



Student Code of Conduct 2020-2021

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A. OVERVIEW OF STUDENT SERVICES

Waynesburg University strives to provide an educationally purposeful environment that maximizes the opportunity for students to develop in all facets of life. The Student Services team complements the academic program by offering out-of-classroom experiences that develop leadership and interpersonal skills, provide for experiential learning, and encourage ethical decision-making. A fundamental question Student Services attempts to address within student life is, “How can we, in a diverse community of ideas and cultures, get along with and learn from one another?”

A wide array of services exists to meet specific student needs and a variety of activities, organizations, and programs are planned to enhance the development of the individual student and the uplifting of the campus community. Community service and service learning are understood as integral to the educational environment. They provide experiential components to the classroom as well as an impetus for the development of habits of service and an awareness of good citizenship within the local and global community.

All activities and student life auxiliary services are under the general direction of the Student Services division of the University. The main office is located on the third floor of the Stover Campus Center and is open throughout the day, Monday through Friday, to assist students with any problems, questions, or ideas.

COVID-19 Policy

Following federal, state, local, and regulatory guidelines, including guidance issued by the Centers for Disease Control, the Pennsylvania Department of Education, and state and federal associations representing peer institutions, Waynesburg University is making modifications in all areas on campus to mitigate risks associated with COVID-19 for students, faculty, staff, and the surrounding community. The Waynesburg University COVID-19 Health and Safety Plan details modifications, which include:

- Practices related to hygiene, sanitation, and face coverings on campus;
- Social distancing interventions and modifications to facilities;
- Adjustments to campus policies, such as academic, housing, employee, and other policies;
- Modifications to course modalities, schedules, and calendars; and
- Other strategies to create an environment conducive to a health, safe, and inclusion.

Members of the campus community are urged to assist in this effort by accepting personal responsibility for maintaining safe work environments and encouraging safe behaviors while being respectful of others. Students, faculty, staff, administrators and visitors are required to comply with all policies and procedures implemented by Waynesburg University to address COVID-19, including the policies in this Code of Conduct.

B. THE SIX PILLARS OF CONDUCT AND RESPONSIBILITY

Waynesburg University expects all members of the University community to accept responsibility for their personal conduct and to encourage others to do the same. If the conduct of any member of the University community is found to be detrimental to the academic, social, and spiritual development of others within the community, the University (through its various offices and personnel) will provide guidance, direction, and if necessary, discipline.

As a Christian academic institution, Waynesburg University has a vested interest in the safety and well-being of the campus community. This Code is intended to support and advance the educational and religious mission of the University, without unduly restricting or diminishing the University experience. The Student Code of Conduct outlines the minimum acceptable level of conduct expected of every student at Waynesburg University.

All laws of the Commonwealth of Pennsylvania and the Borough of Waynesburg are in effect on the Waynesburg University campus. The implementation of University disciplinary authority does not protect the student from, nor does the University consider it to be a substitution for, criminal prosecution. The University disciplinary authority is administrative in nature and purpose, and completely independent of civil or criminal proceedings in the courts of Pennsylvania.

All Waynesburg University students are responsible for knowing the procedures and policies set forth in this Code of Conduct.

1. **STUDENTS WILL DISPLAY ACADEMIC AND PERSONAL INTEGRITY**

a. Dishonesty Any form of dishonesty is an indictment of the integrity of an individual and is considered grounds for disciplinary action. Some examples of dishonesty are: distortion of the truth during an Interview or Hearing, purposely leaving out important information during an Interview or Hearing, hiding items or people during a room search or inspection, blaming others for violations in which you committed, cheating, plagiarism, unauthorized use or possession of an un-administered test, forgery, falsification of records, and falsification of checks, theft, and misuse of meal tickets. For further information on the Academic Integrity policy and procedures, please refer to the University Catalog and the Academic Integrity Policy which follows this section.

b. Academic Integrity Please reference the University's Academic Catalog for information relative to Academic Integrity.

c. Disruption of Academic or Operational Functions Students are not to engage in any behavior disrupting the academic or operational functions of the University. Any person who disrupts or interferes with the academic or operational function of the University will be asked to immediately cease and desist. If he or she does not immediately do so, the following steps will be taken: (1) the individual will be asked to identify him or herself and (2) if the individual refuses to identify him or herself, and does not cease and desist, he or she will be removed by the Department of Public Safety.

If in the determination of the Vice President or his designee, it is determined that the University cannot meet the mental health needs of a student, it is in the best interest of the student to no longer be enrolled, and there are not any ADA requirements applicable, an administrative withdraw may be invoked. A student may reenroll in a subsequent semester pending a meeting with the Vice President or his designee and if given approval to reenroll.

d. Personal Integrity and the Judicial Process Personal integrity is required in order to insure the fair application of all University policies and rules. Any act that seeks to subvert the integrity of any disciplinary process is prohibited. Acts that subvert the integrity of the disciplinary process include, but are not limited to,

- * attempting to grant or receive a bribe;
- * threatening anyone involved in the disciplinary process;
- * filing a false incident report or complaint;
- * providing false information or false evidence at any stage of the disciplinary process;
- * tampering with or destroying any evidence related to a disciplinary process.

e. Disregard Official Directives or Summons Students are not to disregard the directives, verbal or written, of University or civil officials. Students are not to obstruct a University or civil official from carrying out his or her duties. Additionally, when a student receives an official University summons, he/she must respond to the issuing office within 24 hours. Failure to respond will warrant disciplinary action.

f. Community Waynesburg University students are expected to accept and adhere to high standards of personal

Conduct and Civility

conduct. Students shall treat all members and guests of the Waynesburg University community with courtesy, respect and dignity.

(1) **Damage to Public or Private Property**

Damage, Vandalism, and Littering: Students shall not damage property belonging to others, including University buildings, fixtures, furnishings and grounds. Any incident of vandalism attributed to a student will result in the payment of the repairs plus appropriate fines and disciplinary action. Littering on campus grounds is prohibited. This includes discarding cigarette butts.

Unauthorized Entry or Climbing of University Property: Forcible or unauthorized entry into any University owned or controlled building, structure, facility, or room is prohibited. Climbing on the exterior of any University building or facility is strictly prohibited. This practice is extremely dangerous and will not be tolerated.

(2) **Theft, Misappropriation, or Unauthorized Sale**

The unauthorized occupancy, use, possession, or removal of property belonging to the University, other students, guests, or vendors is strictly prohibited.

g. Gambling

All forms of gambling are prohibited on campus. This includes playing cards, wagering on sports events, or other games for money or items of value. While playing cards and other games of chance without exchanging items of value might be permissible, spending large amounts of time on such games may not be beneficial.

h. Indecent, Lewd, or Sexually Explicit Material

Students shall not engage in acts of an indecent, lewd or obscene nature in public or community settings.

The possession of pornographic material or materials which may be considered as sexually offensive is strictly prohibited on University premises, or during University sanctioned activities wherever held. This includes material in any form (e.g., magazines, posters, art, photographs, videos, depictions of nudity or scantily clad men or women, phone sex, “cyber-sex”, pornographic web sites or postings, advertisements, etc.). Obscene or harassing telephone calls are against the law. Students and their guests are strictly prohibited from engaging in this type of behavior. A first time violation will result in a meeting with University staff and removal of the material. Additional violations will result in immediate removal and disposal (of the material) and could result in other disciplinary action.

i. Off-Campus Behavior

Students living off-campus are expected to abide by the Student Code of Conduct to the same extent as students living on campus. Students involved in off-campus incidents may find themselves subject to discipline by the University as well as criminal prosecution by local authorities. Waynesburg University will cooperate fully with local authorities in their investigation and prosecution of students engaged in illegal activities. In addition, the Vice President, or his/her designee, may also charge the student with a violation of the Student Code of Conduct and pursue charges in the University discipline system. In that instance, the University will follow its normal discipline process, regardless of the pending criminal proceedings arising from the same incident.

2. STUDENTS WILL CONDUCT THEMSELVES IN A SAFE AND NON-THREATENING MANNER

a. Fireworks, Firearms and Other Weapons

Weapons including all firearms, bows with arrows, knives (longer than three inches), "B.B." guns, pellet guns, paint ball guns, fire crackers, fireworks, tear gas, martial arts devices, or anything that can be used as a weapon will not be allowed on campus. Possession or keeping of any firearm, ammunition, explosive device, or other weapon on University owned or controlled property is strictly prohibited. Students found to be in possession of weapons or dangerous materials in violation of this policy will likely be subject to immediate suspension and/or expulsion and may face prosecution by local authorities.

b. Physical or Verbal Abuse or Threatening Behavior

Any form of threat, intimidation, ethnic harassment, coercion, or other conduct which threatens or endangers the health or safety of any person is prohibited. This includes all inappropriate language, comments or actions whether made on the Waynesburg University campus or in the surrounding community. Additionally, students shall not: intentionally harm any person; take any action that creates a substantial risk of harm to another person; or threaten by any means harm or injury to another person.

c. Pranks or Practical Jokes

Considering the potential for damage to people and property, students should demonstrate good judgment in regards to any type of practical joke or recreational activity. Students are expected to exercise common sense, show consideration for others, and to always respect the request of any staff member or university official.

d. Safety Equipment and Measures

The unauthorized alteration or use of any fire-fighting equipment, protective devices designed for such equipment, or other emergency device is prohibited. Tampering with or otherwise rendering useless any emergency or safety equipment, such as exit signs, fire extinguishers, fire alarms, fire boxes, water/steam pipes, first aid equipment, or emergency telephones, is strictly prohibited. Obstructing fire escape routes, such as hallways or stairwells, is prohibited. Because of the potential for harm to others, sanctions for such conduct may include suspension or expulsion from the University. Hindering, tampering with, removing, or discharging any fire protection equipment, including the smoke detectors, without proper cause will result in a fine of \$75.00 and disciplinary action.

Setting off a false alarm or igniting a fire in the residence hall or in a campus facility will result in suspension from university and possible criminal prosecution. All students, regardless of commuter or residential status, must exit University owned or controlled building, structure or facility immediately upon notification by fire alarm. Failure to comply will result in disciplinary action and a fine.

The intentional false report of a bomb, fire, attack, or other emergency (verbal, written, or otherwise) is strictly prohibited. Any such act is a serious matter for which the maximum sanctions provided will be imposed.

e. Hazing

Hazing is a violation of both Pennsylvania state law (24 P.S. § 5353) and University Policy. Under 24 P.S. § 5353, hazing is defined as "[a]ny action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student; this could be for the purpose of

initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education." Hazing includes any act that could harm an individual's physical or mental health or safety, or dignity, such as: physical acts of brutality (including whipping, beating, branding, exposure to the elements, etc.), forced calisthenics, forced consumption of food, alcohol, drugs or other substances, sleep deprivation, forced exclusion from social contact, acts causing extreme embarrassment or stress, and/or willful destruction or removal of public or private property.

