person is a unique individual, drawn from the broad spectrum of society. We must each strive to understand the individuality and life choices of those among us. We can best learn from one another in an atmosphere of positive encouragement and mutual respect. As we engage in our daily activities and interactions, we must possess a genuine desire to learn from others. In addition, we must give others the respect and tolerance which we, ourselves, desire.

The principle of free exchange and inquiry is fundamental to the educational process. The Office of Residence Life is committed to the principles of free expression. We believe individuals have the right to hold, defend, and express their ideas and opinions. In order to sustain these principles we must at times tolerate the expressions of views that we may find offensive. However, while each of us has the right to our personal beliefs, these beliefs in no way give us the right to denigrate another on the basis of his or her age, physical abilities, national origin, sexual orientation, race, gender, or religious affiliation.

While we have a commitment to not deter free speech, we must strive to create and maintain a community that is free of harassment, intimidation, and humiliation of our residents and staff. It is our belief that one's actions demonstrate one's commitment to respecting the differences among individuals. We are individually and collectively responsible for our behavior and accountable for our actions. We must each take the initiative and responsibility for our own learning and awareness of the differences that exist in our community and avoid all actions that diminish others.

Bigotry and hate will be given no home within our University housing community. Our community will not tolerate verbal or written abuse, threats, intimidation, violence, or other forms of harassment against our members. Thus, we cannot accept ignorance, false humor, anger, alcohol abuse, or substance abuse as an excuse, reason, or rationale for such behavior. We strive to develop and support a learning environment free from all expressions of bigotry so each of us can genuinely enjoy opportunities to live, work, and learn.

All of us who work and live in the University housing community have chosen to be here. Thus, we must commit ourselves to these principles which are the basis for our purpose, value, and worth.

#### *Statement of Mission*

The mission of University housing is to provide affordable housing for students in a responsible environment that promotes personal growth, academic achievement, community responsibility, and respect for individual differences. As a part of the University community, housing support is available for a number of University activities and programs, including University-sponsored conferences, short courses, and extension programs.

#### *Statement of Purpose*

The purpose for having single-, double-, and triple-occupancy residence halls, in addition to providing places to sleep, study, and eat, is to provide educational support services to the University by creating and maintaining a learning environment and to provide an opportunity, through guided group living, for the educational, cultural, recreational, and social improvement of the individual resident. The purpose for offering residence hall meal plans is to offer a food service program with variety and quality and to promote efficiency and economy consistent with the appropriate quality of product and service.

## **Residence Life Staff**

The Residence Life Office provides opportunities for student development through peer groups, living units, experiences with professional and paraprofessional staff, and opportunities for interaction between students and environmental characteristics. In addition to other residents, individuals providing assistance in the halls are the following:

### *Director of Residence Life*

Responsible for the complete operation of the residence hall system. Supervises professional and paraprofessional staff, monitors the Residence Life Office budget, and supervises the maintenance of the residence halls. Responsible for the general welfare of all resident students.

### *Assistant Director of Residence Life*

Assists the Director of Residence Life in developing and maintaining an on-campus living environment in which the maximum educational, social, and cultural opportunities may be realized. Responsible for developing opportunities for students to become involved in residence hall programming and leadership development programs. Responsible for coordinating all maintenance needs in the residence halls.

### *Residence Life Coordinator*

Assist the Assistant Director of Residence Life in facilitating student and student staff members in their total development. Responsible for assisting in supervision of the Resident Assistant staff, assisting in the development and implementation of student development programming, providing administrative support for residence hall operations, and assuming primary responsibility for a complex-wide assignment.

### *Resident Assistants (R.A.'s)*

Assigned to each floor in each hall in order to assist residents. Selected on the basis of leadership experience, the ability to successfully interact with people, and the desire to help students. Act as liaisons between residents and the University for the mutual benefit of each. Receive training in administrative duties, programming, and peer counseling. Direct students through the proper channels to address their questions, requests, and concerns. Assist the Graduate Supervisors and the Residence Life Office develop an effective method of enforcement of residence hall and University regulations.

## **Residence Halls**

### *Ayres Hall*

This co-ed residence hall accommodates eighty (80) residents in double-occupancy rooms with connecting baths. This hall has central air conditioning and heat. A connecting hallway leads to the companion residence facility, Pacelli Hall. Facilities shared by both halls include a television lounge, a laundry room, an outdoor patio, and an outdoor swimming pool. Ayres Hall is named in honor of Mother Angelique Ayres, C.D.P., co-founder of Our Lady of the Lake College and Superior General of the Congregation of Divine Providence from 1943 to 1955.

### *Centennial Hall*

This co-ed residence hall accommodates ninety-two (92) residents in single- and triple-occupancy rooms, all with private baths. This hall has central air conditioning and heat. Facilities include a study lounge, a television lounge, a snack bar lounge, and an outdoor patio. Centennial Hall is named in honor of the centennial of the University's founding in 1895.

### *Flores Hall*

This co-ed residence hall accommodates one hundred ninety-seven (197) residents in double-occupancy rooms with connecting baths. This hall has central air conditioning and heat. Facilities include lounge areas, laundry rooms, and an outdoor patio. Flores Hall is named in honor of Archbishop Patrick F. Flores, first Mexican-American archbishop of the Roman Catholic Church.

### *Pacelli Hall*

This all-female, predominantly freshman residence hall accommodates one hundred twenty-eight (128) residents in double-occupancy rooms with connecting baths. This hall has central air conditioning and heat. A connecting hallway leads to the companion residence facility, Ayres Hall. Facilities shared by both halls include a television lounge, a laundry room, an outdoor patio, and an outdoor swimming pool. Pacelli Hall is named in honor of Pope Pius XII (Eugenio Pacelli), the pontiff who beatified Fr. John Martin Moye, founder of the Congregation of Divine Providence.

### *Providence Hall*

This co-ed upperclassman residence hall accommodates eighty-two (82) residents in single-occupancy rooms with either private or connecting baths. Facilities include lounges and laundry rooms. Providence Hall is named in honor of the University's founding and sponsoring religious order, the Congregation of Divine Providence.

### *St. Ann's Hall*

This co-ed residence hall accommodates thirty-four (34) residents in double-occupancy rooms with connecting baths. This hall has central air conditioning and heat. Residents committed to Service and Social Justice will interview and be selected to live in this newly designed Living-Learning Community (LLC) giving residents the ability to live within a community of students committed to transforming the world! Facilities include a television lounge and a laundry room. St. Ann's Hall is named in honor of St. Ann, mother of Mary and patroness of the Congregation of Divine Providence.

## **Procedures for Housing Application and Termination**

### *Housing Availability*

Residence halls are available for occupancy during fall and spring semesters, as well as Summer I and Summer II sessions.

### *Housing Deposit*

The housing deposit serves as a combination reservation/damage/room clearance deposit. The housing deposit is made only once and remains in effect for the duration of the student's residence on campus.

- The housing deposit reserves the room until the date the housing agreement becomes effective.
- The housing deposit covers any intentional or careless damage that may occur during the period of occupancy. If damage exceeds the deposit, the student will be billed the additional amount.
- The housing deposit will be forfeited if the student terminates occupancy and does not officially check out of the room. The housing deposit will be refunded if the cancellation is made in writing to the Director of Residence Life prior to the announced deadline dates. If residence hall space is not available, refund of the housing deposit will be made automatically.

### *Housing Agreements*

Room agreements are issued on an annual basis. In the event of a student's withdrawal from the University, housing fees are refunded according to the tuition refund schedule. Housing fees are payable according to the established payment schedule for all University charges. The payment period is for two (2) full semesters, or the remaining portion thereof. The occupancy period begins at 12noon on the day the residence halls open, as indicated in the current University Bulletin, and ends at 12noon the day following the end of final exams or graduation.

### *Termination of Housing Agreements*

The University reserves all rights in connection with termination of occupancy. The housing agreement will be cancelled when a student withdraws from the University during the course of or at the end of any semester. Prepaid housing fees will not be refunded.

- If termination occurs as a result of University disciplinary action, any refund will follow the established University refund policy.
- If the student intends to leave the University at the end of the fall semester and not return for the spring semester, the student must notify the Director of Residence Life in writing prior to the end

of the fall semester. Otherwise, a fee will be assessed for non-notification of termination of housing agreement and deducted from the housing deposit.

#### *Insurance and Immunization Policy*

- All students who live in the residence halls are strongly encouraged to secure coverage by an accident and hospitalization insurance plan.
- All students who live in the residence halls are also encouraged to have a completed University Health Information form on file in the Health Services Office prior to moving into the residence halls. The University Health Information form details immunization requirements for all resident students.

#### *Board Plan Policy*

Board plans are available during fall and spring semesters, as well as Summer I and Summer II sessions. All resident students **must board** at the University dining hall, except during summer sessions. Board plans may not be transferred to another individual. Refunds on board plans are prorated from the Monday of the week following withdrawal. The amount of refund will be determined by a combination of the following:

- The number of weeks that have elapsed in the semester.
- The amount of unused board.

#### *Room Assignments*

The University will make every effort to place students in the rooms with the roommates of their choice. However, current residence hall occupancy, date of receipt of application, receipt of housing deposit, and simultaneous roommate requests all affect the room assignment process. For these reasons, the University cannot guarantee roommate requests and reserves the right to assign any applicant to any available space. Students who wish to make a request for a specific roommate must make application for residence hall living at the same time. Assignment of housing space does not imply admission to the University. If the applicant is not accepted for admission to the University, the housing deposit will be refunded in full. Room assignments for students new to the residence halls are made on a first-come, first-served basis. The date the Residence Life Office receives a student's completed application along with a housing deposit is the date the student is eligible for assignment.

#### *Room Selection*

Room selection takes place every spring semester and is reserved for those students who are living on campus at the time. Resident students who are graduating, transferring, or not planning to live on campus for the next academic year must complete a "Residence Hall Cancellation Form" with the Residence Life Office. Resident students who plan to live on campus for the next academic year (and the summer) must complete the room selection process. Resident students who fail to participate in this process, or students who complete the process and cancel afterwards, will automatically forfeit their housing deposits. The Residence Life Office will post the dates and times a minimum of two (2) weeks prior to the room selection process.

