EDWARD WATERS UNIVERSITY™

Student Honor Code

Emerging Eminence

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I. Mission and Philosophy

The Edward Waters University community is committed to fostering a campus environment that represents our Christian tradition, is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program within the Office of the Associate Vice President for Student Success and Engagement is committed to an educational and developmental process that balances the interests and safety of individual students with the interests and safety of the Edward Waters University community.

A community exists on the basis of shared values and principles. At Edward Waters University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Student Honor Code*. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility. An Edward Waters University student represents the Institution at all times, therefore, the Institution maintains high standards of behavior on and off campus, during the semester and in between terms.

Each member of the Edward Waters University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in a violation of the rules and standards below, campus conduct proceedings are used to assert and uphold the *Student Honor Code*.

The student conduct process at Edward Waters University is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision---making and to help them bring their behavior into accord with our community expectations and develop an understanding of the impact of their behavior.When a student is unable to conform their behavior to community expectations and/or their behavior is a danger to themselves or others, the student conduct process may determinethat the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fundamental fairness but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures a written notice and ahearing before an objective adjudicating officer or board. No student will be found in violation of Edward Waters University policy without information showing that it is more likely than not that a policy violation occurred (standard of proof). Sanctions will be proportionate to the severity of the violation, its impact on the community and its members, and to the cumulative conduct history of the student.

II. Values

Edward Waters University is guided by its core values:

- **Christian Principles** – Ethics and doctrines predicated on the AME Church theology "GOD our Father, CHRIST our Redeemer, MAN our Brother."
- **Excellence** – Superiority, eminence, distinction and quality in scholarship, leadership and citizenship.
- **Social Responsibility** – Embracing a burden of obligation to collective society, both the immediate as well as the global.
- **Civic Engagement** – Dedication to addressing issues of public concern.
- **Cooperation** – Fostering the concept of teamwork as a means to success.
- **Customer Service** – Employing the Biblical tenant Matthew 7:12; "Therefore all things whatsoever ye would that men should do to you, do ye even so to them: for this is the law and the prophets."
- **Professionalism** – Practicing proficiency, skill and expertise in all that we undertake.
- **Student Engagement**-Cultivating within our students a thirst for education, a desire for higher level thought processes and a willingness to persevere despite challenges.
- **Scholarship** – Creating a culture of erudition through a nurturing spirit.
- **Diversity** – Endeavoring to celebrate the uniqueness of all cultures with appreciation and understanding.

The foundation of any organization is reflected by its values. In support of the Core Values of Edward Waters University, the Division of Student Success and Engagement has also adopted the following values statements for the Student Honor Code. The Student Honor Code exists to ensure that all students have the opportunity to pursue their education in a safe, respectful environment.

Community: Edward Waters University students build and enhance the campus community and the greater Jacksonville Community.

Social Justice: Edward Waters University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust andinequitable behaviors.

Responsibility: Edward Waters University students are held to a high level of responsibility to self,others, the community and to the degrees conferred all of which represent the institution.

III. Learning Outcomes

1. To teach students to hold themselves accountable for reflecting and defining healthy personal core values. To examine their behavior in the light of those values and hold fastto the mission of being the best version of themselves even in the midst of mistakes and related consequences.

2. To assist students in the learning process of transforming adversity into opportunities for growth

by moving through adversity, building new skills to overcome adversity, and by establishing higher functioning norms after adversity.

3. To behave in regards to the interdependence of all members and aspects of a community.

IV. Edward Waters College Grievances Process

A. Seeking the Associate Vice President for Student Success & Engagement

The Office of the Associate Vice President for Student Success & Engagement at Edward Waters University offers a holistic approach to student-centered advocacy for undergraduate and graduate students. Focusing on education, social and personal development, the Office of the Associate Vice President for Student Success & Engagement connects students to University resources that promote academic success, retention, and graduation. The Associate Vice President for Student Success & Engagement partners with other University offices to develop students in the spirit of the Institution and Student Honor Code, Core Values, further supporting our mission to create vibrant and inclusive campus communities. The Associate Vice President for Student Success & Engagement also serves as a confidential resource available to assist students in resolving problems, complaints and other issues when normal processes and procedures have not worked satisfactorily.

Reasons students would seek the assistance of the Associate Vice President for Student Success & Engagement may include:

- Seeking advice to respond to an uncomfortable living situation,
- Finding a resource to assist with a health issue,
- Connecting with resources to assist with a learning difference or disability,
- Navigating a personal problem that you are facing, and/or
- Resolving conflicts with other students, and/or

The Associate Vice President for Student Success & Engagement Office is an office where students may visit to ask a question, make a request, find general information, or simply be pointed in the right direction. Even if a studentis unsure if the Associate Vice President for Student Success & Engagement Office is the right place to seek information or help, it remains to be an excellent starting point.

The Associate Vice President for Student Success & Engagement is also responsible for the administration of the Student Honor Code, so,if students find themselves in a compromising situation, or have witnessed unacceptable behaviors, the Associate Vice President for Student Success & Engagement is there to address all concerns and help students stay on a successful path.

Regardless, the Associate Vice President for Student Success & Engagement will safeguard student rights and work to build a community thatis reflective of the values of Edward Waters University.

B. Complaints and Grievances

The primary objectives of The Student Complaint and Grievance Procedure are to ensure thatstudents have the opportunity to present grievances to the Institution regarding a certain action or inaction by a member of the University community and that the Institution has a consistent way of resolving those grievances in a fair and just manner.

A student may pursue a grievance if he or she believes that a member of the University community has violated his or her rights.

This Student Grievance Procedure applies to alleged discrimination on the basis of race, color, religion, sex (including sexual orientation and gender identity and expression), age, national origin, or disability as well as problems arising in the relationship between a student and the Institution that are not governed by other specific grievance procedures (such as Student Honor Code , Harassment, Discrimination, Sexual Misconduct, and Retaliation Complaint Procedures, Institution Policy and Procedures). Upon request from any student, the Office of the Associate Vice President for Student Success & Engagement will provide guidance about the appropriate system for redress of a particular complaint.

Essential Elements of Grievance Procedures.

All grievance procedures within the Institution structure must provide for:

1. a time limit, not to exceed thirty calendar days from the written submission of acomplaint to its hearing, with provisions for extensions for good cause;

2. the opportunity for each side to submit supporting materials and introduce supportingwitnesses;

3. the opportunity for each side to be informed of material supporting the action orposition of the other side;

4. the exclusion of any party involved in the complaint from the rendering of any decision;

5. the creation of a record of the proceeding, including audio tape recording of the hearingand a written decision of the hearing body.

Filing the Initial Grievance

Prior to escalating grievance procedures described below, the student and the responding party is required to:

1. Present his or her complaint, in writing, with the person alleged to have caused the complaint, or that person's immediate supervisor within 15 days of the student firstbecoming aware of the act or condition that is the basis of the complaint.
2. The person alleged to have caused the complaint must respond to the student, in writing, within five (5) business days. The required writing does not prohibit verbal discussion.

Grievance Escalation and Review

If a student is not satisfied with the response, he or she (and responding party) must:

1. Escalate the complaint, in writing, within 10 days of the first received response, to the chair, director, or next level supervisor (hereinafter "administrator") of the department or area where the person alleged to have caused the complaint is employed.
2. If the complaint is against the chair or director of a department or area, or if the original complaint was responded to by the chair or director of the department or area, the student should address his or her complaint to the appropriate dean or vice president.
3. The administrator should conduct an informal investigation as warranted to resolve any factual disputes.
4. Upon the student's request, the administrator shall appoint an impartial fact-finding panel of no more than three persons to conduct an investigation.
5. The administrator must state the terms and conditions of the investigation in a memorandum appointing the fact-finding panel. A fact-finding panel appointed her under shall have no authority to make recommendations or impose final action.
6. The panel's conclusions shall be limited to determining and presenting facts to the administrator in a written report.
7. Based upon the report of the fact-finding panel, if any, the administrator shall make a determination and submit his or her decision, in writing, to the student and to the personalleged to have caused the complaint within 10 calendar days of receipt of the panel's report.
8. The written determination shall include the reasons for the decision, shall indicate the remedial action to be taken, if any, and shall inform the student of the right to seek reviewby the appropriate vice president (or provost if the administrator is a vice president).

Grievance Final Appeal

Within ten calendar days of receipt of the administrator's decision, a student who is not satisfied with the response of the administrator may then:

1. Seek further review by submitting a grievance, using the online Student Grievance Form. At the time of filing the grievance online, the students must submit all written communications regarding the complaint.
2. If the administrator is a vice president or associate provost, the student's grievance willbe forwarded to the University Provost for further review. The Provost may delegate another administrator to act on his/her behalf.
3. In non-academic cases, the Associate Vice President for Student Success & Engagement action will be limited to a review of the basisfor the administrator's decision and need not involve a de novo factual investigation. The Associate Vice President for Student Success and Engagement may, but is not required to, direct that further facts be gathered or that additional remedial action is taken.
4. Within 15 calendar days of receipt of the request for review, the Associate Vice President for Student Success & Engagement shall submit his or her decision in writing to the student and to the person alleged to have caused the grievance. The written disposition shall include the reasons for the decision, and it shall direct a remedy for the aggrieved student.

C. Intellectual Diversity

Edward Waters University respects the views and perspectives of all participants in the learning environment. As such, the University welcomes intellectual diversity and the free exchange of ideas in a non-confrontational environment. If you feel that you have been treated unfairlyon the basis of your personal beliefs or affiliations, please contact the Associate Vice President for Student Success & Engagement. The Associate Vice President for Student Success & Engagement reports administratively to the Vice President for Student Success and Engagement.

V. Jurisdiction

The Associate Vice President for Student Success & Engagement has authority over the administration of the *Student Honor Code*. Students at Edward Waters University are provided a copy of the *Student Honor Code* annually in the form of a link on the Edward Waters University website and via email at the beginning of each semester. Students are responsible for having read and for abiding by the provisions of the *Student Honor Code*.

The *Student Honor Code* and the student conduct process apply to the conduct of individualstudents, both undergraduate and graduate, and all Edward Waters University recognized student organizations. For the purposes of student conduct, the Edward Waters University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in Edward Waters University. In the even that serious misconduct occurs after a student has been admitted but prior to matriculation,Edward Waters University may invoke these procedures and require documentation regarding the misconduct. Should a pre-matriculated student be found responsible for the misconduct, Edward Waters University may rescind an offer of admission.

Edward Waters University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re- enroll, obtain official transcripts, and/or graduate. All sanctions must be satisfied to be eligible for re-enrollment. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, Edward Waters University may invoke these procedures. Should the former student be found responsible, Edward Waters University reserves the right to revoke that student's degree.

The *Student Honor Code* applies to behaviors that take place on the campus, at University sponsored events, or in or on University property. They may also apply off-campus when theAssociate Vice President for Student Success & Engagement or their designee determines that the off-campus conduct affects a substantial Edward Waters University interest.[1] A substantial Edward Waters University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threatto the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of selfor others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University;

[1] Adapted, with gratitude, from Penn State University.

The *Student Honor Code* may be applied to behavior conducted online, via email or other electronic

mediums. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. Edward Waters University does not regularly search for this information but may take action if and when such information is brought to the attention of Edward Waters Universityofficials. ***However, most online speech by students not involving Edward Waters University networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:***

- A threat is defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals";

- Speech posted online about Edward Waters University or its community members that cause a significant disruption on campus or to campus operations.

The *Student Honor Code* applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of Edward Waters University may seek resolution of violations of the *Student Honor Code* committed against them by members of Edward Waters University community. The Code may also be applied to resident non- students, campers and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements.

There is a six-week time limit on reporting violations of the *Student Honor Code*; however, thelonger someone waits to report an offense, the harder it becomes for Edward Waters University officialsto obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit Edward Waters University ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Associate Vice President for Student Success & Engagement Office, or Campus Safety and Security.

A responding student facing an alleged violation of the *Student Honor Code* is not permitted to withdraw from Edward Waters University until all allegations are resolved.

2 NOTE:

Many students are simply electing to withdraw once notified that they are facing an accusation. Withdrawal, like admission, should require an administrative action. A student can request a withdrawal for any number of reasons, which can then be administratively approved or denied.In this approach, a request would be denied until the conduct complaint is resolved if a complaint is pending at the time of the withdrawal request. Yes, a student may effectively withdraw themselves by dropping out but must go through the process to change their status officially. This approach resolves the challenge of proceeding with the conduct process after a student withdraws because technically, an institution cannot sanction a non-student (which is what a student is after they withdraw). Once the process is complete, if the student is sanctioned, the student must complete the sanctions before becoming eligible to re-enroll, if at all. A hold on withdrawal can be placed accordingly until then.

VI. Communication

Edward Waters University email is the institution's primary means of communication with students. Students are responsible for all communication delivered to their Edward Waters University email address. Students should check their Edward Waters University email address daily. Notices of an investigation, meetings, and hearings are sent to Institution email addresses.