Also be advised that hazing does not require coercion. Alleged voluntary acts can rise to the level of hazing if individuals feel pressured to perform such acts, or if such acts are related to membership in an organization. 24 P.S. § 5352.

The penalties for hazing include University sanctions against individuals and organizations involved in the activities, and criminal sanctions under state law. 24 P.S. § 5354(B). Such penalties may involve the imposition of fines, probation, suspension, withholding of diplomas or transcripts, or even imprisonment.

**f. Social Media
and Cyber-
Bullying**

Students are responsible for all communication conducted through social media (directly or indirectly). Threatening or disrespectful communication with any person (University or non-University affiliated) could be grounds for disciplinary action. This will include, but not limited to, text messages, photographs, Twitter comments, Facebook postings, and the use of email.

Cyber-bullying: The use of Internet technology to tease, humiliate or harass another person (directly or indirectly) will not be tolerated and are grounds for dismissal from the University. Victims of cyber-bullying are urged to save all related evidence and to report the incident immediately to the Title IX Coordinator, Department of Public Safety, or Student Services staff.

Depending on the severity of the violation, the University may treat complaints of Cyber-Bullying in accordance with the procedures outlined in the Anti-Harassment and Anti-Discrimination Policy.

3. STUDENTS WILL BE SUCCESSFUL IN FOSTERING A COMFORTABLE RESIDENTIAL COMMUNITY SETTING

Introduction

Waynesburg University has ten residence halls:

- *WOMEN'S RESIDENCE HALLS:* Denny, Burns, Ray, East, South, West and Pollock Halls
- *MEN'S RESIDENCE HALLS:* Martin, Thayer, and Willison Hall.

Each residence hall is supervised by a Resident Director (RD) who is a member of the Student Services staff and several Resident Assistants (RAs). RAs are undergraduate students who have participated in extensive training. The residence hall staff is responsible for establishing community, sharing information, conducting educational and recreational programs, and maintaining a safe, orderly environment. Students are responsible for knowing the procedures and policies for all residence hall facilities.

a. Appliances and Furniture

Appliances: A list of acceptable electrical appliances for use in residence hall rooms is available from the Director of Housing. Compact refrigerators, microwave ovens and coffee pots may be used in any residence hall room. Hot plates, candle warmers ("Scentsy"), hot pots, toasters, toaster ovens, air conditioners, space heaters, and deep fryers are not permitted for safety reasons. Cooking is permitted in the kitchen of each residence hall. Only heavy-duty, UL approved extension cords may be used in any residence hall or house and may not be plugged into each other or placed under rugs. Students are strongly encouraged to use power surge boxes. When needing to extend power beyond the reach of a single extension cord, students should plug a UL approved power surge protector into the electrical outlet and then plug the extension cord into the surge protector. Plugging one extension cord into another extension cord to add length creates a fire hazard and is prohibited. A student may be required to unplug and discontinue the use of any appliance or electronic device that might overload the building's electrical system.

East, South, West, Pollock and Willison Halls: A micro fridge is provided in each room.

On-Campus Houses: A refrigerator and stove will be provided in the kitchen of each house. No microwaves or refrigerators will be permitted in any other rooms for safety reasons.

Room Furnishings: All student rooms in the residence halls are furnished with a desk, dressers, closet and drapes or blinds. Additionally, appropriate beds are provided by the University for the residents of each room. The University requires that these beds and all other university-provided furnishings not be removed from the rooms without the permission of the Resident Director. Water beds, hanging beds, or lofts of any kind are prohibited. Altering existing beds for any reason or bringing your own bed is prohibited and may result in disciplinary action. Permission to bring your own bed, for any reason, should be sought from the Director of Housing. Window screens may not be removed from residence hall windows.

Common Areas: Lounge furniture is to remain in the lounge and not be removed. Residence halls are equipped with laundry and kitchen facilities for the use of the residents.

b. Deposit and Corporate/Joint Responsibility

Damage Deposit: Occupants are held financially responsible for any damage to the residence hall rooms, furnishings, and common areas. A room damage report (RDR) is completed for each student's space at the beginning of the school year by the Resident Director. Students should bring to the attention of the hall staff any damage that has been done previously to the room by another party. A one-time damage deposit fee of \$100.00 is charged to each resident student upon enrolling at Waynesburg University. Upon checking out of the residence hall permanently, each student will

receive a refund of the unused balance.

Corporate/Joint Responsibility: Students are responsible for what happens in their rooms. Individuals who are present in their own or any other residence hall room or area where University policies are being violated are subject to the same disciplinary action as the host of that room. In addition to their individual rooms, residents are responsible for the common areas in their building. This includes hallways, bathrooms, lounges, laundry facilities, and stairwells. When vandalism or damage occurs, if there is no admission of responsibility, residents are corporately responsible for damage.

**c. Candles,
Open Flames
and Animals**

Torches, candles, incense, and incendiary or explosive devices of any type are prohibited on university property (including residence halls), except as specifically authorized by the Director of Public Safety. The use of halogen lamps is also prohibited for safety reasons.

Animals are not permitted in the residence halls with the exception of service animals. This includes cats, dogs, birds, snakes, reptiles, and all types of caged rodents. Fish are permitted. Violations will result in disciplinary action.

d. Dining

All first, second, and third year students living in University residence halls are required to take their meals at the University Dining Facilities. Any student requiring a special diet, prescribed by a doctor, should contact the Director of the Center for Student Success at (724) 852-3317 with medical documentation as outlined on the Waynesburg University website. Resident Students may select a 10, 14 or 19 meal plan. No meal plan changes may be made after the Friday before classes begin.

**e. Overnight
Visitation and
Escort Policy**

Visitation: The only guests that are permitted in the Residence Halls will be other students that are currently resident students on campus. Individuals who are not currently resident students will not be permitted in the Residence Halls, without prior permission from the Dean of Students or his/her designee. Guests permitted in the Residence Halls must follow all Waynesburg University COVID-19 policies, including submitting the campus access screening form. Students may have guests of the opposite sex visit (provided they are other resident students on campus) in the residence halls from 11 AM until 11 PM on weeknights (Sunday through Thursday) and 11 AM until midnight on weekends (Friday and Saturday night). First time violations will likely result in disciplinary action with potential loss of visitation privileges. Resident students are permitted to have a maximum of two guests within the established visitation hours.

Conduct of Guests: Students are responsible for the conduct of their guests (a guest being any non-resident of that building regardless of age, gender, or their status as a student or non-student). Guests are expected to conform to all University policies and procedures. It is the student's responsibility to ensure that guests are informed of and abide by the policies and procedures of the University. (See Escort Policy below)

Escort Policy: Resident students are responsible for the behavior of their guests and their guests' compliance with all University policies. Guests of the opposite sex may visit residents during the stated visitation hours; however, they must be escorted at all times by a resident of the building. This escort policy is in effect for all private areas, hallways, stairwells, kitchens, and laundry rooms. Guests are allowed to be in the public areas without an escort during regular visitation hours. Public areas are the lounges and lobby of each residence hall. Just as with the Visitation policy, failure to comply will result in disciplinary action for the resident and guest, if he or she is a student of the University.

Visitation, Guest and Escort Violation Sanctions - UPDATE – effective 9/4/2020

It is important to limit visitations within residence halls to reduce the potential for infection and spread of COVID-19. In fairness to everyone who is working very hard to adhere to these guidelines and to keep our residence halls as safe as possible for everyone's well-being, we are implementing stronger sanctions for visitation and guest violations.

1st offense: Students will be issued a \$50 fine due within 2 weeks. If the fine is not paid prior to the deadline, the fine will be doubled. Students will also lose all Visitation & Guest Privileges.

2nd offense: Students will be issued a \$100 fine due within 2 weeks. Students will be placed on Disciplinary Probation for the duration of the academic year. In addition, students will be advised that should there be another violation, students will be required to vacate the residence halls for the remainder of the academic year with no refund for room and board.

3rd offense: Students will be required to vacate the residence halls within 48 hours and complete coursework remotely for the rest of the academic year. There will be no refund for room and board.

f. Hall Closings Residence halls are CLOSED for Thanksgiving, Christmas, and Spring breaks. The residence halls close at 6:00 p.m. on the last day of classes before a vacation break and reopen at noon the day before classes resume. At the end of each semester, all students are expected to leave the residence halls within 24 hours of their last examination, but no later than 12:00 noon on the day following the last day final exams are given.

g. On-Campus Houses Students living in an on-campus house must abide by the same policies as a typical resident student living in a residence hall. The Alcohol and Other Drugs, Visitation and Overnight Guest Policies remain the same regardless of the location of the on-campus house. Room inspections by Residence Life staff and/or Security are conducted when needed (See "Room Inspection and Access").

h. Room Card and/or Keys For the safety of students, residence halls are locked 24 hours a day. Entry to a residence hall may be gained by the use of an ID card or by invitation as a guest. Phones or call boxes are located outside of the main entrance of each building, enabling guests/visitors to contact residents or the Department of Public Safety.

Each residential student will be assigned a room by request and/or availability. During check-in, your ID card will be encoded. If you lose your ID card, report it immediately to your RD and a new ID card will be issued. A new ID card is \$10.00.

The University will not be responsible for the loss or theft of a student's personal property; therefore, it is advisable to keep your room locked. Valuable items, such as stereos or computers, may be engraved at the Department of Public Safety Office free of charge.

i. Room Inspections and Access The University reserves the right of Resident Directors, Maintenance and Public Safety staff, and other authorized representatives to enter the room premises at any time for the purpose of supervising conditions regarding maintenance, repair, damage, health, safety, compliance with University policies, or federal, state and borough laws. Additionally, the University reserves the right to inspect all residence halls rooms to insure compliance of rules, regulations and laws, whether or not the occupants are present at the time of inspection. All rooms will be inspected at

Thanksgiving, Christmas, and Spring breaks.

Students forcing locked doors open or keeping locked doors ajar in the residence halls or other University buildings are subject to disciplinary action

j. Roommate Selection and Room Changes

Roommate Selection: Residence Hall accommodations are assigned to first-year students on the basis of Deposit Date and the New Student Form submission date. Upper-level students choose their rooms according to a lottery system administered by the Director of Housing. Single rooms are made available as space allows for an additional cost per semester and are assigned on a seniority based upon the single room waiting list. If a roommate leaves unexpectedly during the first three weeks of any semester, beginning with the first class day (the Consolidation Period), the remaining traditional hall resident has three options: (1) choose a new roommate; (2) a roommate will be selected for the student; or, (3) pay the additional charge for a single room. If a roommate leaves after the Consolidation Period, no charge will be added to the remaining resident's bill for that semester. However, the University reserves the right to move another student into the room with the remaining student at any time. If a roommate has not been selected by the remaining student by the end of the Consolidation Period of the next semester, the student may be required to move or to pay the additional single room charge. If a student wants a roommate but cannot find one, he or she should contact the Director of Housing or a Resident Director. Students assigned to East, South, West, Pollock, or Willison Halls are required to have roommates, there is an additional cost to reside in these halls.

