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COMMUNITY STANDARDS MANUAL

Introduction

As a Jesuit Catholic University, John Carroll inspires individuals to excel in learning, leadership, and service in the region and in the world.

All statements of student rights must be read in light of responsible membership in a University community committed to the above statement.

Please be aware that the provisions of this manual are not to be regarded as an irrevocable contract between John Carroll University and its students. The University reserves the right to change any provision or any requirement at any time.

Rights and Responsibilities

Campus Expression: Civil discourse, characterized by mutual respect for individuals and for opposing viewpoints, is an inherent responsibility of all members of the University community.

Expression does not include illegal activity, or activity that endangers or threatens to endanger the safety of any member of the community, or any of the University's physical facilities, or any activity that disrupts or impedes the functions of the University or threatens such disruption or hindrance.

Indecent or obscene expression that is offensive on matters such as race, ethnicity, religion, gender, disability, or sexual orientation is inappropriate in a university community.

University facilities may not be used for the continued public advocacy of positions contrary to the Catholic character of the University.

Classroom Expression: Students enjoy freedom of research, of legitimate classroom discussion, and of advocacy of alternative opinions to those expressed in the classroom.

For purposes of academic credit, students will be evaluated on knowledge and academic performance and not on the basis of personal or political beliefs.

Public Speakers: Students may invite and hear speakers of their choice on subjects of their choice, subject to the limitation that the University may withhold approval of an event or a speaker if holding such an event or providing a forum for the speaker is determined to be contrary to the mission of the University.

Campus Publications and Communications: The student press and radio station enjoy editorial freedom. This freedom carries with it the obligation to operate responsibly according to journalistic and broadcast ethics, consistent with the University's mission and any applicable legal regulations. Student editors and managers will not be suspended arbitrarily because of student, faculty, administration, alumni, or community disapproval of editorial policy or content.

Campus Postings and Distribution of Literature: Students or student organizations may post or distribute written materials on campus providing such posting or distribution conforms to University guidelines on campus expression, solicitation, and posting. Any materials to be posted or distributed must be approved by the Director of Student Activities.

Conduct Process: Students have a right to written notice of any conduct charges, to a hearing to resolve the conduct charges, and to written notice of any disciplinary actions.

Student Conduct System

I. COMMUNITY EXPECTATIONS

A. INTRODUCTION

As a Jesuit and Catholic University, John Carroll University strives to foster the fullest development of its students in an atmosphere of care and concern. The Jesuit value of cura personalis, the care of each and every individual, along with the University's mission to inspire individuals to excel in learning, leadership, and service call us to promote the growth and development of the whole person. This is also articulated in the University's core values that call for the creation of a rigorous approach to scholarship, an inclusive community where differing points of view and experience are valued, a commitment to sharing our gifts, and an appreciation that our personal and collective choices can build a more just world. Our community holds high expectations of how we live and interact with each other as we are all interconnected and thus the actions of one of us has an effect on us collectively. Respect for self, respect for others, respect for property, respect for authority, and honesty, both within and outside the University community are the foundations for our standards of conduct. In order for our community to thrive, all members must be active in contributing to an environment where people feel safe, sustained, engaged, challenged, and appreciated. We must also hold ourselves and each other accountable for our actions as a part of our community life.

B. STUDENT CODE OF CONDUCT

Students enrolling in John Carroll University assume an obligation to behave in a manner compatible with the University's function as an educational institution. The purpose of the Student Code of Conduct, herein referred to as the Student Code, is to establish the expectations regarding students' behavior, and to expand upon the rights and responsibilities of students. These guidelines are not arbitrary legislation but have, as their primary purpose, the welfare of students and the entire John Carroll community. They have been formulated with the objective of directing and channeling the efforts of John Carroll students toward a successful University life.

The University is dedicated not only to learning and the advancement of knowledge, but also to the whole development of persons within the Catholic and Jesuit traditions. The University seeks to achieve these goals through a sound educational program that includes clear policies governing student rights and responsibilities. Since all members of this institution freely affiliate with this University, they make a decision to be bound by the rules, regulations, and principles of the University community. The Student Code of Conduct applies to behavior both on and off campus.

Certain behaviors, **whether attempted or completed**, are incompatible with the above standards and are unacceptable in the University community. For these reasons, they are subject to disciplinary action by the University. Examples of such behaviors include, but are not limited to, the following:

1. **Lack of Respect for Self**
 - a. Violating the University alcohol policy. This includes, but is not limited to, such behaviors as underage students being in the presence of or using alcoholic beverages, possession of a false identification indicating an underage person is at least 21 years old, or any student being intoxicated and/or incapacitated, on or off campus. It should be understood that the effects of alcohol do not relieve individuals of their responsibility to themselves and/or the community. (See full University alcohol policy, in the Community Standards Manual.)
 - b. Violating the University drug policy. This includes, but is not limited to, such behaviors as being in the presence of or possessing, using, distributing, and/or selling narcotics, drug paraphernalia, other drugs, or any controlled substance illegally. It must be understood that the effects of drugs do not relieve individuals of their responsibility to themselves and/or the community.
 - c. Engaging in behaviors which put the individual in danger.

2. **Lack of Respect for Others**
 - a. Physically or verbally abusing, assaulting, threatening, endangering, or harassing any person either intentionally or recklessly. This includes all written, oral, and electronic forms.
 - b. Engaging in harassment based on race, ethnicity, gender, sexual orientation, ability, or religious affiliation either intentionally or recklessly. This includes all written, oral, and electronic forms.
 - c. Engaging in sexual assault, sexual exploitation, sexual harassment, non-consensual sexual contact, and/or stalking as defined by the Sex Offense Policy.
 - d. Participating in hazing, an act which does or could endanger the mental or physical health or safety of a student, or which 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, whether intentionally, for fun, or by consent.
 - e. Misusing or interfering with fire equipment, or failing to follow fire drill or other emergency procedures. This includes tampering with, or disregard for, security precautions in the residence halls or other University premises.
 - f. Interfering with the safety and/or health of a member of the University community, on or off campus.
 - g. Possessing, using, or selling firearms, other weapons (such as pellet, paint, or BB guns, knives, and weapons used in the practice of martial arts) or incendiary or explosive devices including fireworks on University premises.
 - h. Engaging in behavior that is disruptive of the living and learning environment on campus or the living environment off campus.
 - i. Throwing food or engaging in other disruptive behavior in the dining hall, Inn Between or other food service locations.
 - j. Participating in lewd or indecent misconduct.
 - k. Hosting guests whose actions violate University policies. It is the responsibility of each student to inform his/her guest(s) of University policies and community expectations for behavior. Student hosts may be held responsible for the actions of their guest(s) on University premises and at University sponsored events off campus.

3. **Lack of Respect for Property**
 - a. Engaging in the unauthorized entry into, use of, or occupancy of University premises.
 - b. Engaging in the attempted or actual theft of, misuse of, damage to, or destruction of institutional, group, or private property, including library materials, computers, or computerized information.
 - c. Engaging in arson or the irresponsible use of fire.

- d. Possessing property that is not your own, such as room keys or University identifications.

4. Lack of Respect for Authority

- a. Intentionally interfering with any normal function of a University sponsored activity, on or off campus.
- b. Violating published policies and/or rules governing residence halls, student organizations, or the University.
- c. Engaging in illegal gambling.
- d. Failing to comply with directions of University employees acting in the performance of their duties. This includes, but is not limited to, Campus Safety Services personnel, Residence Life staff, or Dining Services staff.
- e. Engaging in acts or deeds that violate existing federal, state, county, or municipal laws or ordinances.
- f. Refusing to show or surrender University identification upon request by University employees acting in the performance of their duties.
- g. Failure to appear before the Dean of Students or designee.
- h. Not cooperating with any Student Conduct Administrator/Board by not being forthcoming and honest with information.
- i. Not complying with disciplinary actions imposed in a timely manner.

5. Dishonesty

- a. Engaging in any form of dishonesty, including cheating, plagiarism, fabrications, or assisting others to do so. Normally, individual instances of academic cheating or plagiarism are handled by the faculty member and department. (See Academic Honesty Policy.)
- b. Knowingly furnishing false identification to the University. Misrepresenting information about oneself or others when providing information to a University official acting in the performance of his/her duties.
- c. Engaging in forgery, alteration, or the unauthorized use of University records, documents, or instruments of identification.
- d. Misusing financial assistance (aid) through fraud and/or abuse.
- e. Violating a printed policy issued by Academic Affairs.

The above examples are illustrative rather than exhaustive. In the event that there arises some ambiguity, inconsistency or need for clarification in this statement, such definition, interpretation or clarification shall be decided by the Dean of Students.

Students should consult the Undergraduate/Graduate Bulletins, the Community Standards Manual, the Residence Life housing contract, and other published University policies for a more complete list of expectations and regulations.

II. DISCIPLINARY ACTIONS

If a student is found responsible for violation(s) of the John Carroll University Student Code of Conduct, disciplinary action will be taken.

In most circumstances, standard minimum actions will be used to address student behavior found to be in violation of the University's alcohol policy, drug policy, and policy regarding fire alarms and firefighting equipment. In most other cases, there are no standard disciplinary actions for violation of the Student Code. Infractions lead to sanctions ranging from positive actions and University warnings to expulsion. The University seeks first and foremost to educate its students and make decisions regarding disciplinary actions from an educative perspective. The descriptions provided below are intended to inform students of the range of

possible consequences for failing to uphold the Student Code. In each case, factors such as the nature and gravity of the incident, the motivation underlying the behavior, the student's conduct history, and precedent in similar cases will be considered in determining the appropriate disciplinary action(s).

The disciplinary actions listed below may be used separately or in combination with one another. Failure to comply with any disciplinary action will result in additional conduct charges and may result in additional disciplinary action(s).

A. Positive Actions

Positive actions are required activities intended to engage students in a positive learning experience related to the students' inappropriate behaviors and allow students to reflect upon their inappropriate behaviors, learn new information about the behaviors in which they engaged and why it is inappropriate or unacceptable, and/or educate other students so they do not find themselves in similar circumstances. This type of disciplinary action may include, but is not limited to, engaging in a campus or community service project, attending or presenting a program related to the implications of the students' conduct, writing a paper, conducting interviews, or engaging in some type of personal assessment, mediation, advising, or counseling.

B. University Warning

A University Warning is a formal, written notice that the behavior or set of behaviors is inappropriate and violates the basic expectations of students as set forth in the Student Code.

C. Restitution/Financial Penalties

Restitution requires a student to pay for damages to and/or destruction or loss of University property, property of members of the University community, or of visitors to the University. Restitution is also applicable for misappropriation of University funds, or for other expenses incurred as a result of violations of the Student Code. The amount of restitution is dependent on the extent of damage/loss as well as what is determined to be the most appropriate way for a student to make amends for the damage/loss s/he caused. The amount, form, and method of payment for restitution are decided by a Student Conduct Administrator. Financial penalties will be imposed on students who are dismissed from the residence halls and/or students who are suspended or expelled from the University.

D. Fines

For some offenses, fines may be imposed and the amounts depend on the infractions. Money collected will be used to support educational programming. Delinquent fines may be assessed to the student's billing statement.

E. Limitations on Activities and/or Access

Limitations on activities or access are assigned if the prohibition from participation in certain activities, events, or facilities has been determined to be in the best interest of the student and/or the University. Limitations on activities and/or access may include but are not limited to the following: a fixed period of ineligibility for service as an officer or member of any University organizations, or as a member of any University committees, boards, or councils, or as a participant in any intercollegiate activity; ineligibility to receive or maintain any award from the University; prohibition from attendance at social events; restricted entrance into various University buildings; or restriction from all forms of contact with certain person(s).

F. Community Probation

Community probation is a formal notice to the student that s/he has engaged in behavior that is unacceptable in the general campus community, either on or off campus and that if continued or other inappropriate behavior follows, more severe action may be taken, including the possibility of housing contract termination, university probation, deferred suspension, suspension, and/or expulsion from John Carroll University. Community probation is for a fixed period of time that is determined by the Student Conduct Administrator/Board. Official notice of community probation may be provided to the student's parent(s)/guardian(s) if the student is a dependent.

G. Residence Hall Reassignment

This action involves moving a student out of his/her assigned room, hall/wing, or building for a specific period of time or permanently. This usually carries a visitation restriction to the previously assigned room, floor/wing, or building. It may be necessary to move the student to a temporary space until a permanent space becomes available.

H. Residence Hall Suspension

A responsible living environment in the residence halls requires all members of the community to respect other residents' rights for safety, security, and reasonable quiet. Serious disruption of, or continued disregard for, the hall community can lead to removal from that community. This action calls for separation of the student from the residence halls for a period of time, after which the student is eligible to return. Conditions for returning may be specified. Financial penalties will apply. Students who are suspended from the residence halls lose visitation privileges in any University housing during the period of their suspension. Written notification of this action may be provided to his/her parent(s)/guardian(s) if the student is a dependent.

I. Termination of Housing Contract

Repeated and/or serious violations of the terms of the housing contract may result in the termination of the housing contract and the immediate removal of the student from the residence halls, financial penalties, and loss of visitation privileges in any University housing. Written notification of this action may be provided to his/her parent(s)/guardian(s) if the student is a dependent.

J. University Probation

University probation is a formal notice to the student that the activity in question is unacceptable and that, if continued or if other inappropriate behavior follows, more severe action may be taken, including possible suspension or expulsion from John Carroll University. University probation is for a specific period of time and can include such restrictions as denial of the opportunity to participate in extra-curricular activities or events, to perform in the name of the University, to serve as an officer of a student organization, or to reside in University housing. Additionally, students who have been placed on University probation for a period of more than 15 weeks will be limited in the options they may have for housing for the following year. Specifically, those students who are required to live in the residence halls for the following year will be assigned to a room by the Office of Residence Life after all other returning students have the opportunity to sign up.

Written notification of this action may be provided to his/her parent(s)/guardian(s) if the student is a dependent.

K. Deferred Suspension

Deferred Suspension is for a specific period of time and is a formal notice to the student that the activity in question is unacceptable and very serious. Suspension will remain deferred unless disciplinary actions assigned are not completed and/or unless continued inappropriate behavior follows. Additional violations of the Student Code will most likely result in suspension or expulsion from the University. In addition to housing restrictions noted under University probation, students who have been placed on Deferred Suspension for a period of more than 15 weeks will not be permitted to reside in Bernet Hall or any off campus properties administered by the Office of Residence Life for the following year. Written notification of this action may be provided to his/her parent(s)/guardian(s) if the student is a dependent.

L. Suspension

Suspension from the University involves the exclusion of the student from participation in any academic or other activity of the University for a specified period of time and may include prohibiting the student from being on University premises. Written notification of this action will be provided to his/her parent(s)/guardian(s) if the student is a dependent. Suspension during a semester in progress will result in withdrawing the student from all registered classes and the application of any financial penalties. Suspended students may need to apply for readmission and may need to comply with certain conditions upon re-admittance. Additionally, suspended students may not participate in housing selection, limiting the options they may have for housing upon their return. Students who have been suspended may not live in Bernet Hall or any off campus properties administered by the Office of Residence Life.

Reinstatement from Suspension: When a student has concluded the suspension period and completed the conditions accompanying the suspension, s/he must submit a letter to the Dean of Students or designee requesting reinstatement and provide information that s/he has satisfied the terms of the suspension. The student may return to the University only after an affirmative decision has been made by the Dean of Students or designee.

M. Expulsion

Expulsion is a serious University disciplinary action and involves the permanent exclusion of the student from the University. This action also includes being permanently prohibited from being on the campus and all University owned or controlled off campus properties. An expelled student is not eligible for re-admission. Financial penalties will apply. Written notification of this action will be provided to the student's parent(s)/guardian(s) if the student is a dependent.