#### *Room Changes*

Room changes occur during a specified period after the first full week of classes each semester and are made only with the authorization of the Residence Life Office. Room-change fees for each student requesting a room change apply and are payable at the time of request. If the room change is approved and housing rates vary between rooms, students will be responsible for paying the higher housing rate for the entire semester. If the room change is not approved, the room-change fee will be refunded in full.

#### *Consolidation*

Consolidation refers to the process of requiring resident students who are single occupants in double- or triple-occupancy rooms to move together in one (1) double- or triple-occupancy room. Students may remain as single occupants in double- and triple-occupancy rooms without being charged single-occupancy room rates only in those instances where the roommate has moved out and the possibility of consolidation does not exist. However, if the opportunity to consolidate becomes possible, students will be required to move together. Students may be allowed to pay a higher rate to maintain rooms as single-occupancy

rooms, as long as a waiting list for residence hall space does not exist. Consolidation is necessary in order for resident students to avoid the additional expenses for separate rooms due to circumstances beyond their control. Consolidation also allows empty rooms to be used as guest rooms and as rooms for Weekend College students.

## **Procedures for Housing Occupancy and Vacancy**

### *Check-In Procedures*

When checking into the residence halls, resident students will perform the following:

- Fill out a “Residence Hall Information Card.”
- Receive a “Room Inventory Form” (check list of all items in the room and the condition of each item). Residents will sign this form and return it to their R.A. by their first floor meeting. When checking out, **residents will be charged for any damages not noted on this form.**
- Receive a room key.
- Receive residence hall regulations. (This handbook contains rules and regulations for residence hall living. Residents are advised to read the handbook and are responsible for the information in it.)

### *Check-Out Procedures*

When checking out of the residence halls, resident students will perform the following:

- Resident students must check-out no later than 24 hours after their last final.
- Follow special residence hall procedures (e.g. specific times, dates, procedures).
- Remove all personal belongings.
- Have the room inspected for cleanliness and damages (as listed on the “Room Inventory Form”) by the resident’s R.A. This initial inspection will be followed by an inspection from the Assistant Director of Residence Life and Physical Plant staff member, if applicable, who will determine final damages and charges.
- Return the room key to the R.A.

### *Charges*

- **Cleanliness Fee** Resident students may be charged to cover the cost of extra custodial service required to remove personal belongings or to clean rooms left in unsatisfactory condition.
- **Improper Check-Out Fee \$35.00** Resident students leaving the residence halls without following the check-out procedures will be charged an improper check-out fee. Reasons for charge include:
  - **failure to sign up for a check-out time**
  - **not cleaning room and bathroom before leaving**
  - cleaning room into hallway
  - loading hallway with belongings
  - failure to meet appointment
  - not ready to check-out at appointment time (not being present at time of appointment or room not being completely vacated)
  - failure to move out within 24 hours after last exam
  - leaving without going through check-out procedures
- **Late Check-Out Fee** If resident students are not present in their rooms at the designated times of check-out and have not made alternate arrangements with the Residence Life Office, a late check-out fee will be charged. Residence Life staff members will clear the room of all belongings. The resident student will be charged an improper check-out fee, forfeit the housing deposit, and be charged for labor of the Residence Life staff members.
- **Loss of Key/Failure to Return Key** Resident students not returning a room key will be assessed a \$60.00 key core replacement charge.

## **Procedures for Room Entry and Search**

### *Resident Student Right to Privacy*

A resident student's room is his/her home while living in University housing. Resident students have the right to privacy in their own rooms. However, in cases of emergency, to make routine maintenance inspections, to maintain minimum health and safety standards, and to enforce regulations, the University reserves the right to enter residence hall rooms. Before entering, staff members will knock and identify themselves. If staff members remove any articles, a written receipt will be left in the room. No staff member will enter a residence hall room without prior permission from the Director of Residence Life.

### *General Guidelines for Room Entry and Search*

Except under extreme emergency circumstances, premises occupied by students will not be entered and searched unless appropriate authority has been obtained. The following guidelines apply:

- Reasonable suspicion must exist that occupants of a specific room have in their possession articles, or are in the process of committing acts, that are in violation of local, state, and federal laws or University rules and regulations.
- Authorization for room entry and search must be obtained from the Director of Residence Life. Such investigation is restricted to those individuals specifically designated by the forenamed.
- Unless unfeasible, the University will make every effort to have one (1) or all of the inhabitants present during the search and to inform the inhabitants as to the reason for such search.
- Articles representing illegal possession or violation of civil law or University rules and regulations may be confiscated and withheld until necessary disciplinary action and safety measures have been completed.

### *Guidelines for Entry by Other Students*

Students may enter the residence hall rooms of other students only at the invitation of or with written permission of residents of such rooms.

### *Guidelines for Entry by Residence Life Staff Members*

Residence Life staff members may enter residence hall rooms under the following circumstances:

- To investigate which individuals are occupying the room.
- To replace damaged or obsolete University property and remove from the room, without the owners' permission, any objects or materials which constitute a safety or sanitation hazard or which are the property of the University and are being illegally held in the room.
- To eliminate disruptive noise from electrical sound equipment which may violate an individual's right to sleep, study, read, or otherwise occupy the room.
- To determine, with reasonable cause, if a violation of residence hall or other University rules and regulations is occurring in the room.
- To conduct monthly safety checks.
- With permission from the Director of Residence Life.

### *Guidelines for Entry and Search by University Police*

University Police Officers may enter residence hall rooms and conduct searches within the boundaries of the law.

- A University Police Officer or other University official may enter a room when there is clear or apparent emergency such as fire, serious illness, or injury, or where danger threatens persons or property.
- A University Police Officer or other University official may enter a room under one (1) or more of the following circumstances:
  1. With a warrant for arrest or search.
  2. With permission of the resident.
  3. When in pursuit of an individual observed committing a crime, or if the officer has reasonable grounds to believe the occupant committed a crime.
  4. When the officer has probable cause for belief that a crime is being committed.

- A University Police Officer or other University official may search a room under one (1) or more of the following circumstances:
  1. With a search warrant.
  2. With permission of the resident.
  3. With permission from the Director of Residence Life.
  4. When the room is the area incidental to an arrest.
  5. When the officer has probable cause for belief that a crime is being committed.

*Guidelines for Admission of Other Law Enforcement Officers by Residence Life Staff Members*

Residence Life staff members will open residence hall rooms to admit law enforcement officers only when a search warrant applying to a particular room has been obtained. Off-campus law enforcement officers must be accompanied by a University Police Officer when entering the residence halls.

**Facilities and Services for Resident Students**

*Access for Students with Disabilities*

Residence hall rooms accessible to students with disabilities are available in Centennial and Flores Halls. Students requiring such accommodations must contact the Residence Life Office and indicate the need for such accommodations on their housing applications.

*Cable Television Service*

Residence hall rooms are equipped with basic standard cable television service. Resident students may access this service by simply providing a cable-ready television. Premium channels (e.g. H.B.O., Showtime) are not provided. Tampering with or otherwise defrauding cable television wiring and devices will result in disciplinary sanction and/or civil prosecution.

*Elevators*

Elevators are available in Flores and Providence Halls. Priority for usage should be given to persons with disabilities or severe mobility impairments. Individuals who vandalize the elevators will be subject to disciplinary action. Operating failures should be reported immediately to a Residence Life staff member.

*Food Service*

All resident students must board at the University dining hall except during summer sessions. Board plans of various monetary amounts are available. Resident students' University ID cards also serve as their meal cards. Meal cards are accepted at all campus dining facilities.

- Resident students wishing to change board plans must submit a "Board Waiver Request Form" to the Student Life Office. Board plans may be increased at any point in the semester in \$25.00 increments. Board plans may be decreased, however, only during one hundred percent (100%) refund periods. Board plans are active from the day the residence halls open through the last day of the semester.
- Board plan waivers will only be made for serious medical and/or personal reasons. Resident students must make waiver requests within the first week of the semester to the Student Life Office.
- At the end of the semester, the Food Services Office cannot issue refunds for unused balances, nor may students transfer their balances to other individuals.
- Resident students are the sole authorized users of their respective board plans and may not lend their meal cards to other individuals. Resident students may purchase meals for others, but must be present to do so.
- If resident students misplace meal cards, the loss should be reported both to the Residence Life Office and the Food Services Office. The Residence Life Office will deactivate the misplaced meal card.
- The meal card's magnetic strip makes it sensitive to electronic equipment. Meal cards should be kept away from radios, televisions, computers, refrigerators, other appliances, and magnetic-snapped handbags to avoid damaging the magnetic strip. Dry cleaning and washing of meal cards may also damage the magnetic strip.

### *Inter-Residence Hall Association*

The Inter-Residence Hall Association (I.R.H.A.) is a Chartered Student Organization of the Residence Life Office. Resident students elect floor representatives who provide feedback to the Residence Life Office on issues that directly affect resident students. The Association's members are responsible for ensuring that those issues important to resident students are being adequately addressed. Meeting dates and times are posted throughout the residence halls. This organization will be activated based on need.

### *Internet Access*

Residence hall rooms are equipped with one (1), two (2), or three (3) data lines (depending upon planned capacity) allowing resident students with personal computers to access the University's computer network from their rooms. Refer to the "Statement on Acceptable Use of University Computing Resources" and the "Student Code of Conduct" for regulations and sanctions of computer usage.

### *Laundry Facilities*

Only resident students are permitted to use the University's laundry facilities. Tampering with or otherwise defrauding washers, dryers and automated vending systems will result in disciplinary sanction, civil prosecution, or both. ASI Services should be notified when washers and dryers malfunction. Reimbursements are requested through ASI Services, as well. They can be contacted at 1-800-762-3452. Currently, washers and dryers are complimentary for resident students.

Washers and dryers are located in the following locations

- Ayres Hall: lower level
- Centennial Hall: second floor
- Flores Hall: first, second and third floors
- Pacelli Hall: lower level
- Providence Hall: second, third and fourth floors
- St. Ann's Hall: second floor

### *Lobbies and Lounges*

Residence hall lobbies and lounges are for residents and their guests. Resident students should not leave guests unattended in lobbies. Visitors not using lobbies and lounges for their intended purposes will be required to leave. Visiting hours apply (see *Visitation*) to residents and guests using lobbies and lounges. Each hall has a lobby or lounge that can be utilized by residence hall students only for 24-hour visitation. Individuals wanting to use the lobbies and lounges for large group gatherings (e.g. meetings, activities) must make reservations with the Residence Life Office a minimum of one week before the activity or event.