Roommate Conflict Procedure:

When students share living spaces, conflict is bound to happen. Waynesburg University Residence Life seeks to be proactive in helping roommate conflict through communication and mediation. The following is the three step process in working through "Roommate Conflict":

1. The Resident Assistant (RA) meets with the residents and encourages them to talk through their issues in an intentional way.
2. If Step 1 is unsuccessful, the RA will coordinate a conversation between the residents and either the RA or the Resident Director (RD). In most cases, a formal roommate agreement is created and agreed to by all parties.
3. If the previous steps are unsuccessful, the RD will take a more active role and will decide the best course of action moving forward.

More detailed information can be obtained by contacting the Housing Coordinator.

Room Changes: Room assignments are made on a yearly basis. A request for a room change should be made to the Resident Director, who will first assist you in resolving your concerns informally. If you have made a good faith effort and cannot resolve the concerns, you may be given the option to move. If a room change is granted, the student who initially registered the complaint will be the student moving to a new location.

k. Quiet Hours

Quiet hours begin at 10:00 p.m. and end at 11:00 a.m., Sunday through Thursday; on Friday and Saturday, quiet hours begin at midnight and end at 11:00 a.m. the following morning. As a group, a floor may decide to increase quiet hours, but may not decrease them. Residents are expected to be courteous and sensitive to their neighbors at all other times. Quiet hours also apply to the exterior of all residence halls. Noise should be kept to an acceptable level to permit proper conditions for study and for sleep. Ignoring a request to reduce the noise level of stereos, television sets, or musical instruments may result in their removal from the residence hall and disciplinary action being taken.

l. Students matriculating prior to Fall 2014: All full-time first, second, and third year students,

Undergraduate Housing Policy

except those who are living at a permanent home address with a parent or guardian are required to live in on-campus housing. Students who have more than 90 Credits may apply to live-off campus during their senior year through a change of residency status request. Seniors who apply to live off-campus must meet GPA, disciplinary record and athletic team requirements.

Students matriculating Fall 2014 and beyond: All students, except those who are living at a permanent home address with a parent or guardian are required to live in on-campus housing for four years.

“Permanent Home Address” means residence at an address for a period not less than 2 years prior to enrollment in the University and must be within a 60-mile distance from Waynesburg University.

4. STUDENTS WILL ADHERE TO THE ALCOHOL AND OTHER DRUGS POLICY

Waynesburg University is committed to maintaining a safe and healthy environment that is conducive to academic studies and social activities for students. The presence or use of alcohol, drugs or controlled substances is contrary to this mission and purpose and is expressly prohibited on campus. In addition, this Alcohol and Drug Policy may be applied to off-campus conduct that affects the University environment.

Waynesburg University’s Alcohol and Drug Policy prohibits the following with respect to alcohol or drug use:

1. Engaging in on-campus or off-campus conduct that threatens the health and safety of oneself;
2. Using, possessing, or distributing illegal drugs or controlled substances or drug paraphernalia;
3. The unauthorized possession, misuse, adulteration or redistribution of prescription or other legal drugs, synthetic drugs or household products;
4. Purchasing, possessing, consuming or being under the influence of alcoholic beverages;
5. Being in the presence of alcohol on University-owned property;
6. Serving, distributing, furnishing or otherwise providing alcohol to individuals;
7. Engaging in public drunkenness;
8. Refusing to cooperate with Public Safety or other law enforcement;

9. Operating a vehicle while under the influence of alcohol or other drugs;
10. Otherwise violating federal or state law with respect to the purchase, possession, consumption or alcohol or drugs.

Determinations of Responsibility: When there is an alleged violation, the student will be afforded the right to appear at a hearing before a designated panel of three administrative staff members designated by the Senior Staff Member supervising Student Services (the “Investigative Panel”). The Investigative Panel will determine whether a violation of this Alcohol and Drug Policy occurred and the appropriate sanction based on the Levels set forth below, the seriousness of the violation, and whether the violation is a repeat offense. Sanctions could be reduced based upon information provided to the Investigative Panel.

Appeals: Any student may appeal a determination of the Investigative Panel by filing a written appeal of the determination with the Dean of Students within seven (7) days of the Investigative Panel’s decision. The written appeal shall set forth the basis for the appeal and the reason why the student believes the Investigative Panel’s determination on responsibility or sanction was improper. The Dean of Students or Appeal Panel, consisting of the Dean of Students and two (2) senior administrators, shall review the written appeal, the evidence that the Investigative Panel considered and may meet with the student as part of the review. Thereafter, within 7 days of the submission of the written appeal, the Dean of Students or Appeal Panel shall render a decision on whether the Investigative Panel’s determination had a rational basis in light of the Policy and the evidence presented at the hearing.

During the appeal process, and provided the student has not otherwise been placed on summary suspension, the student may attend class but may not participate in extra-curricular activities or live on campus. The student must check in with Security when they arrive and depart campus daily.

Alcohol Related Violations

Level One Offense – Alcohol is Present

This Level involves the use or possession of smaller amounts of alcohol by an individual on campus. The chart below identifies the amount of alcohol applicable to this Level. This Level includes the possession of any alcohol container or empty alcohol container or being in the presence of alcohol on University-owned property. This Level does not apply to an incident involving a group of people or quantities of alcohol in excess of amounts listed in the chart below.

Less than....	Type of Alcohol
36 ounces	Beer (or similar product)
1 pint	Liquor
750 ml	Wine

Sanction:

First violation: \$50 fine and completion of mandated Alcohol Prevention Worksheet or Workshop.

Second violation: Parental or Guardian notification, \$100 fine, participation in a mandated University-sponsored Alcohol Education Program or participation in alcohol counseling, the loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year. The student will also be placed on Disciplinary Probation (Minimum: Semester; Maximum: Year).

Third violation: Parental or Guardian notification, \$200 fine, suspension for one semester, the loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year. Before returning to the University, the student must notify the Dean of Student Services or designee, in writing. Upon return to the University, the student must participate in mandatory alcohol counseling and may be placed on Disciplinary Probation for one semester.

Level Two Offense – Larger Amounts of Alcohol

This Level involves possessing, furnishing, consuming or being under the influence of alcohol on campus, or organizing or holding a gathering that involves alcohol in excess of the amounts listed in the chart below. The violation also includes any off-campus citations involving alcohol, including Underage Drinking, Underage Purchasing or Public Drunkenness, and any actions that the University determines are detrimental or affect the interest of the University.

Greater than....	Type of Alcohol
36 ounces	Beer (or similar product)
1 pint	Liquor
750 ml	Wine

Sanction:

- Participation in a mandated University-sponsored Alcohol Education Program. The Assistant Dean of Students will be kept informed of attendance and completion of the program. Non-attendance or dropping out of the program will result in further sanctions.
- Depending on the quantity of alcohol or severity of incident, Parents/Guardians may be notified
- Student will be placed on disciplinary probation. (Minimum: Semester; Maximum: Year).
- The loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year.
- A repeat of a Level Two violation may result in Suspension from the University. If a student is suspended, before returning to the University, the student must appeal, in writing, to the Dean of Student Services or designee. The student will be required to seek and participate in private off-campus alcohol counseling at the student's expense before returning to the University.
- Fine: \$200.00

Level Three Offense – Endangerment

This Level involves an incident involving the possession of alcohol or drugs that causes serious safety concerns to one's self or others, including DWI, DUI or an act that causes physical or mental harm to another.

Sanction:

- Fine: \$200
- Suspension from the University (Minimum: Semester; Maximum: Year). This could also result in possible Expulsion.
- The loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year.
- Before returning to the University, the student must appeal, in writing, to the Dean of Student Services or designee.
- The student will be required to seek and participate in private off-campus alcohol counseling at the student's

expense before returning to the University.

Drug Related Violations

Level One Offense – Marijuana or Drug Paraphernalia

This Level involves the possession of marijuana in an amount of less than 10 grams or the possession of any drug paraphernalia. Drug paraphernalia includes, but is not limited to, THC vape pens, bowls, bongs, grinders, or one marijuana plant.

Sanction:

- Participation in a mandated University-sponsored Drug Education Program. The Assistant Dean of Students will be kept informed of attendance and completion of the program. Non-attendance or dropping out of the program will result in further sanctions.
- Depending on the quantity or severity of offense, Parents/Guardians may be notified.
- Student will be placed on disciplinary probation (Minimum: Semester; Maximum: Year).
- The loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year.
- Fine: \$200.00

NOTE: A repeat of a Level One violation moves directly to a Level Two violation.

Level Two Offense – Small Amounts of Marijuana for Personal Use/ Unlawful Prescription Medication

This Level involves the use of less than 10 grams of marijuana, or the use or possession of any amount of THC related oils associated with electronic devices or vape pens. The Level also includes the inappropriate use or possession of synthetic drugs, household products or prescription medicines without a valid prescription that do not fall into the category of a Level Three offense. Repeat offenders of Level One violation also fall under this Level.

Sanction:

- Parental or Guardian notification.
- Student will be placed on Disciplinary Probation (Minimum: Year).
- Completion of private off-campus drug counseling at student's expense.
- The loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year.
- Fine: \$400.00

NOTE: A repeat of a Level Two violation moves directly to a Level Three violation.

Level Three Offense – Large Amounts of Marijuana or Paraphernalia/Other Drugs/Intent to Sell

This Level involves the possession of more than 10 grams of marijuana, more than one marijuana plant, possession of prescription medication that is labeled or packaged for resale, or possession of small packaging baggies,

scales and/or materials that the University determines are indicative of an intent to sell or distribute marijuana or other drugs. The Level also includes the possession of any other unlawful drug or synthetic drug (regardless of the amount), including heroin, cocaine, LSD, psychedelic mushrooms or other products that contain heavy narcotics. Repeat offenders of a Level Two violation also would fall under this Level.

- Fine: \$400
- Parental or Guardian notification
- Suspension from the University (Minimum: Semester; Maximum: Year). This could also result in possible Expulsion of the student.
- The loss of driving privileges of University-owned vehicles for one academic year, and the revocation of University-issued parking pass for one academic year.
- Before returning to the University, the student must appeal, in writing, to the Dean of Students or their designee.
- The student will be required to seek and participate in private off-campus alcohol counseling at the student's expense before returning to the University.

Good Samaritan Policy

Student health and safety are primary concerns of the Waynesburg University community. To ensure that students receive prompt and appropriate medical attention for alcohol or other drug intoxication and to reduce impediments to seeking such assistance, the University has instituted this Good Samaritan Policy.