N. Revocation of Admission

Admission to the University may be revoked if it was obtained through fraud or misrepresentation, or if the student or potential student otherwise violates University standards.

O. Revocation of Degree Awarded

A degree awarded from the University may be revoked if it was obtained through fraud or misrepresentation or for other serious violation of University standards committed by a student prior to graduation.

P. Denial or Postponement of Awarding of Degree or Honor

A degree not yet awarded may be withheld despite a student's completion of academic requirements, if the academic requirements were fulfilled through fraud or misrepresentation or the student committed a serious violation of University standards previous to graduation. A degree or honor may also be temporarily withheld while any student conduct procedures or actions are pending.

Student Organization Disciplinary Actions

The actions of undergraduate and graduate student organizations are expected to be consistent with the Student Code. If members of a student organization or students representing the group violate the Student Code, disciplinary action will be taken against the group as a whole, its officers, and/or individual members. The following actions may be imposed if a student group or organization is found responsible for violation of the Student Code:

1. The actions described above in Section II A. Positive Actions, B. University Warning, C. Restitution, D. Fines, or E. Limitations of Activity and/or Access.
2. Written or verbal notification to national organization representatives, officers, and/or advisors.
3. **Loss of Privileges**—Denial of access to University owned facilities, removal of services performed by the organization, and/or denial of attendance or participation in activities and programs.
4. **Social Probation**—Probationary status for not less than one month, during which time the organization is restricted from participating in any combined social function with individuals or other student organizations outside its own membership.
5. **Probation of Student Organization**—Probationary status for a specified period, typically not less than one semester, during which time the organization will be required to fulfill specific conditions before reinstatement to good standing.
6. **Suspension of Student Organization**—Separation from the University for a specified period, typically not less than one semester. This includes the loss of all rights and privileges of student organizations, including the use of University facilities. The organization will be on probationary status for one year following completion of the suspension.
7. **Termination of Student Organization**—Permanent separation of a student organization from the University.

All decisions about and actions imposed on student organizations or groups will be kept in a file in the Dean of Students' office. Prior conduct actions will be reviewed if there are subsequent violations by the student organization. Such actions may be considered when deciding an appropriate disciplinary action.

III. STUDENT CONDUCT PROCEDURES

A. Overview

Community expectations pertain to all students attending John Carroll University. Students who are found responsible for violating University standards will receive one or more of the disciplinary actions noted above. To determine if a student is responsible for a conduct violation, the student conduct procedures described below will be followed.

Any member of the University community may report an alleged policy violation of the Student Code. The Dean of Students' office, the Office of Residence Life, and

Campus Safety Services can assist with this process. Any report should be submitted as soon as possible after the event takes place, preferably within ten (10) business days. In cases of serious misconduct, the University reserves the right to act on reports no matter when they are submitted. The University will investigate all reports.

In cases where there may be a witness to an alleged violation, or in cases where a student who believes s/he has been a victim of another student's misconduct requests that the University pursue the case even though s/he is unwilling to further participate in the process, or in cases in which pursuing the case is in the best interest of the University, the University reserves the right to pursue a case to its conclusion as the complainant.

A Student Conduct Administrator may conduct an investigation to determine if the report merits charging a student with a violation(s) of the Student Code. If a student is charged with a violation, the Student Conduct Administrator will decide whether the case will be handled through an administrative hearing or a student conduct board hearing. In some cases, the Student Conduct Administrator may offer the students involved in an incident the opportunity to substitute a student conduct hearing with a student conduct conference (described below).

The involved students identified in the conduct referral will be notified and will be asked to appear at the hearing. All parties will be asked to provide written and/or verbal accounts and to explain what happened. A determination of responsibility will be based on conduct referrals and the information presented at the hearing. The standard for conduct decision-making at all levels of the Student Code of Conduct process will be made on the basis of whether it is more likely than not that the accused student violated the Student Code.

The hearing shall follow the procedures outlined in Section III, G. During the hearing an accused student will have certain rights. (These are described in Section III, G, 2.) A written or electronic record shall be made of all administrative and board hearings. In board hearings where recommendations are appropriate, the board will submit its recommendations to a Student Conduct Administrator. At the conclusion of the hearing process, an accused student will have the right to appeal the disciplinary decision based on the criteria listed in Section III, H.

B. Notification

1. The accused student will be notified by the Student Conduct Administrator at least two (2) business days before the hearing. Included in the notification will be the date, time, location, and nature of the hearing, including a description of the specific violations of the Student Code s/he allegedly committed. All communications to the student may be verbal, but must subsequently be confirmed in writing.

2. The written hearing notification may be sent to the student's residence, to the student's University mailbox, or may be communicated to the student via e-mail to the student's John Carroll e-mail account. Students are expected to check their e-mail on a frequent and consistent basis and act in a timely manner as outlined in the Official Communication policy.

3. The hearing notification will include a link to the University website where the student may access information describing the student conduct process, information about witnesses, advisors, and a listing of potential disciplinary actions. Also included in the notification will be a notice about whether the formal hearing will be

held by a Student Conduct Administrator or a Student Conduct Board.

C. Administrative Hearing

An administrative hearing is a formal hearing conducted by one (or two) Student Conduct Administrators. The Student Conduct Administrator(s) will review all of the information, make a determination of responsibility or recommend the findings, and assign or recommend a disciplinary action as appropriate. The administrative hearing will follow the procedures outlined in Section III, G.

D. Student Conduct Boards

Student Conduct Boards (Student Union Hearing Board, University Hearing Board) will conduct formal hearings on all cases assigned to them for the purposes of reviewing the information, and determining or recommending a finding of responsibility and disciplinary actions to the Student Conduct Administrator as appropriate. The non-voting board chairperson will arrange for the hearing, chair the session(s), and develop a written statement including the determination of responsibility or recommended findings and the assigned or recommended actions(s) from the Student Conduct Board. The board hearing will follow the procedures outlined in Section III, G.

E. Student Conduct Conference

In some cases, the Student Conduct Administrator may offer the student(s) involved in an incident the opportunity to substitute a Student Conduct Conference for a student conduct hearing. The Student Conduct Conference can only take place if there is no student who believes s/he has been a victim in the incident, if the charged student accepts responsibility for the inappropriate behavior, and if the accused student elects the option of a Student Conduct Conference and waives the right to a student conduct hearing. A Student Conduct Conference involves the following elements:

- it replaces a conduct hearing;
- does not require two (2) business days written notice;
- no written or electronic record is kept;
- usually does not involve in-person witness testimony;
- is usually considered an option only for students who have not been found responsible for prior violations of the Student Code;
- can lead to the imposition of disciplinary action for inappropriate behavior.

Following the conference, the Student Conduct Administrator will determine appropriate disciplinary action (with consultation as appropriate), and communicate the action to the student in writing within five (5) business days following the conduct conference.

F. Organizational Hearing

An organizational hearing is a formal hearing conducted by one or more Student Conduct Administrators. This type of hearing is conducted when there is a violation of the Student Code on premises rented, operated, or controlled by the organization; during an organization event; in any situation sponsored or endorsed by the organization; or in any event an observer would associate with the organization. The Student Conduct Administrator(s) will review all of the information, make a determination of responsibility or recommend the findings, and assign or recommend a disciplinary action for the organization and/or individual member(s) as appropriate. An organizational hearing differs from an administrative hearing in the following ways:

1. The organization's advisor (faculty, administrator, staff, alumni, or other [excluding parents/guardians and lawyers]) is invited to attend the hearing.
2. The organization's president and executive officers will usually officially represent the organization at the hearing, although additional officers and/or members of the organization may be invited to the hearing.
3. The organization will be asked to submit a written statement about the incident and its members' involvement that will be used during the hearing. Otherwise, the organizational hearing will follow the procedures outlined in Section III, G.

G. Student Conduct Hearing Procedures

This section describes the format of the hearing and the rights of the accused student in a hearing process. It also includes information about witnesses, advisors, the decision-making process, and the communication process.

1. Hearing Format

- a. A single record consisting of written notes, tape recording, or other methods selected by the Student Conduct Administrator will be made of all hearings. (In cases with a possible outcome of suspension, expulsion, revocation of admission, revocation of degree awarded, or denial of awarding of a degree or honor, the hearing will be electronically recorded.) This record will be retained for one month following the hearing or until the conclusion of any appeal process, whichever is longer. The record will then be destroyed, except in cases of suspension, expulsion, revocation of admission, revocation of degree awarded, or denial of awarding of a degree or honor, when the electronic record shall be retained with the student's record.
- b. The Student Conduct Administrator/Board chair may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the students involved during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by other means, where and as determined in the sole judgment of the Dean of Students or designee, to be appropriate.
- c. At the beginning of the hearing the students involved and advisors will be introduced to others who are present.
- d. The accused student will be informed of the alleged violations of the Student Code and will be advised that s/he has rights specified in Section III, G, 2.
- e. The Student Conduct Administrator will read the conduct referral and ask the accused student to respond.
- f. The complainant will be asked to describe what happened, and the accused student will have the opportunity to respond.
- g. All communication between the students involved will be directed to the Student Conduct Administrator/Board chairperson. The Student Conduct Administrator/Board Chairperson will decide which questions to ask of each person.
- h. The Student Conduct Administrator/Board chairperson may reasonably limit the scope and time devoted to each matter or item of discussion during hearings, as well as the number of persons testifying.

- i. The Student Conduct Administrator/Board chairperson will decide the order of witnesses and when they will be in the hearing room.
- j. The Student Conduct Administrator/Board chairperson and/or members of the Student Conduct Board may ask questions of any students involved during the hearing.
- k. At the conclusion of the hearing, the students involved and advisors will be asked to leave the room. These individuals will not be present during the deliberations of a Student Conduct Administrator/Board.
- l. All procedural questions are subject to the final decision of the Student Conduct Administrator.

2. Student Rights

In the hearing notification letter and again at the beginning of the hearing, the accused student will be advised that s/he has the rights listed below. Students with any questions about their rights are encouraged to contact the Associate Dean of Students.

- a. The student is entitled to be presumed not responsible, and be given an explanation of the conduct system and charge(s).
- b. The student is entitled to freedom from harassment or retaliation by others involved in the incident.
- c. The student is entitled to the use of all available internal and external support services in dealing with the aftermath of the situation.
- d. The student is entitled to object to a member of a Student Conduct Board for reasons of official or personal conflict of interest.
- e. The student is entitled to be present throughout the hearing, but not during the deliberation of the Student Conduct Administrator/Board.
- f. The student is entitled to the presence of an advisor from the University community, excluding legal counsel and/or parents/guardians.
- g. The student is entitled to remain silent (i.e., not to testify against him/herself) but must be informed that if silence is maintained, the case will be decided on the information presented.
- h. The student is entitled to freedom from having irrelevant personal history discussed during the conduct hearing (relevance to be determined by the Student Conduct Administrator).
- i. The student is entitled to know all information and testimony presented against him/her and to view pertinent materials supporting the case against him/her.
- j. The student is entitled to present pertinent information and the account of witnesses, excluding character witnesses, to substantiate his/her case and to comment upon and respond to the charges against him/her.
- k. The student is entitled to propose questions to be asked of others involved with the exception of advisors.
- l. The student is entitled to written documentation of the outcome of the conduct hearing.
- m. The student is entitled to make a written appeal of the disciplinary decision within five (5) business days of the date of notification of that decision if the student attended the hearing. University disciplinary actions are appealed to the Dean of Students.

Witnesses are entitled to freedom from harassment or retaliation by anyone due to their participation in the conduct hearing.

3. Attendance

All conduct hearings will be closed to everyone except those persons specifically provided for in this procedure or persons whose presence at the hearing is authorized by the Student Conduct Administrator.

If a student fails to attend a scheduled hearing, the hearing may proceed in his/her absence. Under these circumstances, the information in support of the charges shall be presented and considered. Such an absence by the accused student will not be the reason to conclude that the accused student is responsible. Such an absence by the complainant or student who believes s/he has been a victim of the accused student's misconduct could result in a finding of "not responsible" for the alleged violations due to lack of information. Such an absence will not be considered grounds for appeal by the absent party.

In cases involving more than one accused student, a Student Conduct Administrator or Chair of the Student Conduct Board may decide to conduct the hearings separately or jointly.

Where two or more cases involving common occurrences or the same student(s) are pending simultaneously, the Student Conduct Administrator may decide to consolidate the hearing of such cases, or hear them separately.

4. Witnesses

The accused student is responsible for arranging for witnesses appearing on his/her behalf to attend the hearing. Students who believe they have been a victim of the accused student's misconduct, and the Student Conduct Administrator may also invite witnesses to appear at the hearing. In the exceptional event that a witness is unable to attend the hearing, the witness may write or record a statement and discuss the statement with the Student Conduct Administrator before the scheduled hearing. The Student Conduct Administrator is to be notified not less than one (1) business day before the hearing, of those persons intending to provide information, whether in person or in writing. The Student Conduct Administrator/Board chairperson may reasonably limit the scope and time devoted to witness statements. Witnesses are typically asked to comment only on the event(s) pertinent to the charges, not the character of the accused student(s).

5. Information

In all cases, the procedures will not be subject to limiting rules of information. Information will consist of oral and written accounts, incident reports, and any other material directly related to the incident. Other information may also be considered and will consist of such things as second hand reports and circumstantial information. The Student Conduct Administrator/Board chairperson may reasonably limit the scope of information considered in the hearing.

If during the course of the hearing the facts bear out that the accused student is responsible for any other violation(s) of the Student Code, it is the responsibility of the Student Conduct Administrator/Board to make a determination of responsibility or recommend the findings and assign or recommend the disciplinary action, as

appropriate, for such violations.

6. **Advisor**

The accused student, and a student who believes s/he has been a victim of the accused student's misconduct in cases of a sex offense or other violent action, may have one advisor present at the hearing. The advisor is a current John Carroll student, administrator, faculty or staff member who is not an attorney or a parent/guardian of the student. (In cases that involve an alleged violation of the Sex Offense Policy, the student who believes s/he has been a victim of the accused student's misconduct may have an advisor that is not from the John Carroll University community but that person may not be an attorney or a parent/guardian.)

If the student wants to have an advisor present, the student must notify the Student Conduct Administrator of this fact in writing no later than two (2) business days before the hearing. The advisor serves as a support person and is intended to be of direct assistance to the student before, during, and after the hearing and therefore shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). The students involved are responsible for presenting their own information, and therefore, advisors are not permitted to speak at a hearing. A student should elect an advisor whose schedule allows attendance at the scheduled date and time for the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.

7. **Substitution of Members/Quorum**

If a member of the Student Conduct Board believes that s/he is not qualified to serve on the board for personal or official reasons, that member may disqualify him/herself. A student whose case is before the board may not object to the membership of the board except for reasons of official or personal conflict of interest. The board chairperson will determine the validity of such objections and his/her determination shall be final. If necessary, the board chairperson will replace the disqualified board member with a substitute.

For the purpose of hearing any case that comes before a board, the presence of five voting members shall constitute a quorum. A decision agreed to by a majority of the sitting board shall be the decision of the board.

8. **Decisions and Communications**

At the conclusion of the conduct hearing, the accused student will be informed as to when the decision will be made and communicated. Conduct decisions that result in positive action, University warning, restitution, fines, and/or community probation will be made by the Student Conduct Administrator/Board and communicated to the accused student in writing within three (3) business days of the conclusion of the hearing. All other findings and disciplinary actions will be made after consultation with and approval by the administrators indicated below:

Disciplinary actions of limitation on activities, residence hall reassignment, residence hall suspension, termination of housing contract, University probation, and/or deferred suspension will be reviewed and approved by the Associate Dean of Students.

Disciplinary actions of suspension, expulsion, revocation of admission, revocation of degree awarded, denial or postponement of awarding of degree or honor will be reviewed and approved by the Dean of Students.