VII. COVID-19 CORE Plan

Edward Waters University has developed a campus master plan to address the safety concerns and needs for the institution's community. Students are required to adhere to all guidelines implemented within the CORE Plan. Students found in violation of the guidelines under the CORE plan will be held responsible under the Student Honor Code up to suspension from Edward Waters University. Students can visit www.ew.edu/covid to review all information pertaining to EWU's response to the pandemic. For more information regarding the EWU CORE Plan, click here.

VIII. Student Rights and Responsibilities

A. Rights

1. Free inquiry and forms of expression that does not disrupt or impair the normal operations of the institution are a valuable component of the student experience that the University seeks to provide to all students. This includes publications made by student press to be free of censorship with the exception of communications that are judged by the University administration to be lewd, obscene, defamatory, and/or not in keeping with the moral, ethical, and religious principles of the African Methodist Episcopal Church.

2. Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the Institution.

3. The right of students to be free from harassment or discrimination based on race, color, ethnicity, religion, sex, national origin, age, ancestry, Accessibility, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression and genetic information.

4. The right of students to privacy and to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures is guaranteed. This right is extended to electronic communications. See EWU Appropriate Use and Information Security/Confidentiality Policy.

5. The University shall fully and clearly disclose the student handbook in advance of any supposed violation, disseminate annually each academic year and make available on the University website.

6. No disciplinary sanctions (with the exception of incidents that the university administration reasonably believes poses an imminent threat of physical harm or

institutional property) resulting from a violation of rules and regulations may be imposed upon any student without prior written notice of the nature and cause for the charges.

7. Participate in the governance of the University through engagement with and/or in the Student Government Association.

8. A student, a student organization, or a campus organization charged with violating Institution regulations is entitled to a fair and impartial hearing. In the case of an appeal, the decision made by the Vice President of Student Success and Engagement shall be final and binding.

9. Request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

B. Responsibilities

All student members of the University community are responsible for:

1. Exercising sound judgment in their choices and assuming the consequences of their own actions at all times;
2. Respecting the rights and property of others;
3. Completing all of the Institution established requirements to earn a degree;
4. Learning and seeking the understanding of their rights;
5. Conducting their academic affairs in a forthright and honest manner;
6. Carrying their Institution ID card at all times;
7. Knowing, understanding, and complying with all Institution regulations and policies, as well as federal, state, and local laws;
8. Maintaining high academic, social, moral and civic character;
9. Protecting and guarding the resources, facilities, and brand of the Institution at all times;
10. Assist in maintaining a campus free of litter not limited to residential common spaces, private rooms and restrooms; and
11. Reporting any and all violations of the student code of conduct. (If you see something, say something).

IX. Student Club and Organization Rights and Responsibilities

A. Rights

1. Use of the Institution name in association with the student organization in the mannerdesignated by the institution.
2. Use of Institution facilities at no charge or at reduced charge.
3. Ability to solicit membership on campus.
4. Opportunity to sponsor events, programs, fundraising, and guest speakers in accordance with the Speakers Policy.
5. Access to campus services, leadership programs, expertise of a faculty/staff advisor,representation by student government, and advice and counsel from appropriate administrative offices.

6. Ability to participate in annual leadership training.
7. Opportunity to apply for and be nominated for various student organization recognition awards.
8. Access student organization management tools provided by the Office of Student Activities and Leadership.
9. Use of campus bulletin boards and other designated posting areas as well as additional communication resources on campus in accordance with the posting policy.

B. Responsibilities

1. The student organization shall agree to institutional policies and procedures appropriate to the organization's activities and conduct both on and off campus.

2. The student organization shall agree that the exercise of freedom of expression will be peaceful and non-disruptive, with appropriate consideration of and respect for differing points of view.

3. The student organization shall seek the advice and counsel of its advisor.

4. The student organization shall ensure that activities and programming are consistent with the organization's constitution and bylaws or similar documents as well as adhere to the Student Honor Code, Institution policies and local, state, and federal laws.

5. Student organizations recognized by the institution have a responsibility to conduct their activities and programs in a manner that is consistent with the goals, purposes, and values of Edward Waters University and abide by Institution policies and procedures.

6. The life of an organization is reflected in its membership, acting collectively and/or individually in fostering the goals, purposes, activities, and identity of the group. Members have responsibilities to their organization to conduct their personal behavior in a manner that does not negatively reflect on the organization, particularly in mattersthat can be related to the functions and activities of the organization.

7. The organization is expected to educate their members on the appropriate and legitimate ways in which the individual member is to foster the organization's existence at the Institution and to take organizational action when the individual fails to adhere tothe standards of the organization or the Institution.

8. Consequently, an organization may be held responsible for a member's behavior when that member's behavior is demonstrably related to the organization's life and draws attention to the organization rather than to the member as an individual student.

9. Such behavior includes, but is not limited to, actions of organization's officers, discussions, and announcements at organization meetings or via organization social media/email list serves, or when it has been alleged or determined the member wasengaged in the active promotion.

10. In such instances, alleged violations may be brought against the organization as a whole and the student organization President, or the equivalent thereof shall serve as the organization's representative in a hearing.

The Student Honor Code supersedes any and all regulations and/or decisions made by student groups and organizations and their affiliates.

X. Student Due Process Rights

A student and/or organization who has been charged with a violation and thus alleged to beinvolved in misconduct or inappropriate behavior will be granted the following in order to ensure fundamental fairness in the Institution student conduct process:

1. **Notice of Charges** - to be informed in writing of the specific violation and inappropriate behavior in which the student or organization is suspected of involvement.
2. **Procedures** - To be informed in writing of the student conduct process.
3. **Hearing** - To have an opportunity to be heard in person before a decision is made.
4. **Evidence** - To know the nature of the evidence and to be able to question witness exceptin extenuating circumstances.
5. **Witness** - To be able to offer a defense by having a material and/or character witness speakon his/her behalf.
6. **Advisor** - To have an Edward Waters University faculty, staff, or student attend the hearing in the role of a friend, advisor, or counselor. If an accused student desires to have an advisor/attorney of their choice present at the hearing, that advisor may not speak or represent the student. They are present for **consultation purposes only**. In addition, students who would like to have an advisor/attorney present will need to notify the Associate Vice President for Student Success & Engagement Office of the person's name and contact information at least three (3) business days prior to the scheduled hearing. This prior notification will provide an opportunity forthe Associate Vice President for Student Success & Engagement Office to request Institution Counsel's presence at the hearing.
7. **Written Decision** - To have a written response reporting the results of the hearing.
8. **Appeal** - To appeal a decision of a hearing officer or Conduct Board except when admittingguilt and minimum sanction is given.

The Associate Vice President for Student Success & Engagement has the right to overturn a decision of the Director of Student Integrity and Conduct, the Conduct Board, the Housing Review Board and/or the Sexual Misconduct Committee if he/she determines that a decision undermined the integrity of the student conduct process. The Provost reserves the right to overturn any decision rendered by the Academic Review Panel if he/she determines that a decision undermined the integrity ofthe student conduct process. All appeals end with the Vice President of Student Success and Engagement or the Provost, respectfully.

XI. Parental/Guardian Notification Policy

Student conduct records are considered confidential under the Family Educational Rights and Privacy Act of 1974 (FERPA). This legislation, better known as the Buckley Amendment, protects student records, which include conduct files. All rights regarding a student file passes from the parent to the student when the student turns 18, or when the student attends an institution of higher education. At the Institution level, college officials must have a “need to know” compelling the release of a student record. Since the enactment of FERPA, Congress has made several amendments to the law. One of which allows an institution of higher education to notify parents of alcohol and other drug violations, if the student is less than 21 years of age at the time of notification.

The Office of the Associate Vice President for Student Success and Engagement reserves the right to notify the parents of students under the age of 21 who violate alcohol and other drug provisions of the Student Honor Code, or who in our professional judgment are considered to be a danger to themselves or others.

Upon receipt of an alcohol or other drug violation by a student under the age of 21, the Associate Vice President for Student Success & Engagement will staff the case and make a decision regarding parental notification based on the particular circumstances of the offense and the student's history. Parents will be notified by letter or phone, depending on the circumstances of the case.

In all other cases, EWU will not release information regarding a student's conduct case or even that a conduct case exists, without a signed release of information from the student unless weare complying with a court order or following the Vice President for Student Success & Engagement policies regarding notification. When the student's actions put his/her health and/or academic future in imminent jeopardy, then we believe that by bringing parents/guardians into the loop we will be able to assist the student in getting back on track.

Ultimately, the student's choices determine our response.

XII. Appropriate Use and Information Security/Confidentiality Policy

To provide Edward Waters University (EWU) faculty, staff, and students with accessible and professional computing facilities and establish appropriate terms, conditions, and restrictions on the use of said facilities. This appropriate use policy covers all computing assets of Edward Waters University. "Computing assets" includes but is not limited to all networks, desktop computers, servers, printers, email services, web services, and any computer access. By using any Institution computing facility or service or any other Institution computing asset, the user agrees to all the following policies outlined in this policy.

To protect the integrity, security, and confidentiality of data and/or information stored on EdwardWaters University computing systems.

Appropriate use of information technology resources at Edward Waters University includes instruction, independent study, research, and official work of the offices, sectors, recognized student and campus organizations, and agencies of the Institution.

Although not exhaustive, the following list emphasizes activities that are NOT allowed on Edward Waters University, networks or computer systems. No Institution computing facility or service or any other Institution computing asset will be used in any illegal activity, including but not limited to:

1. conduct or behavior that is prohibited by Institution policies including harassment or hatecrimes as defined in these policies and state and federal laws and regulations;
2. commercial activity not authorized in writing by an Officer of the Institution;
3. accessing or distributing any type of illegal pornography;
4. the "hacking" of any computer system;
5. distributing or making unauthorized use of any data, information stored in the computing systems;
6. knowingly recording any inaccurate or false data in Institution records;

7. using or having others use Institution technology for personal business;
8. giving their passwords or access to any other person (Institution or outside personnel);
9. making, distributing, or using unauthorized or illegal copies of licensed and/or copyrighted software, media, or material;
10. obstructing others' work or access by consuming large amounts of system resources such asdisk space, CPU time, and network bandwidth;
11. knowingly introducing destructive software such as programming loops or "viruses" into the system, or running Internet file-sharing applications (such as Napster, Lime Wire, KaZaA, etc.) which provide "stealth" sharing services;
12. attempting to circumvent or subvert any system's security measures or resource allocations;
13. disrupting service, detrimentally impacting bandwidth, or intentionally damaging files, hardware, or software belonging to Edward Waters University;
14. Installing a router, wireless router, or wireless access point on any Institution network (including the Residence Halls) without written approval from IT services; and
15. Creating a hostile or intimidating work or academic environment through the personal viewingof sexually explicit or offensive materials in the workplace or computer labs.

In cases of doubt, it is the user's responsibility to inquire with the Information Technology concerning the permissibility of technology use by contacting support@ewc.edu.

With reference to discovery or access by the Institution, there shall be no user confidentiality as to any information contained or transmitted by any Institution computing facility or service or any other Institution computing asset.

Proprietary information is stored on or transmitted using any institution computing asset at the risk of the user; the Institution cannot assure that such proprietary information will remain private or confidential.

XIII. Smoking Policy

Edward Waters University is a smoke-free campus and strives to maintain a healthy workplace and campus environment for all staff, students, faculty and visitors. For that reason, smoking is prohibited on all grounds and facilities of, or under the jurisdiction of, Edward Waters University, regardless of campus or location, including indoor and outdoor locations, including playing fields, parking lots, entrances and exits and to all persons, including but not limited to faculty,staff, contract personnel, vendors, students and visitors of EWU.

In concurrence of this policy, the following is also prohibited by this policy:

- the sale and use of all tobacco products including but not limited to cigarettes,
- cigars, pipes, smokeless tobacco, including electronic cigarettes on all grounds, facilities and vehicles under EWU jurisdiction,
- smoking or the use of smoking devices, as outlined in this policy, including indoor and outdoor locations such as playing fields, entrances, and exits to buildings, parking lots, and vehicles;
- tobacco industry promotions, advertising, marketing, and distribution of marketing materials on campus properties; and
- tobacco industry sponsorship of athletic events and athletes.

XIV. Threats

EWU is committed to a safe and health conscious campus for faculty, students, staff, and visitors.EWU is also committed to creating and maintaining a working, learning, and social environment that is free from violence. As a result, the Institution has a "zero tolerance policy" with respect to threatening statements and behavior or acts of violence against members of the campus community. The Institution prohibits and will take decisive action to eliminate:

- verbal or written harassment;
- acts which can be interpreted as physical assault;
- hazing
- threats to harm someone or endanger the safety of others;
- behaviors or actions interpreted by a reasonable person as carrying the potential for violence and/or acts of aggression;
- threats to destroy or the actual destruction of property;
- possession of a firearm, knife or any dangerous weapon.