### *Mailboxes*

Campus mailboxes for resident students are located in Providence and St. Ann's Halls. At the end of each semester, resident students should leave forwarding addresses at the University Post Office.

### *Repairs to Residence Hall Rooms*

- **Housekeeping.** Housekeepers are responsible for light maintenance and keeping public areas of the residence halls clean. Resident students can help keep surroundings attractive by not abusing the facilities and by cleaning personal spaces. Resident students are responsible for the regular cleaning of bathrooms. Housekeepers enter all residence hall rooms to stock toilet paper and to spray bathrooms for mold and mildew. They also vacuum carpeted rooms.
- **Maintenance.** To report a maintenance problem, residents must submit a work order to their Resident Assistant. Emergency maintenance situations requiring immediate attention, such as power outages, broken water pipes, or clogged/overflowing toilets, should be reported to the Residence Life Office immediately at 431-3941. If the Residence Life Office is closed, please report the problem to your Resident Assistant or Campus Police at 433-0911 immediately. The Physical Plant Office will only accept work orders submitted by Residence Life staff members.

- **Insects.** Exterminators make rounds on a routine basis. Resident students should report excessive insect problems to their R.A.'s. A housekeeper will accompany exterminators when individual room extermination is requested.

#### *Swimming Pool*

Resident students may use the Pacelli-Ayres pool from 9:00 a.m. to dusk, seven (7) days a week while classes are in session. Alcoholic beverages are prohibited in and around the pool area and patio. Swimming alone and horseplay are prohibited. Pool access is limited to resident students and one (1) adult guest per resident student only. Minors are prohibited. The pool is not staffed with a lifeguard.

•*Swimming Pool Events.* Individuals wanting to host a pool gathering must contact the Office of Residence Life for permission to reserve the swimming pool. Groups of fifteen (15) or more will require *at least* one certified lifeguard to be available throughout the event.

#### *Telephone Service*

Residence hall rooms are pre-assigned telephone numbers for local calling and voice-mail; however, residents are expected to furnish their own telephone. Each resident is responsible for selecting a method of long distance service (i.e. calling card or phone card). **Collect calls may not be accepted in the residence halls.** Resident students will be held responsible for charges assessed by the Residence Life Office, including a \$25.00 administrative fee, if a violation occurs. Tampering with or otherwise defrauding telephone wiring, devices, and services will result in disciplinary sanction and/or civil prosecution. Telephone numbers will be assigned to each room by the Residence Life Office and may not be changed. Any abuse to the telephone instrument, jack, or wiring, other than normal wear and tear, will result in restitution for the cost of replacement or removal of service. Inappropriate behavior or use of derogatory or abusive language while using the telephone may be documented and judicial charges may be filed against the responsible individual. Anyone wishing to restrict their phone number must submit a written request to the Residence Life Office.

#### *Trash and Recycling*

All resident students are expected to keep their environments free of trash and litter. Each residence hall has designated trash disposal area. At no time should trash be left in hallways, common areas, stairwells, or on patios. The Residence Life Office strongly encourages all residents to participate in recycling efforts.

#### *Vending Machines*

Vending machines are located throughout the residence halls. Money lost in vending machines should be reported to the Development Office. This office reimburses money lost in vending machines. Tampering with or otherwise defrauding coin-operated vending machines will result in disciplinary sanction and/or civil prosecution.

#### *Suggested Items for Residence Hall Living*

The following is a list of items resident students often find necessary and convenient for residence hall living: linens (sheets) for a long twin bed, pillowcases, pillows, blankets, bedspreads or comforters, towels, and toiletries. The Residence Life Office suggests resident students bring an alarm clock, a telephone, an iron, and an ironing board, as well as academic materials such as school supplies, a dictionary, a thesaurus, an almanac, and a Bible. Resident students may bring radios, televisions, VCR's, electric shavers, floor fans, electric clocks, personal computers, and stereos. Small electrical items, such as hot air popcorn poppers, microwaves (1200 watts or less), coffee makers, and small refrigerators (3.5 cubic ft.), are permitted in the residence halls. Appliances such as hot plates, crock pots, space heaters, and George Foreman grills, are prohibited in the residence halls. The Residence Life Office encourages resident students to contact roommate(s) to plan for necessary and convenient items.

## **Regulations and Requirements for Resident Students**

In addition to obeying all local, state, and federal laws, resident students must obey all University policies, procedures, rules, and regulations. Residence Life staff members are not authorized to grant exceptions to these regulations. As University employees, Residence Life staff members may not ignore violations of University regulations. Resident students will be asked to make suggestions for policy changes directly affecting the residence halls. Resident students are expected to be knowledgeable of the contents of this handbook and any other notices and publications of policy. The University reserves the right to change and/or delete any policy and will notify students of any changes thereof. In situations not covered by specific regulations, resident students should use common sense to ensure their conduct at all times reflects conduct expected of mature, responsible individuals with high ethical standards in accordance with the mission and values of the University.

### *Abandoned Items*

Any personal property left in the residence halls at the end of a resident's housing agreement or at the end of the spring semester will be considered abandoned. Residence Life staff members will dispose of such property at their discretion.

### *Alcohol Possession and Consumption*

The Residence Life Office is extremely concerned about the manner in which alcohol use may affect the behavior and academic performance of resident students. Research indicates that college-age students are more likely to abuse alcohol than any other age group in the United States. Such abuse often results in alcohol poisoning, addiction, and death. Alcohol use is frequently associated with inappropriate and sometimes illegal behavior and has been shown to impair judgment in many situations with often unfortunate consequences. The Residence Life Office is especially concerned with behaviors that violate or interfere with the rights of others and the dignity of self. Regarding the consumption of alcohol by students of legal drinking age, local, state, and federal laws must be observed at all times. Of primary importance to the University community are the following regulations:

- Alcoholic beverages are prohibited to persons younger than twenty-one (21) years of age.
- Persons twenty-one (21) years of age and older are prohibited from providing alcoholic beverages to minors.
- Intoxication, disorderliness, and offensive behavior on University premises and adjacent properties owned by the Congregation of Divine Providence are unacceptable and subject to disciplinary action.
- Students engaging in self-destructive behavior, that which impedes a student's ability to enjoy the privileges of education and to fulfill one's obligations as an educated member of society, should seek assistance from applicable resources. It is the entire University community's responsibility to respond to such behavior.

The following guidelines apply to possession and consumption of alcohol in the residence halls:

- Alcoholic beverages are permitted in Providence Hall. Resident students of this hall aged twenty-one (21) or over are permitted to possess and to responsibly consume alcohol in their residence hall rooms, provided all individuals present are aged twenty-one (21) or older.
- Alcoholic beverages are prohibited in Ayres, Centennial, Flores, Pacelli, St. Ann's, and Theresian Halls. Residents of these halls, even if aged twenty-one (21) or older, are prohibited from possessing and/or consuming alcohol in their rooms.
- Regardless of age and residence hall location, consumption of alcohol is prohibited in public areas (e.g. lounges, hallways, patios) inside and outside the residence halls except at those events approved by the Campus Activities Office and the Residence Life Office.
- Kegs and party balls, alcohol/liquor bottles, and beer cans with or without alcohol, are prohibited in the residence halls. This includes empty kegs or party balls brought on campus for storage purposes or to be used as furniture or decoration.
- Refer to the "Policy on Alcohol Distribution" for additional information.

### *Appliances*

Electrical appliances which are (1) UL listed, (2) equipped with thermostatic controls, and (3) rated at 1200 watts or less are permitted in the residence halls. It is necessary to limit the wattage and usage of certain appliances in student rooms because of the potential fire hazard, as the residence halls circuits are limited to 15 amperes. Whenever the total amperage on one circuit exceeds that figure, the fuse or circuit breaker is likely to turn off. Continuous overloading creates excessive heat in the wiring, causing its insulation to deteriorate and increasing the possibility of fire. Resident students should coordinate appliance use with neighboring residents to avoid power interruptions. All electrical appliances and equipment should be unplugged before leaving your room for any vacation period.

- *Restricted Appliances*

University fire safety and sanitation regulations prohibit the use of some types of appliances in student rooms even though they may be commonly found at home. Among the items not allowed for either storage or use are: open coil heaters, immersion coils for heating liquids, pottery warmers, deep-fat and French fryers, rotisseries, electric grills, ovens, hot plates, stoves, any type of exposed burner, large power tools, camping stoves, and charcoal grills. It is impossible to list all electrical appliances that are hazardous for use in the residence hall. As a general guideline, any appliance is prohibited if it is rated over 1200 watts or if it has an exposed heating element. Under all circumstances the user should exercise reasonable precautions. Appliances should be used in a manner prescribed by the manufacturer. Damage or injury resulting from the use of any appliance or equipment in the residence halls is the responsibility of the user. **Students are prohibited from adding a personal microwave or refrigerator in rooms where a microfridge is already provided by the Office of Residence Life.**

- *Refrigerators*

Refrigerators in student rooms must be no larger than 3.5 cubic feet, have amperage rating of 3 amps per hour or less, and be in safe electrical condition. For proper ventilation and sanitation, refrigerators should be placed on a stand. Refrigerators may not remain plugged-in and operating during vacation and campus break periods.

- *Extension Cords/Power Strips*

Extension cords should be used sparingly and never overload cords or extended cords with another extension cord. Always use extension cords in accordance with the manufacturer's instructions. UL listed, type "S" or "SJ" cords are the minimum size permitted. Extension cords, including telephone wires, may not be tacked down, placed under rugs, or used in places where pedestrian traffic can cause damage. Only authorized employees of the university or their agents may make any modifications of or additions to the existing wiring of a building. Power strips must be UL approved, rated no higher than 15 amps, and equipped with a built-in current breaker.

- *Halogen Light Bulbs and Lamps*

Halogen light bulbs and lamps are not permitted in any on-campus residence.