The official receiving the recommendation may accept or change the recommended finding and/or disciplinary action. The final decision will be communicated in writing to the accused student by the Student Conduct Administrator within five (5) business days of the conclusion of the hearing. In the event that the written notification is delayed, notification of the delay and when the decision should be expected will be communicated. If applicable, the student who believes s/he has been a victim of the accused student's misconduct will be notified in writing of the final results of the disciplinary hearing (See Section IV, A).

All communication to students will be transmitted through the University's e-mail system and/or in person. Individual circumstances may permit or require communication by whatever means is necessary to reach the student promptly and reliably. Following reasonable efforts to deliver any communication to a student personally, an indirect or substituted mode of delivery may be attempted.

H. Appeals

1. Overview

A conduct decision made or disciplinary action(s) assigned may be appealed by the accused student or the student who believes that s/he has been a victim of another student's misconduct. This applies only if the student wishing to appeal was present for the hearing. The Associate Dean of Students* will determine if there are grounds to warrant an appeal. *(Note—For cases in which the Associate Dean of Students makes the conduct decision, the Dean of Students will assume the appeal role described in this section. For cases in which the Dean of Students makes the conduct decision, the Vice President for Student Affairs will assume the appeal role described in this section.)

Except as required to explain the basis of new information, an appeal shall be limited to review of the written or electronic record of the initial hearing and supporting documents for one or more of the following purposes:

- a. To determine whether the original hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the student who believes that s/he has been a victim of another student's misconduct a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations.
- b. To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code occurred.
- c. To determine whether the disciplinary action(s) imposed were appropriate for the violation of the Student Code which the accused student was found to have committed. (When review of the disciplinary action(s) is requested by the accused student, the result may not be more severe disciplinary action(s) for the accused student.)
- d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the student appealing at the time of the original hearing.

2. **Time Line**

A student has five (5) business days after receipt of the written notification of a conduct decision to file an appeal with the Dean of Students' office. Failure to appeal within the five (5) business day period waives the right to appeal. Disciplinary actions will not be implemented while an appeal is under consideration.

3. **Documentation**

The appeal must be in writing and must contain the following:

- the completed on-line Request for Appeal Form that includes a statement explaining in detail why the student is contesting the findings or the action(s);

<http://sites.jcu.edu/deanofstudents/pages/student-conduct/request-for-appeal/>

(copies of any documents that will substantiate or clarify the appeal request)

4. **Review of an Appeal Request**

Within five (5) working days of the receipt of the material pertinent to the appeal, the administrator hearing the appeal will notify the student in writing of his/her decision to deny the request for an appeal, to inform the student of the outcome of an administrative appeal decision or to accept the appeal for review by the University Appeals Board. If a delay occurs in the receipt of the supporting material, or additional time is needed to review the material, this administrator will notify the student of the delay within five (5) working days of the appeal filing date.

5. **Administrative Appeal Option**

An administrative decision to grant or deny an appeal may be made at the discretion of the administrator hearing the appeal. This administrator may impose one of the following actions:

- affirm the conduct decision and thus deny the appeal;
- modify the conduct decision;
- return to the original Student Conduct Administrator/Board for a new or partial rehearing;
- refer the case to a new Student Conduct Administrator/Board (make up) for a new or partial rehearing;
- overturn the conduct decision.

6. **University Appeals Board**

If an appeal is referred to the University Appeals Board (UAB), the student will be informed of the date and time when the committee will review the student's written appeal material. The administrator hearing the appeal will promptly provide all appeal materials to the UAB for its consideration. The UAB will confine its review to the issues raised in the written appeal and will consider the appeal based only on the material, questions, and information from the original hearing submitted in writing and the written or electronic record of the hearing. The student or others, including witnesses, will not appear before the board unless specifically invited by the board in order to obtain clarification about a specific point in the appeal.

Upon completing the review of the appeal the board will submit its recommendation to the administrator hearing the appeal in writing within two (2) business days. The board is limited to recommending one of the five (5) actions listed in Section III, H, 5, of this document.

The student will be informed in writing of the decision of the administrator hearing the appeal within five (5) business days after the board has made its recommendation to the administrator. The disposition of the case by the administrator shall be final.

IV. SPECIAL CIRCUMSTANCES

A. Sex Offenses or other Acts of Violence

The person who believes s/he has been a victim of the accused student's misconduct is entitled to an explanation of available options for redress, including an explanation of the conduct system. Prior to the hearing, the person who believes s/he has been a victim of the accused student's misconduct will be required to make a formal statement (normally a signed written statement) describing the incident. The accused student will also be required to make a formal statement describing the incident in order to review investigative information prior to the hearing.

A no contact directive may be issued by a Student Conduct Administrator to any or all parties involved in the case, including third parties. The person who believes s/he has been a victim of the accused student's misconduct will be notified should that occur.

A person who reports being a victim of sex offenses or other acts of violence by a John Carroll University student shall have the following additional rights under the Student Code:

- a. The student is entitled to freedom from harassment or retaliation by others involved in the incident.
- b. The student is entitled to the use of all available internal and external support services in dealing with the aftermath of the situation.
- c. The student is entitled to object to a member of a Student Conduct Board for reasons of official or personal conflict of interest.
- d. The student is entitled to have an advisor (excluding legal counsel and or parent(s)/guardian(s)) accompany her/him throughout the conduct process including any initial meeting, conference, and the hearing..

- e. The student is entitled to be present throughout the hearing, but not during the deliberations of the Student Conduct Administrator/Board
- f. The student is entitled to view pertinent materials involved in the case.
- g. The student is entitled to present pertinent information and the testimony of witnesses, excluding character witnesses, to substantiate his/her case. This includes proposing questions to be asked of the accused and/or witnesses.
- h. The student is entitled to freedom from having irrelevant personal history discussed or considered during the conduct process. (The Student Conduct Administrator will determine relevancy.)
- i. The student is entitled to written documentation of the outcome of the conduct hearing.
- j. The student is entitled to make a written appeal of the disciplinary decision within five (5) business days of the date of notification of that decision if the student attended the hearing. University disciplinary actions are appealed to the Dean of Students.

The John Carroll community encourages the reporting of crimes by victims to University officials and if appropriate, law enforcement authorities. Sometimes, victims are hesitant to report to University officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interest of this community that all sex offenses and other acts of violence are reported to University officials. To encourage reporting, it is the University's practice to address minor policy violations related to the incident by a person reporting being a victim of sex offenses or other acts of violence through informal means.

The welfare of each member of our community is very important. At times, community members on and off campus may need assistance. John Carroll encourages all students to offer help and assistance to others in need. There may be times when students are reluctant to help for fear that they may face disciplinary action for a policy violation such as underage drinking at the time of the incident. While policy violations cannot be overlooked, for minor violations, the University will provide positive actions, rather than other disciplinary actions, to those who offer their assistance to others in cases of sex offenses or other acts of violence.

B. Off Campus Cases

The University reserves the right to investigate and subsequently take University action for behavior of John Carroll students in off campus situations when such behavior is believed to have an impact on the John Carroll community, e.g., alleged instances of criminal activity commencing on campus but relocated off campus; harassment of or assault on a University person; criminal activity involving a student, whether as an individual student or as a member of a University recognized organization; violations of city ordinances such as public intoxication, noise, and vandalism; student conduct violations in organized group living situations or in University owned housing. The decision to take action in such cases will be determined by the Dean of Students or designee. This provision is also applicable to students participating in service, studying abroad, participating in immersion trips, participating in student teaching or internships, and/or visiting other college/University campuses.

C. Emergency Administrative Action

In certain circumstances, the Dean of Students, or designee, may impose an interim action step prior to a hearing before a Student Conduct Administrator/Board. This action may be taken at any time during the academic year, including Fall Orientation (Streak Week), midterms, final exams and Senior Week. This action may be taken against a graduating senior and may preclude the student from participation in graduation, pending the outcome of a formal conduct hearing.

1. Interim Suspension

- a. Interim suspension may be imposed: 1) to ensure the safety and well-being of members of the University community or preservation of University property; 2) to ensure the student's own physical or emotional safety and well-being; or 3) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
- b. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or to all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students or a designee may determine to be appropriate.
- c. A student will be notified in writing of this action, and the reasons for the interim suspension.
- d. The student may within two (2) business days of the imposition of the interim suspension, petition the Dean of Students or designee for reinstatement. The petition must be in writing, and must include supporting documentation or information that the student does not pose, or no longer poses, a significant risk of substantial harm to the health or safety of themselves, others or to property. A decision on such petition will be reached and communicated without undue delay by the Dean of Students or designee.
- e. This interim suspension does not replace the regular conduct process which will proceed on the normal schedule, up to and through a Student Conduct Board hearing, if required. This interim suspension shall remain in effect until the conclusion of a full hearing and administrative decision.

2. No Contact Directive

In cases involving allegations of assault, injury, sex offenses or harassment, or when there is reason to believe continued contact between the accused and others involved may interfere with those persons' safety, or ability to fully participate in the University community, the Dean of Students, or designee, may issue a no contact directive to the accused.

- a. The student will be notified in writing of this action, and the reasons for the no contact directive.
- b. The student may within two (2) business days of the imposition of the no contact directive, petition the Dean of Students or designee for removal or modification of the directive. The petition must be in writing and must include supporting documentation or information that the student does not pose, or no longer poses, a risk of harm to the health or safety of others. A decision on such petition will be reached and communicated without undue delay by the Dean of Students or designee.

3. Interim Suspension of Organizational Privileges

The Dean of Students or designee may give notice that a student organization be immediately denied University privileges and be excluded from activities on

University premises when the student organization's continued activity may be a significant risk to the safety of the University community or its property.

- a. The student organization will be notified in writing of this action, and the reasons for the interim suspension of privileges.
- b. The student organization may within two (2) business days of the imposition of the interim suspension of organizational privileges petition the Dean of Students or designee for removal or modification of this action. The petition must be in writing and must include supporting documentation or information that the organization does not pose, or no longer poses, a risk to the safety of the University community or its property. A decision on such petition will be reached and communicated without undue delay by the Dean of Students or designee.

D. Violation of Law and Student Conduct Code

The University may institute conduct proceedings against a student for a violation of the Student Code, regardless of pending civil litigation, criminal arrest, and/or prosecution arising out of the same factual situation. Conduct proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. University disciplinary action will not be subject to challenge on the grounds that civil or criminal charges involving the same incident have been dismissed or reduced.

When students are charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for the individuals because of their status as students. If the alleged offense is also being processed under the Student Code, the University may advise off campus authorities of the existence of the Student Code and of how such matters will be handled internally within the University community. The University will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or disciplinary actions).

V. STUDENT CONDUCT RECORDS

Because the Family Educational Rights and Privacy Act (FERPA) defines the records of a student engaged in the conduct process as an educational record, it is a private record. In situations involving both an accused student(s) (or group or organization) and student(s) claiming to be the victim of another student's misconduct, the records of the process and of the disciplinary action taken, if any, shall be considered to be the education records of both the accused student(s) and the student(s) claiming to be the victim because there may be an impact on the educational career and chances of success in the academic community of each student. Information about the situation may only be shared with the student found responsible, the student(s) claiming to be the victim, their parent(s)/guardian(s) if a dependent, their academic college dean or advisor, and school officials with a legitimate educational interest. A student must give written permission for anyone else to have access to this information, unless otherwise permitted by federal or state law. For additional information regarding FERPA, see the complete policy in the Community Standards Manual.

A. Retention of Conduct Records

At the completion of the disciplinary action(s) the student's record shall be returned to good standing, but the disciplinary action(s) and supporting material shall be retained in the student's conduct file. Such a record may be introduced and given due

consideration in any subsequent case in which the student may be involved. Upon graduation, the student's conduct file will usually be destroyed. A student conduct file that includes termination of a housing contract, suspension, or postponement of awarding of a degree or honor, shall be destroyed seven (7) years after final disciplinary action(s) have been completed. A student conduct file that includes revocation of admission, revocation of a degree awarded, denial of awarding a degree or honor, or expulsion will be kept indefinitely.

If a student is found not responsible for all the charges filed against him/her, or if a student is exonerated or the charges dropped, the contents of the file directly related to the incident will be removed and destroyed at the conclusion of the case.

VI. SOURCES AND LIMITS OF AUTHORITY

Ultimate University authority and responsibility in matters of student conduct reside in the President of John Carroll University. The President has delegated immediate authority and responsibility for student conduct, under the general supervision of the Vice President for Student Affairs, to the Dean of Students.

The Dean of Students shall develop policies for the administration of the Student Conduct System and procedural rules for conducting hearings that are consistent with the provisions of the Student Code. The Dean of Students or designee shall determine the pool of Student Conduct Administrators, composition of hearing boards and appellate boards, and shall determine which board, or administrator shall be authorized to hear each matter. During break periods, including summer, the Dean of Students may alter the process to provide for a timely resolution to a complaint filed.

The standard for conduct decision-making at all levels of the Student Code of Conduct process will be made on the basis of whether it is more likely than not that the accused student violated the Student Code.

Any question of interpretation or application of the Student Code shall be referred to the Dean of Students for final determination.

A. Student Conduct Administrators

The Dean of Students or designee shall designate Student Conduct Administrators who will assume responsibility for administering cases assigned to them and conducting administrative hearings.

B. Student Conduct Boards

The Dean of Students or designee shall create student conduct boards to hear cases referred to them. Student Conduct Boards at John Carroll University include the Student Union Hearing Board, the University Hearing Board, and the University Appeals Board. Membership on these boards is by appointment or election and can include students, faculty, staff members, and administrators. Student Conduct Boards will be chaired by a non-voting student or conduct administrator. These boards are authorized by the Dean of Students to recommend whether a student has violated the Student Code, and to recommend sanctions when appropriate.

C. Confidentiality

Student Conduct Administrators, members of Student Conduct Boards, members of the Appeals Board, and advisors to students, while acting in their official capacities in such positions, shall be deemed to act as special assistants to the Dean of Students, solely for the purposes of imparting to the hearings the confidentiality provided by

regulations governing colleges and universities. Confidentiality also applies to the complainant(s), and all students involved.

VII. AMENDMENTS

Amendments to these procedures may be proposed in writing to the Dean of Students by any member of the University community. The Dean of Students, following consultation with the University Legal Counsel as well as others who may be pertinent, shall make a recommendation to the Vice President for Student Affairs. Reasons are to be given for the recommendation along with the specific wording of the proposed amendment, and the probable effects of implementation.

The Vice President for Student Affairs will consider the proposal and the recommendation of the Dean of Students. If the change proposed is editorial or of a minor nature, the Vice President can approve or disapprove the change. If the change proposed is substantial, the Vice President will provide a recommendation to the President of the University. The President, after reviewing the proposed amendment and the recommendation of the Vice President for Student Affairs, shall determine whether to approve the amendment, and if so, its effective date.

The Dean of Students shall fully review the Student Code at least every three (3) years. The University community will be notified of all changes through the University's route e-mail system and through The Carroll News.

VIII. APPENDICES

A. Definitions

1. The term "University" means John Carroll University.
2. The term "student" includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate, graduate, professional, or extension studies and those who attend post secondary educational institutions other than John Carroll University, and who reside in the University's 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. In certain situations, a person may be both a "student" and a "faculty member".
4. The term "University official" includes any person employed by the University who performs 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 from the surrounding facts by the Dean of Students or designee.
6. The term "organization" means any number of students joined together in the pursuit of a common purpose, which is in support of the mission, goals, and values of John Carroll University.
7. 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).
8. The term "Student Code" refers to any published policy, rule, or regulation found in, but not limited to, the most recent edition of the Community Standards Manual on line at <http://sites.jcu.edu/deanofstudents/pages/community-standards/>,

Residence Life contracts and publications, and the Graduate/Undergraduate Bulletins.