In those instances where students contact the Department of Public Safety or other University officials to request medical assistance (either for themselves or for another student) due to intoxication, neither student will be subject to formal disciplinary action for being intoxicated or under the influence of other drugs or for having provided the intoxicated person with alcohol. In lieu of formal disciplinary action, the involved students will meet with a student services staff member to discuss the incident. The student requiring medical attention will be referred to the Coordinator of Alcohol and Other Drug Education for an assessment and must complete the assessment and any resulting treatment recommendations in a timely manner. This policy does not excuse or protect students who flagrantly or repeatedly violate the Drug and Alcohol Policy and does not preclude disciplinary action regarding other Institutional Policies.

The intent of the Good Samaritan Policy is that we have an ethical responsibility to help people in need. As a Christian community Waynesburg expects all members to take active steps to protect the safety and wellbeing of other members of the community.

Tobacco Free Campus

The smoking of tobacco (or other similar products), rubbing snuff, or chewing tobacco is not permitted in any University residence hall, house, academic building, or administrative building. This also applies to all common areas, including lounges, laundry rooms, rest rooms, entry ways, etc. The smoking policy does not apply to public rights of way (sidewalks or streets) on the perimeter of campus. The use of tobacco products is also prohibited in any motor vehicle owned, leased, or otherwise operated for University business. Violation of this policy will result in disciplinary action. Guests and visitors will be expected to comply with this policy. Students are responsible for the actions of their guests. Questions regarding this policy may be directed to the Student Services Office.

5. THE CAMPUS COMMUNITY WILL ADHERE TO THE ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

Introduction

Waynesburg University does not discriminate on the basis of race, color, sex, gender identity, national or ethnic origin, religion, age (over 40), or disability status as a Vietnam-era, qualified disabled veteran or other protected veteran, or status as a member of any other protected class under federal or state law in the educational programs or activities it offers, and is in compliance with Title IX of the Education Amendments of 1972. A student desiring specific information about these requirements or about the grievance procedure should contact Tom Helmick, Director of Human Resources and the University Title IX Coordinator at 724-852-3210 or at thelmick@waynesburg.edu.

a. Policy

It is the policy of Waynesburg University (the "University") to make decisions in student admission, employment and administration of its educational programs and activities without regard to race, color, sex, gender identity, national or ethnic origin, religion, age (over 40), disability or status as a Vietnam-era, qualified disabled veteran or other protected veteran, or status as a member of any other protected class under federal or state law.

The University is committed to maintaining an atmosphere where basic rights and its Christian educational mission are upheld. The University condemns discrimination and harassment of any kind and prohibits behavior or practices which would be regarded as such. To help ensure an environment free from discrimination and harassment, all members of the University community are responsible for reporting incidents of discrimination and harassment of any kind.

Tom Helmick, the Human Resource Director, is the University's Affirmative Action Officer, Title IX Coordinator and the designated coordinator for overseeing compliance with this Anti-Harassment and Anti-Discrimination Policy. He may be contacted at thelmick@waynesburg.edu or 724-852-3210. The Title IX Coordinator is the resource available to anyone seeking additional information or to file a complaint related to affirmative action, discrimination or harassment. Inquiries concerning Title IX may also be referred to the U.S. Department of Education, Office for Civil Rights (OCR). OCR is the federal agency charged with enforcing compliance with Title IX. Information regarding OCR can be found at: www.ed.gov/ocr.

The University prohibits retaliation against any individual who complains of a violation of this Policy or assists in providing information about a complaint of discrimination or harassment, including, but not limited to, sexual assault, sexual misconduct and sexual harassment.

This Policy shall govern the treatment of discrimination and harassment cases at the University, including sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence and stalking. To the extent the Policy conflicts with the provisions found in the Student Handbook, the Administrative Staff handbook or the Faculty Handbook, the terms of this Policy shall control.

b. Definitions

Discrimination: Discrimination is the unfair treatment that prejudices an individual or class of individuals based on race, color, sex, gender identity, national or ethnic origin, religion, age (over 40), disability or status as a Vietnam-era, qualified disabled veteran or other protected veteran or status as a member of any protected class under federal or state law. Decisions based on race, color, sex, gender identity, national or ethnic origin, religion, age (over 40), disability or status as a Vietnam-era, qualified disabled veteran or other protected veteran or status as a member of any protected class under federal or state law in admissions, employment and administration of the University's programs or activities are prohibited.

Harassment: Harassment is any action that may be reasonably expected to threaten, coerce or intimidate an individual or class of individuals based on race, color, sex, gender identity, national or ethnic origin, religion, age (over 40) or disability or status as a Vietnam-era, qualified disabled

veteran or other protected veteran or status as a member of any protected class under federal or state law. Harassment includes derogatory remarks, slurs or actions motivated by an individual's race, color, sex, gender identity, national or ethnic origin, religion, age (over 40) or disability or status as a Vietnam-era, qualified disabled veteran or other protected veteran or status as a member of any protected class under federal or state law. Harassing conduct may take many forms, including verbal acts; written statements; displays of racist, sexist or age-related objects or pictures; or other conduct that may be physically threatening, harmful or humiliating. Harassing conduct may include the use of cell phones or the internet. Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment of any employee or student of the University in any form is prohibited.

Sexual Harassment: Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances (including sexual assault and sexual misconduct), requests for sexual favors, and/or physical, verbal or written conduct of a sexual nature when:

- a. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, education, or participation in University programs or activities; or
- b. Submission to or rejection of such conduct by an individual is used as a basis for decisions pertaining to an individual's employment, education, or participation in University programs or activities; or
- c. Such speech or conduct is directed against another and is abusive or humiliating and persists after the objection of the person targeted by the speech or conduct, or
- d. Such conduct would be regarded by a reasonable person as creating an intimidating, hostile or offensive environment that substantially interferes with an individual's work, education, or participation in or benefit from University programs or activities.

The educational setting within the University, as distinct from other work places within the University, requires wide latitude for professional judgment in determining the appropriate content and presentation of academic material. Conduct, including pedagogical techniques, that serves a legitimate educational purpose does not constitute sexual harassment. Those participating in the educational setting bear a responsibility to balance their rights of free expression with a consideration of the reasonable sensitivities of other participants.

Sexual Assault: Sexual assault is a form of sexual harassment and is governed by this Policy. Sexual assault occurs when an unwelcomed physical contact of a sexual nature is intentional and is committed either by a) physical force, violence, threat, or intimidation; b) ignoring the objections of another person; c) causing another's intoxication or impairment through the use of drugs or alcohol; or d) taking advantage of another person's incapacitation, state of intimidation, helplessness, or other inability to provide consent.

Sexual Misconduct: Sexual misconduct is a form of sexual harassment and is governed by this Policy. Sexual misconduct occurs when unwelcomed physical contact of a sexual nature is committed without the intent to harm another and where, by failing to correctly assess the circumstances, a person believes unreasonably that consent was given without having met his/her responsibility to gain such consent. Situations involving physical force, violence, threat or intimidation fall under the definition of Sexual Assault, not Sexual Misconduct, and will be treated as such under this Policy.

Stalking: Can be a form of harassment or discrimination and occurs when an individual(s)

engages in a pattern of repeated and unwanted attention, advances, contact or any other course of repeated and unwanted conducted directed at a specific person that would cause a reasonable person to (a) fear for his/her safety or the safety of others, or (b) suffer substantial emotional distress.

Dating Violence: Includes violence, discrimination, assault, harassment, coercion, intimidation, stalking or any other threatening conducted committed by (a) a person with whom the complainant shares a child in common; or (b) a person who is cohabitating with or has cohabitated with the complainant as a spouse; or (c) a person similarly situated to a spouse of the complainant under state or federal domestic or family violence laws; or (d) any other person against an adult or youth victim who is protected from that person's acts under state or federal domestic or family violence laws.

Dating violence includes violence, discrimination, assault, harassment, coercion, intimidation, stalking or any other threatening conducted committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the complainant; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship.
2. The type of relationship.
3. The frequency of interaction between the persons involved in the relationship.

Consent: Consent is an understandable exchange of affirmative words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent is active, not passive, and must be informed and freely and actively given.

It is incumbent upon each individual involved in the activity to either obtain or give consent prior to any sexual activity. If at any time any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify, verbally, the other's willingness to continue.

- a. A verbal "no," even if it may sound indecisive or insincere, constitutes lack of consent.
- b. When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent.
- c. It is expected that, after consent has been established, a person who changes his/her mind during the sexual activity will communicate through words or actions, his/her decision to no longer proceed.
- d. Past consent to sexual activity does not imply future ongoing consent, and the fact that two persons reside together or are in an on-going relationship shall not preclude the possibility that sexual assault, sexual misconduct or sexual harassment might occur within that relationship.
- e. A person, who is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol, or for any other reason, is not capable of giving valid consent and consent is not valid if a reasonable person would understand that such a person is incapable of giving consent.
- f. A person's use of alcohol, other drugs, and/or other intoxicants shall not diminish a person's responsibility to obtain informed and freely given consent.

Preponderance of evidence: Preponderance of evidence means that it is more likely than not that discrimination or harassment occurred.

Probable cause: Probable cause means a reasonable belief that discrimination or harassment occurred.

c. What to Do if Sexually Assaulted

If you are a victim of sexual assault and believe you are still in danger, you should call the Department of Public Safety at extension 303 or 724-852-3303 and/or the Waynesburg police at 911 or 724-627-8113.

If you are a victim of sexual assault, seek medical attention as soon as possible. You can call the Student Health Services at 724-852-3332 during regular business hours or go to the Emergency Room at the Southwest Regional Medical Center. Be sure to tell the examining physician or nurse that you were sexually assaulted.

The Sexual Harassment and Assault brochure provides additional information and can be obtained from the Counseling Center, Health Services and Student Services Office.

d. Reporting and Investigation

Reporting and the Complaint Process

Under Title IX, all “responsible employees” must report all experienced or observed incidents of discrimination and harassment, including sexual assault, sexual misconduct and sexual harassment. A “responsible employee” is someone who has the authority to take action to redress the alleged misconduct, who has the duty to report the alleged misconduct to appropriate University officials, or an individual who a student could reasonably believe has this authority or responsibility to redress or report the alleged misconduct. Members of the University community are strongly encouraged to promptly report all observed or experienced incidents of discrimination and harassment, including sexual assault, sexual misconduct, and sexual harassment. Prompt reporting of such incidents makes investigation of the incident more effective and enhances the ability of the University to take action on a complaint.

Each academic year, the Vice President of Student Services will designate three administrative staff members to assist the University’s Title IX Coordinator with investigating any complaints of discrimination or harassment (“Investigators”). The Investigators will have training or experience in handling complaints of discrimination and harassment, the procedures under this Policy and the applicable confidentiality requirements.

If a student or employee, in good faith, believes that he or she has encountered, witnessed or been a victim of discrimination or harassment from a University student, employee or a third party on campus (including, but not limited to, sexual assault and sexual misconduct as defined above), he or she should report the discrimination or harassment promptly to the University’s Title IX Coordinator or one of the Investigators designated under paragraph (a) above. Such reports will be kept as confidential as reasonably possible. Whenever possible, this report should occur within ten (10) business days of the alleged discrimination or harassment. It is the responsibility of the complainant to report a complaint in a timely manner in cases where the University’s jurisdiction over the accused might otherwise be lost.