### *Bicycles, Motorcycles, Skateboards, and In-line Skates*

For fire and safety reasons, bicycles may not be stored in hallways, stairwells, common areas, fire exits, hall entrances or other places in on-campus living unit, with the exception of bedrooms. Bicycles should be adequately secured to prevent theft. Bicycles must never be ridden inside the residence hall, should be kept free of doorways and windows, and in no way interfere with or damage room fixtures or furnishings. Any bicycle found improperly stored will be moved to a proper storage area at owner's expense. The riding of bicycles, skateboards, and in-line skates is prohibited in the residence halls and all other University buildings. Motorized vehicles are prohibited inside the residence halls.

### *Candles, Fireworks, and Open Flames*

Candles, fireworks, incense, open flames, and appliances with open heating elements are prohibited.

### *Confiscation/Removal*

Residence Life personnel will ask students to remove dangerous and/or prohibited items from their rooms or common area. Should the resident fail to respond to this request, Residence Life staff will be asked to confiscate, store and/or dispose of the item. During fire alarms and safety inspections, university officials may confiscate prohibited appliances or other prohibited/illegal items (see search). Residents will be given a receipt for any item taken in this manner. Following a disciplinary hearing, students may claim their confiscated items provided they are immediately removed from the residence hall.

### *Damages*

Resident students are responsible for all damages to their rooms and the furniture assigned therein caused by their behavior or by the behavior of their guests. Each member of the residence hall or floor will be held responsible for damages to common areas, unless the responsible party is identified. For routine repairs, resident students should inform their RA of specific problems requiring attention. Minor problems should be corrected and repaired before escalation into major ones. Excessive humidity, leaks, and other problems should be reported promptly. If conditions worsen because of failure to report the problem, resident students may be charged room damage fees.

### *Decorations*

Resident students may hang pictures, posters, and other decorations by means that do not leave permanent marks, holes, or other damages to walls, doors, ceilings, floors, and other fixable surfaces. Tacks, nails, screws, masking tape, double-sided tape, glue, and other permanent adhesives are prohibited on walls, doors, ceilings, floors, and other fixable surfaces. Due to the building's age, rooms in Providence Hall have very sensitive walls. Adhesive putty may not be applicable for these walls. Resident students will be charged for any damages. Alcohol containers, open or closed, and drug paraphernalia are considered inappropriate room decorations. If these types of items are found in residence hall rooms, Residence Life staff members will confiscate and dispose.

### *Dress Code*

Although the University does not have a dress code, resident students and their guests are required to wear shoes inside buildings and in general lounge areas. Resident students should always wear shirts outside their rooms. Resident students wearing leotards should wear shorts or sweatpants to and from exercise class.

### *Drug Possession, Ingestion, or Inhalation*

The possession, consumption, sale, or transfer of illegal drugs, other controlled substances, and drug-related paraphernalia are intolerable. The Residence Life Office is especially concerned with behaviors that violate or interfere with the rights of others and the dignity of self. Of primary importance to the University community are the following regulations:

- Possession, consumption, sale, and transfer of illegal drugs, other controlled substances, and drug-related paraphernalia are prohibited.
- Disorderliness and offensive behavior on University premises and adjacent properties owned by the Congregation of Divine Providence is unacceptable and subject to disciplinary action.
- Students engaging in self-destructive behavior, that which impedes a student's ability to enjoy the privileges of education and to fulfill one's obligations as an educated member of society, should seek assistance from applicable resources. It is the entire University community's responsibility to respond to such behavior.

### *Emergencies*

Refer to the "Emergency Procedures for Students" section for information. The "Emergency Procedures for Students" section can be found online at <http://unet.ollusa.edu> or in the OLLU Student Handbook.

### *Furniture*

Furniture provided in the residence halls for use in private rooms and general lounge areas may not be removed, borrowed, or exchanged from one room to another. Lounge furniture is not to be moved from its original arrangement without permission of Residence Life staff members. When moving furniture for any reason, the furniture should be carefully lifted and moved. Shoving or pushing heavy items can scrape floors. Furniture should be taken care of by avoiding propping feet on or climbing on furniture. Residence Life staff members reserve the right to require that any student-owned furniture be removed from the residence halls.

### *Fire Safety*

It is a criminal offense to falsely sound an alarm. Students apprehended sounding a false fire alarm or tampering with firefighting/fire alert equipment, or failing to evacuate immediately when an alarm is activated, are subject to a minimum fine of \$200, dismissal from the residence halls or university, and/or prosecution from civil authorities. Residence hall students have ready access to fire extinguishers in hallways. All residents should familiarize themselves with the proper use of fire extinguishers.

- **Evacuation**

All fire alarms should be considered as an actual “real” fire, and the building must be evacuated immediately. Individuals are responsible for evacuating themselves from the building and should leave by the nearest and/or safest exit. Students should familiarize themselves with emergency exits. As the situation permits, building staff will assist in the evacuation process and locking room doors as they leave. In case of fire, pull the nearest fire alarm and/or call 433-0911 (University Police). If possible, be prepared to direct emergency personnel to the suspected cause. At no time should you put your safety in jeopardy.

*The following procedures should be followed:*

- Close and lock your room door. Bring room keys with you.
- Leave the building in an orderly manner, through the safest and most immediate exit.
- Do not use elevators.
- Wear or carry clothing suitable for the weather and carry a towel for protection against smoke.
- Take a flashlight, if one is available.
- Remain outside and at least fifty (50) feet away from the building until the signal to return is given.
- A damage assessment may be levied against students for a fire occurring within an on-campus living area. If a false alarm is pulled and no one is identified as perpetrating the alarm, the residents of the hall will be held accountable.

### *Grills*

Grills of any type and/or size may not be stored or used within any area of the buildings, and they may not be used within 50 feet of the building. Propane tanks and grills may not be stored inside any room. Charcoal lighter fluid is a combustible material and should not be stored in student rooms. Resident students wanting to grill outside any residence hall will need to submit a request to the Office of Residence Life.

### *Holiday and Semester Break Occupancy*

- Food service will be reduced during university holidays (e.g. Mid Semester Break, Thanksgiving, Spring Break, Easter) based on the number of resident students on campus. Notices will be posted at least one week before each holiday. The university does not provide interim housing during semester break periods (i.e. Christmas Break and break between Spring and Summer Sessions). For alternative off-campus housing options contact the Residence Life Office.

### *ID Cards (Electronic Access and Meal Plan)*

All University students must obtain and carry with them a current University ID card as proof of their right to use University facilities and attend University events. ID cards must be produced upon request by any University official, including RA staff. ID cards are non-transferable. Students allowing others to use their ID cards are subject to disciplinary sanction. ID cards for resident students serve as their meal cards in addition to serving as electronic access cards to the residence halls. Front doors to the residence halls are locked at 10:00 p.m. and interior doors are locked 24 hours. ID cards are issued at the Walter Student Service Center. Lost or stolen cards should be replaced as soon as possible at the Walter Student Service Center and then taken to the Residence Life Office for encoding. A fee will be charged to replace lost, damaged, or stolen ID cards.

### *Indoor Athletic Activities*

The playing of athletic games is prohibited in the residence halls because of the potential for personal injury and property damage that often occurs as a result of such activity. Prohibited activities include, but

are not limited to, baseball, basketball, football, Frisbee, hockey, soccer, volleyball, shaving cream fights, water fights, and indecent exposure or behavior.

### *Keys*

Resident students receive one (1) key to their residence hall rooms. Room keys will not be issued to any friend, relative, or other individual. Residents should carry their room keys with them at all times to avoid being locked out. Resident students may not duplicate room keys or alter locks. Room keys must be returned to the Residence Life Office upon termination of occupancy.

- **Lock-outs.** If resident students lock themselves out of their room or residence hall, the R.A. on duty will unlock the door and/or building and the resident student will be charged \$30.00 per lockout. Additionally, on the fourth time, resident students must schedule an appointment with the Director of Residence Life. R.A.'s will unlock only the room or residence hall for that resident who is locked out. Money collected from lock-out fees will be placed in the Residence Life Office's budget for programming activities in the residence halls.
- **Lost Keys.** If resident students lose their room keys, the Residence Life Office will re-core their door locks, at the resident's expense, and issue new keys for the room. This precaution is for the resident's safety and the security of the resident's possessions. The fee for a lost key is \$60.00.

### *Parking*

All motor vehicles parked on University property must be registered with the University Police Department and have a valid parking decal. Parking for resident students is located north of the University Wellness and Activities Center (U.W.A.C.) and east of Centennial and Flores Halls.

### *Parties and other Group Gatherings*

Group gatherings, social functions, and parties are permitted in residence hall rooms with Residence Life staff member approval, as long as events are of a size and number not to exceed ten (10) persons who can be contained wholly in the particular room (including noise). All events in the residence halls must end by midnight.

### *Pets*

Due to health and safety concerns, pets are prohibited in the residence halls, with the exception of small fish in a container no larger than 10 gallons.

### *Posting*

Announcements may be posted on bulletin boards only with the approval of the Residence Life Office. Refer to the "Policy on Posting" for additional information.

### *Quiet Hours and Consideration Hours*

Resident students have the primary responsibility for the enforcement of Quiet and Consideration Hours. If resident students feel uncomfortable with a confrontation or if the offending noise is coming from another wing or floor, resident students may ask Residence Life staff members to remedy the situation. When requests are reasonable, most students will be cooperative.

- **Quiet Hours.** The establishment of Quiet Hours provides resident students with an atmosphere conducive for studying. During Quiet Hours, resident students are encouraged to keep room doors closed. Any conversations or amplified sound (e.g. radio, television) should not be audible in hallways or other rooms. Quiet hours are from 9:00 p.m. to 8:00 a.m. each day, but may be made more restrictive by each residence hall depending on the needs of that hall.
- **Consideration Hours.** Consideration Hours are in effect at all times. Resident students should be considerate of roommates, suitemates, and hallmates. All noise should be kept within the confines of individual residence hall rooms. At the request of another resident or staff member, resident students are expected to cooperate by lowering the volume of conversations and amplified sound. Excessive noise is always unacceptable.
- **Dead Week/Finals Week Quiet Hours.** During dead week and finals week, Quiet Hours are observed 23 hours a day. Study breaks, usually an hour in length, occur at designated times during these weeks.