As a community, it is our collective responsibility to report all threatening statements and actions immediately. To fulfill this policy, the University will work to prevent violence from occurring and will ensure that federal and state laws, as well as Institution regulations prohibiting violence, are enforced. All threatening comments and behavior will be taken seriously and investigated. All threats must be reported to the appropriate authority. Failure to report any threat is subjectto disciplinary action. A team of campus professionals will assist in determining the proper Institution response for each incident. Therefore, if you experience a threatening situation orknow of any instance involving threats of physical violence toward any EWU student or employee from inside or outside the Institution community, please report it immediately to:

- EWU Campus Safety and Security (904-470-8888)
- Associate Vice President for Student Success & Engagement (904-470-8360)
- Director of Student Integrity and Conduct (904-470-8870)

Violence, whether actual or threatened, undermines our personal well-being and naturally affects our ability to conduct our responsibilities. Please assist us in ensuring that the EWU campus is a safe environment for all faculty, staff, students, and visitors of the University community. Counseling and Treatment Services

Therapy is a collaborative process, which involves the development of a unique helping relationship. As therapists, the staff serves as facilitators in assisting the client in clarifying their sense of direction, set realistic goals, and better understands their personal concerns. Individuals, groups, and couples are given assistance in understanding their feelings and behaviors, their relationships with others, their particular situation, choices, and decisions. Discussion of whatever is important and relevant enables individuals to grow towards greater freedom in making mature choices and taking responsible action with themselves, relationships, family, and studies.

Students may obtain professional counseling services on a confidential basis by either calling Counseling Services at 904-470-8231 or by arranging an appointment with one of the professional counselors.

The Counseling Services Department is located in the Student Union Building, Room 124
1743 Kings Road
Jacksonville, FL 32209

The normal hours of operation are 8:00 a.m. – 5:00 p.m. on Monday – Friday. Services are also provided after hours and weekends (usually during emergency or crisis situations). **ALL SERVICES ARE FREE AND STRICTLY CONFIDENTIAL.**

XV. Violations of the Law

Alleged violations of federal, state and local laws may be investigated and addressed under the *Student Honor Code*. When an offense occurs over which Edward Waters University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident. The criminal process and the *Student Honor Code* process are twoindependent processes.

Edward Waters University reserves the right to exercise its authority of interim suspension upon notification that a student has been arrested, is facing a criminal investigation and/or complaint. Interim suspensions are temporary suspensions imposed until a hearing can be held. Students who are placed on a vehicle suspension may not be on Institution property,attend, events or attend classes. Within that time, the suspended student may request an immediate hearing from the Associate Vice President for Student Success & Engagement to show cause of why the interim suspension should be lifted. This hearing may resolve the allegation or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if the student is considered a danger to the community and/or if Edward Waters University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency ofthe criminal process. In such cases, Edward Waters University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from a law enforcement upon which to proceed. This delay will be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by the complaining party to allow thecriminal investigation to proceed before the Institution process.

Students accused of crimes may request to take a leave from the Edward Waters University until the criminal charges are resolved. In such situations, the Edward Waters University procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

XVI. Standards of Conduct

Edward Waters University considers the behavior described in the following sub-sections as inappropriate for the Edward Waters University community and in opposition to the core values of the University and the core values set forth in this document. These expectations and Standards of Conduct apply to all students and student organizations, whether undergraduate, graduate or professional. Edward Waters University encourages community members to report to Edward Waters University officials all incidents that involve the following actions. Any student or organization found to have committed or to have attempted to commit any of the following misconduct is subject to the sanctions outlined in this manual.

A. Offenses Against Persons

An offense against a person is committed when a student:

1. Threatens the physical health, welfare, or safety of another person, places another personin serious bodily harm, or uses physical force in a manner that endangers the health, welfare or safety of another person; or repeatedly follows or attempts to make unwantedcontact, including but not limited to physical or electronic contact, with another person.

2. Engages in sexual misconduct that includes sexual harassment and sexual violence.

3. Engages in retaliation as defined as any behavior, direct or indirect, taken to or attempt toharass, intimidate, or improperly influence any individual associated with the student conduct process.

4. Engages in discrimination.

5. Engages in intimidation defined as implied threats or acts that cause a reasonable person fear of harm of another.

6. Engages in bullying and cyberbullying defined as repeated and/or severe aggressive behaviors that intimidate or harm or control another person physically or emotionally, andare not protected by freedom of expression.

7. Engages in stalking defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.

8. Engages in Intimate Partner/Relationship Violence: violence or abuse by a person in an intimate relationship with another. The term “intimate partner violence” is defined to mean any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual. It would include stalking, dating violence, sexual violence, or domestic violence.

9. Engages in hazing of another person for the purpose of initiation or admission into, affiliation with, or continuation of membership in any organization operating under the sanction of the University.

Hazing includes, but is not limited to, any action, activity or situation whichrecklessly, negligently or intentionally endangers the mental or physical health, welfare or safety of a person, creates excessive fatigue, sleep deprivation, mental or physical discomfort, exposes a person to extreme embarrassment or ridicule, involves personal servitude, destroys or removes public or private property, or implicitly or explicitly interferes with the academic requirements or responsibilities of a student. It is presumed that hazing is a forced activity regardless of the apparent willingness of an individual to participate in the activity. Apathy oracquiescence in the presence of hazing is not neutral; both are violations of this rule.

1. Demonstrates or indicates to another individual his or her possession or immediate control over a firearm, explosive, or weapon; or proclaims to another individual his or her possession or control over a firearm, explosive, or weapon as a method of intimidation, coercion, threat, distress, or extortion.

2. Uses electronic or other devices to make an audio or video record of any person while on Institution premises where there is a reasonable expectation of privacy without the person's prior knowledge or express consent, when such a recording is likely to cause injury, distress,or damage to reputation. Such Institution premises include, but are not limited to showers, locker rooms or restrooms.

3. Falsely reports a bomb, fire, or other emergency.

B. Offenses Against Property

An offense against property is committed when a student:

1. Knowingly and without proper consent or authorization has in his or her possession the property of another person or the Institution.

2. Knowingly and without proper consent or authorization removes, uses, misappropriates, or sells the property of another person or the Institution.

3. Willfully or maliciously damages or destroys property owned or in the possession of another person or the Institution.

4. Obtains the property of another person by misrepresentation or fraudulent means.

5. Misuses, damages or alters any firefighting or other safety equipment.

6. Enters the facilities or uses the property of another person or the Institution without proper consent or authorization.

7. Knowingly, and without proper payment, utilizes the services of the Institution which require payment.

8. Commits a theft of electronic information, or gains or attempts to gain authorized access to computer and other electronic resources.

C. Offenses Against the Orderly Process and/or Normal Operations of the University

An offense against the orderly process of the Institution is committed when:

1. A student intentionally causes or attempts to cause disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other Institution activities, or other authorized, permitted, or constitutionally protected activities on Institution premises, including employment, recruitment, and public service functions.

2. A student or applicant knowingly furnishes false or misleading information to the Institution.

3. A student, applicant or former student forges, alters, misrepresents or misuses documents, records or instruments of identification.

4. A student interferes with, attempts to or improperly influences the established student discipline procedures of the Institution.

5. A student has possession or immediate control over a firearm, explosive, or weapon, inviolation of the Institution's weapons policy.

D. Offenses by a Student Organization or Campus Organization

Organizations through their officers, and/or individual members may be held responsible for conduct in accordance with guidelines established for individual students. Organizations, their officers, and/or individual members may be held responsible for their conduct activity regardless of location (on or off Institution premises), Institution supervision or sponsorship, officer knowledge, or official membership approval. Organizations, their officers, and/or individual members may be sanctioned in a manner suitable to the circumstances similar tothose outlined for individual students.

All members of any EWU associated organization is responsible for reading and understanding the Student Organization Handbook, as well as the Student Honor Code.

XVII. Zero Tolerance Policy

A zero tolerance policy is one which requires a severe penalty to be imposed which is unbending in its imposition and often does not give allowance for extenuating circumstances. EWU will also take disciplinary action for many of the violations reported off campus, provided these violations have a connection to the campus. This would include violations that endanger students or may cause harm to the campus community. A violation to a Zero Tolerance Policy will proceed directly to conduct hearing with a University hearing officer and result in immediate suspension or expulsion from the University, depending on the severity of the incident, if found guilty.

A. Drugs

Edward Waters University prohibits the unlawful possession, use or distribution of illicit drugs by students and employees on its campus. Privacy rights of students in their residential space will be respected, but any public nuisance coming from private space related to the consumption of illicit drugs shall bring the full force of this policy and applicable state law into play. Campus Safety Security Officers and authorized staff may search beyond plain view with explicit approval from the Director of Campus Safety and Security, Associate Vice President for Student Success & Engagement, Students, or Vice President of Student Success and Engagement. Students who violate this policy may be criminally prosecuted and be subjected to disciplinary actions ranging from residential probation or suspension with educational sanctions **and** university suspension or expulsion. Students accused of violating this policy is afforded full due process under the University Student Honor Code. The University may also refer cases for criminal prosecution. Other sanctions may include:

1. Prohibited participation in campus activities, student government and the representation ofthe University or its organizations in any capacity
2. The student may be suspended or required to seek mandatory counseling services that may or may not duplicate those required for earlier violations. The student may also be required to register for the drug education program. Parental involvement in the form a parent-student meeting with the Associate Vice President for Student Success & Engagement office may also be required.

REMEMBER:

1. It is illegal for anyone to have alcohol on campus;
2. It is illegal for anyone under the age of 21 to drink;
3. It is illegal for anyone to buy or provide alcohol to someone under 21;
4. It is illegal for anyone to be intoxicated in public or to drive while intoxicated, on- or off-campus;
5. It is illegal for anyone to sell alcoholic beverages without a license. By law, the sale of alcoholic beverages including any situation in which there is a charge for entertainment or service and alcohol is freely available (including through common source or selling a cup);
6. It is a violation of Institution policy for a student, or faculty/staff member, to hurt or endanger another student through drinking.

B. Sexual Misconduct

Edward Waters University is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the University community. The University does not discriminate on the basis of sex or gender in any of its education or employment programs and activities.

The University prohibits sexual assault, sexual and gender-based harassment, intimate partner violence, stalking, retaliation, and violation of interim measures. Zero Tolerance conduct is expressly forbidden and will not be tolerated at Edward Waters University. It may also violate federaland state law.

The University adopts the Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship (Dating)

Violence and Stalking Policy and Procedures with a commitment to: (1) eliminating, preventing, and addressing the effects of sexual misconduct; (2) fostering an environment where all individuals are well-informed and supported in reporting sexual misconduct; (3) providing a fair and impartial process for all parties; and (4) identifying the standards by which violations of this Policy will be evaluated and disciplinary action may be imposed. Institution students who violate this Policy may face disciplinary actions up to expulsion.

The Policy and Procedures sets forth how the University will proceed once it is made aware ofpossible Prohibited Conduct in keeping with our institutional values and to meet our legal obligations under Title IX of the Education Amendments of 1972 (Title IX); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended bythe Violence Against Women Reauthorization Act of 2013 (VAWA); and other applicable law.

See the full policy by visiting https://www.ew.edu/compliance/

REMEMBER:

1. "It is a violation of Institution policy and state law to force sexual activity on another person. This includes anything from forced kissing or touching to forced intercourse. Force includes more than the use of weapons. It also includes physical force and physical or mental intimidation or pressure.
2. Consent means that your partner has freely agreed to sexual activity. The best ways to know if your partner consents are to ASK and be sure your partner gave a clearly expressed YES.
3. Intoxication does not excuse poor conduct. It is a violation of Institution policy and state law to have any sexual activity with someone who is unable to give consent because of alcohol ordrugs or other impairment. If your partner is very intoxicated, you may be guilty of sexual misconduct EVEN IF YOUR PARTNER SAID YES.
4. Denying someone access, benefits, or opportunities based on willingness to engage in verbal or physical sexual interaction is sexual harassment. Do not use sex as a bargaining tool. It is illegal.
5. When someone makes it clear to you that they do not want sex, that they want to stop or thatthey do not want to go past a certain point of sexual interaction, STOP! Pressure for sexual activity is called coercion.
6. If you intentionally make contact with another person's breasts, buttocks, groin or genitals with any part of your body without explicit and clear-minded consent, even when hugging, youhave violated that person's rights.
7. The unwanted pursuit of another person is stalking. Stalking may also involve the use of electronic media, social networks, blogs, text messaging, voice mail messages, letters or notes,etc.

C. Weapons

Edward Waters University seeks to maintain a welcoming and safe educational environment for students, employees, and visitors and adopts this policy for possession of dangerous weapons andfirearms on campus and at events.