Sexual assault, sexual misconduct, domestic violence, dating violence and stalking are crimes. A complainant has the right to decide whether to report sexual assault, sexual misconduct, domestic violence, dating violence and stalking to local authorities. If a complainant wishes to report a sexual assault, sexual misconduct, domestic violence and stalking to local authorities, the University will assist the complainant.

University Investigations Without A Complaint: When necessary to meet its commitment to provide an environment free of unlawful discrimination and harassment, the University may investigate alleged incidents of discrimination or harassment of which it becomes aware, even if no formal complaint has been filed or the individual(s) involved is unwilling to pursue a complaint or

cooperate in an investigation. If a University employee becomes aware of specific and credible allegations of discrimination or harassment, whether through a complainant or otherwise, the allegations should be reported promptly to the Title IX Coordinator.

Confidentiality of Complaints of Sexual Assault, Sexual Misconduct, Sexual Harassment, Domestic Violence, Dating Violence and Stalking: In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual assault, sexual misconduct, domestic violence, dating violence and stalking consistent with the requirements of Title IX and the April 4, 2011 Dear Colleague Letter issued by the United States Department of Education, Office of Civil Rights. When the University receives a report of sexual assault, sexual misconduct, domestic violence, dating violence and stalking with enough information to reasonably determine key facts (e.g., time, date, location and names of parties), whether from the student involved or a third party, the University is obligated under the law to investigate the complaint and take action to eliminate the discrimination or form of sexual harassment, prevent its recurrence and address its effects. The University is obligated to conduct this investigation regardless of the complainant's requests. In the course of the administrative investigation, information may be shared as necessary with people who need to know, such as investigators, witnesses, and the accused. Any response by the University may be hindered by the complainant's requests for anonymity and/or inaction.

e. Anti-Retaliation

In order to encourage students and employees to report violations of this Policy, to discourage violations of this Policy, and to remedy violations of this Policy, the University strictly prohibits retaliation for reporting discrimination or harassment; making a complaint of alleged discrimination or harassment; participating in a University or government investigation of discrimination or harassment; and/or participating in court action regarding discrimination or harassment. Any actual or threatened retaliation or any act of intimidation to prevent or otherwise obstruct the reporting of discrimination or harassment or the participation in proceedings relating to discrimination or harassment by an accused individual or third party will result in disciplinary sanctions. Any incidents of actual or threatened retaliation or any act of intimidation should be reported immediately to the Title IX Coordinator or one of the Investigators. Complaints of retaliation will be governed by disciplinary process set forth in the Student Code of Conduct.

f. Interim Measures and Resolutions

The Title IX Coordinator or his/her designee may take interim measures he/she deems necessary to protect the safety and well-being of the complainant, the accused student or employee and all third-party witnesses pending completion of the procedures outlined below. Interim measures that may be taken include, but are not limited to, interim suspension for students, administrative leave for employees, issuance of a no contact order, changes to class or housing assignments for students or work assignments for employees, or any other protective measure the Title IX coordinator deems appropriate to address the interaction between and among the complainant, the accused student or employee or third-party witnesses.

Where appropriate, the University encourages voluntary informal resolution of some types of complaints of discrimination or harassment. Informal resolution is not an option for cases of sexual assault or sexual misconduct, including sexual or inappropriate touching of any kind. If a student or employee chooses to proceed informally, he or she must notify the Investigator or Title IX Coordinator and the Investigator or Title IX Coordinator must determine that the complaint is appropriate for informal resolution. A student or employee who chooses to proceed informally may end the informal process at any time and request formal resolution of his or her complaint.

A student or employee electing to proceed informally may wish to discuss the complaint directly with the individual against whom the complaint is made. If the alleged discrimination or harassment involves a department or unit rather than an individual, the reporting party should discuss the complaint with a representative of that department/unit. Alternatively, the student or

employee can elect to have the Investigator or Title IX Coordinator discuss the complaint with the individual against whom the complaint is made and/or mediate a discussion between the student or employee and the individual against whom the complaint is made. In any case, whenever possible, the conversation should occur within ten (10) business days of the alleged discrimination or harassment. Regardless of the informal procedure employed, the Investigator or Title IX Coordinator should monitor the progress of the informal dispute resolution process.

If the matter is resolved informally to the satisfaction of the reporting party, the Investigator or Title IX Coordinator will place a written summary of the matter in a separate harassment/discrimination file, which will be consulted for only the following purposes: (1) to ensure that the University is aware of repeat incidents by the same individual and (2) for record-keeping purposes so that the University can gauge the effectiveness of its Anti-Harassment and Anti-Discrimination policy and programs. If the matter is not resolved informally, the reporting party can make a request to the Title IX Coordinator or Investigator for formal resolution.

**g. Formal
Resolution of
Complaints
against
Employees**

Notifications: All written notifications required by the procedures set forth below will be made by simultaneous emails to the complainant's and the accused employee's University accounts (if any) as well as simultaneous mailings to the complainant's and the accused employee's current local addresses on record with the University.

Investigation

When a complaint of discrimination or harassment against an employee requires formal resolution, either because it cannot be or has not been resolved through informal procedures, the Title IX Coordinator shall appoint one or more Investigators to fully and impartially investigate the complaint.

The Investigator(s) will use reasonable efforts to speak with the complainant and draft an Incident Report setting forth a summary of the factual basis for the allegations against the accused employee within five (5) business days of being put on notice of the need for formal resolution.

Within five (5) business days of the date of the Incident Report, the Investigator(s) will use reasonable efforts to meet with the accused employee and notify the accused employee that a complaint has been filed, informs the accused employee of the nature of the complaint, and provide the accused employee with a written copy of the Incident Report. The Investigator(s) also shall provide the accused employee with a copy of this Policy. The accused employee shall be afforded five (5) business days in which to provide a written response to the Incident Report, a copy of which shall be provided to the complainant. During this same period, the investigation shall begin and the Investigator(s) shall review relevant documents and speak to any witnesses who are identified as having relevant information. Witnesses with relevant information include, but are not limited to, the complainant, the accused employee and any witnesses to events surrounding the allegations.

The Investigator's Report

Within fifteen (15) business days of the date of the Incident Report, the Investigator(s) will complete the investigation and make a written report to the Title IX Coordinator and the President (the "Investigator's Report"). If the allegations involve extensive or complex issues, more than fifteen (15) business days may be needed to complete a thorough and equitable investigation. In those cases where additional time is needed, the complainant and accused employee will be advised in writing that additional time is required.

The Investigator's Report will summarize the facts and allegations made by the complainant, the accused employee's response, the witness meetings, and the factual findings of the Investigator(s). The Investigator's Report will include recommended actions, if any. A copy of the Investigator's

Report will be provided to the Title IX Coordinator.

After review of the Investigator's Report, the Title IX Coordinator, will initiate disciplinary action as soon as reasonably practicable, when in his/her judgment it is appropriate, and will attempt to take whatever steps are necessary to prevent recurrence and remedy the effects of the offending behavior. Any disciplinary action initiated shall be in consistent with the procedures outlined in the Waynesburg University Administrative Staff Handbook and Employee Handbook.

The complainant and accused employee will be informed, in writing, of the final decision and any actions to be taken.

Implementation of and challenge to any disciplinary action will be handled according to applicable procedure in the University's Administrative Staff Handbook or Faculty Handbook.

**h. Formal
Resolution of
Complaints
against
Students**

Notifications: All written notifications required by the procedures set forth below will be made by simultaneous emails to the complainant's and the accused student's University accounts as well as simultaneous mailings to the complainant's and the accused student's current local addresses on record with the University.

Investigation

When a complaint of discrimination or harassment against a student requires formal resolution, either because it cannot be or has not been resolved through informal procedures, the Title IX Coordinator shall appoint one or more Investigators to fully and impartially investigate the complaint.

In order to comply with laws and regulations protecting education records of students and to provide an orderly process for the consideration of relevant evidence without undue intimidation or pressure, the investigation findings are confidential. Investigation findings may not be disclosed except as provided in this Policy, as required or authorized by law or as may be authorized by the Title IX Coordinator in connection with responsibilities of the University.

The Investigator(s) will use reasonable efforts to speak with the complainant and draft an Incident Report setting forth a summary of the factual basis for the allegations against the accused student within five (5) business days of being put on notice of the need for formal resolution.

Within five (5) business days of the date of the Incident Report, the Investigator(s) will use reasonable efforts to meet with the accused student and notify the accused student that a complaint has been filed, inform the accused student of the nature of the complaint, and provide the accused student with a written copy of the Incident Report. The Investigator(s) also shall provide the accused student with a copy of this Policy. The accused student shall be afforded five (5) business days in which to provide a written response to the Incident Report, a copy of which shall be provided to the complainant. During this same period, the investigation shall begin and the Investigator(s) shall review relevant documents and speak to any witnesses who are identified as having relevant information. Witnesses with relevant information include, but are not limited to, the complainant, the accused student and any witnesses to events surrounding the allegations.

The Investigator's Report

Within fifteen (15) business days of the date of the Incident Report, the Investigator(s) will complete the investigation and make a written report to the Title IX Coordinator (the "Investigator's Report"). If the allegations involve extensive or complex issues, more than fifteen (15) business days may be needed to complete a thorough and equitable investigation. In those cases where additional time is needed, the complainant and accused student will be advised in writing that additional time is required.

The Investigator's Report will summarize the facts and allegations made by the complainant, the accused student's response, the witness meetings, and the factual findings of the Investigator(s). The Investigator's Report will indicate whether, in the opinion of the Investigator(s), based upon the information reviewed, there is probable cause for this matter to proceed to a hearing to determine whether the accused student violated the University's Anti-Harassment and Anti-Discrimination Policy. The Investigator's Report may be made available to read upon request to the Title IX Coordinator.

Within five (5) business days after receipt of the Investigator's Report, the Title IX Coordinator will decide whether to convene a formal hearing based on his/her determination that there is probable cause to proceed. In some instances, the Title IX Coordinator may deem it necessary to question the complainant, the accused student, or the Investigator(s) before determining whether to

convene a hearing.

If the Title IX Coordinator decides that a formal hearing is not warranted, within five (5) business days of the Title IX Coordinator's receipt of the Investigator's Report, the Title IX Coordinator will issue a written notice to the complainant and accused student that the complaint has been investigated and a determination has been made that there is not probable cause to support charges against the accused student. The complainant will have the right to appeal the denial of a formal hearing pursuant to the appeal procedures within five (5) business days of the decision.

Notice of Charges

If the Title IX Coordinator determines a formal hearing is warranted, the Title IX Coordinator will determine what charges (e.g., discrimination, sexual assault, sexual misconduct, domestic violence, dating violence, stalking or other forms of sexual harassment or harassment); will be the subject of the formal hearing.