### *Roofs, Ledges, Balconies, and Fire Escapes*

In the interest of public safety, resident students and their guests are prohibited from engaging in the following activities:

- Removing screens from windows.
- Climbing onto ledges and roofs.
- Climbing from one room to another via ledges and roofs.
- Hanging out of windows.
- Covering windows with aluminum foil or other dense material.
- Pushing others towards or out of open windows.
- Hanging signs, posters, or other materials from roofs, ledges, balconies, and fire escapes.
- Blocking stairwells and fire escapes.

### *Room Inspections*

R.A.'s conduct monthly safety checks of residence hall rooms in order to accomplish the following:

- To connect with those residents they do not see on a regular basis.
- To test smoke detectors.
- To report maintenance issues.
- To confiscate illegal items (e.g. hot plates, alcohol).
- To verify that all furniture and/or furnishings in the room at check-in are still in the room.
- To verify that no furniture and/or furnishings from common areas are in the room.

R.A.'s will post notices forty-eight (48) hours in advance of monthly safety checks. If residents are not present at their respective scheduled times, R.A.'s will contact other Residence Life staff members in order to enter the room and complete the safety check. R.A.'s will leave notification of room entry if residents are not present.

### *Security*

Resident students are responsible for protecting personal items from theft and vandalism and for ensuring the residence halls are as secure as possible. The Residence Life Office recommends the following:

- Resident students should identify personal property by engraving with an identification number or affixing name tags.
- Resident students should maintain an inventory of personal property information and keep the list in a secure place. The list should contain model numbers, serial numbers, and brief physical descriptions of all personal property.
- All doors, including bathroom doors, and windows should be locked at all times.
- Residence hall entry doors must not be propped open for any reason.
- **Resident students should purchase personal property insurance, as the university is not liable for theft and/or damage of personal belongings.**

### *Smoking*

Smoking is prohibited inside all University buildings, including all residence halls and individual residence hall rooms.

### *Solicitation*

To protect residents from unwanted disturbances, the University prohibits door-to-door solicitation in the residence halls. Students and organizations wanting special consideration should contact the Campus Activities Office.

### *Visitation*

Resident students are permitted to invite non-resident guests to their residence halls and rooms, in compliance with the following visitation policy. Resident students are responsible for their guests' behavior and safety while in the residence halls. All guests must be escorted by the resident student from the main entrance of the residence hall to any other area of the hall and from any area back to the main entrance. Guests must leave the residence halls at the end of the visitation period. Maximum visitation limits in any residence hall are 10:00 a.m. to midnight, Sunday through Thursday, and 10:00 a.m. to 2:00 a.m., Friday through Saturday. Resident students and/or guests visiting any other resident(s), regardless of gender, are required to abide by the established visitation limits.

- **Day Guests.** Guests must be escorted by a resident student at all times.
- **Minors.** Because the residence halls are designed as adult living communities, the Residence Life Office discourages the presence of infants, small children, or adolescents. Resident students are prohibited from baby-sitting in the residence halls. Children must be accompanied by a resident student at all times and must adhere to the rules and regulations of the residence halls. Children aged fifteen (15) years and younger are prohibited from staying overnight in the residence halls. Resident students must request written permission from the Residence Life Office for overnight teenaged guests over the age of sixteen (16).
- **Overnight Guests.** Resident students wishing to have overnight guests must notify their R.A. a minimum of twenty-four (24) hours in advance to receive an overnight guest pass. Overnight guests of the opposite gender are prohibited. Overnight guests have a maximum three (3) night limit within a one (1) week time period. Any special circumstances warranting modifications require a written request for approval to the Director of Residence Life/Student Judicial Affairs a minimum of one (1) week in advance. Periods in which overnight guest passes will not be issued are the last two (2) weeks of each semester and mid-term examination week.
- **Parents and Other Adult Family Members.** Parents and other adult family members are encouraged to visit campus, however, the Residence Life Office does not recommend overnight lodging. Resident students should contact the Residence Life Office for special circumstances warranting such overnight visits. Upon availability of guest rooms, a lodging fee applies.

### *Weapons*

A "weapon" is defined as any object that by use, design, or definition may be utilized to inflict harm or injury upon another individual or animal. Examples of weapons include, but are not limited to, handguns, pistols, rifles, axes, knives with blades in excess of five (5) inches, mace, throwing stars, and nightsticks or batons. Possession, use, sale, or transfer of weapons, whether licensed or not, are prohibited on University premises and violators thereof will be subject to disciplinary action. Such weapons, if confiscated, immediately become the property of the University.

## Student Code of Conduct

### Definitions

1. The term “University” means Our Lady of the Lake University.
2. The term “student” includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate, graduate or professional studies, and those who attend post-secondary educational institutions other than Our Lady of the Lake University and who reside in University residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students.”
3. The term “faculty member” means any person hired by the University to conduct classroom activities.
4. The term “University official” includes any person employed by the University, performing assigned administrative or professional responsibilities.
5. The term “member of the University community” includes any person who is a student, faculty member, University official or any other person employed by the University. A person’s status in a particular situation shall be determined by the Director of Residence Life/Student Judicial Affairs.
6. The term “University premises” includes all land, buildings, facilities and other property in the possession of, or owned, used or controlled by the University, including adjacent streets and sidewalks.
7. The term “organization” means any number of persons who have complied with the formal requirements for University recognition.
8. The Director of Residence Life/Student Judicial Affairs is the person designated by the University President, Executive Vice President and Vice President for Student Life to be responsible for the administration of the non-academic components of the Student Code of Conduct.
9. The Vice President of Academic Affairs and Dean of the appropriate school is the person designated by the University President and Executive Vice President to be responsible for the administration of the academic components of the Student Code of Conduct.
10. The term “hearing officer” means a University official authorized on a case-by-case basis by the Director of Residence Life/Student Judicial Affairs to impose sanctions upon students found to have violated the Student Code of Conduct. Nothing shall prevent the same hearing officer from imposing sanctions in all cases.
11. The term “shall” is used in the mandatory sense.
12. The term “may” is used in the permissive sense.
13. The term “regulation” is defined as the rules concerning student conduct including, but not limited to, the following publications of the University: the Student Code of Conduct, the Student Handbook, the Faculty Handbook, the Undergraduate and Graduate Bulletins, the Residence Life Handbook and the Worden School of Social Service Code of Ethics.
14. The term “cheating” means an act or attempted act of deception by which a student seeks to misrepresent information. Please refer to Article II, Academic Dishonesty Policy for detailed information.
15. The term “plagiarism” means the inclusion of someone else’s words, ideas or data as one’s own work. Please refer to Article II, Academic Dishonesty Policy for more detail.
16. The term “academic misconduct” means the intentional violation of University policies, tampering with grades, or taking part in obtaining and/or distributing any part of an unadministered test. Some examples of academic misconduct include, but are not limited to, the following:
  - a. Stealing, buying or obtaining all or part of an un-administered test, including answers.
  - b. Selling or giving away all or part of an un-administered test, including answers.
  - c. Bribing another person to obtain an un-administered test, including answers.
  - d. Entering a building or office for the purpose of changing a grade.
  - e. Changing, altering or supporting another student in the changing or altering of grades or other academic records.
  - f. Forging signatures or changing information on class authorization forms.
  - g. Continuing to work on a test or project after the time allowed has elapsed.

### **Explanation of Judicial Authority**

The authority to enact and enforce regulations of the University is vested in the University's President by the Board of Trustees. The responsibility for enforcing those policies may be delegated to any University official the President designates.

- The Vice President for Academic Affairs is the principal officer designated for the administration of academic discipline and the Vice President for Student Life is the principal officer designated for the administration of non-academic discipline.

Persons may be designated by these individuals to implement disciplinary policies. Generally, discipline is utilized as a means of regulating conduct that occurs on University premises or any action or behavior that brings serious disrepute to the University, its community, and/or the pursuit of its objectives.

The Director of Residence Life/Student Judicial Affairs shall act as the primary judicial hearing officer for non-academic violations and shall develop policies for the administration of the judicial program and procedures for the conduct of meetings that are consistent with the provisions of the Student Code of Conduct. Decisions made by the Director of Residence Life/Student Judicial Affairs shall be final unless a timely request for review is filed in accordance with Student Code of Conduct. **The University reserves the right to notify parents of dependent students regarding conduct situations as necessary.**

### **Violation of Law and University Discipline**

1. The University disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of the Student Code of Conduct, depending on the situation, without regard to the tendency of civil litigation or criminal investigation and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
2. If a student is charged with an off-campus violation of federal, state or local laws, but not with any other violation of the Student Code of Conduct, disciplinary action may be taken and sanctions imposed for grave misconduct demonstrating flagrant disregard for the University community.
3. When a student is charged with a violation of the law by federal, state, or local authorities, the University shall not request or agree to special considerations for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding under the Student Code of Conduct, the University may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters shall be handled internally within the University community. The University shall cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and the conditions imposed by criminal courts for the rehabilitation of student violators. Students, faculty members and staff members, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

### **Article I: Disciplinary Conduct**

Any student found to have committed the following misconduct is subject to disciplinary sanctions:

- A. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including public-service functions on or off campus, or other authorized non-University activities, when the activities occur on University premises.
- B. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, assault (including sexual), stalking, hate speech and/or any other conduct that threatens or endangers the health or safety of any person or if based on race, creed, color, gender, national origin, religion, physical ability, sexual orientation or illness.
- C. Attempted or actual theft of and/or damage to University property or property of a member of the University community.
- D. Forgery of signatures or information or fabrication of University-related documents
- E. Hazing is defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization; any act