Except as otherwise allowed by law, the Institution prohibits the possession, transportation, and use of firearms and other dangerous weapons on campus. Institution students may not possess firearms at any time on campus and shall be confiscated.

Student violations may be addressed in accordance with the Student Honor Code as well as otherapplicable policies and may include sanctions, suspension and/or expulsion.

REMEMBER:
A weapon is:

1. any object or device which will, is designed to, or may be readily be converted to conductharm upon oneself or another person;
2. a taser is a weapon and possession of a Taser is considered a violation of the StudentHonor Code ;
3. any object or device which will expel shocks, bullets, shot, or shell by the action of anexplosive or another propellant;
4. any handgun, pistol, revolver, rifle, shotgun or another firearm of any nature, including concealed weapons licensed pursuant to the Personal and Family Protection Act, and amendments thereto;
5. any BB gun, pellet gun, air/C'O2 gun, stun gun or blow gun;
6. any explosive, incendiary or poison gas (A) bomb, (B) mine, (C) grenade, (D) rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge;
7. any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or detonating device;
8. any tear gas bomb or smoke bomb; however, personal self-defense items containing maceor pepper spray shall not be deemed to be a weapon for the purposes of this policy;
9. any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the forceof gravity or by an outward, downward or centrifugal thrust or movement;
10. any straight-blade knife of four inches or more such as a dagger, dirk, dangerous knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solelyin the preparation or service of food shall not be construed to be a weapon for the purposes of this policy;
11. any martial arts weapon such as nun chucks or throwing stars; or
12. any longbow, crossbow and arrows, or another projectile that could cause serious harm toany person.

EWU also prohibits weapons at all off-campus University sponsored or supervised activities. Persons with knowledge or information of conduct which may constitute a violation of this policyare urged to contact the EWU Campus Security Office.

D. Fighting

Fighting can lead to death, a significant injury and possible criminal charges. Initiating a fight is oneof the fastest ways to criminal prosecution or civil action. Such action will not be condoned by the University and will be subject to immediate suspension or expulsion of the individual(s) or the groups involved.

Any fight that involves individual students or multiple students from an organization, on or off campus,

will be considered a violation of the EWU Student Honor Code. All individuals may be subject to the Student Honor Code hearings.

REMEMBER:

1. Fighting can easily lead to injury or death;
2. Fighting can often be avoided by walking away and reporting your incident to a properauthority
3. Anger is an emotion that can be controlled
4. You can control the impulse to fight by taking a deep breath, convincing yourself to stay calm, and walking away;
5. It takes more strength to avoid a fight than to engage in one;
6. If someone is attempting to invoke a fight, a great tactic is to change your focus to ease your tension;
7. When you are mature and confident it becomes easier to handle conflict in a mature manner. Think about how you would handle a possible fight before you are confronted with one: the will help.

E. Gang Activity/Affiliation

A "gang" is defined as a group that initiates, advocates, or promotes illegal activities, activities thatthreaten the safety or well-being of persons or property on University grounds, or at University sponsored functions or activities, on or off campus, or activities that are harmful to the educationprocess. Prohibited "gang activity" includes, but is not limited to:

1. Soliciting students to become gang members;
2. participating in gang initiation or other gang ceremonies;
3. deliberately wearing, displaying or possessing prohibited gang symbols;
4. engaging in gang-related violence or threats of violence;
5. threatening others, including threats by brandishing a weapon or a replica of a weapon onschool campuses, or at supervised school functions; or
6. engaging in any behavior undertaken in such a manner as to be reasonably likely to inciteviolence or endanger persons or property.

Prohibited "gang symbols" may include any type of clothing decoration, jewelry, patches, bandanas, gang names, the depiction of gang signs or symbols, and/or body signal/movement which is recognized as denoting a gang or is a sign, signal or movement utilized in connection withgang communications.

Student violations may be addressed in accordance with the Student Honor Code as well as other applicable policies and may include sanctions, up to and including expulsion.

F. Tampering with Life Safety Equipment

Life safety equipment and devices, such as smoke detectors, alarm panels, fire extinguishers, exit signs, sprinkler heads, and fire alarm pull stations are placed throughout campus facilities for safety. Students should use fire alarms, fire extinguishers, fire exits, fire sprinklers, and related equipment only for their intended purposes. Do not obstruct or tamper with fire detection and suppression equipment. Maintain

storage at least 18" below the plane of sprinkler head installations and never hang items from sprinkler heads or throw items at or near sprinkler heads and smoke detectors. Any misuse, tampering, or destroying building safety equipment jeopardizes student safety and should be reported immediately to Campus Safety and Security.

- Students caught tampering with fire safety equipment or life safety systems will immediately be placed on suspension from University housing and/or interim suspension from the University depending on the severity of the incident.
- Any student found responsible for tampering with such equipment in any way will be subject to a minimum $100.00 fine in addition to paying restitution for the cost of any necessary repairs or replacement of equipment and payment of damages or loss of property not covered by insurance as a result of tampering with the equipment.
- Any student causing damage to fire and life safety equipment which results in damage to Institution or personal property and/or which results in personal injury to a member of the community, as a result of violating University policies or procedures will be immediately placed on suspension from University housing and/or interim suspension from the University depending on the severity of the incident.
- Students found responsible for violating University or housing policies which result in damage to personal or University property will pay restitution for damages not recovered by insurance,will be permanently dismissed from Institution housing without refund of housing fees, will be trespassed from all University housing properties and programs, and will be subject to additional sanctions up to and including dismissal from the Institution.

There are many state and laws and regulations regarding fire safety and life safety equipment in University owned or operated facilities. The University will cooperate with law enforcement agencies and will pursueprosecution of any persons who maliciously tamper with fire safety equipment and suppression systems which result in loss of person or property or personal injury.

REMEMBER:

- Hanging items on sprinkler heads is a violation and a risk to the safety of yourself and others;
- Removing smoke detectors for any reason is a violation and a risk to the safety of yourselfand others;
- Using an extinguisher for anything other than a fire is a violation and risk to the safety ofyourself and others;
- Horse-playing often leads to damage to life safety systems and bodily harm;
- Propping doors can be considered tampering with life safety systems. Locked doors areintended to protect residents;
- Covering smoke detectors and ventilation systems is a violation and a risk to the safety ofyourself and others;
- Knocking down exit signs is a violation and a risk to the safety of yourself and others;
- Moving or covering cameras is a violation and a risk to the safety of yourself and others;
- Misuse of alarm panels that result in faulty emergency alerts and submitting false reportsand/or

falsely contacting security authorities and/or emergency response personnel;

- There are no reasons why you should come into contact with life safety systems unless for a true and relevant emergency in which the system is intended to assist in the emergency's resolve.

G. Bullying/Cyberbullying

Students have the right to attend College in an environment that is safe and secure. Bullying is detrimental to the Universities environment and promotion of higher education and learning. Bullying interferes with the Universities ability to educate its students and disrupts operations. It is not the Universities intent to inhibit students from expressing their ideas or engaging in lawful, civil debate. However, the University does not condone and will take action in response to conduct that inhibits a student's opportunity to learn or the operation of the University.

Prohibited behavior includes, but is not limited to the following:

1. Bullying;
2. Cyberbullying;
3. Harassment and Sexual Harassment;
4. Retaliation against those reporting these prohibited behaviors; and
5. Knowing and false accusations of bullying.

Any student that engages in any of the above-noted prohibited behaviors that constitutes bullyingshall be subject to discipline including, but not limited to suspension or expulsion.

To assist in better understanding the constraints of the bullying and harassment policy, the following definitions are accepted by the University in implementation of sanctions:

"Bullying" includes, but is not limited to written, verbal, or electronic expression by physical act or gesture, or any combination thereof directed at a student or students that:

1. Has, or a reasonable person would expect it to have, the effect of:
    a. Physically harming a student or damaging a student's property; or
    b. Placing a student in reasonable fear of physical harm or damage to thestudent's property;

2. Interferes with the rights of a student by:
    a. Creating an intimidating or hostile educational environment for the student; or
    b. Interfering with the student's academic performance or ability to participate inor benefit from the services, activities or privileges provided by the University;

or

3. Is based on a student's actual or perceived race, color, national origin, ancestry, religion, physicalor mental disability, gender, sexual orientation, or any other distinguishing characteristic or a Protected Class, or is based on a student's association with a person with one or more of these actual or perceived characteristics, and that has the effect described in subparagraph (1) or (2) above. (These behaviors might also meet the criteria for harassment as otherwise set forth in this Student Handbook)

REMEMBER

Bullying includes:

1. Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, ordemeaning humor;
2. Behavior that is intended to harm someone by damaging or manipulating his or her relationships with others, including but not limited to gossip, spreading rumors, and social exclusion;
3. Non-verbal threats and/or intimidations such as use of aggressive, menacing, ordisrespectful gestures;
4. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally or in writing;
5. Blackmail, extortion, demands for protection money, or involuntary loans or donations;
6. Blocking access to College property or facilities;
7. Stealing or hiding books, backpacks, or other possessions;
8. Stalking; and
9. Physical contact or injury to another person or his/her property.

"Cyberbullying" means bullying through the use of technology or any electronic communication, including, but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, acomputer, telephone, cellular telephone, text messaging device and personal digital assistant.

REMEMBER

Cyberbullying includes:

1. Posting slurs or rumors or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about a student on a website or other online application;
2. Posting misleading or fake photographs or digital video footage of a student on websites or creating fake websites or social networking profiles in the guise of posing as the target;
3. Impersonating or representing another student through use of that other student's electronic device or account to send e-mail, text messages, instant messages (IM), or phone calls;
4. Sending e-mail, text messages, IM, or leaving voice mail messages that are mean or threatening, or so numerous as to bombard the target's e-mail account, IM account, or cellphone; and
5. Using a camera phone or digital video camera to take and/or send embarrassing or "sexting" photographs of other students.

"Retaliation" means an act against a student for reporting or alleging an act of bullying has occurred. Retaliation also includes reporting or alleging an act of bullying when it is made knowing the allegation or report is false or making a report or allegation of bullying not in good faith.

The Universities Bullying and Cyberbullying Policy applies to any University student, employee, faculty, staff member, contractor, visitor, or volunteer who engages in conduct that constitutes bullying and retaliation. All of the foregoing are expected to abide the by Universities Bullying and Cyberbullying Policy. This Bullying and Cyberbullying Policy applies to bullying that:

1. Takes place at the College or on College grounds, meaning: a College building; property on which a College building or facility is located; and property that is owned, leased or used by College for a College-sponsored activity, function, program, instruction, or training. “College grounds” also includes college-related transportation vehicles;
2. Takes place while students are being transported to or from College grounds or College-sponsored events;
3. Takes place at any College-sponsored event, activity, function, program, instruction, or training; or
4. Takes place elsewhere or through the use of technology, including the use of College IT Systems.

Incidents of bullying shall be reported to the Associate Vice President for Student Success & Engagement, or designee, who shall be responsiblefor promptly investigating any complaints of bullying. Bullying reports may be made verbally or inwriting and may be anonymous. Complaints of bullying should include a description of the incident, date and time of the incident, person(s) involved, and witnesses. Any student who violates this policy will be disciplined up to and including suspension or expulsion.

H. Hazing

Hazing is defined as any method of initiation into or affiliation with the Institution, a student organization, a sports team, an academic association, or another group directly or indirectly engaged in acts that intentionally or recklessly endangers that individual physically and/or mentally regardless of whether or not the recipient is a willing participant. Hazing is most oftenseen as an initiation rite into a student organization or group but may occur in other situations.Hazing is any intentional, negligent, or reckless activity or situation that causes another pain, embarrassment, ridicule, harassment, physical, mental or emotional strain, or any activity which would in any way jeopardize the physical, moral or scholastic well-being of an individual, even if that person is a "willing participant."

REMEMBER:

Hazing includes:

1. Any physical activity, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquid, drugs or other substance or any other brutal treatment or other forced physical activity that is likely to adversely affect the physical health of the person.
2. Any mentally embarrassing, harassing or ridiculing behaviors that create psychological shocks, to include but are not limited to such activities as engaging in public stunts, buffoonery, moral degradation and/or humiliating games and activities.
3. Any situation which subjects the individual to extreme stress, such as sleep deprivation, forced exclusion from social contact, required participation in public stunts, or forced conduct which produces pain, physical discomfort, or adversely affects the mental health or dignity of an individual.
4. Any expectations or commands that force individuals to engage in an illegal act and/or willful destruction or removal of public or private property.