9. The term “complainant” includes any University official who submits a charge alleging that a student violated this Student Code.
10. The term “accused student” means any student accused of violating this Student Code.
11. The term "Student Conduct Administrator" means a University official authorized on a case-by-case basis by the Dean of Students to recommend disciplinary actions upon any student(s) found to have violated the Student Code. A Student Conduct Administrator will be assigned as a non-voting member of the University Hearing Board and will run those hearings.
12. The term "Student Conduct Board" means any group of persons authorized by the Dean of Students to determine or recommend whether a student has violated the Student Code, and to determine or recommend disciplinary actions, as appropriate. Student Conduct Boards at John Carroll University include the Student Union Hearing Board, the University Hearing Board, and the University Appeals Board. Membership on these boards is by appointment or election and can include students, faculty, staff members, and administrators.
13. The term “business day” refers to any weekday that the University is open to do business. The University calendar should be consulted for days the University is officially closed.

B. Acknowledgements

This document was revised with the assistance of the following resources: “A Twenty-First Century Model Student Code of Conduct”; Marquette University’s Student Code of Conduct; Fairfield University’s Student Code of Conduct; Baldwin-Wallace College’s Student Code of Conduct, and “Student Conduct Practice”.

Revised: August, 2011

Academic Policies

Academic Honesty

Academic honesty, expected of every student, is essential to the process of education and to upholding high ethical standards. Cheating, including plagiarism, inappropriate use of technology, or any other kind of unethical behavior, may subject the student to severe academic penalties, including dismissal.

All work submitted for evaluation in a course, including tests, term papers, and computer programs, must represent only the work of the student unless indicated otherwise.

Material taken from the work of others must be acknowledged . Materials submitted to fulfill requirements in one course may not be submitted in another course without prior approval of the instructor(s) .

Concerns about the propriety of obtaining outside assistance and acknowledging sources should be addressed to the instructor of the course before the work commences and as necessary as the work proceeds.

Instructors should indicate specific penalties for academic dishonesty in their course syllabi. Penalties, appropriate to the severity of the infraction, may include zero for the assignment, or failure in the course. In cases of academic dishonesty where the student chooses to withdraw from a course rather than receive a course grade of "F", the grade of "F" instead of "W" may be assigned at the faculty member's discretion. In egregious cases and/or cases of repeat dishonesty, additional penalties may be determined by the dean, such as suspension or dismissal from the University. In a case of dismissal, Academic Dismissal will be noted on the transcript.

Any appeal by a student is to be made first to the instructor. If disputes of interpretation arise, the faculty member and chair will attempt to resolve the difficulty with the student. If this does not lead to resolution, the appropriate academic dean normally will rule in the matter.

A written report of the incident by the instructor or department chair will be sent to the dean of the College of Arts and Sciences, who will keep a written record of the complaint when it is filed, and will forward a copy of the complaint to the appropriate associate dean's office at the time. The dean will place a copy of this record in the student's file and provide the student with a copy. A written record of the complaint is kept for cases of repeat violations. The dean will review the case and determine if, in light of other information and records, further disciplinary action is warranted.

The student has the right to appeal the accusation of academic dishonesty if the student believes it to be in error. The Policy and Procedure for Appeal of a Charge of Academic Dishonesty can be found in the 20011-2013 Undergraduate Bulletin, pages 111-112.

Dress Code

Students will be expected to adhere to dress codes that individual faculty may establish for their classes.

Accommodations for Students with Disabilities

Grievance Policy

In the event students believe they are not being fairly accommodated; they have the right to file a grievance. Faculty who believe an accommodation is unfair are also welcome to file a grievance. The procedure follows the same process in either case.

- Step 1:** The grievance must be presented in writing to the Director of Services for Students with Disabilities who will contact the involved parties and try to negotiate an agreement within five (5) business days. If the complaint cannot be settled in this manner, the director will go to Step 2. All requested accommodations should be provided during the time of the processing of the grievance. The director will respond in writing as to the resolution of the grievance and any action that will be taken. In the event the complaint is against the director, the student or faculty member should go directly to Step 2.
- Step 2:** The matter will be presented, in writing, to the appropriate dean, who will contact all involved parties to discuss the grievance. The dean will contact all involved parties with a written decision within five (5) business days.

Alcohol and Illegal Drugs Policy

POLICY

Persons under the age of 21 are not permitted to consume alcohol under any circumstances on University premises or at any University event regardless of where the event takes place.

The University prohibits the illegal use, possession, or distribution of illegal drugs or controlled substances or association with (including presence at) gatherings involving such use, possession, or distribution. Illegal drugs or controlled substances will be considered in one's possession if on one's person, in one's room, in one's car, or in any bag or other item used to carry the drug, etc.

Members of the University community are expected to be aware of and obey federal, state, and municipal laws or ordinances regulating the use, possession, or sale of alcoholic beverages, illegal drugs, or controlled substances. Those who are cited for violations of law or ordinances by state, federal, or municipal authorities also may face University conduct proceedings and may be required to pursue counseling and participate in an educational program or treatment.

The University reserves the right to take disciplinary action against any student for off-campus behavior that violates this policy.

UNIVERSITY REGULATIONS GOVERNING THE USE OF ALCOHOL

Alcoholic beverages are allowed at John Carroll University only as specifically outlined here: (Exceptions may be granted to some parts of this policy by the Dean of Students or designee.)

1. Resident students and their guests who are 21 or older may consume moderate amounts of alcohol in University residences in the privacy of their rooms and in a manner that recognizes the rights of others. Resident students who are 21 or older may consume alcohol in the presence of an underage roommate as long as no other guests are present. In all other situations, resident students or others under the age of 21 are not permitted to be in the presence of those who are legally consuming or possessing alcohol. No drinking or carrying of open containers of alcohol is allowed in common areas such as hallways, lounges, stairwells, laundry rooms, or bathrooms. Any student who is present at gatherings involving the illegal use of alcohol is in violation of this policy.
2. The sale or purchase of any alcoholic beverage in the residence halls is prohibited.
3. If recurring patterns of irresponsible behavior by an individual, section, floor or hall should occur, permission to consume alcohol in the residence hall may be revoked by the area coordinator pending further disciplinary action.
4. Displays or possession of empty alcohol containers are not allowed in rooms of students who are under the age of 21.
5. Possession and/or use of drinking games, funnels, bongs, shot glasses* and other devices used for the rapid consumption of alcohol are prohibited.
6. Alcoholic beverages are prohibited at University-sponsored athletic events on and off campus.
7. Drivers or passengers in University vehicles and University-sponsored vehicles may not possess or consume alcohol.
8. "Grain" alcohol is prohibited on campus except for supervised laboratory use.
9. The presence of quarter or half-kegs of beer and containers of alcohol larger than one gallon on campus must be approved in writing by the appropriate vice president or a designee for a specific University event.
10. Intoxication or alcohol abuse is not a permissible excuse for unlawful behavior or misconduct. Intoxication is prohibited of all students and their guests. Public drunkenness (identified by slurred speech, erratic behavior, or difficulty with physical coordination), disorderly conduct,

- property destruction, violations of rights of a roommate, intimidation, or other infringements of the rights of others as a result of alcohol use are prohibited.
11. Possession or consumption of alcohol by students in academic buildings is prohibited. Open containers of alcohol are prohibited on the campus grounds.

* Shot glasses are permitted for those students 21 years of age and older.

(The appropriate vice president or dean may grant an exception to this policy. Campus Safety Services and the Dean of Students' Office must be notified in advance.)

UNIVERSITY SOCIAL EVENTS WITH ALCOHOL

1. The Director of Student Activities or designee must approve events involving alcohol where students are present. Provisions for security must be coordinated with the Director of Student Activities.
2. All alcohol must be purchased, sold, and handled by JCU Dining Services for events held in areas where JCU Dining Services holds the contract rights. Persons sponsoring activities with alcohol held in other areas of campus must obtain the appropriate permits. Alcoholic beverages are not to be sold at any event held in a University facility not covered by a state liquor license.
3. Students will be admitted to events only with a validated John Carroll University ID card AND current state identification.
4. At all events where alcohol is served, non-alcoholic beverages must be provided by the sponsor in adequate proportion to the alcoholic beverages on hand. The sponsor also must provide food.
5. No one should be coerced, even subtly, to drink or overindulge. A social event that encourages drunkenness as a theme, or the advertisement of such an event, is unacceptable and will not be permitted. Advertising or promoting alcohol as a primary attraction of an event and the marketing of alcohol by beverage manufacturers, distributors, clubs, or organizations are prohibited.
6. Alcohol cannot and will not be served to intoxicated persons.
7. For off-campus activities with alcohol, a third party vendor is required.

GUIDELINES FOR THE PROMOTION OF EVENTS WHERE ALCOHOL WILL BE SERVED

1. All marketing and publicity used on-campus must never encourage violating any University policy.
2. Marketing and publicity materials must neither encourage any form of alcohol abuse nor make reference to the amount of alcoholic beverages.
3. Alcoholic beverages must not be provided as awards to individual students or campus organizations.
4. No uncontrolled sampling as part of campus marketing programs shall be permitted and no sampling or other promotional activities shall include "drinking contests."
5. Where controlled sampling is allowed by law and University policy, it must be limited as to time and quantity. The consumption of alcohol must not be the sole purpose of any promotional activity.
6. Promotional activities must not be associated with otherwise existing campus events or programs without the prior knowledge and consent of the Director of Student Activities.
7. Display or availability of promotional materials must follow the posting policy developed by the Director of Student Activities.
8. The Director of Student Activities must approve advertising or marketing for an event that has alcohol available.

DISCIPLINARY ACTIONS

1. Students found responsible through the John Carroll University Student Conduct System of violating the policy on alcohol and illegal drugs face penalties that include fines, probation, termination of housing contract, limitations on activities or access, required counseling or advising, performance of campus or community service work, required residence in University approved housing as a condition of continued enrollment, suspension, or expulsion. In conjunction with other penalties, students may be required to participate in an alcohol and other drugs education course or chemical abuse evaluation.
2. Students involved in the illegal use or possession of an illegal drug or controlled substance will be referred to the Dean of Students or designee. They will face serious disciplinary actions such as suspension or expulsion unless there are significant extenuating circumstances.
3. Students involved in any way in the distribution or sale of any amount of illegal drugs or controlled substances will be suspended or expelled.
4. The University reserves the right to place a student on interim suspension from their residence hall for illegal use or possession of an illegal drug or controlled substance at any time during the academic year.

FINANCIAL AID PENALTIES

Students should be aware of the penalties for drug violations. Students who are criminally convicted of drug offenses may lose federal or state financial aid. Students who lose aid due to drug violations can contact the Financial Aid Office to be provided with written notice describing the ways in which the student can regain eligibility.

These regulations are in addition to, not substitutes for, criminal sanctions provided for in municipal, state, and federal statutes. When required by law, violations of those statutes will be reported to the appropriate law enforcement agencies.

NON STUDENTS

Non-students with no University affiliation may be referred to civil or criminal authorities.

Campus Safety Services

Crime and campus safety are concerns of the entire University community. Campus Safety Services seeks your assistance toward keeping our campus safe by taking responsibility for your safety and that of others. This includes safety reporting all crimes, student conduct violations, dangerous behavior, suspicious activity and safety hazards promptly.

Police Officers working for Campus Safety Services investigate crimes and student conduct violations which affect students both on and off campus. All students are required to fully cooperate in these investigations. Campus police officers can provide assistance in connecting to campus and community resources, local police and other services as needed. Campus Safety Services is a ready resource available 24 hours a day, 7 days a week. A dispatcher can be reached at all times by calling 216-397-1234.

Traffic Regulations

Speed limit: The speed limit on campus is five (5) m.p.h. Operating at a speed above this limit is a violation of university policy and subject to a fine of \$50.00.

Safe Operation: Vehicles are expected to be operated on campus with due regard to the safety of persons and/or property. Operation in willful or wanton disregard for safety is a violation and subject to a fine of \$35.00.

Complying with traffic signs: Vehicles are to be operated/parked on campus in compliance with all traffic control devices/signs. Disobeying the instruction on a traffic control device is a violation of the university policy and subject to a fine of \$35.00.

Restricted roadways: Roadways on campus may be designated by the posting of appropriate signs for one-way traffic. Operating a vehicle in the opposite direction than designated is a violation of university policy and subject to a fine of \$35.00.

Abandoned vehicles: (non-residential students, faculty, staff) If you must leave your car overnight, please notify CSS at 216-397-1234. Parking in excess of 72 hours is a violation of university policy. The driver of any inoperable vehicle must notify CSS of the location of the vehicle, nature of the problem and how long the vehicle is expected to be inoperable.

Parking

For a complete list of parking information, go to the Campus Safety Services website at <http://www.jcu.edu/campuslife/css/parking>.

University Heights Police Department

University Heights Police Department (U.H.P.D.) serves the University Heights community, of which John Carroll is a part. U.H.P.D. enforces all state laws and city ordinances for the safety of everybody in the community. U.H.P.D. monitors and responds to 911 calls. U.H.P.D. is located at 2304 Warrensville Center Road, and non-emergency calls or calls for information may be directed to the department at 216-932-1800.

U.H.P.D. requests that students be cognizant of the fact that tampering with or removing City street name signs and/or traffic control signs (Stop, Yield, etc.) is a criminal offense. Violators will be prosecuted.

Further, the following parking ordinances are listed for your information. These ordinances, enforced by U.H.P.D., are the most frequently violated.

All night parking prohibited. No parking on city streets between 2:00 a.m. and 5:00 a.m.

Emergency Snow Ban. No parking on city streets when snow exceeds two (2) inches. Call 216-932-5900 to verify whether or not a snow ban has been declared. Be aware that the city tows away vehicles for snow ban violations so streets can be plowed.

Prohibited and/or limited parking zones. No parking where prohibited or in excess of hours permitted where limited time zone signs are posted.

Left wheels to curb prohibited. It is illegal to park adjacent to the curb facing the opposite way of traffic.

Fire Lanes. Parking is prohibited in zones where a fire lane is posted.

Cleaning and Maintenance Policy

Cleaning of the public areas in each of the residence halls is done on a daily basis, including weekends. A schedule for daily trash removal and cleaning of the restrooms will be posted on each restroom door. Students with a concern about cleanliness of any area are asked to submit a work request with specific details so the issue can be resolved in a timely manner.

When cleaning staff (or the maintenance staff) are in a restroom to clean or make repairs, the entrance(s) will be closed and blocked or roped off. It is mandatory that students use another restroom during that time. The university reserves the right to take disciplinary action against any student that violates this policy.

Demonstration Policy

As an academic community, John Carroll University is committed to creating an environment of inquiry which embraces Jesuit, Catholic education as a search for truth where faith and reason complement each other in learning. At times this spirit of inquiry may produce conflicts of ideas, opinions, and proposals for action. The university recognizes its responsibility to provide effective channels for internal communication, free discussion, and rational persuasion as the normal and preferred means to airing and recognizing differences.

On occasion the expression of dissent through individual or collective activity may take the form of demonstration. In such cases the University must seek to ensure a fair and reasonable balance between two sets of rights. The first is the right of the members of the university community to freely pursue their objectives without unreasonable obstruction or hindrance. The second is the right to communicate, by peaceful demonstration and dissent, the positions that they conscientiously espouse on vital issues of the day. This balance requires respect for the rights and responsibilities of both the institution and the individuals involved in the demonstration.

However, neither set of rights justifies jeopardizing or threatening the safety of persons or property, including overcrowding of campus areas; interference with processes or procedures of instruction, research, administration or student activities authorized to be conducted in university facilities or on university property; violation of established building hours; or obstruction of authorized access to, use of or egress from university facilities. Such conduct is contrary to the policies and objectives of the university community. Students who participate in demonstrations and similar activity which interfere with the rights of others or the orderly functioning of the university or civic community are subject to disciplinary action according to the university student conduct procedures as well as legal action as appropriate.