The Title IX Coordinator's determination will be communicated in writing to the complainant and the accused student in a document entitled "Notice of Charges" within five (5) business days of the Title IX Coordinator's receipt of the Investigator's Report. The Notice of Charges will state, (1) the names of the complainant and accused student, (2) the offense charged, (3) the date by which the complainant and the accused student must submit their witness lists and any documents or other evidence they wish to have presented, (4) the date on which the complainant and the accused will be notified of the witnesses to be called at the hearing, (5) the date, time and place of the hearing, and (6) the names of the hearing officers, including the presiding chair. The following documents will be attached to the Notices of Charges: (1) the Incident Report, (2) the accused student's written response to the Incident Report, if any.

i. Pre-Hearing Procedures

The Title IX Coordinator will designate three (3) trained, professional staff members of the University Community to serve as hearing officers. The Title IX Coordinator is not permitted to serve as a hearing officer and will serve in a non-voting capacity. The hearing officers will have training or experience in handling complaints of discrimination and harassment, the procedures under this Policy and the applicable confidentiality requirements. The Title IX Coordinator will designate one hearing officer to serve as the presiding chair of the hearing.

Hearing officers will serve as impartial fact finders and not advocates for either the complainant or the accused student. Once an individual has been named as a hearing officer, he/she may not privately discuss the facts or merits of the case with the parties or with anyone acting on behalf of the parties. In advance of the hearing date, the Title IX Coordinator will provide the hearing officers with the Incident Report, the accused student's written response to the Incident Report, if any, the Investigator's Report, the Notice of Charges, and lists of witnesses and documents or other evidence submitted by the parties.

The Investigator will serve as the moderator of the hearing ("Moderator"). In the event that more than one Investigator participated in the investigation, the Investigators will decide among themselves who will serve as the Moderator. Alternatively, the Title IX Coordinator can elect, in his/her discretion, to serve as the Moderator.

The hearing will be convened within ten (10) business days of the date of the Notice of Charges, unless the Moderator or presiding chair of the hearing in their sole discretion, allows for a longer period of time.

No later than five (5) business days prior to the hearing, the complainant and the accused student shall each submit to the Moderator: (1) copies of documents and a description of any other

evidence they believe should be presented at the hearing; and (2) a list of those individuals they believe should be called as witnesses at the hearing. The list must include for each witness an address and brief description of the facts to which the person is expected to testify.

The Moderator will have the discretion to determine which witnesses to call and evidence to present at the hearing. In exercising this discretion, the Moderator will give primary consideration to the presentation of all relevant information to the hearing officers. The Moderator may decline to present witnesses who do not have firsthand knowledge of relevant information, whose information is repetitive and merely cumulative of information presented by other witnesses, or otherwise will not, in the opinion of the Moderator, advance the truth finding process. Similarly, the Moderator may decline to present documents and other evidence that are not relevant, that are repetitive and cumulative of other evidence, or will not, in the opinion of the Moderator, advance the truth finding process.

No later than three (3) business days prior the hearing, each party's witness list, documents and other proposed evidence will be provided to the other party. At the same time, the Moderator will advise the parties in writing of: (1) the identity of the witnesses the Moderator intends to call at the hearing; and (2) the identity of any witnesses on either party's list that the Moderator intends not to present at the hearing at the hearing.

The Moderator will notify in writing the individuals on the final witness list of the date and time of the hearing and will request their appearance. While the Moderator will urge the witnesses to cooperate, the Moderator cannot compel an individual to appear at the hearing.

j. Hearing

In order to comply with laws and regulations protecting education records of students and to provide an orderly process for the consideration of relevant evidence without undue intimidation or pressure, the hearing is confidential and closed to the public. Documents prepared in anticipation of the hearing (such as the Incident Report, Investigator's Report, Notice of Charges, or any written pre-hearing submissions); documents, testimony or other evidence introduced at the hearing; any audio recording or transcript of the hearing; or the Determination Letter may not be disclosed except as described in this Policy, as required or authorized by law or as may be authorized by the Title IX Coordinator in connection with responsibilities of the University.

The Moderator will control the hearing, and ensure the hearing follows procedural guidelines. The Moderator will be impartial and have no interest or input in the outcome of the hearing. Counsel for the University may also be present.

Both the complainant and the accused student are permitted to have a support person present during the hearing to provide moral support and attend to the needs of the complainant or the accused student. The support person will not be allowed to speak at the hearing or question the witnesses. The support person must be a member of the University community.

Typically, attorneys will not be allowed to be present at the hearing on behalf of either party. In cases where criminal charges are pending, the accused student may have an attorney present during the hearing for the sole purpose of advising the accused student on how best to respond to certain questions in order to protect rights in the public court proceedings. If the accused student's attorney is present, the complainant may have an attorney present. Attorneys are not permitted to examine witnesses or otherwise directly participate in the hearing on behalf of either party. Moreover, attorneys will not receive notices which might be sent to the complainant or the accused student.

The University will maintain documentation of the hearing, which may include written findings of

facts, transcripts or audio recordings.

At the hearing the Moderator will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The Moderator will call and question the witnesses before the hearing officers. The parties and witnesses will not be expected to repeat undisputed details or non-material circumstances that would merely duplicate the written materials.

After the Moderator has completed his/her questioning, the complainant and the accused student will have the opportunity to ask questions of each witness, except that the complainant and the accused student will not be permitted to question each other. The Moderator is empowered to disallow any questions or evidence that is irrelevant or redundant. The hearing officers may also ask questions.

With the exception of evidence concerning a prior relationship between the complainant and the accused student, the prior sexual history of the complainant shall not be admissible as evidence.

The accused student shall have the right not to testify at the hearing, however, the exercise of that right shall not preclude the hearing officers from proceeding and determining responsibility on the basis of the facts and circumstances presented. Exercise of the right not to testify shall not create a presumption of responsibility.

If a majority of the hearing officers determine that unresolved issues exist that would be clarified by the presentation of additional evidence, the hearing may be recessed and reconvened for the presentation of additional evidence in a timely manner. A recess may not be based on the failure of a witness to appear without good cause or on the proposed introduction of documents or other evidence that should have been presented to the Moderator prior to the hearing.

After all of the witnesses have been questioned, the complainant and the accused student will be given the opportunity to present any additional witnesses or information they believe to be pertinent.

k. Decisions and Sanctions

All decisions by the hearing officers will be made by majority vote. The hearing officers shall first determine whether the accused student is responsible for the alleged discrimination or harassment (including, but not limited to, sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence or stalking). The hearing officers will determine whether the charges against the accused student are supported by a preponderance of the evidence, meaning that it is more likely than not that the accused student committed the conduct with which he/she is charged.

If the charge against the accused student is "Sexual Assault," the hearing officers shall determine whether that charge has been established by a preponderance of evidence. If the hearing officers determine that there is not a preponderance of evidence warranting a finding of Sexual Assault, the hearing officers then shall consider whether Sexual Misconduct, Sexual Harassment or other discrimination or other Code of Conduct violations have been established by a preponderance of evidence, whether or not such conduct or charge is specifically set forth in the Notice of Charges.

Sanctions: If the accused student is found responsible for charges against him/her, the hearing officers will determine by majority vote the sanction to be imposed on the accused student. The hearing officers may impose any sanction that they find to be fair and proportionate to the violation; in the interests of the University community (including the complainant and accused student); and authorized by the Student Code of Conduct.

Any substantiated charge of prohibited conduct, discrimination or unlawful harassment may result

in disciplinary action, up to and including educational counseling, community service, suspension, dismissal or expulsion. Any disciplinary action shall result in the inclusion of the sanction in the student or personnel file.

In determining an appropriate sanction, the hearing officers may consider the nature and severity of the violation(s) and any mitigating circumstances; any record on the part of the accused student of past violations of the Student Code of Conduct; and the sanctions imposed in any similar cases. The hearing officers will consider as part of their deliberations whether the accused student poses a continuing risk to the complainant and/or University community.

All sanctions shall require a finding that the sanction to be imposed is warranted by a preponderance of the evidence.

Any deliberate false accusation intended to bring harm to an innocent person may result in disciplinary action against the person bringing the accusation.

Determination Letter: Within five (5) business days following the hearing, or such longer time as the hearing officers may for good cause determine, the hearings officers will issue their decision in a written Determination Letter. The Determination Letter will contain only the following information (1) the name of the accused student, (2) whether the accused student has been found responsible or not responsible for the charges, and (3) if found responsible, the sanction imposed when the sanction directly relates to the complainant (e.g., an order that the accused stay away from the complainant, or that the accused is prohibited from attending school for a period of time, or that the accused be transferred to other classes or another residence hall).

I. Appeal

Either the complainant or the accused student may appeal an adverse decision of the hearing officers by submitting a request in writing setting forth the specific grounds for the appeal to the Vice President of Student Services within five (5) business days after notification of the decision.

The non-appealing party shall have five (5) business days to respond in writing to any written appeal. A non-appealing party is under no obligation to file a written response to any appeal.

All appeals will be reviewed by an appellate panel (the “Appellate Panel”) consisting of the Vice President of Student Services, and two other administrators appointed by the Vice President of Student Services to resolve the appeal.

The Appellate Panel’s review of the hearing officers’ decision is limited to: 1) ensuring that all University policies and procedures have been followed; and 2) ensuring that the hearing officers’ decision is not arbitrary and capricious. A decision will be considered to be arbitrary and capricious only when it is not supported by the testimony and evidence found to be credible by the hearing officers.

When challenging a decision as arbitrary and capricious, the complainant or accused student must identify with particularity those witnesses and pieces of tangible evidence he/she believes supports his or her position on appeal. Failure to do so may result in the appeal being denied without consideration.

The decision of the Appellate Panel shall be reached within five (5) business days and be based on a majority vote. The decision of the Appellate Panel shall be final.

A description of the University’s Disciplinary Procedures for cases of Sexual Assault is available at the Student Services Office on the 3rd floor of the Stover Campus Center.

6. STUDENTS WILL ADHERE TO ALL INSTITUTIONAL PROCEDURES

a. American with Disabilities Act

The Amended Americans with Disabilities Act of 1990 (ADA) is a civil rights act that prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. This prohibition on discrimination on the basis of a disability extends to exclusion, segregation, and unequal treatment in public accommodations under Section 504 of the Rehabilitation Act of 1973 (Section 504).