Some examples of hazing include, but are not limited to:

- Abuse because of one's race, sex, religion, nationality ormental/physical condition;
- Encouraging or requiring someone to drink excessively (i.e. alcohol, concoctions,water, other beverages);
- Striking, shoving, pushing, kicking, slapping, or otherwise forcefully touching a person orengaging in reckless behavior that causes physical injury to another;
- Submitting to physical acts;
- Going without sleep;
- Engaging in unreasonable activities

XVIII. Charges

Abduction/Kidnapping	[Abduction/Kidnapping] - The abduction or stealing away of a person without lawful authority or warrant to hold a person against his will. Enticing, persuading or forcible seizing and/or carrying of any person from one place to another without that person's explicit consent.
Abuse of Conduct Process	[Abuse of Conduct Process] - Abuse or interference with, or failureto comply in, Edward Waters University processes including conduct and academic integrity hearings.
Academic Dishonesty/Misconduct	[Academic Dishonesty/Misconduct] - Academic dishonesty or misconduct is any action or an attempted action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member or members of the academic community. This includes a wide variety of behaviors such as cheating, plagiarism, altering academic documents or transcripts, gaining access to materials before they are intended to be available, and helping a friend to gain an unfair academic advantage.
Aiding and/or Inciting	[Aiding and/or Inciting] - Aiding, abetting, persuading, supporting, condoning, and/or procuring another person or persons to commit any act of misconduct; the persuading or aiding of another person to breach the peace on Institution owned, Institution-controlled property, or at any Institution sponsored or supervised events or activities. Gathering or groups of students on or off campus in sucha manner, which causes damage to public or private property, causes injury to persons or interferes with the orderly functioning of the Institution, its' reputation, the normal flow of traffic, or ordinary procedures.
Alcohol	[Alcohol] - The use, consumption, possession, purchase, sale, and/or distribution of alcoholic beverages on Institution-owned or controlled property, or at any Institution sponsored or supervised events or activities.
Animals (Pets)	[Animals (Pets)] - Having unapproved pets or other animals onInstitution-owned or controlled premises.
Arson	[Arson] - The malicious fraudulent, and/or intentional burning, orattempt to burn, of property on Institution-owned or Institution- controlled premises.
Assault	[Assault] - The violent injury of one person to another; or acts which place another in reasonable apprehension of immediatelyreceiving a violent injury
Battery	[Battery] - The intentional use of force or violence, which isdirected upon another.

Bullying	[Bullying] - Unwanted aggressive behavior toward another personor group of people that leads to the belief that there is an actualimbalance of power and is often repetitive in nature.
Burglary	[Burglary] - Breaking into and entering a facility, or space, owned and operated by Edward Waters University (including residence halls) as a trespasser with the intent of committing a crime.
Cohabitation	[Cohabitation] – Providing housing or storage for persons who donot have a legal contract with Residence Life and Housing for a specified space.
Contracts, Entering Into	[Contracts, Entering Into] - The entering into verbal or written agreements or contracts on behalf of Edward Waters University that binds, obligates, or creates liability for the Institution by Individual students and/or representatives of organizations.
Damage to Property	[Damage to Property] - Damage, vandalism, or destruction of property owned or leased by the Institution or personal property belonging to another individual.
Discrimination	[Discrimination] - Any act or failure to act that is based upon an individual's or group's actual or perceived status (sex, gender, race,color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severethat it limits or denies the ability to participate in or benefit from Edward Waters Universities educational program, residential life program or other activities.
Disorderly Conduct	[Disorderly Conduct] - Acts in a violent or tumultuous mannertoward another person which can cause fear or damage to a person's mental state, life, limb, health or personal property. Playing in a manner that can reasonably be determined as a threatto a person or property (Horseplay).
Domestic Dating Violence	[Domestic Dating Violence] - Violence committed by a person whois or has been in a social relationship of a romantic or intimate nature with a complainant.
Drug Paraphernalia	[Drug Paraphernalia] - The sale, distribution, manufacturing, purchase, passing off, carrying, holding, or possession of any kind of equipment, products, or material used to facilitate the handling or intake of a controlled substance.
Drugs	[Drugs] - The consumption, sale, distribution, manufacturing, purchase, passing off, carrying, or being in the presence or vicinityof illegal drugs, narcotics; to include being reasonably aware of, accessory to, aiding and abetting of any controlled substance.
Election Tampering	[Election Tampering] - Tampering with the election of any EdwardWaters University recognized student organization

Failure to Comply	[Failure to Comply] - Failure to comply with the directions of Institution officials (including Resident Assistants) acting in the performance of their duties; failure to comply with disciplinarysanctions, emergency procedures, and or, but not limited to identification of oneself to Institution official.
Falsification/Identity Fraud	[Falsification/Identity Fraud] - Falsifying one's identity or that ofanother by misrepresentation, forgery of names, signatures, documents or dishonest acts, or refusing to show student identification upon request to any properly identified official of Edward Waters University.
Fire Safety	[Fire Safety] - Violation of campus fire policies including, but not limited to: a) failure to evacuate a Edward Waters University controlled building or area during a fire or fire alarm, b) improperuse of fire safety equipment, intentionally or carelessly causing a sprinkler system to engage when no threat of fire exists; or c) tampering with or improperly engaging a fire alarm or fire detection/control equipment while on Edward Waters University-controlled property.
Gambling	[Gambling] - Making a bet upon a partial or final result of any game or contest, or upon the performance of any individual in such a game.
Guest Behavior	[Guest Behavior] - Guest or guests who are invited to the campus or permitted onto the campus or within facilities by a student are the responsibility of that student. Actions of guests that are found to be in violation of the Student Honor Code while in the companyof a student host or with the student host's knowledge are applicable to student host or the host student organization.
Harassment	[Harassment] - Excessive physical annoyance of or the use of verbally abusive language by any person on Institution-owned or controlled property or while on the premises of Institution-ownedor controlled property. Acts of insult, degradation, taunting, or challenging of another person while on campus property, enrolled in classes, or attending Institution-sponsored or supervised events.
Hazing	[Hazing] - Any form of planned, or unplanned events, on or offcampus that include any act or activities for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership or acceptance into a group or organization.
Health and Safety	[Health and Safety] - Behavior that creates risk or danger to others of the Institution community, including but not limited to propping doors, throwing objects from windows or balconies, failure to keepone's room in a condition which is safe and sanitary, or failure to maintain reasonable standards of cleanliness and safety as defined by the Institution.

Identification	[Identification] - Failure to carry or present a valid Institution student identification card (when possession is in reason) while on the Institution property to a requesting Institution official.
Indecent and Unbecoming Behavior	[Indecent Behavior] - Conduct which is disorderly, lewd, indecent and/or portrayed negatively on Institution-owned or controlled property, while present at an Institution sponsored or a supervised event, or while representing the Institution (i.e. attending an institution-mandated event or serving in a leadership position, such as, Student Government Association, Royal Court, Resident Assistant, etc.). Any act that reflects negatively or tarnishes thebrand of Edward Waters University.
Ineligible Pledging or Association	[Ineligible Pledging or Association] - Pledging or associating with astudent organization without having met eligibility requirements established by Edward Waters University.
Intimate Partner/Relationship Violence	[Intimate Partner/Relationship Violence] - Violence or abuse by aperson in an intimate or romantic relationship with another.
Intoxication	[Intoxication] - Appearing publicly, on Institution-owned or controlled property, or at any Institution sponsored or supervisedevent or activity while intoxicated, or under the influence of alcohol or illicit drugs.
IT and Acceptable Use	[IT and Acceptable Use] - Violating the Edward Waters University Acceptable Use and Computing Policy
Misuse of Electronic or Social Media	[Misuse of Electronic or Social Media] - Engaging in inappropriate or irresponsible conduct using any EWU affiliated web page, email,or any social media resource, including personal accounts. This includes bullying, harassing, taunting or using derogatory languageto and/or from any enrolled student at EWU through any social media site, whether EWU affiliated or not.
Motor Vehicle, Traffic,Parking	[Motor Vehicle, Traffic, Parking] - Violations of properly constituted rules and regulations governing the use of motor vehicles (automobiles, motorcycles, etc.) on University-owned or University-controlled property or at University-sponsored or supervised activities.
Nuisance with Noise	[Nuisance with Noise] - Making a controllable noise of any kindthat is loud enough to disturb members of the University Community.

Passive Participation	[Passive Participation] - The silent agreement, active support and/or consent to perform an act that is against Federal, State, orLocal Laws, the Student Honor Code, Campus Security Rules, or any rules or regulations of the University.
Public Exposure/Lewd or Lascivious Behavior	[Public Exposure/Lewd or Lascivious Behavior] - Includes deliberately and publicly exposing one's, or someone else's, intimate body parts, public urination, defecation, and public sex acts.
Rape	[Rape] - Having carnal knowledge of forced sex against the will ofanother; sex with an underage individual(s); fondling or penetration of sexual organs.
Repeat Violations	[Repeat Violations] - Repeated violations of published rules andregulations of the Institution, which cumulatively indicate an unwillingness or inability to conform to the standards of the University.
Representation without Consent	[Representation without Consent] - The representing of Institutionor any Institution organization or chartered group without the prior and explicit consent of the officials of that group. This includes joining a suspended organization or attempting to join an organization through improper membership procedures.
Retaliation	[Retaliation] – Actions intended as retaliation, reprisal, or intimidation against an individual for making a complaint or participating in any way a report or investigation.
Sanction Violation	[Sanction Violation] - Failure to comply with disciplinary sanctions imposed by a sanctioned judicial body or judicial administrator of the Institution.
Sexual Assault	[Sexual Assault] - The forcing of, or attempt to force another person, regardless of sexual gender or preference, to participate insexual intercourse and/or sexual activities, to include verbal coercion, threats, bullying, and physical restraint.
Sexual Battery	[Sexual Battery] - Making physical contact with the intimate parts of another person's body without the explicit and clear consent ofthat person.
Sexual Exploitation	[Sexual Exploitation] - Non-consensual, unjust or abusive sexualexploitation or advantage of another person.
Sexual Harassment	[Sexual Harassment] - Unwelcomed sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of asexual nature.

Sexual Violence	[Sexual Violence] - Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent because of drug or alcohol use or intellectual capacity, or other disability.
Smoking	[Smoking] - The inhalation of smoke or vapors within University-owned or University-controlled property.
Solicitation	[Solicitation] - Unauthorized selling, the collection of monies, and promotion on campus or within Institution buildings. Students maynot solicit on behalf of the Institution without explicit permission of the Vice President of Student Success and Engagement.
Stalking	[Stalking] - Following, placing under surveillance, or contacting another person at or about a place or places without the consentof the other person.
Tampering of Safety Controls, Devices, Processes,and Equipment	[Tampering of Safety Controls, Devices, and Equipment] - Removal, tampering, extinguishing, covering, or insensible adjustment of anysafety device or control on Institution-owned or Institution- controlled property. This includes calling false alarms of fire, bomb threats, improper purposing of fire extinguishers, sprinkler heads, hoses, systems, safety apps, exit signs, smoke alarms and detectors, strobe lights, or any other measure placed to protect life and property. Impeding on safety drills, actual safety procedures, or failure to comply is also prohibited.
Terroristic Threats/Acts	[Terroristic Threats/Acts] - Threatening to commit any crime ofviolence or release of hazardous substances.
Theft	[Theft] - Theft or attempted theft of the property or services of the Institution, any organization, or any individual by means of taking, selling, deceiving, misappropriating, misusing, as well as receiving and or possessing stolen property, or property that does not belong to the possessor of such property or service.
Threat	[Threat] – Verbal or written harassment, acts which can be interpreted as physical assault, hazing, threats to harm someone or endanger he safety of others, behaviors or actions interpreted by a reasonable person as carrying the potential for violence and /or acts of aggression, threats to destroy or the actual destruction of property, or possession of a firearm, knife, or any dangerous weapon.
Trademark	[Trademark] - Unauthorized use (including misuse) of Edward Waters University or organization names and images
Trespass	Remaining within a facility, private room or office under the controlof another, after having been asked to leave. Intentionally damaging any property of another without the consent of the owner, or maliciously interfering with the possession or use of the property of another person without the consent of that person.

Trust	[Trust] - Violations of positions of trust within the community(both elected positions and those established through employment).
Unauthorized Entry or Use of Institution Facilities	[Unauthorized Entry or Use of Institution Facilities] - Unauthorized use of equipment, occupancy of, or unauthorized entry into Institution facilities.
Unlawful Conduct	[Unlawful Conduct] - Conduct deemed are by the criminal statutes of the State of Florida or the United States of America and/or conduct that endangers or threatens the security of the University community.
Visitation	[Visitation] – Failure to comply with published and stated visitationpolicies for campus residential facilities.
Weapons	[Weapons] - Possessing, using, storing, transporting, passing or aiding in the use of firearms, knives, explosives, fireworks, chemicals, ammunition or any item that anyone of reasonable sensibilities would consider to have the possibility of doing bodily harm.
Wheeled Devices	[Wheeled Devices] - Skateboards, roller blades, roller skates, bicycles and similar wheeled/personal transportation devices are not permitted to be used/worn/ridden **inside** Institution buildings,residence halls or on other applicable surfaces that present damage or danger. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to Edward Waters University property caused by these activities. Individuals navigating campus through these or similar devices must yield to pedestrian traffic and follow all traffic rules.