- that is in conflict with the Texas Education Code (Title II, Subtitle G, Chapter 37, Subchapter F, §§ 37.151 through §§ 37.157).
- F. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties; failure to properly identify oneself to these persons when requested to do so; furnishing false information.
  - G. Unauthorized possession, duplication or use of keys or access cards to any University premises; unauthorized entry to or use of University premises.
  - H. Unauthorized possession, duplication or use of University ID cards or failure to present ID cards when requested by University officials acting in performance of their duties; possession of an altered or “fake” ID card on University premises.
  - I. Violation of published or posted University policies, rules or regulations.
  - J. Violation of federal, state or local laws on University premises or at University-sponsored or supervised activities.
  - K. Use, possession or distribution of narcotic and/or other controlled substances or paraphernalia, except as permitted by law.
  - L. Use, possession or distribution of alcoholic beverages, except as expressly permitted by law and University regulations, including public intoxication and driving while intoxicated. The University alcohol policy is as follows: The University does not permit the sale, purchase, possession or consumption of alcohol to or by persons less than 21 years of age. The use of alcohol in Providence Hall and/or designated areas is permitted when done in a responsible, moderate and legal manner. Kegs, party balls and wine boxes are prohibited in all of the residence halls.
  - M. Possession of firearms, including handguns and concealed weapons allowed by permit, explosives, fireworks, other weapons and/or dangerous chemicals or substances as determined by a University official on the University premises.
  - N. Participation in a campus demonstration that disrupts the normal University operations and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities on University premises;
  - O. Intentional obstruction that interferes with freedom of movement, whether pedestrian or vehicular at supervised University sponsored functions.
  - P. Conduct that is disorderly, lewd or indecent, or is in any way inconsistent with the Christian goals and values that are an integral part of the University community.
  - Q. Breach of peace and/or aiding, abetting or procuring another person to breach the peace on University premises or at any function sponsored by or participated in by the University.
  - R. Theft or other abuse of computer time, including, but not limited to, the following:
    - 1. Unauthorized entry into a file to use, read or change the contents or for any other purpose.
    - 2. Unauthorized transfer of a file.
    - 3. Unauthorized use of another individual’s identification password.
    - 4. Use of computing facilities to interfere with the work of another student or University official.
    - 5. Violation of software copyright laws.
    - 6. Use of computing facilities to interfere with normal University operations.
    - 7. Use of computer facilities to harass, coerce, or in any way intimidate persons.
    - 8. Acceptance or distribution of pornographic material via University computer lines.
  - S. Abuse of the University’s judicial process, including, but not limited to, the following:
    - 1. Failure to obey the summons of a judicial body or University official.
    - 2. Falsification of information.
    - 3. Disruption or interference of the orderly conduct of a judicial proceeding.
    - 4. Initiation of a judicial proceeding knowingly without cause.
    - 5. Attempting to discourage an individual’s proper participation in or use of the judicial system.
    - 6. Attempting to influence the impartiality of a member of a judicial body or a witness prior to and/or during the course of the judicial proceeding.
    - 7. Harassment (verbal or physical) and/or intimidation of a member of a judicial body or a witness prior to, during and/or after a judicial proceeding.
    - 8. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.

- 9. Influencing or attempting to influence another person to commit an abuse of the judicial process.
- 10. Discussing a judicial proceeding following the proceeding without the expressed written consent of the accused, the accuser and the hearing officer.
- T. Awareness of and/or providing assistance to another individual to violate University policy.
- U. Possession of animals, with the exception of animals that provide ADA assistance (e.g. seeing-eye dogs) and authorized pets, in the residence halls.
- V. Unauthorized presence in and/or use of any University building or designated area which is officially closed according to hours posted or which is restricted for designated purposes or to designated individuals.
- W. Acting as an agent of the University unless authorized to do so.
- X. Use of skateboards, in-line skates, roller skates, bicycles, scooters and motorized vehicles inside University buildings including residence halls.

## **Article II: Academic Dishonesty Policy**

*Academic Dishonesty* refers to student conduct in academic assignments or situations which violates the norms of the academic community of students and scholars. In practice, it usually refers to *academic cheating* or *plagiarism*. Our Lady of the Lake University distinguishes between Academic Dishonesty, which is handled through the Academic Affairs Division, and other violations of the Student Code of Conduct, which are dealt with by the Office of Student Life.

Penalties for academic dishonesty may include expulsion or suspension from the University, failure or grade reduction in the affected course or assignment, or a lesser penalty as appropriate.

*Academic Cheating* means an act or attempted act of deception by which a student seeks to misrepresent information. Examples include, but are not limited to, the following:

- a) copying from another student's test paper;
- b) allowing another student to copy from one's test paper;
- c) using textbooks, notes, and other unauthorized materials during a test;
- d) collaborating with others during a test or on a project where collaboration is not permitted;
- e) theft, purchase, or other acquisition of all or part of an un-administered test;
- f) soliciting or giving away all or part of an un-administered test;
- g) bribing another person to obtain all or part of an un-administered test;
- h) substituting for another student or permitting any other person to substitute for oneself to take a test;
- i) submitting as one's own, in fulfillment of academic requirements, a theme, report, term paper, essay, other written work, painting, drawing, sculpture, other art work, computer program, media production, or other academic assignment prepared totally or in part by another;
- j) selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements, any theme, report, other written work, art work, computer program, media production, or other academic assignment.

*Plagiarism* means the inclusion of someone else's words, ideas, or data as one's own work. Examples of plagiarism include, but are not limited to, the following:

- a) quoting another person's work, complete sentences or paragraphs, or whole works without acknowledgement of the source;
- b) using another person's ideas, opinions or theories without acknowledgement of the source;
- c) borrowing facts, statistics or other illustrating material without acknowledgement of the source;
- d) copying another person's essay test answer;
- e) copying or allowing another person to copy computer files that contain another student's assignments and submitting them either in part or in full as one's own work;
- f) working together on an assignment or sharing computer files and submitting that assignment as one's individual work.

### **Procedure**

If, in the judgment of an instructor or other duly appointed academic officer, *academic dishonesty* has occurred, the following procedure shall be followed:

1. The instructor or academic officer will investigate the occurrence and satisfy him or herself that sufficient evidence of academic dishonesty exists to warrant a charge.
2. The instructor or academic officer will communicate the charge to the student and allow the student to offer rebuttal or extenuating circumstances.
3. If the student does not satisfactorily explain the suspect behavior, the instructor or academic officer will indicate that academic dishonesty appears to have occurred, and will propose an appropriate grade penalty or other remedy. If the student accepts the penalty or remedy, the instructor or academic officer will carry it out, and will inform the Vice President of Academic Affairs by memorandum of the circumstances and disposition of the charge. The Office of Academic Affairs will maintain this record for three years. If the Office of Academic Affairs has evidence of other instances of academic dishonesty by the same student, the Vice President of Academic Affairs may seek additional penalties beyond those agreed to by the instructor or academic officer and student, up to and including suspension or expulsion. If the penalty is suspension or expulsion, or if the penalty involves failure in the course and so is liable to cause probation or enforced scholastic withdrawal, a copy of the action will be sent to the Registrar's Office for inclusion in the student's academic file.
4. If the student does not accept the disposition of the academic dishonesty charge that is proposed by the instructor, the student may request, within five working days, that the dean/director of the College or School (under whose jurisdiction the course or assignment in question lies) become involved. The dean/director will interview the instructor or academic officer and the student, and will attempt to work out a satisfactory resolution. If that resolution is made, the dean/director will send the record of the charge and disposition to the Office of Academic Affairs.
5. If the dean/director cannot resolve the case in a way acceptable to both instructor or academic officer and student, the student may request a formal hearing on the charges. The request, in writing, must be made to the office of the Vice President of Academic Affairs within three days of the college/school deans/director's conclusion that no mutually satisfactory resolution is possible, and so informing the student thereof. The Vice President, after ascertaining that good faith efforts have been made to resolve the disagreement, will name a hearing panel within three days of receiving the student's written request. The panel will consist of three members of the Academic Affairs and/or Student Life Committees of the Faculty Assembly. Two members of the panel will be faculty members, and one member a student. The Vice President of Academic Affairs will appoint one member of the hearing panel to chair the panel. The chair of the panel will set a hearing date and convene the panel within ten working days of the panel's constitution.
6. At the hearing, both the student and the instructor or academic officer bringing the charges will appear. The student may bring an advocate of his or her choice from the OLLU community to the hearing. The instructor or academic officer will state the case for academic dishonesty having occurred and present any relevant evidence or testimony. The faculty member will also define the penalty he or she considers appropriate for the dishonesty. The student may respond to the charge and offer evidence, extenuating circumstances, or rebuttal. The panel members may informally question either or both parties for the purpose of clarification. At the conclusion of the presentations and questions, the panel will meet in closed session to assess the evidence and determine the appropriate penalty (if any). The action of the panel will be reported in writing by the chairperson to the student, the faculty member, and the Vice President of Academic Affairs within three days after the hearing. The decision of the panel is final; no further appeal is possible.
7. In some cases, intervention of holidays or summer periods may make convening the hearing committee within the timelines above impractical. In such cases, the hearing should be completed as expeditiously as possible.
8. The record of the hearing and the report and recommendation of the hearing panel will be maintained in the Office of Academic Affairs. If the recommendation is for failure in a course that may make the student liable for probation or enforced scholastic withdrawal, or for suspension or dismissal, a record of the penalty will be forwarded to the Registrar's Office for inclusion in the student's academic file.

### **Article III: Student Organization Conduct**

Whether on or off campus, RSO and CSO members are representatives of the University and are expected to act in a mature and responsible manner. As such, individual members, advisors, or organizations as a whole may be subject to sanction by the Campus Activities Office for inappropriate behavior. Additionally, any damages caused by an organization or its members will be charged to the organization and the members' own pockets, as applicable. The sanctions available to the Campus Activities Office are indicated in the most recent edition of the University's "Student Handbook." Copies are available by contacting the Campus Activities Office or on the University webpage. Judicial Authority for Student Organizations shall rest with the Director of Campus Activities.

While it is not possible to list all behavior inconsistent with membership in a scholarly community, judicial procedures may be implemented when violations, including, but not limited to, the following occur.