For reasons of general information, assistance, courtesy and good order, and to assure that the University is in compliance with legal and code requirements, the university process requires that students contemplating demonstration and similar activities make their intentions known in advance to the Dean of Students through a meeting to discuss the arrangements for the event and completing a demonstration registration form for approval.

The use of the university forum for expression of ideas or viewpoints does not imply acceptance or endorsement by the university of the views expressed.

The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.

Students should submit to the registrar, dean, chair of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that person will advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to amend such a record, should write to the University official responsible for the record, clearly identify the part of the record s/he wants changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment.

Student requests for formal hearings must be made in writing to the academic vice president who, within a reasonable time of receiving such requests, will inform students of the date, place and time of the hearing. The academic vice president, the vice president of student affairs, the associate dean for Graduate Programs, and the academic dean of the student's college or school will constitute the hearing panels for challenges to the content of education records. Upon denial and subsequent appeal, if the University still decides not to amend the record, the student has the right to place a statement with the record setting forth his or her view about the contested information.

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

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the board of directors; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll. The University may disclose student information to a student's parent during health and safety emergencies, or when that student is a financial dependent of the parent, or when the student is under age 21 and has violated

Federal, State or local law, or of any rule or policy of the University – governing the use or possession of alcohol or a controlled substance.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by John Carroll University to comply with the requirements of FERPA.

Students may file complaints with The Family Compliance Office, U.S. Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20202-5901.

5. The right to withhold directory information. The University has designated the following as directory information: student name, address (including e-mail address), telephone number, date and place of birth, photograph, major field of study, class year and enrollment status, dates of attendance, degrees and awards received, the most recent previous educational institution attended, participation in officially recognized activities and sports, and weights and heights of members of athletic teams.

Students may refuse to allow the University to designate the above information about them as directory information by notifying the registrar in writing within two weeks after the first day of class for the fall semester. Students must submit an annual written notification of refusal to allow the designation of directory information.

6. The right to annual notification. The University must notify students annually of their rights under FERPA. The actual means of notification is left to the discretion of the University.

Firearms and Weapons Policy

John Carroll University is committed to maintaining an environment that is free of violence. This commitment includes eliminating recognized hazards from the campus community that might contribute to violence or serious harm.

It is the policy of John Carroll University, that any student, and any other person (“Person”) while on University property, is prohibited from introducing, possessing, using, buying, selling, carrying, or displaying any weapon or replica. Weapons are defined as any device or substance that is designed, used, or likely to be used to cause bodily harm, or property damage. Firearms are defined as any gun, rifle, pistol, handgun or device designed to fire bullets, BBs, pellets, or shots (including paint balls), or other projectiles, regardless of the propellant used. Other weapons include but are not limited to taser/stun guns, knives with fixed blades, switchblades, spring-loaded knives, pocket knives with blades longer than 3 ½ inches, kitchen utensils not used for their intended purpose, martial arts weapons, bow and arrows of any type, swords, brass knuckles, sling shots, explosives, or incendiary devices. The policy also covers any other items deemed by Campus Safety Services to be dangerous, including hazardous chemical or biological material of any sort. Also included are displays/collections of the above named items, ornamental weapons and ornamental ammunition.

Any prohibited items are subject to confiscation and permanent forfeiture without any expectation of return or reimbursement.

Any Person who becomes aware of a violation of this policy has a *duty* to immediately notify the Department of Campus Safety Services (216-397-1234).

Failure to adhere to this policy is considered a serious matter. Campus Safety Services will investigate all violations and refer to the appropriate University department or external agency all information necessary for enforcement and resolution.

The above prohibition applies regardless of whether the Person has a valid state permit to carry a firearm.

The following firearms are excluded from this prohibition:

- a. A firearm in the possession of an on-duty law enforcement officer, duly authorized to carry the firearm by his/he employing law enforcement agency, and acting on behalf of and within the scope of his/her official duties with such agency while on campus or at a University directed activity.
- b. A firearm in the possession of a campus ROTC member when part of an official ROTC function, when authorized by a professor of Military Science and after notification of the Director of Campus Safety Services.
- c. A firearm in the possession of a person who has received prior written authorization from the Director of Campus Safety Services.

As with our other conduct policies, John Carroll students are responsible for the behavior of any guest they have on campus. John Carroll students will be held accountable through the Student Conduct Process if their guests violate this policy. If you have any questions contact the Director of Campus Safety Services.

Revised: August 2011

Hate Free Policy

John Carroll University is committed to fostering ethical and moral values that are consistent with Jesuit and Catholic traditions. Among the central values of the University are the inherent dignities of every individual as well as the right of each person to hold and to express his or her viewpoint. When these views conflict it is the obligation of members of the community to respect other perspectives.

The University welcomes students, faculty, staff, and visitors from diverse backgrounds and it works to ensure that they will find the University environment free of discriminatory conduct. It is unacceptable and a violation of University policy to harass, abuse, or discriminate against any person because of age, race, gender, ethnicity, sexual orientation, religion, or disability.

John Carroll University defines hate-motivated offenses as any conduct (harassment or physical acts) directed at an individual(s) on the basis of age, race, ethnicity, gender, sexual orientation, religion, or disability with intention to intimidate or injure an individual(s) physically, mentally, or emotionally. Hate motivated offenses compromise the integrity of the John Carroll University community and constitute violations of the "Engaging in harassment based on age, race, gender, ethnicity, sexual orientation, religion, or disability" provision of the John Carroll University Student Code of Conduct (section 2b). As in all cases of misconduct, including hate motivated offenses, both the accused student and the student who believes s/he has been a victim of the accused student's misconduct have rights that are granted through the Student Conduct Process. These rights are contained in their entirety in the John Carroll University Community Standards Manual.

Members of the John Carroll University community affected by hate-motivated offenses are strongly encouraged to report these incidents. Such offenses can be reported to a variety of offices on campus including: Dean of Students' Office, Office of Residence Life, and Campus Safety Services.

Students found responsible for hate-motivated violations are subject to a range of disciplinary actions up to and including expulsion from John Carroll University.

This policy is separate and distinct from the John Carroll University Sexual Harassment policy that can be found in the Community Standards Manual.

Hazing Prohibition Policy

It is the policy of John Carroll University that hazing activities of any type are inconsistent with education and are prohibited at all times. No student, including leaders of student organizations, may plan, encourage, or engage in hazing. No student, administrator, faculty member, alumnae/l or other employee of John Carroll University may encourage, permit, condone, or tolerate any hazing activity.

Hazing is defined as doing any act or coercing another person to do any act that causes, or creates a risk of causing, psychological or physical harm to any person. Hazing includes actions or situations that could or do result in mental, emotional, or physical discomfort, embarrassment, ridicule, or endangerment whether intentional, for fun, or by consent. Hazing is also coercing another person to violate any University policy. Obvious examples of hazing include but are not limited to:

whipping, beating, or branding; forced calisthenics; exposure to weather; forced or required consumption of any food, liquor, beverage, drug, or any substance; any brutal or cruel treatment; and, any activity which subjects any student or other person to ridicule, mental stress, or undue physical endurance.

Students, administrators, faculty members, alumnae/i and all other employees of John Carroll University should be alert to possible situations, circumstances or events which might include hazing.

If hazing or planned hazing is discovered, involved students will be informed by the discovering person of the prohibition contained in this policy and will be required to end all hazing activities immediately. All hazing activities will be reported immediately to the Dean of Students and the Director of Student Activities.

Students violate this policy if they do not report incidents of hazing or potential hazing to the Director of Student Activities or the Dean of Students. Administrators, faculty members, students, and all other employees who fail to abide by this policy may be subject to University and/or national organization disciplinary action and may be liable for civil and criminal penalties in accordance with federal, state, and municipal laws.

Information Technology Policies

Resources Policy

I. POLICY STATEMENT

John Carroll University provides information technology resources to allow faculty, staff, and students to pursue the University's educational mission, which includes teaching, learning, service, research and administration. Thus, Information Technology Resources ("IT Resources"), as defined in this policy, must be used in a manner that furthers the University's mission.

Any access or use of information technology resources that conflicts with this Information Technology Resources Policy ("Policy" or "IT Policy") or any other University policy is not acceptable and will be considered a violation of this Policy. Additionally any activity that interferes, interrupts, compromises, or conflicts with the safe and efficient use of IT Resources is considered a violation of this Policy. This Policy shall apply to all Users including, but not limited to, students, employees (faculty and staff), guests, affiliates, vendors and independent contractors. Use of IT Resources, even when carried out on a privately owned computer that is not managed or maintained by the University, is governed by this Policy.

This Policy supersedes any existing policies and procedures that are in conflict with the terms of this Policy.

II. PURPOSE

The purpose of this Policy is to ensure an information technology infrastructure that promotes the basic mission and purpose of the University in teaching, learning, service, research and administration, and to ensure compliance with all applicable laws. It also provides notice, to all who use and manage IT Resources, of the University's expectations and regulations.

III. SPIRIT OF USE

Users are responsible for the protection of University assets and for the accuracy, integrity and confidentiality of the information to which they have access. Users are expected to uphold the standards and principles of the University while using IT Resources. Accordingly, Users are prohibited from using any portion of IT Resources to post or transmit any information, Data, text, file, link, software, chat, communication or other content that is harmful, abusive, discriminatory, hostile, combative, threatening, insulting, embarrassing, harassing, intimidating, defamatory, pornographic, obscene, or which negatively affects the University, another User, or any third party. Users who do not respect this Spirit of Use may be held in violation of this IT Policy.

IV. DEFINITIONS

A. Data. All information that is used by or belongs to the University, or that is processed, stored, posted, maintained, transmitted, copied on, or copied from IT Resources.

B. Functional Unit(s). The department, office, operating division, program, vendor, entity or defined unit of the University that has been authorized to access or use IT Resources.

C. IT Resource(s). University information technology resources and services, including but not limited to computing, networking, communications and telecommunication systems, infrastructure, hardware, software, Data, records, Databases, personnel, procedures, physical facilities, and any related materials and services.

D. User. Any individual who uses accesses or otherwise employs, locally or remotely, IT Resources, whether individually controlled, shared, stand-alone, or networked, and with or without authorization, is considered a User under this Policy.

E. Sensitive Data. Data designated as private or confidential by law or by the University. Sensitive Data includes, but is not limited to, employment records, medical records, student records, education records, personal financial records (or other personally identifiable information), research Data, trade secrets, classified government information, proprietary information of the University or any Data that could harm the legitimate financial and reputational interests of the University if unauthorized access is permitted, whether intentionally or unintentionally. Sensitive Data shall not include records that by law must be made available to the general public.

V. POLICY ELABORATION

A. Access. Access to some IT Resources is restricted to specific positions or units as determined by the appropriate functional unit head. Functional unit heads should determine and authorize the appropriate degree of access for each member of their units, and should provide unit members with adequate orientation and training regarding the appropriate use of all IT Resources. Using IT Resources outside of the scope of access granted by the University or attempting to exceed restrictions on access is a serious violation of this Policy and may potentially lead to criminal prosecution.

B. Technical and Content-Based Restrictions. The University reserves the right impose technical restrictions on the access to its network in ways that may disrupt the ability to utilize certain devices, programs, and protocols. Additionally, the University expressly reserves the right to impose content-based restrictions on the use of its IT Resources. Such restrictions may be necessary to protect the University and its constituents. The University recognizes that academic freedom and the freedom of inquiry are important values that may be hindered by an overzealous restriction of content. Therefore, any content-based restriction scheme imposed on IT Resources will require appropriate Vice President authorization.

C. Access Codes. Users must take precautions to prevent unauthorized use of their access codes (passwords). Users will be held accountable for all actions performed under their access codes, including those performed by other individuals as a result of negligence in protecting the codes.

D. Privacy. Users are obligated to respect the privacy that other Users have in their own systems, Data, and accounts. Thus, it is a violation of this Policy for any User to engage in electronic “snooping,” or to employ IT Resources for the purpose of “prying into” the affairs of others, i.e., to access or attempt to access electronic files, or to install/utilize image/audio recording devices, without proper authorization to do so for genuine business purposes of the University.

Users should be aware that the University cannot guarantee the security and privacy of IT Resources, as their uses may not always be completely private. For example, issuance of a password or other means of access is to assure appropriate confidentiality of University-related information and files. It does not guarantee privacy in all cases, especially for personal or unlawful use of IT Resources. University may monitor IT Resources to ensure that they are secure and being used in conformity with this IT Policy and other University guidelines. The University, to the extent allowed by applicable law, reserves the right to examine, use, and disclose any Data found on the University’s IT Resources

for the purposes of furthering the health, safety, discipline, security, or property rights of any other User, person, or entity. Any Data that the University gathers from such permissible monitoring or examinations may also be used in disciplinary actions.

E. Sensitive Data. IT Resources containing Sensitive Data should be restricted based upon a need to know basis and should be guarded against both internal and external breaches. Thus, IT Resources containing Sensitive Data protected under either state or federal law should be controlled and protected in a manner that meets all pertinent legal requirements. Any breaches in the security and confidentiality of Sensitive Data must be reported in conformity with applicable legal and ethical obligations. IT Resources containing Sensitive Data must be collected, protected, accessed and managed consistent with the University's Sensitive Data & Security Policy, UP09.002. To the extent there is any uncertainty as to whether any Data constitutes Sensitive Data, it shall be treated as Sensitive Data until a determination is made by the CIO and Functional Unit head, in consultation with the University's General Counsel.

F. Violation of Law. Users are responsible for respecting and adhering to University policies and to local, state, and federal laws. Any use of IT Resources in violation of civil or criminal law at the federal, state, or local levels is prohibited. Examples of such use includes but is not limited to: promoting a pyramid scheme; distributing illegal obscenity; receiving, transmitting, or possessing child pornography; infringing copyrights; exceeding authorized access; and making bomb or other threats.

In the event the University has reasonable suspicion that a User has violated any civil or criminal law, this IT Policy, or any other University policy, procedure, or regulation, the University reserves the right to access, inspect, monitor, remove, take possession of, or surrender to civil or criminal authorities the offending content, with or without notice or consent of the User. The University may also do so for the purpose of satisfying any law, regulation, or government request.

G. Intellectual Property Rights. The University takes the issue of intellectual property and similar rights seriously. Accordingly, the University requires every User to adhere to a strict policy of respecting intellectual property rights.

1. Copyright. With respect to copyright infringement, Users should be aware that copyright law governs (among other activities) the copying, display, and use of software and other works in digital form (text, sound, images, and other multimedia). All copyrighted information, such as text and images, retrieved from IT Resources or stored, transmitted or maintained with IT Resources, must be used in conformance with applicable copyright and other laws. Copied material, used legally, must be properly attributed in conformance with applicable legal and professional standards.

2. Software. Software may not be copied, installed or used on IT Resources except as permitted by the owner of the software and by law. Software subject to licensing must be properly licensed and all license provisions (including installation, use, copying, number of simultaneous Users, terms of the license, etc.) must be strictly followed. All software licensing is administered under the auspices of ITS.

3. Fair Use. The law permits use of copyrighted material without authorization from the copyright holder for some educational purposes (protecting certain classroom practices and "fair use," for example), but an educational purpose does not automatically mean that the use is permitted without authorization.

4. Ownership. All IT Resources developed by University employees, students, and contractors for use by the University, or as part of their normal employment activities, are considered "works for hire." As such, the University is considered the "author" and owner of these resources. This Policy does not alter the University's position or policy on intellectual property ownership for faculty and research Data.

5. Reporting Infringement. It is the responsibility of every User to avoid infringing any intellectual property right and to report the infringement of another User if and when it is discovered. Failure to respect such rights, or report infringements, is a violation of this IT Policy and subject to appropriate sanctions.