XIX. Academic Dishonesty and Misconduct

Academic dishonesty or misconduct is any action or an attempted action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member or members of the academic community. This includes a widevariety of behaviors such as cheating, plagiarism, altering academic documents or transcripts, gaining access to materials before they are intended to be available, and helping a friend to gain an unfair academic advantage. In the absence of clarity, students are responsible for seeking out information when unsure of what is expected. Below are some basic definitions and examples of academic dishonesty and misconduct. Please note that this list is not exhaustive.

A. Cheating

Cheating is defined as fraud, deceit, or dishonesty in an academic assignment, or using orattempting to use materials, or assisting others in using materials that are prohibited or inappropriate in the context of the academic assignment in question, such as:

- Copying or attempting to copy from others during an exam or on an assignment.
- Communicating answers with another person during an exam.
- Preprogramming a calculator to contain answers or other unauthorized information for exams.
- Using unauthorized materials, prepared answers, written notes, or concealed information during an exam.
- Allowing others to do an assignment or portion of an assignment for you, including the use of a commercial term-paper service.
- Submission of the same assignment for more than one course without prior approval of all the instructors involved.
- Collaborating on an exam or assignment with any other person without prior approval from the instructor.
- Taking an exam for another person or having someone take an exam for you.

B. Plagiarism

Plagiarism is defined as the use of intellectual material produced by another person withoutacknowledging its source, for example:

- Wholesale copying of passages from works of others into your homework, essay, term paper,or dissertation without acknowledgment.
- Use of the views, opinions, or insights of another without acknowledgment.
- Paraphrasing of another person's characteristic or original phraseology, metaphor, or other literary devices without acknowledgment.

C. Course Material Tampering

- Removing, defacing, or deliberately keeping from other students library materials that are on

reserve for specific courses.

- Contaminating laboratory samples or altering indicators during a practical exam, such asmoving a pin in a dissection specimen for an anatomy course.
- Selling, distributing, website posting, or publishing course lecture notes, handouts, readers, recordings, or other information provided by an instructor, or using them for any commercial purpose without the express permission of the instructor.

D. False Information and Representation, Fabrication or Alteration of Information

- Furnishing false information in the context of an academic assignment.
- Failing to identify yourself honestly in the context of an academic obligation.
- Fabricating or altering information or data and presenting it as legitimate.
- Providing false or misleading information to an instructor or any other Institution official.

E. Theft or Damage of Intellectual Property

- Sabotaging or stealing another person's assignment, book, paper, notes, experiment, project, electronic hardware or software.
- Improper access to, or electronically interfering with, the property of another person or the Institution via computer or other means.
- Obtaining a copy of an exam or assignment prior to its approved release by the instructor.

F. Alteration of Institution Documents

- Forgery of an instructor's signature on a letter of recommendation or any other document.
- Submitting an altered transcript of grades to or from another institution or employer.
- Putting your name on another person's exam or assignment.
- Altering a previously graded exam or assignment for purposes of a grade appeal or of gainingpoints in a re-grading process.

G. Disturbances in the Classroom

Disturbances in the classroom can also serve to create an unfair academic advantage for oneself or disadvantage for another member of the academic community. Below are some examples of events that may violate the Student Honor Code:

- Interference with the course of instruction to the detriment of other students.
- Disruption of classes or other academic activities in an attempt to stifle academic freedom of speech.
- Failure to comply with the instructions or directives of the course instructor.
- Phoning in falsified bomb threats.

XX. Sanctions

A sanction is an opportunity to educate students on the effects of their behavior and to attempt to affect change in that student's behavior in the future. Any student found responsible for violatingany of the Codes of Conduct or Institution regulations or policies may be subject to one or more sanctions. Failure to complete the conditions outlined in any sanction will result in a HOLD being placed on the student's records and registration. A HOLD on student records and registration will, for example, prevent the student from registering and from obtaining transcripts, verifications, ora diploma from the Institution until the student satisfies the conditions of the sanction.

Criteria for assigning sanctions are determined by several factors: the severity of the misconduct,the nature of the incident, and the student's prior conduct record.

Listed below are some of the more common sanctions used at Edward Waters University, but if circumstances require it, alternative or additional sanctions may be put into place. The Office of Student Integrity and Conduct has no authority over citations given to students by Campus Security officers.

A. Formal Warning

In cases of minor violations, students will be placed on a formal warning status for one (1) calendar year.

B. Residential Probation

A residential probation is a warning similar to, but more serious than, a formal warning. A student may be placed on residential probation for a specified period not to exceed a student’s graduation.

C. Disciplinary Probation

This sanction may prohibit the individual from representing the college in any official capacity. Probation shall be for at least three months or could continue throughout the student's enrollment at Edward Waters University. Further violations of university policies, including violation of probation terms, will probably result in removal from the institution.

D. Residential Suspension

A residential suspension involves the withdrawal of residential privileges for a specified period of time and ordinarily carries with it conditions, which must be met before the ability to reside and/or vising a residential facility.

E. Suspension

Suspension involves the withdrawal of enrollment privileges for a specified period of time and ordinarily carries with it conditions, which must be met for re-enrollment. During the period of suspension, the student may not come onto campus, except when specifically authorized in writing by the Director of Student Integrity, Associate Vice President of Student Success and Engagement, or the Vice President of Student Success and Engagement, or designee. Failure to abide by this condition may result in arrest

for trespassing and/or furtherdisciplinary sanctions. Suspended students are not permitted to live or board in University facilities. Re-enrollment after a suspension requires that the student applies to Associate Vice President for Student Success and Engagement, Vice President for Student Success and Engagement, or designee at the close of the imposed period for a determination of whether they have met the conditions of conduct relatedsanctions. Students suspended may not receive credit for college work completed by correspondence or in residence at another Institution without prior permission from the Vice President of Student Success and Engagement. Records of suspension are maintained indefinitely.

F. Expulsion

Expulsion is a permanent dismissal from the Institution. These records are maintainedindefinitely.

G. Educational Sanctions

All consequences of conduct hearings are intended to be educational. Educational sanctions may be imposed in combination with or as a condition of any other disciplinarysanction. Educational sanctions may, for example, require the respondent to prepare letters of apology, to research an issue related to the offense, to attend a workshop, lecture or meeting, to perform community service, or to attend counseling.

H. Behavioral Contract

A contract is written by an administrator and student(s) for the purpose of improving behavior/ attitude. The behavioral contract includes specific obligations or behaviors whichthe student(s) must meet within a specified time period. The contract serves as the working agreement between the student(s) and the administrator.

I. Community Service

For incidents where the student has engaged in behavior that has an impact on all or a portion of the Institution community, students are required to give back to the community.Students required to complete community service hours are given a form (Community Service Agreement) to be completed, with a list of common departments or non-profit organizations, on and off campus that students may work with to complete their service requirements. If a student chooses to work with an organization that is not on this list, the student is strongly encouraged to contact the Director of Student Integrity and Conduct prior to beginning work.

J. Restitution

Restitution is compensation required of students who engage in theft, misuse, damage, or destruction of institutional, group or private property. The amount of restitution is dependent upon the extent of damage as well as what is determined to be the most appropriate way for a student to make amends for the damage caused. The amount, form,and method of payment of restitution are determined by the hearing administrator or the board.

K. Fines

For some violations, fines may be imposed. At the discretion of the hearing officer, fines and/or work assignments may be imposed.

L. Removal from a Living Unit

In imposing this sanction, the hearing officer may require a student to vacate a particular residence hall. Circumstances in the environment such as conflicts with supervising personnel, peer pressure or an unwillingness to recognize and respect the rights of othersmay indicate a need for the use of this sanction.

M. Revocation of Admission and/or Degree

Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation, or other violation of Institution standards in obtaining the degree, orfor other serious violations committed by a student prior to graduation.

N. Withholding Degree

The Institution may withhold awarding a degree otherwise earned until the completion of the process set forth in this student conduct code, including the completion of all sanctions imposed.

O. Interim Suspension

The Associate Vice President or Vice President for Student Success and Engagement, or designee may restrict access to Institution property/event or suspend a student for an interim period prior to a resolution of a disciplinary proceeding if reliable information that the student has engaged in misconduct is present and it is determined that the continued presence of the student on the Institution campus or at Institution sponsored events posesan immediate threat of harm to the student or other individuals, loss of property, or may cause substantial disruption to the educational mission of the Institution.

XXI. University Conduct Boards

In establishing a responsible community, it is imperative that students, faculty, and staff assistin the enforcement of Institution regulations. Edward Waters University community members are accountable to both civil authorities and to the Institution for acts, which constitute violationsof law and of the community. The University will refer matters to federal and/or state authorities for prosecution when appropriate. Students accused of violating the value standards of conduct of this code or the zero tolerance policy shall be given prompt writtennotice of the allegations, and shall be entitled to an informal hearing before a student judicialbody or person. There are three hearing panels that make up the Institution Honor Board:

A. Formal Conduct Hearing Panel

The Formal Conduct Hearing Panel is charged with hearing alleged violations of the Student Honor Code referred to The Office of the Student Integrity & Conduct. The Formal Conduct Hearing Panel shall consist of fifth teen members from the University community of whom ten shall be members of the faculty and/or staff appointed by the Vice President of Student Success and Engagement, Associate Vice President of Student Success and Engagement , or designee. Five members shall be regularly enrolled students who serve on the Student Government Judicial Branch. Only three (3), one student, and two faculty/staff will be needed per hearing. The Vice President of Student Success and Engagement, Associate Vice President of

Student Success and Engagement , or designee shall appointeach year, several faculties or staff members to act as Chairpersons of the Conduct Hearing Panel. The University Formal Conduct Hearing Panel shall hear cases involving alleged violations of the Student Conduct of Code.

B. Academic Review Panel

Charged with hearing alleged violations of the Academic Integrity Value, including but not limited to plagiarism, cheating, misrepresentation and/or fabrication of one's work and allother forms of academic dishonesty shall be referred to the Academic Review Panel by the Institution Provost, or designee. Cases involving academic dishonesty may initially be heardby bodies established by the Institution or the faculty member who may offer the studenta grade sanction. The Academic Review Panel shall consist of five members of whom threeshall be members of the faculty appointed by the Provost of the Institution or his/herdesignee and two shall be regularly enrolled students who serve on the Student Government Judicial Branch. The Provost, or designee, shall appoint, each year, a faculty member to act as Chairperson of the Academic Review Panel.

C. Housing Review Panel

Charged with hearing alleged violations specific to the Residence Hall policies, rules, and regulations, by residents and/or their guests. Incident reports are submitted to the Directorof Housing and Residence Life for review. The Housing Review Panel of the Institution shallconsist of five members of whom two shall be members of the Residence Life staff or two staff members from the disciplinary committee and two shall be regularly enrolled students from the disciplinary committee or two student Residential Assistants and one Chairperson appointed by the Director of Residence Life and Housing, Associate Vice President for Student Success and Engagement, or the Vice President of StudentSuccess and Engagement. The Director of Residence Life and Housing shall appoint amember of Hall Management professional staff to act as Chairperson of the Housing Review Panel. The Chairperson of the Conduct Hearing Panel may also serve as the chair of the Housing Review Panel. If a violation of the code is established, a punishment imposed by the panel may include but is not limited to, relocation, restitution, fines,residence hall probation, suspension or dismissal from the Residence Hall.

XXII. Disciplinary Process

A. Filing a Report

1. Any person attending University programs, using University facilities, working at or forthe University, or participating in University-sponsored events or activities may file a complaint against a student. The complaint should be filed using the online Student Incident or Concern Form found on the Office of Residence Life and Housing webpage. Incident Reports can also be emailed to the Director of Student Integrity and Conduct.

2. Timeline for Complaints: Complaints of student non-academic conduct should be made as soon as possible or at maximum within six weeks of the incident or eventthat is the subject of the report. In exceptional circumstances, the Director of Student Integrity and Conduct may grant an extension to this time limit.

3. Dual Reporting: Non-academic conduct may be both a violation of University policy andlaw, and as such, the Institution encourages complainants to make reports to both local law enforcement agencies and the Institution. Because the standard of proof required in criminal law is different from the standard of proof required in University policy, theresult of criminal investigations is not dispositive of whether a violation of University policy has occurred. In addition, the criminal investigation will not take the place of a Institution investigation, although such criminal investigation may supplement a Institution investigation. The University will not wait for the conclusion of a criminal investigation to begin conducting its own independent investigation, or to take interim measures to protect the University or any member of the University community, or when necessary, to initiate hearing procedures as outlined below.