1. Normal University Operations: Disruption of normal University operations (e.g. classes, movement of traffic, special events).
2. Rights of Organization Members: Actions that interfere with the rights of organization members in their academic pursuits or within the organization itself without due process.
3. Representation of Organization
  - a. Misrepresentation of the purpose and intent of the organization.
  - b. Unethical representation of the purpose and intent of the organization.
  - c. Failure to act within recognized norms or within the context of the constitution and bylaws or mission statement of the organization.
  - d. Interference with proper representation within any organization recognized by the University.
4. University Policies and Regulations: Noncompliance with applicable University policies and regulations.
5. Civil Laws: Noncompliance with applicable civil laws.
6. Rights of Members or Others
  - a. Denial and interference with the rights of members or others.
  - b. Failure to respect the dignity of the human person.
7. Responsible and Ethical Actions:
  - a. Failure to display responsible and ethical actions on and off campus as members and representatives of the University community.
  - b. Failure to conduct personal or organization business in a responsible manner.
8. Discrimination
  - a. Actions that result in discrimination in membership on the basis of race, religion, creed, physical ability, gender, national origin, color, or political affiliation.
  - b. Actions that result in discrimination toward nonmembers on the basis of race, religion, creed, physical ability, gender, national origin, color, or political affiliation.
9. Authorized and Consistent Functions: Actions that sponsor, advertise, implement, or otherwise endorse functions that are unauthorized and inconsistent with the University's mission, goals, values, and policies.
10. Advisor: Failure to have an advisor who is a faculty or staff member employed by the University on a full or three quarter time basis and approved by the Director of Campus Activities/University Center and, in cases of academic groups, the appropriate academic dean.
11. Current and Approved Constitution:
  - a. Failure to maintain a current, approved constitution and bylaws (and local, state, national, or international constitution and bylaws, if applicable) on file in the Campus Activities Office.
  - b. Failure to comply with, uphold, or enforce applicable rules, regulations, policies, and procedures of an organization's approved constitution and bylaws or other legislative actions.
12. Respond Promptly and Ethically: Failure to respond promptly and ethically to all inquiries and policies outlined by the University and local, state, national, or international affiliates, if applicable.
13. Mailing Address, Phone System, Email System, Website, Seal, Logo, and Name: Inappropriate or unauthorized use of the University's mailing address, phone system, email system, website, seal, logo, and name.

14. Use of Facilities:
  - a. Unauthorized use of University facilities and equipment.
  - b. Use of University facilities and equipment that is not related to the goals of the organization and University.
  - c. Failure to assume responsibility for setup, cleanup, and monitoring of facilities, as appropriate.
  - d. Misappropriation of University facilities.
15. Fundraising:
  - a. Fundraising activities for purposes not directly related to the organization.
  - b. Fundraising activities that are not approved by the University through the Campus Activities Office.
16. Guest Speakers:
  - a. Extending invitations to speakers and other guests who are inconsistent with the University's mission, goals, values, and policies.
  - b. Extending invitations to speakers or other guests without authorization from the Director of Campus Activities/University Center or relevant University official.
17. Advertising and Publicity:
  - a. The use of obscenity, profanity, vulgarity, racially or culturally insensitive, or otherwise inappropriate language and drawings in any printed, electronic, or verbal publicity or other forms of advertising or marketing (e.g. t-shirts, stickers, other objects that form a public display).
  - b. Advertising or actions those are inconsistent with the University's mission, goals, values, and policies.
18. Membership Recruitment: Actions that are in violation of the University's membership recruitment policies, procedures, and guidelines.
19. Requirements for Student Organizations: Failure to fulfill all requirements applicable to Student Organizations.
20. Real Estate: Ownership, leasing, or rental of real estate.
21. Financial: Utilizing a finance system off campus under an organization title or personal name of a current officer, member, or advisor.

**Temporary Suspension of Recognition:**

The Vice President of Student Life may temporarily suspend recognition of a student organization pending formal disciplinary procedures. Such action may occur when the continued presence of the organization on campus poses a threat to the physical or emotional wellbeing of an individual student, a group of students, or members of the faculty and staff, or when the presence of the organization would seriously disrupt the University's normal operations.

**Article IV:**

**Sanctions for Student Organizations**

Student Organizations must comply with all local, state, and federal laws, as well as all University policies and procedures. Officers and advisors of student organizations are held responsible for the RSOs and CSOs activities in the event that the organization violates University policies and civil laws. Any student, faculty or staff member, or other student organization may file charges against an RSO or CSO. The following sanctions may be imposed upon RSOs and CSOs by the Director of Campus Activities/University Center, or a designate, for failure to comply with applicable policies, procedures, and guidelines. These sanctions apply to administrative policies only. For discipline violations, similar sanctions may be imposed through the "Student Code of Conduct."

1. Warning: Written notice for a specified length of time, usually no less than the remainder of the semester, which additional incidents may result in more severe sanction.
2. Probation: Restrictions of specified privileges for a specified length of time, usually no less than the remainder of the semester. Additional conditions may be imposed before the probation period is lifted at the discretion of the Director of Campus Activities/ University Center, or a designate.

3. Numbers Probation: Restrictions of specified privileges for a specified length of time, usually no less than one academic year, imposed when membership numbers are below the minimum of 10 members for RSOs. If membership does not reach a minimum of 10 after the probation period, the RSO will lose its official recognition. CSOs do not have a specific numbers requirement.
4. Withdrawal of Privileges: Privileges that may be withdrawn include facility usage, advertising and posting, financial transactions, fundraising, participation in University events, usage of the University's phone and email systems, and usage of other support services.
5. Mandated Counseling: Probation status of a member by the advisor for a specified length of time, usually no less than one semester. Recommended counseling services may be the following: Career Services, Counseling Services, Center for Academic Achievement, CSLV, Campus Ministry, Academic Advisement, or other specified meetings.
6. Suspension: Suspension of all privileges for a specified length of time, usually no less than the remainder of the semester. Additional conditions may be imposed before the suspension is lifted at the discretion of the Director of Campus Activities/University Center, or a designate.
7. Withdrawal of Recognition: Complete revocation of recognition and all privileges thereof. The Director of Campus Activities/University Center will secure the approval of the Vice President of Student Life when imposing this sanction.

#### **Article V: Judicial Procedures**

- A. Any member of the University community may file charges against any student or student organization for misconduct. Charges shall be presented in writing and directed to the Director of Residence Life/Student Judicial Affairs. Any charge should be submitted as soon as possible after the event takes place, preferably within the same semester. Judicial Authority for Student Organizations shall rest with the Director of Campus Activities. However, there is no limitation on the time that charges can be brought.
- B. The Director of Residence Life/Student Judicial Affairs may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the hearing officer. Such disposition shall be final. There shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the hearing officer may later serve in the same matter as the judicial body or a member thereof.
- C. All charges shall be presented to the accused student or student organization in written form. A time shall be set for a hearing, not less than five nor more than 15 calendar days after the student or student organization has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the hearing officer during examination periods, holidays and student breaks.

#### **Article VI: Behavior Consultation Team**

The University Behavior Consultation Team shall be composed of the Vice President for of Student Life, who serves as chairperson, the Director of Counseling Services, the Director of Health Services, the Director of Campus Ministry and the Director of Residence Life/Student Judicial Affairs. In the absence of the Vice President for Student Life, the Director of Counseling Services shall serve as acting chairperson. The team's responsibility shall be to receive and review information related to students who are experiencing significant physical or psychological crisis and to give advice regarding appropriate courses of action. Other University officials who are involved in any given case may be invited to attend meetings by any member of the team with approval of the Vice President for Student Life or acting chairperson. Any member of the University community may request a team meeting for the purpose of evaluating a student's situation.

## Article VII: Sanctions

### A. Personal and General Conduct Sanctions

The following non-academic sanctions may be imposed upon any student found to have violated the Student Code of Conduct:

1. **Warning** - A written notice to the student that the student is violating or has violated the Student Code of Conduct. The notice may specify that more severe disciplinary action shall occur should the student be involved in further violations during the written notice period.
2. **Probation** - A written notice to the student that the student is violating or has violated the Student Code of Conduct and is placed on probation for a designated period of time. This notice may specify that more severe disciplinary action shall occur should the student be involved in further violations during the period of the probation.
3. **Loss of Privileges** - Denial of specified privileges for a designated period of time.
4. **Fines**
  - a. alcohol-related activity: increments of \$50, up to \$300;
  - b. damages to University property and equipment: actual cost of repair, including labor and materials;
  - c. failure to return reserved space to proper condition: labor costs and other expenses;
  - d. false alarms: \$200;
  - e. non-compliance with community retribution or other discretionary sanctions: \$5 per hour of unperformed service;
  - f. possession or use of narcotics or controlled substances: \$50;
  - g. unauthorized residence hall room change: \$35;
  - h. pets in residence hall: \$50 plus any related charges/deodorizing treatment, as determined by the Director of Residence Life.
5. **Restitution** - Compensation for loss, damage or injury. This sanction may take the form of appropriate service and/or monetary or material replacement.
6. **Behavioral Requirement** - Participation in required activities such as academic and/or personal counseling, conducting specific projects with administrative offices, and writing letters of apology, among others.
7. **Discretionary Sanctions** - Work assignments, community retribution and university service, among others.
8. **Residence Hall Probation** - Placement on official notice that if further violations of the Student Code of Conduct occur during the probationary period, the student may immediately be removed from the residence hall.
9. **Residence Hall Reassignment** - Relocation to another residence hall if, in the opinion of the or Director of Residence Life/Student Judicial Affairs, other resident students and/or the University community would benefit from such a move.
10. **Residence Hall Suspension** - Separation from the residence halls for a designated period of time, after which the student shall be eligible to return; conditions for readmission may be specified.
11. **Residence Hall Expulsion** - Permanent separation from the residence halls.
12. **Administrative Suspension** - Restriction of the student's right to conduct official business with the University because of the student's outstanding obligations. This suspension shall be lifted when obligations are met.
13. **Co-curricular Suspension** - Exclusion from all University facilities, services and functions, except the attendance of classes. Use of any other facilities, including residence halls, must be approved by the Director of Residence Life/Student Judicial Affairs.
14. **Suspension** - Separation from the University for a designated period of time, after which the student is eligible to petition for return. During the period of suspension, the student shall be banned from the University's premises.
15. **Dismissal** - Removal from the University. The student is ineligible to enroll in classes for a minimum of one year, but may petition for reconsideration or readmission at the conclusion of the dismissal period. During the period of dismissal, the student shall be banned from the University's premises.

16. **Expulsion** - Permanent separation from all University facilities, services and functions. The student shall be permanently banned from the University's premises.