Waynesburg University is committed to the principles of equal access and opportunity for persons with disabilities in compliance with the ADA and Section 504. Waynesburg will not discriminate on the basis of disability against a qualified person with a disability in regard to application, acceptance, grading, advancement, training, discipline, graduation, or other aspects related to a student's participation in an academic or extra-curricular program. A student desiring specific information about these requirements, about obtaining a reasonable accommodation or about the grievance procedure should contact the Director of the Center for Student Excellence and Disability Services at 724-852-3317 or ext. 317. Waynesburg University, upon request and after an interactive process with the student, may make a reasonable accommodation for a qualified individual with a disability to allow the performance of the essential requirements of an academic or extra-curricular program. Waynesburg University will not make an accommodation if the requested accommodation alters the academic nature of the program or would result in an undue hardship to the University or threaten the health and safety of the student with a disability or other individuals.

b. Athletic and Co-Curricular Participation

Please reference the University Academic Catalog for established prerequisites for involvement in co-curricular organizations.

Satisfactory academic progress is defined as twenty-four credit hours earned by the beginning of the third semester of full-time enrollment; forty-eight semester hours earned by the beginning of the fifth semester of full-time enrollment; and seventy-two semester hours earned by the beginning of the seventh semester of full-time enrollment.

In addition to the above requirements, varsity athletes must earn a minimum of 24 credit hours between seasons of competition. A varsity athlete must earn a minimum of 12 credit hours per semester; any exceptions must be in compliance with NCAA guidelines. Repeat courses should be approved by the Registrar where eligibility is concerned.

All student-athletes are required and comply with the "Athlete Code of Conduct", which is distributed to each athlete prior to their participation each season.

An active member of an honorary society must maintain a cumulative GPA of 2.50 or better to remain a member in good standing. If a member of an honorary society does not earn a 2.50 cumulative GPA in a given semester, he or she will be placed on probation for the following semester. If, after one semester of probation, the student does not achieve a 2.50 cumulative GPA, he or she cannot participate in any honorary activities. Failure to comply can result in sanctions against the student and/or the honorary organization.

Fraternities and Sororities: The University no longer sanctions or recognizes social fraternities and sororities. Any student or group of students who advertise or otherwise hold themselves out to be a social fraternity or sorority affiliated with, recognized, chartered, or sanctioned by Waynesburg University may be subject to disciplinary sanctions.

- c. Class Cancellation** Information regarding inclement weather or other emergency conditions affecting class cancellations, school delays, and school closings can be obtained by calling 724-852-8573 or by viewing the University's main web page. Information regarding school closings will also be broadcast on the following radio and television stations: KDKA-AM (1020), WANB-FM (103.1), WASP-FM (94.9), WJPA-AM (1450), WMBS-AM (590), WRIJ-FM (106.9), WTAE-AM (1250), WVAQ-FM (101.9), WVTY-FM (96.1), KDKA-TV (channel 2) and WTAE-TV (channel 4).
- d. Disciplinary Records** Disciplinary records are kept on file for as long as the student attends Waynesburg University, and for three years following graduation or withdrawal. If a student is not permitted to return to the University resulting from disciplinary action, that record will be maintained for those purposes. Disciplinary actions taken become the basis for more severe sanctions during the entire time a student attends Waynesburg University. Student discipline records consist of any official University disciplinary action taken or mediation contracts. While the University intends to comply with the standards of the Family Education Rights and Privacy Act (1974), in certain situations when the educational interests of the University and/or the student are substantially affected, it may be deemed appropriate to communicate with a student's parents and to disclose information contained in his/her file. Waynesburg University will, upon written request, disclose to the alleged victim of a crime of violence or a nonforcible sex offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense), the final results of any institutional disciplinary proceeding dealing with that crime or offense.
- e. Grievances and Appeals** Waynesburg University is committed to its mission of Christian higher education. In pursuit of those goals, we seek to maintain an environment where students are treated fairly and with justice based upon this mission expressed through institutional policies and procedures. As a result, procedures have been established to provide for student appeals concerning possible unfair treatment, unjust enforcement of policies or where a student believes he or she has been denied his/her rights as a student of the University. These procedures are listed below as well as some of them also listed in the University Catalog.
- Occasionally, disputes and conflicts may arise between members of the Waynesburg University community over particular policies, procedures or actions both within the academic and non-academic areas of the institution. Many times, the dispute may be resolved at the personal level between the student and the faculty/staff member. The student should request an appointment to meet with the particular faculty/staff member to present his/her complaint to the person concerned. In some cases, this meeting should occur with a department chairperson on behalf of the department or one of its committees. This presentation should be offered in a civil manner and with respect for the position of the University employee. If the dispute is not resolved, the student may initiate a formal grievance in accordance with the procedures listed below for either designated issues or for general academic and non-academic matters.
- Grievance Procedures: The purpose of the formal grievance is not to express personal disagreement with a particular policy, but an appeal based upon unfair treatment. In order to initiate a formal grievance, the student must submit a written statement of the grievance outlining the alleged unfair treatment, a description of the basis for the appeal, any attempts to resolve the problem informally, and any suggested resolutions to the problem.
- With particular policies, existing grievance and appeal procedures are listed with the policy (Student Code of Conduct, Sexual Harassment/Assault, etc.). In these cases, these procedures should be followed by the student desiring to initiate an appeal in accordance with this Handbook or the University Catalog.
- With regard to other general University policies and procedures, this written grievance should be

submitted to the appropriate Vice President or Dean supervising the particular area. If the student is unsure to whom the grievance should be submitted, consultation is available from the Dean of Student Services.

In the case of complaints concerning implementation of general policies and procedures, the grievance should be submitted within ten business days from the alleged unfair treatment. The respective Dean (or designee) may request additional information, secure relevant documents, interview involved parties or any other actions s/he deems necessary in order to investigate the issue and render a decision.

After receipt of the written grievance, the appropriate Dean will render a decision within thirty (30) business days. This decision will be transmitted to the student in writing through delivery to the student's on-campus mailbox. The decision rendered by the Dean is final.

In order to assist students concerning potential areas of grievances, the following policies specify the initial contact person for consultation in the process. This contact information is intended to be helpful, but is not a substitute for the individual student understanding and fulfilling procedures outlined in University Catalog or Student Services Handbook.

Academic – See the University Catalog

Non-Academic

Title IX / Anti-Harassment and Anti-Discrimination Policy –

Director of Human Resources, 724-852-3210

Americans with Disability Act/Section 504 –

Director of the Center for Student Success and Disability Services, 724-852-3317

AIDS policy –

Dean of Student Services or designee, 724-852-3315

Family Educational Rights and Privacy Act –

Registrar, 724-852-3252

Student Conduct / Disciplinary Sanctions –

Assistant Dean of Student Services, 724-852-3402

f. Health Policies

AIDS Policy: As advised by the American University Health Association, Waynesburg University maintains a policy of dealing with individual cases of AIDS as they arise. The University's greatest concern is to insure a safe, healthy, and productive environment for all its students, faculty, and staff. Educational programming for the whole campus is a part of the services of the Student Health Service and the Student Services Office.

COVID 19 Policy:

Students, faculty, staff, administrators and visitors are required to comply with all policies and procedures implemented by the University to address Covid-19 or any other infectious disease including, but not limited to, any directive to wear masks while on campus, abide by social distancing, quarantine or leave campus. The failure to comply with a University policy or procedure shall be considered an "endangering" action that could affect the "health and safety of others" (Section 2.B), and constitutes a "disruption of operational functions" (Section 1.C) and will subject the violator to disciplinary action that may include removal from campus.

Hours and Services: The Student Health Service, located in the lower level of the Wiley Armory across from the Fitness Center, is open Monday - Friday, 9:30 a.m. – 4:30 p.m. The University nurses are prepared to assist you with your health concerns while respecting the medical ethics of

confidentiality. There is no charge for most services. Students will be responsible for payment for any laboratory work, x-rays, or medications if they are prescribed. If the student is covered under their parents' insurance, they should have the policy name and numbers. Certified Physicians Assistants (P.A.), working under the University physician, comes to the Health Service Office at various times during the week. The hours are posted on the door or you may call the Health Services Office (724-852-3332) or contact the residence hall staff. You are strongly encouraged to use the P.A. services while they are on campus, to avoid emergency room expenses and need for transportation. There is a doctor on call at all times.

Resource: The Health Service is also a resource center for health and medical information with booklets on many different topics and a video library on medical subjects available for loan. Emergency care is provided at Southwest Regional Medical Center. If you are covered by your parents' insurance company, please bring the card or have the policy numbers to present to the Emergency Room in case the need arises. The Southwest Regional Medical Center will, however, treat you without proof of insurance in an emergency.

Contact the Student Health Service, Extension 332, to:

- Arrange for allergy shots*
- Obtain medical or dental advice
- Know more about accident or medical insurance
- Make an appointment with a Physician Assistant

*Please note that allergy shots are not given on campus. The Health Service staff will assist in setting up a shot schedule with the local allergy specialist.

Required vaccinations/immunizations:

1. the tetanus booster must be within ten years, Tdap recommended after 5 years,
2. a second dose of measles vaccine is required, unless the student meets one of the other criteria,
3. if the Hepatitis B series is not completed, provide dates already given and continue series as recommended
4. proof of Varicella (chicken pox) or titer or dates of vaccination
5. residence hall students – date of Meningitis vaccination with doctor's signature or the signed waiver
6. non-resident students - discuss Meningitis vaccination with your family doctor
7. athletes are not able to participate until the following steps have been completed:
 - a. medical forms are completed and approved
 - b. sickle cell documentation has been provided
 - c. the training staff has coordinated physicals

A student who has not received a meningitis vaccination must sign a waiver as part of the required University medical forms to be admitted to University Housing. The Student Health Service can order the vaccine.

Failure to complete University medical forms and to comply with the immunization requirements can result in a fine and/or refusal to allow registration for the following semester.