4. Information requested: When filing a complaint, the complainant should provide as much detail as possible regarding the nature of the complaint and any witnesses. The more information that you can provide, the better equipped the Institution will be to address the complaint.The Universotu suggests you provide the following information to the extent possible:
    - Name and contact information (address, telephone, email) for the complainant;
    - Name of person(s) directly responsible for the alleged violations of policy;
    - Date(s), time(s), and place(s) of the alleged violation(s);
    - Detailed description of the specific conduct that is the basis of the alleged violation(s);
    - Copies of any documents or other tangible items pertaining to the alleged violation(s);
    - Names and contact information for any witnesses to the alleged violation(s); and
    - Any other relevant information.

All information is requested within the Student Concern and Incident Report.

B. Charges

1. Intake and Review: All concerns and complaints about a student's or students' conduct shall be referred to the Office of Student Integrity and Conduct via the online incident and concern form. The Director of Student Integrity and Conduct will review the allegations and select the appropriate charges to be considered, if any.

    a) When appropriate, the Director of Student Integrity and Conduct will meet with the complainant in order to provide the complainant a general understanding ofthese procedures and to identify forms of support or interim measures available to the complainant.

    b) If the complainant does not wish to pursue resolution and/or requests that his orher complaint remain anonymous, the University may still need to investigate andtake reasonable action in light of the complainant's request.

    c) The complainant's request will be balanced against the University's need to provide a learning and working environment for all members of the Institutioncommunity that

is reasonably safe and non-discriminatory.

d) Factors that will influence the University action include: the seriousness of the allegation; whether there are additional complaints involving the same alleged student; and the University's ability to bring the complaint forward absent theinvolvement of the complainant.

2. Interim Measures: To ensure the health, welfare, and safety of the complainant, respondent, third-parties or the Institution community, or to uphold the integrity of the process, the University may take interim action at any time and is not required to wait totake such action until after the Intake and Review or a hearing. Depending on the specific nature of the allegation, interim action may include but is not limited to the following:

- Imposition of a No-contact order (a directive that the complainant and accused student refrain from having contact with one another, their families, and/or theirpersonal possessions, directly or through proxies, whether in person or via electronic means, pending the investigation and, if applicable, the hearing);
- Provision of counseling services;
- Provision of medical services;
- Provision of academic support services, like tutoring;
- Provision of alterations to the student's class schedule to ensure the complainantand alleged student do not attend the same classes;
- Moving the complainant or alleged student to a different student housing facility;
- Removing a student from residential facilities (See Residential Suspension); and
- Provision of an escort to ensure the student can move safely between classes and university activities

3. Standard of Proof: A violation of University policy will be found and the accused student will be found responsible if the Director of Student Integrity and Conduct, or Formal Conduct Hearing Panel by a majority vote, finds it more likely than not that the accused student violated Institution Policy based on all of the information presented during the investigation and hearing process.

C. Notice of Charges

All reports of alleged violations by a student shall be made in writing to The Office of Student Integrity and Conduct. Each complaint shall contain a statement of facts outlining each alleged act ofmisconduct and any witnesses to the alleged act. The Office of Student Integrity and Conduct shall make preliminary investigations of charges against a student and send a notice of charges to the student.

a. The Director of Student Integrity and Conduct shall issue a notice of charges to the accused student. The notice of charges shall contain at a minimum, the date of the alleged violation, any available evidence to be used in support of the alleged violation and the date and time of the pre- hearing conference. The notice will request that the accused student meet with the Director of Student Integrity and Conduct or may choose to by-pass this step and forward a case for formal procedures at his/her discretion and/or if the violation is a Zero Tolerance Policy violation.

b. The student shall be notified of the date and time of the pre-hearing conference via their

university email within five business days of receiving an incident report. It is the student's responsibility to ensure that he or she has a working email. In addition, it is the student's responsibility to make sure that his or her local and home addresses are updated in all university systems. (Failure of the student to have a valid email or mailing address on file with the University shall not invalidate the notice).

D. Pre-hearing Conferences

The Director of Student Integrity and Conduct, or designee, holds pre-hearing conferenceswith the accused student or refers cases to the appropriate disciplinary panel. The Director of Student Integrity and Conduct shall set the time and place for a hearing and shall notify other committee members, the accused student, and any witnesses deemed necessary by the Institution to testify at the hearing.

a. At the pre-hearing conference, the student will be given the opportunity to accept responsibility for the violation and waive their rights to a formal hearing and any sanction appeal. Students can also request a formal hearing with the appropriate hearing panel.
b. Students who fail to attend the pre-hearing conference will be found in violation and have sanctions imposed, waiving any opportunity for a sanction appeal. Students sanctioned in their absence will be notified in writing within 48 hours and the case will be considered closed.

E. Formal Conduct Hearing

Formal Conduct Hearings are scheduled for the upcoming Friday of each week, unless otherwise informed by the Director of Student Integrity and Conduct. The Director of Student Integrity and Conduct, or designee, shall notify the student in writing of their formal hearing date. The notice shall be communicated via their university student e-mail address.

The notice of charges shall contain at a minimum:

- The date, time and place of the hearing.
- A description of charges

a) If a student fails to appear at the hearing and the student has been properly notified, the hearing officer and/or committee may hold the hearing in the student's absence. After a review of the testimony and evidence the committee may dismiss the charges; find the student responsible and impose a disciplinary penalty unless the charge falls into the category of Zero Tolerance to which the sanctions outlined in the Honor Code will be enforced.

b) It is the student's/student organization's right not to be present for the hearing. The hearing may go forward without the student/student organization and a decision may bemade on the basis of the information available at the time of the hearing. If a student failsto resolve his/her case, the Office of Student Integrity and Conductmay place a hold on a student's enrollment and/or transcripts.

c) If the student's schedule should change and he or she is unable to attend the hearing, requests

for continuance must be made by the student via email to SIC@ewc.edu at least 24 hours prior to the scheduled hearing. The Director of Student Integrity and Conduct may reschedule the hearing if the request is timely and for good cause. Note that approval for rescheduling hearing proceedings is at the discretion of the University. Documentation will need to be presented to and verified by the Director of Student Integrity and Conduct before the continuance is granted (i.e. incarceration, death in the family, hospitalization,deployment, etc.).

d) The Director of Student Integrity and Conduct will be responsible for notifying all witnesses of the hearing and for the creation of the Formal Conduct Hearing Panel file.

e) Copies of the Formal Conduct Hearing Panel file will be made available to the Panel prior to the hearing and will contain, at a minimum, statementof complaint, witness lists submitted by each party, and any related information collected through the investigative process by the Hearing Officer.

f) Any member of the Formal Conduct Hearing Panel shall disqualify himself or herself if their personal involvement in the case does not allow them to be objective or is of such a nature as to be detrimental to the interest of the accused or of the institution.

g) Deliberations are conducted in an executive session with the hearing panel only. The recommendation reached after deliberations shall be made by majority vote. A quorum shall consist of three members, two faculty and/or staff members and one student. One of the two faculty/staff members must be the Chairperson who votes only in case of a tie. A written summary, recommendations, and audio tape shall be forwarded to the Director of Student Integrity and Conduct or Associate Vice President of Student Success and Engagement, as deemed appropriate, who shall communicate the findings in writing to the student. The notice of findings will notify the student of their right to appeal.

h) While an appeal is pending, any action assessed by the hearing body shall be suspended, pending the outcome of the appeal. The Vice President of Student Success and Engagement's decision is final. Only a sanction of suspension or expulsion may be appealed to the President of the Institution. **** (See exceptions below)**

i) Due process shall be afforded the accused student at formal conduct hearings and the student shall be entitled:

- To be present at the hearing and hear all testimony presented.
- To examine prior to the hearing, evidence to be presented.
- To have an advisor of his/her choice.
- To question witnesses in accordance with the rules.
- To present evidence and/or witnesses in accordance with the rules.
- To remain silent and have no inference of guilt drawn from such silence.
- To appeal if the committee imposes suspension or expulsion.
- To attend classes and required college functions until a hearing is held and a decisionis rendered. ****(See exceptions below)**

**Exceptions to this would be made when the student's presence would create a clear and present danger to others, self, or of material interference with the normal operation andprocesses or the requirements of appropriate discipline at the Institution. In such cases, the Office of the VPSSE may impose temporary protective measures, including suspension, pending a hearing, which may be reasonably necessary. It is understood that such temporary protective measures if applied, will be without avoidable prejudice to thestudent. (Clear and present danger is anything that interrupts the normal operations of the Institution community. This can include by it not limited to: Drugs, Sexual Misconduct, Weapons, Fighting, Gang Related Activity/Affiliation, Tampering or Destroy of Safety Devices, Bully/Cyberbullying, Hazing, and Damages in Excess of $500.00

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i. Formal Conduct Hearing Procedure:

a. In cases involving more than one student, the Director of Student Integrity and Conduct may consolidate the cases for hearing but shall make separate findings for each accused student.

b. If the student chooses to have an advisor/attorney present during the hearing, the advisor/attorney shall be present for consultation purposes only and shall not be permitted to speak on the students' behalf. In addition, students who would like to have an advisor/attorney present will need to notify the Director of Student Integrity and Conduct of the person's name and contact information at least two days prior tothe scheduled hearing. This prior notification will provide the opportunity for the Director of Student Integrity and Conduct to request the University counsel presenceat the hearing.

c. Rules of common courtesy and decency shall be observed. Willful disrespect, to include, but not limited to use of profanity, threatening behavior, derogatory remarks, and or/gestures will not be tolerated.

d. Any person may be dismissed from the hearing that interferes with or obstructs the hearing or who fails to abide by the rulings of the chairperson.

e. The questioning of any person appearing before the hearing panel shall not be in a badgering, unduly repetitious, or irrelevant manner. It shall be at the discretion of chairperson to curtail a participant's further opportunity for questioning if such behavior occurs.

f. The chairperson shall have the right to call additional witnesses, require the presentation of additional evidence, and/or require additional investigation.

g. The Formal Conduct Panel Hearing will determine the order of witnesses, and the Chair will resolve any questions of procedure during the hearing. Each party will be allowed to make a presentation, have witnesses called on his/her behalf, challenge any information presented, and make a closing statement. Only the Chair and Panel members are given absolute authority to directly question parties and witnesses. Atthe discretion of the Chair, parties may directly question witnesses and each other, but the Chair is empowered to have questions directed to the Chair, disallow or reframe any questions.

h. An audio taped record of the hearing shall be maintained and filed with the Director of Student Integrity and Conduct. The record of the hearing shall be retained for seven years. In cases of expulsion, the record should be retained permanently.

i. All hearings will be closed.

ii. Additional Rules for Sexual Assault Cases

a. The accused shall not initiate any contact, directly or indirectly, with the complainant orany witness.

b. During the hearing, no evidence may be presented which pertains to the past sexual history of the complainant or of any witness.

c. During the hearing, unrelated past sexual history of the accused may not be entered as evidence or discussed in the hearing.

d. The accused and the accuser will be notified in writing of the outcome of the hearing,any sanction imposed and of the final action taken by the Institution.

e. The accuser shall have the right to have an advisor accompany them at the hearing.

f. The accuser shall be informed of all witnesses to be called, to the extent known, duringa hearing.

g. All proceeding in cases involving sexual assault will be treated confidentially, to the extent provided by law and the identities of any involved party will not be disclosed to anyone not directly involved with the Institution's disciplinary process.

iii. Campus Organizations and Clubs Adjudication

a. A student organization may be accused of a violation of the Student Honor Code regardless of whether a member of the organization is individually accused of a violation arising from the same incident(s).

b. A student organization and its officers, leaders, or any identifiable spokespersons may be held collectively or individually responsible when prohibited conduct by those associated with the Organization have received the implicit or overt consent or encouragement of the Organization or of the Organization's leaders, officers, or spokespersons.

c. The officers, leaders, or any identifiable spokespersons for a Student Organization may be directed by the Vice President for Success and Engagement, Associate Vice President for Student Success and Engagement, Student Activities and Leadership staff, TitleIX Office staff, Campus Safety and Security Officers or other designated security or law enforcement agents to take appropriate action designed to prevent or end prohibited conduct by the Organization or by any persons associated with the Organization who can reasonably be said to be acting on the Organization's behalf. Failure to make reasonable efforts to comply with the directive shall be considered a violation of the Student Honor Code both by the individual officers, leaders, or spokespersons for the Organization and by the Organization itself.

d. A Student Organization may be held accountable if any of the following situations regarding an alleged violation(s) of the Student Honor Code apply:

1. it was committed by one or more members of the Organization;
2. it was committed by one or more members of the Organization, and Organization

funds were used to finance the function;

3. it occurred in the context of an Organization-sponsored function; or
4. it occurred in the context of an Organization-sponsored activity that was advertised via Organization-controlled mediums (e.g., social media).

e. Student Organization may be held accountable if any of the following situations regarding an alleged violation(s) of the Student Honor Code apply The president or equivalent officer of a Student Organization shall represent the Organization unless he/she petitions the Associate Vice President or designee to substitute another student to represent the organization.