#### **B. Minimal Sanctions for Offenses**

The following are the minimal sanctions for violations of the Student Code of Conduct. These sanctions apply only to first time offenses. Repeat offenders may receive more serious sanctions, up to and including any combination of the aforementioned sanctions:

1. Alcohol-related activity: Probation, Fine (\$50 minimum), Evaluation and/or Personal Counseling and/or referral, Community Retribution (25 hours minimum);
2. Damage to University property or equipment: Probation, Restitution, Community Retribution (20 hours minimum);
3. Failure to comply with directions: Probation;
4. Failure to return reserved space to proper condition: Probation, Loss of Privilege(s), Restitution;
5. False Alarms: Fine (\$200 minimum), Suspension, Dismissal, Expulsion;
6. False testimony: Suspension;
7. Forgery of signatures or fabrication of documents: Suspension;
8. Hazing: Probation, Community Retribution (15 hours minimum);
9. Lewd conduct: Probation, Behavioral Requirement, Evaluation and/or Personal Counseling and/or referral, Community;
10. Misuse of computer resources and/or e-mail accounts: Probation, Loss of Privilege(s), Restitution, Suspension;
11. Misuse of ID card: Warning;
12. Misuse of telephone or long distance service: Probation, Restitution;
13. Non-compliance with community retribution or other discretionary sanctions: Fine (\$5 minimum per hour of unperformed service);
14. Physical abuse, verbal abuse, harassment or sexual assault: Suspension
15. Possession or use of firearms or other weapons: Probation, Confiscation of Weapon(s), Community Retribution (15 hours minimum);
16. Possession or use of incense, fireworks, candles or other open flamed devices in residence halls: Confiscation and Disposal of Items, Community Retribution (10 hours minimum);
17. Possession or use of narcotics or controlled substances: Probation, Fine (\$50 minimum), Drug Assessment, Evaluation and/or Personal Counseling and/or referral, Community Service, hours will be determined;
18. Smoking indoors and in designated smoke-free areas: Probation, Community Retribution (10 hours);
19. Theft of property: Restitution, Suspension;
20. Unauthorized residence hall room change: Fine (\$35 minimum);
21. Violation of overnight guest policy in residence halls: Probation, Loss of Privilege(s);
22. Violation of quiet hours in residence halls: Warning, Probation;
23. Violation of visitation policy in residence halls: Warning, Loss of Privilege(s).

### **Article VIII: Sanctioning Procedures**

#### **A. Determining and Imposing Sanctions**

1. Any combination of the aforementioned sanctions may be imposed for any single violation.
2. Other than expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than residence hall expulsion, suspension or expulsion, upon application to the Director of Residence Life/Student Judicial Affairs. The Director of Residence Life/Student Judicial Affairs may consider whether the student has complied with the sanctions imposed by the hearing officer in making this determination.
3. In each case in which it is determined that a student has violated the Student Code of Conduct, sanction(s) shall be determined and imposed by the hearing officer. Following the hearing, the hearing officer shall advise the accused in writing of its determination and of the sanction(s)

imposed, if any. At the discretion of the hearing officer, the accuser may be notified of the determination.

## **B. Involuntary Administrative Withdrawal**

1. The criteria for Involuntary Administrative Withdrawal from the University and/or University residence halls includes, but is not limited to, one or more of the following:
  - a. The student engages in or threatens to engage in behavior which poses a danger or causes physical harm to self or others.
  - b. The student engages in or threatens to engage in behavior which would cause significant property damage and/or directly and substantially impede normal University operations.
  - c. The student does not respond to pending disciplinary charges resulting from such behavior.
  - d. The student did not comprehend the nature or wrongfulness of such behavior at the time of the offense.
2. The Vice President for Student Life may refer a student for evaluation by independent licensed psychiatrists or psychologists chosen by the University if the Vice President reasonably believes that the student may meet the aforementioned criteria or if a student subject to disciplinary charges wishes to introduce relevant evidence of any mental disorder.
  - a. The student referred for evaluation shall be so informed in writing, either by personal delivery or by certified mail, and shall be given a copy of this policy. The evaluation must be completed within a reasonable time frame as indicated in writing by the Vice President for Student Life. The student shall sign a release permitting the evaluating psychologists or psychiatrists to submit a report of the findings to the Vice President for Student Life.
  - b. At the discretion of the Vice President for Student Life any pending disciplinary action may be withheld until the evaluation is completed.
  - c. A student who fails to complete the evaluation may be administratively withdrawn on an interim basis, referred for disciplinary action or both.
3. A student subject to interim administrative withdrawal shall be notified, either by personal delivery or by certified mail, and shall be given a copy of these standards and procedures. The student shall be given an opportunity to appear before the Vice President for Student Life, or a designate, within two business days from the effective date of the interim administrative withdrawal, in order to review the following issues only:
  - a. The reliability of the information concerning the student's behavior;
  - b. Whether the student suffers from a mental disorder;
  - c. Whether the student has completed an evaluation, in accordance with these standards and procedures.
4. A student subject to interim administrative withdrawal may be assisted in the proceeding by an advocate (family members and licensed psychologists or psychiatrists). Furthermore, the student may be accompanied by legal counsel, although the role of counsel shall be limited to providing legal advice to the student. Students shall be expected to speak for themselves whenever possible.
5. An informal hearing shall be held within a reasonable time frame after the student has been evaluated by the appropriate mental health professional. Such evaluation should be undertaken within a reasonable time frame after the student submits proper requests for an appointment. The student shall remain withdrawn on an interim basis pending completion of the informal hearing, but shall be allowed to enter upon University premises to attend the hearing, or for other necessary purposes, as authorized in writing by the Vice President for Student Life.
6. Students subject to an involuntary withdrawal shall be accorded an informal hearing before the Vice President for Student Life or a designee. The following guidelines apply:
  - a. The student shall be informed of the time, date and location of the informal hearing, in writing, by personal delivery, email or certified mail, within a reasonable time frame.
  - b. The entire case file, including an evaluation and the names of prospective witnesses, shall be available for inspection by the student in the Student Life Office during normal business hours. The file, which shall be available a minimum of two business days before the informal hearing, need not include the personal and confidential notes of any University official or participant in the evaluation process.

- c. The informal hearing shall be conversational and non-adversarial. Formal rules of evidence shall not apply. The Vice President for Student Life, or a designee, shall direct the proceedings. Any individual who disrupts the hearing may be required to leave the hearing.
  - d. The student may choose to be assisted by an advocate.
  - e. Those assisting the student, except for legal counsel, shall be given reasonable time to ask relevant questions of any individual appearing at the informal hearing, as well as to present relevant evidence.
  - f. Whenever possible, the student shall be expected to respond to questions asked by the Vice President for Student Life, or a designee.
  - g. The informal hearing may be conducted if a student fails to appear after proper notice.
  - h. The mental health professional who prepared the evaluation may be expected to appear at the informal hearing and to respond to relevant questions, upon request of any party, if the Vice President for Student Life, or a designee, determines that such participation is essential to the resolution of a dispositive issue in the case.
  - i. The Vice President for Student Life, or a designee, may permit a University official and the mental health professional who prepared the evaluation to appear at the informal hearing and to present evidence in support of any withdrawal recommendations. Such evidence shall not be presented by legal counsel for the University.
  - j. The informal hearing may be tape recorded. The tape(s) shall be kept with the pertinent case file for as long as the case file shall be maintained by the University.
  - k. A written decision shall be rendered by the Vice President for Student Life, or a designee, within a reasonable time after the completion of the informal hearing. The written decision, which shall be mailed or personally delivered to the student, shall contain a statement of reasons for any determination leading to involuntary withdrawal. The student shall also be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement.
  - l. The decision of the Vice President for Student Life, or a designee, shall be final and conclusive and not subject to appeal.
- 7. Reasonable deviations from these procedures shall not alter or invalidate a proceeding.
  - 8. All parties involved shall be informed of the student's right to confidentiality and their obligation to comply.
  - 9. These standards do not preclude removal from the University nor do they provide exemptions to the University Residence Hall Agreement or other University regulations.

### **C. Interim Suspension**

In certain circumstances, the Vice President for Student Life and/or the Director of Residence Life/Student Judicial Affairs, in consultation with appropriate University officials, may impose University or residence hall suspension prior to the judicial hearing.

- 1. Interim suspension may be imposed only to accomplish the following:
  - a. To ensure the safety and well-being of members of the University community and preservation of the University facilities;
  - b. To ensure the student's own physical or emotional safety and well-being;
  - c. To prohibit the student from posing a definite threat of disruption or interference with normal University operations.
- 2. During the period of interim suspension, students shall be denied access to University premises, including attending classes and/or the residence halls.

### **D. No-Contact Agreements**

Upon request of a student and after investigation by the Director of Residence Life/Student Judicial Affairs/Vice President for Student Life, or a designee, a No-Contact Agreement may be enforced between two or more students. These agreements shall be for a minimum of six weeks and may be reviewed at the end of the period for extension.

**Article IX: Appeals Procedures (non-academic)**

- A. The accused student may request a review of the decision(s) reached by the hearing officer within five business days of the receipt of the decision. Such requests for review shall be in writing and shall be delivered to the Vice President for Student Life or a designee.
- B. Except as required to explain the basis of new evidence, a request for review shall be limited to those matters raised in writing and shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
  - 1. To determine whether the original hearing was conducted fairly and in conformity with prescribed procedures giving both the complainant a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated, and giving the accuser a reasonable opportunity to prepare and present a rebuttal of those allegations.
  - 2. To determine whether the verdict was based on substantial evidence (i.e. whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred).
  - 3. To determine whether sanction(s) imposed were appropriate for the violation of the Student Code of Conduct.
  - 4. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing because such evidence and/or facts were not known to the persons requesting a review at the time of the hearing.
- D. The decision of the Vice President for Student Life is final.

**Article X: Interpretation and Revision**

- A. Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Director of Residence Life/Student Judicial Affairs and the Vice President for Student Life for final determination. The Student Code of Conduct shall be reviewed every year under the direction of the Vice President for Student Life.
- B. Director of Residence Life/Student Judicial Affairs. The Student Code of Conduct may be modified by the Director of Residence Life/Student Judicial Affairs or the Vice President for Student Life. Any modification of the Student Code of Conduct shall be made in writing, shall be available in the Student Life Office, and shall become effective upon publication.

**Resident Student Policies and Procedures**

Please contact the Office of Residence Life for a current copy of the Policies & Procedures Manual.

## **NOTES**