H. Malicious Software. It is the responsibility of all Users to take appropriate precautions against malicious software and to avoid actions or activities that may introduce or spread such software. It is also the responsibility of all Users to comply with University procedures designed to protect IT Resources against malicious software.

I. Backups. It is the responsibility of the User to ensure regular backup of Data stored on their individual computers and/or storage media. Backups are to be stored in a location that is physically secure and that protects the confidentiality of the Data. To avoid loss by fire or theft, backups of Sensitive Data must not be stored in the same locations as the original sources.

J. E-mail Retention. In order to maintain Data security, allow the University to administer IT Resources policies, and fulfill applicable legal obligations, all employees must use their JCU provided and administered e-mail system and clients (currently MS Exchange, MS Outlook, Webmail, and Mirapoint) when conducting University business. The University maintains an e-mail retention period of 6 weeks. Users are required to retain Data with lasting value that is in their email inbox, and such Data must be maintained separate from e-mail files by creating copies elsewhere. Even though email backups are only retained for 6 weeks, recent backups may contain historic email data going back many months (or even years) unless you have deleted that information since the last backup. E-mail backups are maintained by ITS solely for disaster recovery purposes and thus all e-mail server backups are deleted after 6 weeks. It is the responsibility of each User to ensure that their Data retention conforms to the University's retention policies. Users must immediately suspend the routine destruction of all e-mail and other Data upon receipt of a litigation hold directive.

K. Physical Security. Users are responsible for the physical security of IT Resources assigned to them. Functional unit heads must ensure appropriate physical security by instituting and enforcing adequate policies and procedures governing entrance locks and/or for the use of the security devices made available by the University for the protection of equipment. Adequate power regulators and surge suppressors should be employed. Users are responsible at all times for the physical security of portable computers/devices that may be assigned to them.

L. Use Inconsistent with University's Non-Profit Status. The University is a non-profit, tax-exempt organization, and as such, is subject to specific federal, state, and local laws regarding sources of income, political activities, use of property, and similar matters. As a result, IT Resources may not be used for personal commercial purposes, soliciting, or outside political campaigning by Users. Use of IT Resources in a way that suggests University endorsement of any political candidate or political initiative is also prohibited. Users must refrain from using IT Resources for the purpose of lobbying that connotes University involvement, except for authorized lobbying through or in consultation with an authorized University official.

M. Reporting Suspected Violations. Users have an obligation to report suspected violations of the IT Policy as well as any potential security or other breach of any portion of the IT Resources. Suspected violations of this Policy are to be reported to the CIO, the appropriate Functional Unit head, and the Office of Human Resources.

N. Sanctions. Failure to adhere to these policies can result in the suspension of IT Resources privileges, disciplinary actions and prosecution under state and federal laws when applicable. The University may restrict or suspend User privileges pending investigation and determination of the

alleged violation(s). In the event of restriction or suspension of IT Resources privileges, a reasonable effort will be made to accommodate the academic IT Resources needs of the User during the investigation. University sanctions are imposed by the appropriate University authority and may include reimbursement to the University for the IT Resources, services and personnel charges incurred in detecting and proving the violation as well as from the violation itself. Reimbursement may include compensation for staff work time related to the violation and for archiving information related to the incident.

O. Non-Waiver. A failure to enforce any provision of this policy does not constitute a waiver of said provision or an implied endorsement of any activity that would otherwise conflict with this policy

Sensitive Data and Security Policy

I. POLICY STATEMENT

The ability to collect and process information for administrative and academic purposes is critical to the University's mission. Information collected and processed may include personal information regarding students, employees or alumni. Users operating or utilizing JCU computing resources are responsible for managing and maintaining the security of the data, computing resources and protected information, including Sensitive Data. Protecting such information is driven by a variety of considerations including legal, academic, financial, and other business requirements. This is especially true if Sensitive Data is being sent via e-mail. In this age of mobility, e-mail is often carried on unsecured mobile devices such as Blackberries.

Sensitive Data will not be collected, accessed, disclosed or transmitted except as provided by University policy and procedures, or as required by operation of law or court order. All members of the University community have a responsibility to protect the confidentiality, integrity, and availability of Sensitive Data from unauthorized generation, access, modification, disclosure, transmission, or destruction.

PURPOSE

JCU must protect Sensitive Data and comply with laws and other University policies regarding the protection and use of Sensitive Data. This Policy provides a framework in order to ensure the privacy and security of that data.

III. DEFINITIONS

Please refer to Definitions section of Information Technology Resources Policy.

A. Sensitive Data. Data designated as private or confidential by law or by the University as detailed in Information Technology Resources Policy IV (E).

B. Portable Storage Devices and Media. Includes (but is not limited to):

- Portable computers-Laptops/ Notebooks
- MP3/4 or other media players
- Cameras and mobile phones/camera phones
- External Hard Drives
- Zip® disks or drives
- USB "sticks" (e.g., memory sticks/pens, USB flash drives, etc.)
- CDs/DVDs
- Floppy disks
- Tapes
- Internet hosted storage
- E-mail

C. Please refer to Information Technology Resources Policy for all other definitions.

IV. POLICY ELABORATION

A. Functional Unit Responsibility. Functional unit heads are responsible for implementing appropriate managerial, operations, physical, and technical controls for access to, use of, transmission of, and disposal of data in compliance with this Policy. This requirement is especially important for those computing resources that support or host critical business functions or Sensitive Data.

B. Sensitive Data. Some examples of Sensitive Data include: social security numbers, driver license numbers, credit card or other financial account numbers, JCU ID numbers, protected health information, financial data, educational records, intellectual property or research records, donor profiles, or any information that could result in a material risk of identity theft, a violation of FERPA, HIPPA or GLBA, or otherwise harm the legitimate financial and reputational interests of the University if unauthorized access is permitted, whether intentionally or unintentionally.

C. Secure Storage. Secure storage is available on University provided network attached storage: (e.g., "O-drive"). All Sensitive Data is to be stored either on the network attached storage or within other authorized institutional enterprise system (e.g., Banner, Adirondack, etc.). Storage on a PC, either University owned or personal is not considered secure unless the hard drive is properly encrypted.

D. Downloading and Transporting. Sensitive Data may not be downloaded to or transported on any Portable Storage Device and Media. This applies to both on-campus and off-campus downloading and transportation. As noted in this Policy, secure network attached storage is provided for this purpose. Sensitive Data may be downloaded and/or transported only with prior written consent of the appropriate Vice President. This consent will only be granted on a temporary, case-by-case basis.

E. Use of Media or Equipment. Users are to access University information on University-owned media or equipment. All information stored on University owned equipment, including but not limited to PCs, servers, and network attached storage, is considered the property of the University. Users are not to store, communicate, transport, or process University information on personally owned media, devices, or computers without prior written approval from the appropriate Vice President and the approval of the personal equipment by Information Technology Services (ITS). Information on University owned portable devices such as flash drives, disks, or laptop computers must be stored in physically secure locations and must not to be transported without encrypting the data using University approved software and techniques.

F. Encryption. Software, policies, and procedures for encrypting Sensitive Data are currently being developed and deployed by the University. Due to the scope of this work and the changing nature of technology inventory, the deployment of encryption is an ongoing process.

G. Ohio Breach Notification Act. The Ohio Breach Notification Act requires prompt notification to individuals whose personal information has been exposed if the incident could lead to fraud or identity theft. Any loss of Sensitive Data, disclosure of Sensitive Data to unauthorized individuals or suspected misuse of Sensitive Data must be immediately reported to the Office of the CIO.

H. Breach of this Policy. Violation of this Policy will be viewed as a serious disciplinary offense and will be addressed through the appropriate Vice President and the Office of Human Resources.

Violations of this Policy may lead to disciplinary action up to and including dismissal, expulsion, and/or legal action. Current Functional Unit practices or procedures shall be adapted to comply with this Policy.

Off Campus Behavior Policy

The University reserves the right to review student misconduct that occurs off campus when such behavior reflects upon the integrity of the University. Students are reminded that they serve as representatives of John Carroll University and both positive and inappropriate behavior affect the University's image and reputation. Students are encouraged to be involved in their community in positive ways, such as community service and local government. The University desires to have students act as both responsible and mature representatives.

In the cases of inappropriate behavior off campus, the Dean of Students or designee investigates these charges and may make referrals to the Student Conduct System. (Students or organizations found responsible for violating these regulations will be subject to the same sanctions imposed for violations that occur on campus.)

As soon as students move into their new residences, they are encouraged to develop a rapport with their new neighbors. Upon arrival, students should introduce themselves, exchange telephone/cell phone numbers, and meet with their community peers on a cordial basis so that they can identify with their new neighbors as faces and personalities rather than merely as an address.

Student Conduct Expectations

As stated above, students are expected to demonstrate respect for all members of the local community regardless of their place of residence. Failure to adhere to the following guidelines can result in disciplinary action.

1. Show respect for the area where you live. Signs of disrespect include, but are not limited to: littering; loitering; destruction of property; trespassing; public urination; nudity; insulting language; and illegal parking.
2. Operate electronic devices (stereos, etc.) at reasonable levels especially late at night and early in the morning.
3. Maintain an orderly residence. Evidence of a disorderly residence can include the following: house parties; violations of alcohol and drug laws; public intoxication; excessive noise; harassment; or other disregard for the rights of others.
4. Ohio law prohibits open alcohol containers in public places. Public places are those which anyone can enter freely and include sidewalks, streets, tree lawns, some outdoor areas of apartment complexes, and inside parked or moving cars.

Overall Guiding Principles

1. Neighbors have a right to the peaceful enjoyment of their property.
2. Students living in these neighborhoods have an obligation to respect these rights and to enjoy the benefits of living in the wider community.
3. John Carroll University has a duty to work proactively with the communities surrounding the University to assist students in their transition to community living.
4. When appropriate and possible, the University should intervene swiftly to resolve issues and problems caused by students.
5. All neighbors, including businesses, churches, and landlords can collaborate to create and sustain neighborhood environments that are safe and enjoyable for all.

Official Communication

Two official means of communication exist from the University to full-time undergraduate, graduate, and part-time students:

For resident students, each student's assigned on campus mailbox in the D. J. Lombardo Student Center. For all other students, each student's current mailing address.

For all students, each student's University issued e-mail account.

Students are expected to check their standard mail and JCU e-mail accounts on a daily basis. While students may maintain any number of e-mail accounts with other services, every student is required to maintain an active JCU e-mail account and use it for electronic communication related to University business. This requirement provides reasonable assurance that the sender or recipient of electronic messages matches his or her true identity.

Posting Policy and Procedures

GENERAL OVERVIEW

This policy has been designed to ensure that John Carroll University students, faculty, and staff have equal access to common posting areas in order to promote events and activities, to avoid violations of fire and safety codes, and to preserve the aesthetic quality of the campus. Posting on University property is a privilege, and therefore, the University reserves the right to regulate the posting and distribution of all publicity. General guidelines for all members of the community are included in this policy with additional instructions outlined for student groups and non-University groups.

POSTING RESTRICTIONS

Location – No fliers are permitted on any walls, windows, doors, stairwells, elevators, garbage cans, or columns on campus. Posting is not permitted on glass (except where noted), mirrors, masonry walls, and painted surfaces (including doors). There may be some exceptions to this in the residence halls.

Content – No libelous material shall be posted. Material must abide by the University Code of Conduct and not be contrary to the mission of the University. No fliers are allowed to advertise drink specials, events where the primary purpose is drinking, or other activities that appear to promote irresponsible or illegal alcohol use.

GENERAL POSTING INSTRUCTIONS

Student groups and non-University groups

1. All promotional materials and advertisements must have the "approved for posting" notice displayed on each promotional piece prior to posting. Photocopies of the stamped original are acceptable. All posters/fliers from student organizations or outside groups must be approved in advance by the Office of Student Activities (OSA).
2. The following information must be included on all postings: the name of the event, sponsoring organization, contact information including name, phone number, and email address; event time, place and admission cost, if applicable.

3. All postings must be dated and removed by the date stamped on the flyer or within three (3) days following the event date. The sponsoring organization/group is responsible for removing all fliers and posters following the event.
4. Posting is permitted on common area bulletin boards only (only one per bulletin board). Posting may also be permitted on departmental bulletin boards with permission of the appropriate department.

University Departments

1. Flyers sponsored by a University department do not require content approval from the OSA prior to posting, but must follow all other of the same posting guidelines.
2. Departments may post information on the inside glass within their departments or other departments with permission. Postings of signage on the exterior grounds and/or buildings can only be done with the permission of the Facilities Office (216.397.4314). *Note: Stanchions may be available through the Facilities Scheduling Office (216.397.1500) for special events on campus.
Faculty and departments may obtain approved bulletin/posting board/bars for their walls adjacent to their doors through the Facilities Office at a nominal cost.
3. Flyers are permitted to be posted on faculty, staff and administrator's doors with blue tape.

SANCTIONS AND QUESTIONS

Failure to abide by these guidelines may result in a loss of posting privileges. Additionally, charges/fines may be imposed for the removal of fliers/posters/signs that have expired, are posted in unacceptable locations, or require repair of surfaces due to damage during removal. Any non-JCU person or group found posting around campus without following the posting procedures and guidelines may be charged with trespassing.

General policy questions can be directed to the Director of Purchasing & Auxiliary Services at 216.397.3025. Content and questions regarding postings by students and non-University groups should be directed to the Office of Student Activities at 216.397.4288 or studentactivities@jcu.edu

GUIDELINES FOR SPECIFIC TYPES OF PUBLICITY ATRIUM WINDOW PAINTING

1. Atrium window painting in the D. J. Lombardo Student Center is reserved for major, campus-wide events for JCU entities only. Only one event may be publicized at one time.
2. The group must provide their own paint (use water based poster paint only please!). Paint must be removed within 24 hours of the event.
3. If the cleaning company cleans the window, your organization or department will be charged a fee that ranges from \$100 - \$400.
4. To get permission for this form of publicity, please complete the Office of Student Activities Publicity Request Form, with the text and design attached, and submit to the Office of Student Activities (OSA) for approval.
5. After your request is approved, you may sign the atrium window calendar located in the OSA.

BANNERS

1. Banners may only be hung on the wall of the Atrium across from the windows of the D.J. Lombardo Student Center and from the horizontal rail at the top of the steps. Signs may not be hung on any other wall or stairway handrail.
2. Banners may be hung for a period of one week. They will be removed after seven days or following the day of an advertised event.

3. Banners may not exceed three (3) feet wide by six (6) feet long in size and should be hung at a height of at least eight feet from the floor.
4. Exceptions may be made in the size, location and hanging duration of signs for special campus events (e.g. Homecoming, Greek Week, Parents Weekend, etc.) with the approval of the OSA.
5. Student organizations who wish to post beyond the guidelines written in this policy, must submit a written request to the OSA for approval.
6. University departments who wish to post beyond the guidelines written in this policy must get the approval of the Office of Auxiliary Services.
7. All banners are approved and stamped for approval, including a removal date, by the OSA (located in Suite 201 of the D. J. Lombardo Student Center, above the bookstore)

CHALKING

1. This form of publicity is available for registered student groups or departments to promote an organizational event or meeting.
2. Chalkings should be on the sidewalk only and not on any buildings or trashcans.
3. Groups must provide their own chalk.
4. To get permission for this form of publicity, please complete the Office of Student Activities Publicity Request Form, with the desired text, design, and location attached, and submit to the Office of Student Activities (OSA) for approval.

FLOOR POSTING

1. Floor publicity can only be displayed on the stairs from the Dining Hall level to the Intramural Gym level of the D. J. Lombardo Student Center.
2. Publicity can only be posted on the side of the steps, not the top of the steps. Blue painter's tape must be used to secure the publicity.
3. Floor posting is limited to only registered and recognized JCU student organizations. Only two (2) organizations can have publicity on the steps for up to 48 hours. After the 48 hours, publicity must be removed by the sponsoring student organization.
4. To get permission for this form of publicity, please complete the Office of Student Activities Publicity Request Form, with the text and design attached, and submit to the Office of Student Activities (OSA) for approval.
5. After your request is approved, you may sign the floor publicity calendar located in the OSA.