f. The president and advisor of the organization will be advised by a Student Activities and Leadership staff member of the charges against the organization. The president and advisor will be further advised of the action the Office of Student Integrity and Conduct is taking against theorganization. The Director of Student Integrity and Conduct may impose disciplinary measures on the organization or may refer the charges to the appropriate body.

g. In any hearing resulting from a violation by a student organization in which it is determined that the violation was caused by the action of individuals rather than official action of the organization, the Board hearing the matter reserves the right to refer those individuals to the Office of Student Integrity and Conduct, which may refer them to the Student HonorBoard. Officers acting in their capacity as representatives for the organization may bedealt with as individuals and official representatives of the organization.

h. Edward Waters University organization issued email along with advisor email address isthe Institution's primary means of communication with student organizations. Student Organizations are responsible for all communication delivered to their Edward Waters University email address. Student Organization leadership should check their Edward Waters University email address daily. Notices of an investigation, meetings, and hearing are sent to University email addresses.

i. Any of the following disciplinary sanctions, or a combination thereof, may be placedupon an organization found in violation of the Student Honor Code, Student Organization Handbook or any other relevant University policy. The examples used below do not represent the definitive list of possible sanctions.

   i. **Warning** – A written, formal warning will be sent to the student organization leadership and saved in the organization's electronic file. Further violations may result in additional sanctions.
   ii. **Probation Status** – An organization is placed on probation. Organizations on probation may be required to meet additional sanctions/requirements before being removed from probation. Further violations occurring during the probationary time period may result in additional sanctions.
   iii. **Loss of Privileges** – A student organization may face a loss of privileges on campus. Privileges may include, but not be limited to meeting and event space reservations, funding support, the ability to recruit new members, eligibility for the Organizational fair, use of the on-campus facilities, prohibited from participating in Institution sponsored activity/events, suspension of banking and/or financial advisement support, and/or public listing with EWU.
   iv. **Restitution** – A student organization may be required to repay all monetary costs associated with damages that occurred at an event hosted or attended by said

organization. Additionally restitution may take the form of work/service required to repair, replace, improve or otherwise restore or enhance property or persons impacted by the organization's behavior. A student organization is responsible for paying/performing any restitution in a timely manner. Failure to do so will result in additional sanctions.

v. **Educational Initiatives** – Student organization leaders may be required to participate in educational initiatives that may include but not be limited to workshops/seminars, community service projects, etc.

vi. **Suspension/Loss of Registration** – A student organization may be subject to suspension/loss of registration for a defined period. Suspended organizations are disallowed from any affiliation with Edward Waters University, direct or indirect, and are not allowed to re-activate as an organization without prior written permission from the Office of the Vice President of Student Success and Engagement. A suspended organizationmust apply for reinstatement following the term of the suspension by submitting a letter to the Office of the Vice President of Student Success and Engagement.

j. The responsibility of interpretation and enforcement of Institution regulations rests with the president and advisor of the organization sponsoring the event. Organizations' officers assume full responsibility for the conduct of their members, guests and entertainers.

k. The Office of the Vice President of Student Success and Engagement, responsible for the overall safety of the University community, may exercise the authority to cancel an event when conditions arise that may not be in the best interest of the University. Cancellation notification will be through Student Activities and Leadership. The sponsoring organization and offices involved in the event planning of the event shall be notified immediately upon the decision to cancel.

l. In the course of an approved activity/event, the Department of Campus Safety and Security or an acting University official can discontinue a sanctioned activity/event when conditions arise that may not be in the best interest of the University.

F. Administrative Hearings

a. In situations where the behavior is a violation of a University Policy and the administrative sanction is less than suspension, or when suspension is a likely sanction and there is no disputation of facts by the accused student/student organization, an accused student/student organization shall meet with a Hearing Officer in an informal administrative hearing.

1. If an institution Policy violation is found, the Hearing Officer may assign any formal conduct sanction, educational sanction, or restriction, with the exceptionof expulsion.
2. If the accused student/respondent fails to participate in the process by failing toattend a meeting or providing information, the Hearing Officer may render a decision based on the available information.
3. An accused student/student organization who fails to participate or disagrees with the finding of the administrative hearing does not waive the right to appeal.

Administrative hearings for University Policy violations are the exception and not the norm, and are generally only held by the Director of Student Integrity & Conduct, the Associate Vice President for Student

Success and Engagement, the Vice President of Student Success and Engagement, the Provost, or the President of Edward Waters University.

G. Retaliation

Retaliation is prohibited: University policy prohibits retaliation against a complainant or individual cooperating in the investigation of an alleged violation of University Policy. Retaliation includes any harassment, intimidation, threats or adverse action against any complainant or individual asa result of participation in a complaint. Retaliatory behavior is not limited to behavior by the accused student, and covers behavior by his or her associates, as well as third parties. Retaliation should be reported to the Director of Student Integrity and Conduct, and is considered an independent allegation that may lead to additional interim measures or disciplinary action.

H. Rendering a Decision

Upon completion of the hearing, the Conduct Board must within two (2) working days inform the Director of Student Integrity and Conduct of the decision and, if necessary, the sanctions whichhave been recommended.

After a formal hearing before the Chair, the Director of Student Integrity and Conduct will review the report of the Panel and all hearing materials, determine whether to accept the recommendations, and provide written notification to the accused student and the complainantof the findings and sanctions, if any. Sanctions imposed by the Director of Student Integrity and Conduct are effective immediately unless otherwise specified in the notification. If sanctions are imposed, notice of the appeal procedure will be provided to both parties. Minor technical departures or errors in the procedures established by this policy will not necessarily be grounds to withhold conduct action.

The Director of Student Integrity and Conduct, based on the totality of information and theStudent Honor Code, reserves the right to reasonably modify the charges included in the notification.

Additional Information
The Institution will strive to complete complaint investigations, including issuance of a report of findings to the complainant and accused student, in as timely and efficient a manner as possibleand typically within fifteen (15) business days of receipt of a complaint. However, this timeframe may be extended based on factors such as, but not limited to, schedule and availability of witnesses, holidays or semester breaks including summer break, and complexity of the complaint. If an investigation cannot be completed within fifteen (15) business days of receipt of the complaint, then the Hearing Officer will notify the complainant and accused student of that fact and provide a timeframe for completing the investigation.

I. Appeal Procedures

An appeal is defined as a review of the original case. This may involve a review of the decisionas recorded on paper, or other procedures as described below. During an appeal, the burden is placed on the appealing student or student organization representative to demonstrate why the finding or sanction should be changed.

The accused student shall appeal via an online electronic submission within two business days after notification of the decision of the hearing panel. A student may appeal on the following grounds:

1. A procedure was not followed.
2. A claim that the decision of the hearing panel was clearly erroneous.
3. A claim that the sanction(s) imposed was (were) overly harsh or inappropriate (only sanctions of suspension or expulsion may be appealed).
4. New evidence being presented, not available at a previous hearing that couldexonerate the student.

Appeal requests may be denied in cases not having sufficient grounds in one or more of these areas. All appeals must be submitted via email to the Associate Vice President of Student Success and Engagement.

The Associate Vice President of Student Success and Engagement will review the entire hearing file and record of the hearing (if requested). The Associate Vice President of Student Success and Engagement may request a personal appearance of the student or organizational representative to discuss the incident in question. After reviewing the record, and depending upon the demonstrated grounds for appeal, the Associate Vice President of Student Success and Engagement may take any of the following actions:

1. Affirm the charge;
2. Impose greater or lesser sanctions; or
3. Order a new conduct hearing.

The action of the Associate Vice President of Student Success and Engagement considering an appeal will be communicated to the student or organizational representative via email. The Associate Vice President of Student Success and Engagement shall render his/her decision in writing within five business days from his/her receipt of an appeal. The decision of the Associate Vice President of Student Success and Engagement is final.

J. Student Disciplinary Records

Student conduct case records are confidential and will not be released outside the Institutionwithout the student's written permission or by order of a court of law. Exceptions are noted below. A copy of conduct case materials will stay in the student's file for seven years from the date of the incident at which time it will be destroyed. All records involving suspension or expulsion are maintained indefinitely. Student conduct records are maintained in the Office of Student Integrity and Conduct.
Notification within the Institution of conduct action taken against students is made on a "needto know" basis and includes but is not limited to: the Athletic Department in cases involvingathletes, Student Life in cases involving fraternities or sororities, and Military Affairs in cases involving ROTC students. The Chaplaincy and Health and Wellness will be informed of cases involving circumstances where the services are needed.

In the case of suspension or expulsion, notification is sent to the University Registrar's Office, The Office of Financial Aid, Academic Affairs, Campus Safety and Security, and The Office of Student Accounts, and any other University Office deemed "need-to-know". Lesser sanctions, such as a formal warning or probation, do not affect a student's academic standing. A conduct suspended and/or expelled student also has any campus accessprivileges suspended.

Records on student organizations are confidential and will not be released unless for official university purpose.

K. Withdrawal (Suspension or Expulsion)

A decision of suspension or expulsion from the Institution will result in a student receiving a WF for each course in which he or she is enrolled, regardless of when the infraction occursthat semester. A student will not be allowed to withdraw from the Institution without penaltyif a decision of suspension or expulsion is rendered against the student. A student will alsoforfeit the right to a refund of any fees (i.e. tuition, mandatory fees, housing, etc.).

L. Interim Suspension

1. The Director of Student Integrity and Conduct, or designee, may restrict access to university property/event or suspend a student for an interim period prior to a resolution determined by a disciplinaryproceeding if the Director of Student Integrity and Conduct has reliable information that the student has engagedin misconduct and the Director of Student Integrity and Conduct determines that the continued presence of the student on the Institution campus or at Institution sponsored events poses an immediate threat of harm to the student or other individuals, loss of property, or may cause substantial disruption to the educational mission of the University.
2. A student who has been issued an interim suspension and excluded from the Institution shall be required to leave the campus immediately and shall be notified that he or she will thereafter be treated as a trespasser if he or she returns to Institution property without proper authorization. The interim suspension will take effect immediately as of the Director of Student Integrity and Conduct decision.
3. Written notice of the interim suspension will be communicated by the Director of Student Integrity and Conduct or designee, but no later than one (1)business day after the suspension takes effect (unless additional time is needed or necessary). If written notice cannot be hand-delivered, the Director of Student Integrity and Conduct or designee shall send notice to the student via university email.
4. The interim suspension letter will provide the following:
    a. that the student has been issued an interim suspension from the Institution;
    b. that the student is prohibited from entering Institution property or attendingInstitution sponsored events;
    c. that the student will be considered a trespasser if he or she returns to theInstitution without proper authorization;
    d. give stated reasons for the interim suspension and exclusion from the Institution property;
    e. that disciplinary action against the student will be initiated by the Director of Student Integrity and Conduct; and, that the student may request a formal hearing within (2) business days after a student has been notified of the interim suspension and exclusion from Institution property.
    f. A student placed on interim suspension means that the student cannot attendclasses (including online learning) and must leave Institution property and cannot return to the Institution without proper authorization, i.e. except for the limited purposes of participating in an interim suspension review hearing and/or disciplinary hearing. The Director of Student Integrity and Conduct or Associate Vice President of Student Success and Engagement may require that the student is escorted to and from the disciplinary proceedings by members of Campus Security. If the student lives in

University owned/operated housing, he or she must vacate his/her room immediately and turn in the room key, as well as check-out properly according to the Residence Life and Housing contract.

5. Within two (2) business days after a student has been notified of the interim suspension and exclusion from Institution property, the student may request an interim suspension review hearing to determine whether the interim suspension should continue or whether the student should be reinstated and allowed to return to Institution property until a finaldisposition is made at the student disciplinary hearing.
6. The request must be submitted in writing to the Associate Vice President of Student Success and Engagement or designee, who shall review the conduct file to make a final decision to uphold or revoke the interim suspension.
7. The Associate Vice President of Student Success and Engagement or designee may affirm the original decision, maintaining the interim suspension and temporary exclusion until full disciplinary proceedings are held, or if delegated by the Associate Vice President of Student Success and Engagement, a panel may recommend that the interim suspension is lifted.
8. The Associate Vice President of Student Success and Engagement, or designee, shall thereafter notify the student that he or she is reinstated pending the outcome of the full disciplinary hearing or the interim suspensionand temporary exclusion are to be continued subject to the outcome of the disciplinary proceedings. The notice will be provided within one (1) business day of the decision unless additional time is needed or necessary.
9. No interim suspension hearing shall take place of the full disciplinary proceedings which will determine whether the student shall be sanctioned for the misconduct charged. Failure to respond to the disciplinary action for the misconduct charge shall result in a finding against the student and result in permanent suspension for the academic semester and/or academic year. As a result, the student must apply for readmission before he orshe can return to active matriculation at the University.