FLYERS

1. Flyers are not permitted on any walls, windows, except where noted, doors, stairwells, garbage cans or columns on campus.
2. Flyers are not permitted to advertise alcoholic drink specials, events where the primary purpose is drinking, or other activities that appear to promote irresponsible or illegal alcohol use.
3. All flyers and signs should contain the name of the sponsoring organization, clearly marked, as well as contact information (phone and/or email of the sponsoring organization or department).
4. Flyers that promote messages that are contrary to the Jesuit and Catholic character and mission of the university are not permitted.
5. Flyers may be posted on established bulletin boards in any building on campus, except for the residence halls and department bulletin boards without permission.
6. No solicitation is permitted under doors in any residence hall or buildings on campus.
7. The staff in the Office of Student Activities will post flyers on a weekly basis for external groups if they desire.
8. Only Residence Life personnel are allowed to post flyers in the common areas of the residence halls. A total of 66 copies may be placed in the hall office mailboxes located in the Student Life Annex. Each hall office mailbox has a designated number marked on it that represents the number of flyers that can be placed in each mailbox. The numbers are the

following: 17 copies are needed for Campion and Hamlin, 14 for Sutowski and Pacelli, 14 for Murphy, and 21 for the Bernet, Millor, and Dolan mailbox.

9. All flyers are approved and stamped for approval, including a removal date, by the OSA (located in Suite 201 of the D. J. Lombardo Student Center, above the bookstore).
10. There are **(7)** bulletin boards used for posting flyers.

Bulletin board locations are: **Student Center Atrium** - **(2)** boards across from student mailboxes, **(1)** board to the right of the elevator, on the same floor as Residence Life and **(1)** board across from the IM gym by the vending machines, **AD building** - **(1)** board on the 2nd floor, across from Catholic Studies, **Boiler School of Business** - **(1)** board on the 1st floor, **Dolan Science Center** - **(1)** board on 1st floor – east wing, across from the vending machines.

OUTDOOR STAKING/SIGNS

1. Publicity staking and/or signs can be used occasionally to promote events or activities.
2. To get permission for this form of publicity, please complete the Office of Student Activities Publicity Request Form, with the text, design and location attached, and submit to the Office of Student Activities (OSA) for approval.

SPECIAL PRESENTATIONS/DEMONSTRATIONS

1. Any special publicity presentation not outlined in this policy must be approved through the OSA.
2. The organization, department or group must complete the Office of Student Activities Publicity Request Form, with the text, design, or other description and location attached, and submit to the Office of Student Activities (OSA) for approval.

STUDENT MAILBOXES STUFFERS

1. Flyers can be placed inside individual student mailboxes with the approval of the Office of Student Activities (OSA). There are a total of 1900 student mailboxes.
2. To get permission for this form of publicity, please complete the Office of Student Activities Publicity Request Form, attach the flyer to the request, and submit to the OSA for approval.
3. Requests must be submitted at least ten days in advance. After your request is approved, you must contact Tom Reilly in Auxiliary Services to schedule a time to stuff the mailboxes.

NAPKIN HOLDERS

1. Napkin holders can be placed in the Schott Dining Hall and/or Einstein Bagels. There are 200 napkin holders in the Dining Hall and adjacent areas.
2. The format for the napkin holder publicity is a rectangle that is 6 inches X 4 inches. Groups will only be able to print on one side.
3. Napkin Holders will be reserved on a first-come, first-served basis and only two table tent promotions will be allowed on tables at one time.
4. To get permission for this form of publicity, please complete the Office of Student Activities Publicity Request Form, with the text, design and location attached, and submit to the Office of Student Activities (OSA) for approval. The text must
5. After your request is approved, you may sign the table tent calendar located in the OSA.

POSTING APPROVAL PROCEDURES

1. All flyers and banners are approved and stamped for approval, including a removal date, by the OSA (located in Suite 201 of the D. J. Lombardo Student Center, above the bookstore).
2. Other special publicity described above must be submitted to the OSA with the Publicity Request Form and with the text, design and other pertinent information attached.

ENFORCEMENT

1. The OSA staff will monitor and maintain the bulletin boards, doors, and windows in the Student Center and clean off dated or unapproved fliers or banners on a weekly basis.
2. The OSA staff will monitor and maintain the bulletin boards, doors, and windows of the D.J. Lombardo Student Center on a bi-weekly basis.
3. The Auxiliary Services and Housekeeping departments will monitor unauthorized postings in administrative common buildings except where noted above.
4. Faculty, staff, administrators, and students are encouraged to take down dated fliers and bring unapproved or questionable fliers to the attention of the OSA staff as needed. The office staff will follow up with any sanctions that are needed for policy violations.

RESIDENCE LIFE

LIVING ON CAMPUS

Living on campus in a residence hall is a unique and wonderful experience, a catalyst for personal growth and independence. It provides innumerable opportunities to live with others who are different from yourself, to become a leader, to communicate well, to manage conflicts successfully, to make sound decisions, and to broaden your perspective on the world.

We invite you to embrace the spirit of community, take some risks willingly, meet your challenges and responsibilities honestly, learn from your mistakes humbly, and respect yourself, your neighbors, your community, and your environment energetically.

Although the University has set standards of behavior for all students, some additional guidelines are necessary for those who live together in the residence halls. During community meetings you will talk about how everyone can show each other respect. Basic expectations of everyone living in community are listed here.

Area Coordinators have their offices in the following locations:

Bernet, Dolan & Millor; Dolan 111, 216-397-4948
Campion & Hamlin; Hamlin 127, 216-397-4928
Murphy; Murphy 169, 216-397-4938
Pacelli & Sutowski; Sutowski 105, 216-397-4918

To reach by email, contact jcureslife@jcu.edu

To make an appointment with an area coordinator, please contact by phone or email.

Athletic equipment may not be used in the residence halls or immediately adjacent to residence hall doors and windows. This includes but is not limited to: skate boards; roller blades; lacrosse and hockey equipment; golf and baseball equipment; basketballs, bowling balls, footballs, rugby balls, soccer balls, volley balls, tennis balls and racquet balls; Frisbees, and scooters.

Bikes are not permitted in lounges or stairwells. There are no storage facilities available for bikes in the residence halls. Therefore, they must be stored in your room or outside on bike racks. Bikes should never be locked to trees, railings, or buildings. All bikes should be removed from campus at the end of the academic year.

Breaks occur at Thanksgiving, Christmas, Spring Break, Easter and the end of spring semester. The residence halls will remain open for Thanksgiving, Spring (only for those who register), and Easter Breaks. All residence halls will close for Christmas/Winter Break. Specific information about break closings will be given at community meetings. Travel arrangements should be made to assure compliance with closing times because you are expected to vacate your room and building by the designated time. Although you may keep your belongings in your room, we recommend that you take your valuables home. You should take everything you need during break periods as access to rooms is very limited during these times.

Bernet, Dolan, Hamlin, and Murphy Halls will remain open through the end of the spring term with the exception of twelve days over the Christmas holiday when all halls will be closed. If you need to stay over a break, you must register in the Office of Residence Life. There may be a fee for staying. Guests are not permitted and all community standards will remain in effect.

Building security is everyone's responsibility. Carry your keys/fobs, close doors, use an escort when in another residence hall, report unescorted persons, and do not give access to unescorted guests. All residence halls are locked twenty-four hours a day, seven days a week. Propping outside doors is not permitted as it poses a security risk to all residents.

Candles are prohibited in residence hall rooms. Burning of candles is also prohibited.

Check-in consists of signing for keys/fobs and completing a Room Condition Report. Please be thorough in completing this form. Failure of timely completion of the Room Condition Report will result in **you** being held responsible for damages that existed prior to your occupancy.

Check-out occurs at the end of the contract or if you are leaving the university. You are required to leave the building within 24 hours of the completion of your last exam, or by the official closing time, whichever comes first. Information about checking out of your room will be available prior to the end of the spring semester.

Cleaning of the public areas in each of the residence halls is done on a daily basis, including weekends. A schedule for daily trash removal and cleaning of the restrooms will be posted on each restroom door. Students with a concern about cleanliness of any area are asked to submit a work request with specific details so the issue can be resolved in a timely manner.

When cleaning staff (or the maintenance staff) are in a restroom to clean or make repairs, the entrance(s) will be closed and blocked or roped off. It is mandatory that students use another restroom during that time. The university reserves the right to take disciplinary action against any student that violates this policy.

Common area space is for every resident's use. Various lounges provide televisions, pool tables, microwave ovens, kitchens, and study areas. Residents are responsible for the daily upkeep of these areas. Therefore, your cooperation in maintaining a clean atmosphere is expected. Lounge furniture or cushions may not be removed from lounges.

Community damage is damage done in public areas. The public area losses or damages that are preventable and are not assignable to individuals will be billed in equal amounts to the floor or building members. It is the responsibility of all residents to be aware of their environment and to hold others accountable who vandalize property. Report evidence of reckless use of these areas immediately.

Consolidation may be necessary when numerous students are living in rooms without roommates. To make the best use of available space, students who pay the double-room rate may be required to consolidate with other students.

Contracts for University housing are legally binding documents and should be read carefully and retained for future reference. They are for the full academic year. The University reserves the right to deny a student access to University housing for sufficient cause. The University may remove from University housing a student who fails to meet proper standards of conduct and performance. Such standards include but are not limited to the terms of the Housing Contract and the regulations governing the residence halls.

Decorating. The addition of furniture such as chairs, wardrobes, or clothes racks should be done with good judgment - mindful of safety and the ability of people to exit from your room. Any type of partition or hanging material that represents a potential fire hazard will not be permitted (i.e. banner/tapestries hanging over smoke detectors or overhead lights). You may hang your own curtains, but University issued drapes must be rehung before checking out of the room. Hanging of any items out of windows is strictly prohibited. Waterbeds are not allowed in the residence halls. **All furniture present in the room during check-in must be present in the room at check-out.** Nails, thumbtacks, tape of any kind, and other devices (decals on mirrors and doors) that will damage any painted or wooden surface are not permitted. Tampering with or rewiring of electrical fixtures jeopardizes the safety of the building and is prohibited. The University reserves the right to judge what is "safe" for its buildings and occupants. Decorations used for special occasions must be of fire retardant material. All decorative lights must be for indoor use and UL approved. Live Christmas trees are not permitted in residence halls. Neon signs are prohibited in residence hall windows. When in the judgment of the University there is offensive material displayed on a door, in a window or in a room, the University reserves the right to require students to remove the display. Residents should not attach TVs to walls in any way that damages the walls through mounts screwed or bolted to the walls.

Dining plans are required for everyone living on campus. On-Campus Dining Plans are limited to the Standard Meal Options (14+ Plan, the Block 125, the Block 175), and the Premium Meal Options (Block 250 and the Unlimited).

Disrespect for or interference with a staff member acting in the performance of her or his duties is considered an extremely serious offense. Any student who commits an act of disrespect against a Residence Life staff member will be subject to disciplinary action. A finding of responsibility in such a case may result in suspension or expulsion from the University.

Electrical appliances must be in compliance with the housing and fire codes of the City of University Heights. Each appliance must be UL approved. Approved appliances include stereos, computers, televisions, DVD players, refrigerators (4.6 cubic feet or smaller), microwaves (1 cubic foot and 700 - 900 watts), blankets, fans, coffee makers, desk lights, hair dryers, hair straighteners and curling irons. Prohibited items include toasters, toaster ovens, hot pots, sun lamps, electric skillets and woks, grills (including the George Foreman grill), oil popcorn poppers, space heaters, percolators, air conditioners (unless medically approved), halogen bulb lamps, and potpourri burners. Only UL approved, circuit breaker type extension cords and power-strips may be used.

Entering Student Rooms and Residences. Authorized University representatives may enter a student's room to inspect, repair, examine, or make necessary alterations. In addition, University representatives may enter a student's room to enforce University policy; investigate possible policy infractions; ensure that students have vacated the room in emergency situations and to inspect for cleanliness, health, and safety.

A student is not allowed to enter another student's room without permission from the occupant. University staff will only provide access to a room for the resident of that room.

No one is welcome in a John Carroll University student residence unless she/he resides in that residence hall, is a University employee working in that residence, is being hosted by a resident of that building, or is given permission by the University to do work in that building. Resident students

are held responsible for the behavior of their guests. Guests always must be escorted by a resident while in the building.

Escorting your guests in the hallways, bathrooms, and lounges is your responsibility. This includes residents of other buildings who are visiting you.

Fire safety is everyone's responsibility. All fire alarms should be considered true indications of danger and the building must be evacuated as safely and quickly as possible. While staff will attempt to alert residents to leave, it is incumbent upon each person to take personal responsibility to exit the building. Staff will indicate when people may safely return inside.

WHAT TO DO WHEN A FIRE ALARM SOUNDS

- Residents and their guests must evacuate the building immediately.
- Feel the door with the back of your hand to test for heat.
- Cover entire body with clothing, if possible, and carry an extra towel to protect face and hair.
- Close the room windows and leave the drapes/blinds open.
- Turn off all lights in the room except the ceiling light.
- Close and lock the door.
- Walk quickly and quietly.
- Leave the building by the nearest exit.
- Once outside the building, move away from the entrances, pair up with your roommate, move to the spot designated for your floor and do not block the street or parking lot.

IF YOU CANNOT LEAVE YOUR ROOM BECAUSE OF INTENSE HEAT OR SMOKE, TAKE THE FOLLOWING STEPS:

- Place a towel at the base of the door to prevent smoke from coming into the room.
- Hang a sheet out of the room window to indicate that you are there.
- Call 216-397-1234 to give Campus Safety Services your location.

Fire drills are conducted in each residence hall each semester. Failing to evacuate the building during an alarm will result in disciplinary action.

The University Heights Fire Marshall inspects each University building on a regular schedule. The Fire Marshall may enter any room without notification to determine if it is in violation of fire safety policies.

Causing a false alarm may induce panic and carry severe consequences. False alarms create an environment where students often ignore the alarm assuming there is no danger. Ignoring an alarm may cause students to become injured, overcome by smoke, or to lose their lives. Therefore, the University takes the actions of tampering with fire alarms, smoke detectors, sprinklers, and fire extinguishers which trigger an alarm very seriously.

The following will be considered as sufficient cause for immediate interim suspension from the University pending a conduct hearing:

- *Intentionally setting a fire of any nature.*

The following will be considered as sufficient cause for immediate interim suspension from the University pending a conduct hearing:

- Pulling a fire alarm when no danger is present.
- Tampering with smoke detectors, fire extinguishers or sprinkler systems resulting in triggering the alarm system.

The following will be considered sufficient cause for immediate removal from the residence halls pending a hearing:

- Misuse of fire extinguishers.
- Tampering with the protective hood on fire alarm pull stations.
- Removing batteries from a room smoke detector.

Gambling is prohibited.

Guests of residents are permitted to stay overnight in the residence halls provided the guest is of the same sex as the hosting resident. It is important that the right of the roommate to privacy supercedes the right of a roommate to have guests in the room.

You are reminded that you are responsible for the actions of your guests and will be held accountable for any damages, loss of property, or behavior that is initiated by your guests. You should accompany your guests at all times while on campus.

Hall Offices are located by the main entrance of each hall. These offices are open 8:00pm through 12:00am Sunday through Thursday and 8:00pm through 2:00am Friday and Saturday. Resident Assistants are on duty during these times and are prepared to help you in any way possible.

Halogen light bulbs can reach extremely high temperatures and have caused fires in some residence halls. They are not permitted in rooms.

Incense. Burning incense is prohibited in the residence halls.

Insurance. The University does NOT cover personal property that may be lost or damaged from any cause, including but not limited to fire and flooding. You should check your parent(s)/guardian(s)' homeowner's or renter's insurance to cover any potential loss. We recommend that you purchase renter's insurance if your property is not covered.

Kegs, mini kegs, and beer boxes, empty or full, are prohibited at all times.

Keys and fobs should be secured at all times. Keys may not be duplicated, sold or loaned to anyone including friends or roommates and may not be thrown/dropped out of windows for guests to obtain access to the building.

Report lost or stolen keys/fobs immediately to the Office of Residence Life. Stolen keys/fobs should also be reported to Campus Safety Services. Each lost/stolen key costs eighty dollars (\$80.00). Lost key fobs cost twenty dollars (\$20.00). Room locks are changed to protect both current and future residents and their belongings.

Lockouts in the residence halls are handled by the Office of Residence Life and Campus Safety Services.

Should you be locked out of your room between 8:30 a.m. and 5:00 p.m., Monday through Friday, you may contact the Office of Residence Life. At any other time, your RA or another RA in your building can give you access to your room. If you cannot locate an RA, you may contact Campus Safety Services. They will contact the staff member on duty.

Lockouts in the duplexes are handled by the Office of Residence Life and Campus Safety Services. Should you be locked out of your duplex between 8:30 a.m. and 5:00 p.m., Monday through Friday contact The Office of Residence Life at (216) 397-4408. After business hours please contact CSS at (216) 397-1234. All residents requesting lockout services will be required to pay the standard charge of \$20 for the first lockout and \$50 for lockouts thereafter.

Medical emergencies. The University maintains that students who are 18 years old are adults and, therefore, should take responsibility for their actions and for keeping their parent(s) or guardian(s)

informed of events. However, when a student is identified by the University as not competent to manage his/her life, the University reserves the right to contact parent(s) or guardian(s).

Noise is a common problem with so many people living together. It is extremely important to respect your neighbors at all times. Therefore, courtesy hours **are** always in effect. During courtesy hours, it is important to respect the rights of those in your community by limiting noise if asked to do so. Quiet hours (sound level confined to one's room) are in effect from 10:00 p.m. to 9:00 a.m. Sunday evening through Friday morning, and 12:00 a.m. to 9:00 a.m. on Saturdays and Sundays. During finals week, quiet hours are in effect 24 hours a day.

- **Amplified musical instruments** and drums are not permitted due to the noise levels they create. The playing of other instruments is subject to the agreement of residents in the affected areas and must adhere to the quiet hours policy.

Painting, you are not permitted to paint your room.

Pets are not permitted, with the exception of fish. No tank may exceed 20 gallons. Fish tanks may remain on during short breaks, but must be unplugged during Winter break.

Propping Building entry doors and fire doors is strictly prohibited.

Repairs to student rooms can be requested through www.myschoolbuilding.com. All requests go to the Facilities Department and will be addressed within 48 hours. If it is an emergency, please let your RA know. Students are not able to schedule appointments for maintenance to enter their room for the repair. Maintenance staff is not permitted to enter student rooms to perform repairs until 10am, unless it is an emergency. They are permitted to work in all common areas of the residence halls and bathrooms beginning at 7am. When bathrooms are "Closed" for maintenance or cleaning, **do not** enter the restroom. Instead, use an alternate bathroom in the building. The university reserves the right to take disciplinary action against any student that violates this policy.

Residency Requirement. All entering students, of traditional age, need to declare their status as a resident or commuter through the Enrollment Reservation Form sent by the Office of Admission. Those not commuting from home are required to live on campus during their first two years. This policy also applies to those who transfer into the university as traditional first year students. Commuting is defined as living exclusively in the permanent and primary residence of a parent or legal guardian. Once a student establishes his/her status as a resident, he/she must seek approval for a change of status to commuter. Formal requests can be made through the Office of Residence Life for consideration by the housing contract review board.

Roofs and ledges are off limits for the safety of all. You are not permitted to put shoes, food, plants, etc. on ledges.

Room Damage determined by the University not to be from normal wear and tear will be assessed to those assigned to the room.

Roommate Bill of Rights:

- Freedom from undue interference. Unreasonable noise and other distractions inhibit this right.
- You have the right to expect that your roommate will inform you of behavior he or she finds distracting. Open communication is essential to getting along as roommates.
- The right to sleep and study without undue disturbance from noise or guests.
- The expectation that your personal belongings will be respected. Commitment to honor the agreed upon use of shared appliances (such as, refrigerator, and computer).
- The right to a pleasant environment. Standards for cleanliness should be agreed on and fulfilled by you and your roommate.

- The right to have reasonable amounts of privacy as agreed upon by you and your roommate.
- The right to have guests. Guests are to respect the rights of your roommate and other hall residents as well as abide by residence life policies. Remember that you and your roommate are equally responsible for seeing that policies and guidelines are upheld in your room.
- The right to ask residence hall staff for assistance in settling conflicts when you and your roommate cannot resolve them yourselves.
- The right to be free from fear of physical and/or emotional harm.

Room changes are permitted according to established guidelines. A room freeze will be in effect for all residents during the first two weeks of both the fall and spring semesters. In addition, room changes will not be permitted during the last three weeks of each semester.

If you wish to change your situation, you should go to see your RA. At that time, the RA should talk with you about why you want to change rooms and have you talk with your roommate. The goal is to have you work things out with your roommate through listening and compromise. The RA will assist you through the process.

In the event that the mediation is unsuccessful and each of you refuses to move, the following options are available:

- You may stay together.
- You may try mediation again with another person.
- You may go to arbitration. Arbitration means that you will go before a board of peers who will decide who needs to move. If you choose arbitration, you are bound by the decision.

Remember that this process takes time and requires patience. If you see problems developing, please take the time to talk with your roommate. Don't let small problems turn into urgent matters.

Room search. Normally, resident assistants are not authorized to search student rooms except when evacuating the building during an emergency situation. If it is not during an emergency, RAs may only enter a room as necessary and observe what is in plain view. Only the director of residence life, the assistant director of residence life, an area coordinator or a person designated by the dean of students may conduct searches of drawers, closets, and other areas. When a search is conducted, the occupants will be made aware of the reason for the search, but not necessarily before the search is made. Written notification of a room search will be left in the room if the occupants are not in the room at the time of the search.

Any belongings removed during the search will be recorded by Residence Life and Campus Safety Services. Such belongings will be returned, if and when it is safe and lawful to do so, after disposition of a case by the appropriate University or civil authority. An effort will be made to have at least two University representatives, one a Student Affairs staff member, present when a search of a student room is conducted.

In a criminal case or other serious emergency, the presence of a Student Affairs staff member may not be required.

Screens are not provided in most rooms. Where provided, removing or tampering with the screen is a violation. Any damage to existing screens will be billed to both residents of the room. If you choose to purchase your own screens, it is your responsibility to remove the screen and any adhesive left behind.

Self-destructive behavior. Any student engaged in an observable pattern of self-destructive behavior (i.e., chemical abuse, eating disorders, cutting, suicide threats) will be referred to the Dean of Students.

Solicitation is not permitted by any member of the University or by anyone else. Solicitation includes, but is not limited to, selling products or services and door-to-door collections or flyer delivery. Salespeople within the halls should be reported to Campus Safety Services immediately. Residence hall staff also should be notified promptly.

Exceptions to this policy may only be granted through the area coordinator. Exceptions are only allowed for hall programs of a particular residence hall.

Smoking is not permitted in any residence hall or within 50 feet of the main entrances. Ashtrays are located outside near some entrances to the buildings. Building entry doors may not be propped while smoking. Please take your keys/fobs.

Storage is not available on campus.

Televisions should not be attached to walls in any way that damages the walls through mounts screwed or bolted to the walls.

Thefts should be reported to Campus Safety Services immediately. Your RA and area coordinator should also be notified. The University is not responsible for an individual student's belongings. You should be sure that your property is properly insured. It is important to lock your door when you are sleeping or away from your room.

Throwing, dropping or hanging of any items out of windows is strictly prohibited.

Use of rooms for commercial purposes is prohibited.

Vacancies may occur during the year. If you are left with a vacancy in your room, you are expected to welcome a new roommate. Those found to be disrespectful to residents seeking a room change, in order to dissuade them, may be charged for a buyout and sent through the Student Conduct System.

Visitation hours in the residence halls are limited to 11:00 am. to midnight Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday. Communities can further restrict hours by a 2/3 majority. The area coordinator may place restrictions on any floor, wing, or building for any length of time.

Weapons are not permitted. Use or possession of firearms, ammunition, explosives, dangerous chemicals, knives, or weapons of any kind is forbidden in University residences.

Windows may not be used to enter or exit a building except in the case of an emergency.

The Sex Offense Policy

Policy

John Carroll University seeks to provide a community for students that promotes personal growth and development. The University asserts that respect for the rights and dignity of all people must be protected. This goal is an integral part of all aspects of University life, rooted in our Jesuit Catholic identity, and is essential to our learning environment and academic community.

It is the policy of John Carroll University, consistent with aforementioned beliefs and values, that any sex offense is prohibited and will not be tolerated. Thus, the University reserves the right to pursue

disciplinary action for sex offenses against students without regard to prosecution by criminal justice authorities. The Sex Offense Policy covers violations committed by John Carroll University students. All students should be aware of the consequences of sex offenses. The University urges a person who believes a sex offense has been perpetrated against him/her to seek assistance from any of the available on-campus or off-campus resources.

Definitions

Sexual Assault, Non-Consensual Sexual Contact, Sexual Exploitation, Sexual Harassment, and/or Stalking can be committed by a man, woman, or group against a person or persons of the same or opposite sex.

These offenses can be committed by strangers, current or former partners, friends, and acquaintances.

Sexual Assault is engaging in, or attempting to engage in, oral, vaginal, or anal penetration through any means (i.e., penis, tongue, finger, foreign object, etc.) without the consent (see University Consent Standard) of the other person.

Non-Consensual Sexual Contact includes any touching of any sexual body parts (i.e., breasts, buttocks, groin, genitals, mouth, etc.) or the touching of another with these body parts without consent. It also includes disrobing or exposure of another or to another without consent.

Sexual Exploitation occurs when one engages in activity of a sexual nature which involves another person, other than Sexual Assault and Non-Consensual Sexual Contact, without the other person's consent. Examples of sexual exploitation include (but are not limited to): the non-consensual filming, photographing or otherwise recording and/or transmission of sexual activity or nudity; voyeurism or complicity in voyeurism; the knowing transmission of a sexually transmitted infection.

Sexual Harassment means any unwelcome sexual advances, requests for sexual favors, offensive references to gender or sexual orientation or other conduct of a sexual nature when:

- Toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, professional or student status; or
- Toleration of or rejection of such conduct is used as the basis for employment or academic decisions; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, or creates an intimidating, hostile, or offensive work or educational environment.
- Sexual harassment can be verbal, written, physical or pictorial in nature.

Stalking is a pattern of two or more incidents of unwanted attention, harassment, contact, or course of conduct directed at a specific person that would cause reasonable persons to fear harm to their physical health, mental or emotional health, safety, friends, family or property. Stalking may include, but is not limited to telephone calls, text messaging, social networking, instant messaging, monitoring behavior, being in physical proximity to the person, or taking pictures.

Incapacitation is defined as being in a state in which a person sufficiently lacks the cognitive ability to realize that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of that situation.

University Consent Standard

- Consent is freely given and mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent is mutually understandable when a reasonable person would consider the actions of the parties to have manifested an agreement to engage in the particular sexual activity. In the absence of mutually understandable affirmative words or actions, it becomes the responsibility of the initiator (the person who wants to engage in a specific sexual activity) to obtain affirmative consent from the other partner.
- Consent once given, may be withdrawn. If one partner initially offers words or actions that indicate consent, that partner may withdraw consent by indicating by word or action that consent has been discontinued.
- Consent for one sexual activity does not indicate consent for other forms of sexual activity. Similarly, past sexual consent does not imply future consent.

Capacity for Consent

- Consent can only be given by those with capacity to consent. Minors younger than 16 do not have the capacity to consent to sexual activity. For adults, capacity to consent is on a case by case basis. Mentally disabled persons and physically incapacitated persons may not have the capacity to give consent. One may be incapacitated temporarily as a result of mental illness, unconsciousness, or as a result of alcohol or drug consumption.
- One may not engage in sexual activity with another person when one knows or has reasonable cause to believe that person to be incapacitated due to alcohol or drug consumption or other reasons.

Coercion

- Consent which is obtained through the use of fraud or force, whether by physical force, threats, intimidation or coercion is invalid.

Applicability

This policy applies to all John Carroll University students. All students are encouraged to report alleged sex offenses as soon as possible. Sex offenses may be reported whether they occurred on-campus, at a University sponsored event, or off-campus.

Confidentiality and Reporting

To the extent possible, the University will maintain the confidentiality of all parties involved in alleged sex offenses. Confidentiality, however, cannot be guaranteed. All University employees (excluding licensed professionals from the University Counseling Center and pastoral counselors) must contact John Carroll's Campus Safety Services Department or the University Heights Police Department when an allegation of a sex offense has been made. Under Ohio law, persons who know that a felony has been committed must report that information to law enforcement. For that reason, all University employees (excluding licensed professionals from the University Counseling Center and pastoral counselors [i.e. priests acting as pastoral counselors]) must comply with this policy.

Consequences

Any student found responsible for a violation of the Sex Offense Policy will be subject to disciplinary action up to, and including, expulsion. Specific conduct procedures may be found in the Community Standards Manual. Even if John Carroll University members are not criminally prosecuted, the

University can pursue disciplinary action.

In accordance with the Student Code of Conduct, the University reserves the right to impose an interim suspension on any student accused of a sex offense pending the outcome of an investigation and/or conduct hearing. The University reserves the right to issue a no-contact directive to the students involved pending the investigation and outcome of a conduct hearing.

Any student found to be harassing or intimidating another who has filed a sex offense complaint, faces serious disciplinary consequences as outlined in the Community Standards Manual.

Revised: August 2011

John Carroll University Policy and Procedures on Sexual Harassment

Students who believe they have been victims of sexual harassment by faculty members, staff members, or administrators should refer to the Human Resources website at www.jcu.edu/fas/docs/hrpolicies/2008_SH_Policy.pdf for a detailed explanation of the policy and procedures to follow for resolution to the matter.

Students who believe they have been victims of sexual harassment by other students should make a report with Campus Safety Services. Sexual harassment by a student is considered a violation of the Student Code of Conduct and is defined by The Sex Offense Policy.

Smoke-Free Campus Policy

John Carroll University is committed to providing a healthy, comfortable, and productive environment for the students, faculty, staff, and administration of this campus.

The United States Surgeon General in his 1986 report on Involuntary Smoking concluded:

Involuntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers; and the simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco smoke.

The Environmental Protection Agency (EPA) has classified smoke as a Group A carcinogen, a substance known to cause cancer in humans. The EPA does not recognize a safe level of exposure to Group A carcinogens.

In light of these findings, John Carroll University reconfirms its Smoking Policy (established August 1995) and issues this revised Smoke-free Campus Policy.

- Smoking is prohibited in all buildings on campus including residence halls.
- There are no designated smoking areas in any building on campus. Those who choose to smoke should do so outdoors.

John Carroll acknowledges the harmful effects of second-hand smoke and has made one entrance smoke-free (25-50 feet) at every building on campus. This entrance can be used by anyone, but

provides a way for people to enter a building without breathing in harmful cancer causing carcinogens.

Solicitation

Solicitation in the residence halls is prohibited so as to protect residents from unwelcome visits and possible harassment. Only residence hall organizations may solicit in their residence and then only with the approval of the area coordinator. Solicitation on University property is strictly prohibited without the prior permission of the Director of Student Activities or appropriate academic dean or department head.