- * Students are encouraged to check with their local (home) State Health Department for their policy on free immunizations.

g. Identification Cards Every student is required to carry a University ID card. This ID card is prepared by the Student Services Office and is given to all new students. A \$10.00 fee is charged for a replacement. The ID is required to gain access to the residence halls, individual rooms, to meal plans, the fitness center, to utilize services in the library, to receive payroll checks and for admission to many University events. All students must carry, and when requested by University Officials, furnish their student I.D. card. Any falsification or other misuse of a student I.D. card is prohibited. The I.D. card is the property of the University and must be surrendered upon withdrawal from enrollment. Duplication or possession of University keys or key-cards by unauthorized persons is not permitted and will typically result in disciplinary action.

h. Missing Persons Students are encouraged to provide the institution with contact information for a person to be notified in the event that the student is officially reported as missing. The emergency contact information provided to the University by the student is strictly confidential. If University officials determine that a student, for whom a missing person report has been filed, has been missing for more than 24 hours, the staff will proceed with the following procedures:

- Notify the individual identified by the student to be contacted in this circumstance
- If the student is under 18 years old, notify a parent or guardian; and
- Notify appropriate law enforcements, in cases where the student is over 18 and has not identified a person to be contacted.

i. Vehicles and On-Campus Parking Resident students must park in designated residence hall lots. Commuting students are permitted to park in the lot beside Stover Hall, Marisa Fieldhouse, the lot next to the maintenance building and the lot on the north side of the Armory. On street parking is also available at no cost. The Miller Hall lot and the Stewart Hall lot are reserved for faculty, staff, and handicapped parking. Please note that students must obtain a parking placard at the beginning of each academic year from the Department of Security located on the first floor of the Stover Campus Center before using the campus parking lots. All motor vehicles operated by students on campus must be registered and must display a valid University parking placard. First-year students, with the exception of commuting students, may not bring motor vehicles to campus unless special permission is obtained from the Assistant Dean of Students. Fines will be imposed for parking and other motor vehicle violations. Outstanding fines will result in a “hold” being placed on your records through the Registrar’s Office. Placards may be revoked after three violations in a single semester. Repeated violations may result in the wheel locking or towing of vehicles. The privilege of operating a motor vehicle may be rescinded by the University if the vehicle is not operated in accordance with the law, or if the operator endangers other students, or disrupts the educational process of the University. Placards may also be revoked for a violation of campus AOD policy.

j. Privacy of Educational Records
(The Family Education Rights and Privacy Act of 1974)

The Family Education Rights and Privacy Act of 1974 (FERPA) requires universities such as Waynesburg to protect the privacy of students with regard to educational records maintained by the University, and to provide students with access to records directly related to them. The law applies to students who are at least eighteen years old or who attend or attended a post-secondary institution, even if they have not reached the age of eighteen. It is Waynesburg University’s policy to comply with all provisions of FERPA. Below is a summary of the important rights granted to students under FERPA. To view the definitive set of regulations and for other helpful information, please visit: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

(1) Definitions

Education Record - Education Record means any record (1) directly related to a student and (2) maintained by the University or a party acting for the University. There are several important categories of records that are specifically exempted from the definition of an Education Record:

- Records of instructional, supervisory, administrative, and certain educational personnel which are in the sole possession of the maker of the records, and are not accessible or revealed to any other individual except a substitute who performs on a temporary basis the duties of the individual who made the records.
- Records maintained by a law enforcement unit of the University that were created by that law enforcement unit for the purpose of law enforcement.
- Records relating to individuals who are employed by the University, which are made and maintained in the normal course of business, relate exclusively to individuals in their capacity as employees, and are not available for use for any other purpose.
- Records relating to a student which are: (1) created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, acting in his/her professional capacity or assisting in a paraprofessional capacity (2) used solely in connection with the provision of treatment to the student; and (3) not disclosed to anyone other than individuals providing such treatment.
- Records that only contain information about an individual after he or she is no longer a student at the University.

School Official - School Official means a person employed by the University in an administrative, supervisory, academic or research, or support staff position, including health or medical staff; a trustee, public safety officer, or outside contractor such as an attorney or auditor acting as an agent for the University; a student serving on an official committee, such as a disciplinary or grievance committee or who is assisting another School Official in performing his or her tasks; and any contractors, consultants, volunteers or other party to whom the University has outsourced institutional services or functions as long as the individual: (1) performs a service for which an institution would otherwise have to use its own employees; (2) is under the direct control of the University with respect to the use and maintenance of the education record; and (3) is subject to the same conditions on use and re-disclosure of education records that apply to other School Officials

Directory Information - Directory Information means the following student information:

- Student Name
- Local address and telephone number
- Campus e-mail address
- Dates of attendance at the University
- Registration status
- Graduating Class
- College or school
- Major field of study
- Awards
- Honors
- Degree(s) conferred and date(s) received
- Past and present participation in officially recognized sports and activities
- Physical characteristics (height, weight) of NCAA athletes
- Previous educational institutions attended

Legitimate Education Interest - Legitimate Education Interest means an interest that a School Official has in the protected records when the School Official is performing a task that is:

- Specified in his or her position description or contract agreement;
- Related to a student's education; or
- Related to the discipline of a student.

Personally Identifiable Information - Personally Identifiable Information includes, but is not

limited to:

- The student's name
- The name of the student's parents or other family members
- The address of the student or student's family
- A personal identifier, such as the student's social security number, student number, or biometric record
- Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
- Other information that , alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
- Information requested by a person who that educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

(2) Student's Rights Under FERPA

Right of Inspection and Review - Current and former students have the right to inspect and review their Education Records within 45 days of the date that the University receives a request for access. A request form is available and should be completed in the Student Services Office by the individual student that is seeking access to information in the student's records.

A request that identifies the Education Record(s) to be reviewed or inspected must be submitted in writing by the student to the Student Services Office. The Student Services Office will make arrangements for access to the records and will notify the student of the time and place where the records may be inspected.

Right to Request Amendment of Education Record - The University provides a student with the opportunity to request amendment to the contents of an education record which he/she considers to be inaccurate, misleading, or otherwise in violation of his/her privacy or other rights. If the Student Services Office receives such a request they will coordinate with the University Registrar and they will decide within a reasonable period of time whether corrective action consistent with the student's request will be taken. The student must be notified of the decision. If the decision is in agreement with the student's request, the appropriate record(s) must be amended. A student who is not provided full relief sought by his/her challenge must be informed by the Student Services Office, in writing, of the decision and his/her right to a formal hearing on the matter.

Right to Consent to Disclosure of Education Records - The University will disclose information from a student's Education Records only with the written consent of the student, unless one of the following exceptions apply:

- Directory Information may be made available to anyone who makes a request for such information, without first notifying the students, unless a Request for Non-Disclosure of Directory Information form is completed by a student while he/she is enrolled and the form is submitted to the Office of the University Registrar.
- The disclosure is to authorize federal and state representatives for audit or evaluation or compliance activities.
- This disclosure is to School Officials that are in the process of carrying out their assigned educational or administrative responsibilities and have a Legitimate Educational Interest. The determination as to whether or not a

Legitimate Educational Interest exists will be made by the University Registrar, who serves as the FERPA Officer for the University. When the FERPA Officer has any questions regarding the request, the FERPA Officer should withhold disclosure unless he or she obtains consent from the student or the concurrence of a supervisor or other appropriate official that the record may be released.

- The disclosure is to provide a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
- The disclosure is to maintain the health and safety of the student or others on or off campus. When the University discloses personally identifiable information under the health or safety emergency exception, the University must record the significant threat to health or safety of a student or other individuals and the parties to whom the information was disclosed. This documentation must be done within a reasonable period of time after (but not necessarily prior to) the disclosure and must be maintained with the student's education records. This documentation should identify the underlying facts the University relied upon in determining there was a defined and significant threat.
- The disclosure is to officials of other institutions in which a student seeks or intends to enroll, as long as the disclosure related solely to the purposes of the transfer, on the condition that the issuing institution makes a reasonable attempt to inform the student of the disclosure, unless the student initiates the transfer.
- The disclosure is in connection with financial aid for which a student has applied or received, if the information is necessary for the determination of eligibility, amount and conditions of aid or to enforce the terms and condition of aid.
- The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, and administer predictive tests, to administer student aid programs or to improve instruction, provided that individual identity of students is not made and that the disclosure is restricted to the representatives of the organization that have a legitimate interest in the information. Information may only be disclosed per a written agreement between the University and the organization conducting the study on the University's behalf that:
 - Identifies the purpose, scope, and duration of the study; requires the organization to use personally identifiable information from education records only to meet the purpose of the study as noted in the agreement; requires that the organization conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and requires the organization to destroy or return the personally identifiable information to the University when the information is no longer needed and specifies the time period in which the destruction or return must occur.
 - Requires that organization to use personally identifiable information from education records only to meet the purpose of the study as noted in the agreement;
 - Requires that the organization conduct the study in a manner that does not permit personal identification of parents and students by anyone

- other than representatives of the organization with legitimate interests;
and
- Requires the organization to destroy or return the personally identifiable information to the University when the information is no longer needed and specifies the time period in which the destruction or return must occur.
- The disclosure is to accrediting organizations carrying out their accrediting functions.
 - The disclosure is to comply with a judicial order or a lawfully-issued subpoena, provided that the University makes a reasonable attempt to notify that student in advance of compliance. If a contractor receives a subpoena for a student's information, the contractor is required to provide the appropriate notice. The University is not required to notify the student if a federal grand jury subpoena or any other subpoena is issued for a law enforcement purpose orders the institution not to disclose the existence or contents of the subpoena. In addition, the University is not required to notify the student if disclosure is necessary to comply with an ex-parte court order obtained by the U.S. Attorney General or an Assistant Attorney General concerning certain criminal investigations and prosecutions.
 - The disclosure is to a victim of an alleged crime of violence or non-forcible sex offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense). The disclosure may only include the final results of the disciplinary proceeding conducted by the institution, regardless of whether the University concluded a violation was committed or not. The University may not require students who are sexual assault victims to sign confidentiality pledges to protect from further disclosure the disciplinary proceedings.
 - The disclosure is to the parents of a student under 21 years of age who has been found responsible for a violation involving the use or possession of alcohol and/or drugs.
 - The disclosure is related to a student registered sex offender and is information that was provided to the University pursuant to the Federal Violent Crime Control and Law Enforcement Act of 1994 and other applicable federal guidelines. In addition, the University may make available to the campus community additional information about a student who is also a registered sex offender where the information is relevant to protecting the public.
 - The disclosure is one where all Personally Identifiable Information has been removed. Written record of such a disclosure is not required.

In the event that a student wants to provide ongoing access to their Education Records to an individual such as a parent or family member, they must first complete a FERPA waiver. This will allow the individual named by the student to have complete or limited access to the student's Education Record until such permission is revoked by the student.

Right to File a Complaint - Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue
SW Washington, DC 20202-5920

For further information about procedures for access and review of education records, please contact the Student Services Office.

k. Sign Posting and Solicitation on Campus

All recognized student organizations must seek permission by the Dean of Student Services, to post signs publicizing their events on the bulletin boards provided for that purpose. No posters, signs, or notices may be displayed on any internal or external walls, doors, or windows. No commercial notices or advertising may be posted on campus property at any time.

University facilities may not be used for selling merchandise for profit. Solicitation by Non-University businesses is not permitted on University property. Student organizations wanting to hold a fund-raiser to benefit their organization must complete a fundraising form located on myConnect. This must be approved by both the organization's advisor and the Dean for Student Services.

l. University Network Policy

Responsible Use of Technology: As a community of people committed to the values and perspectives of the Christian tradition, we recognize the potential benefit, as well as danger, in the use of technology. Consequently, we make careful use of the products of science and technology in order that we might responsibly fulfill our callings as students, faculty and staff. We are stewards of technology and therefore, acknowledge our accountability to one another, to the mission of the institution and to God. To clarify what is meant by responsible use, we provide guidelines in relation to the following areas of concern: Respect for equitable access to resources, respect for another's opinions, values and feelings, respect for property, and respect for one another's privacy.

All computing resources and facilities at Waynesburg University are provided as a privilege to Waynesburg University students, faculty and staff. All users of these resources are responsible for exercising this privilege in an effective, efficient, ethical, and legal manner. The policies and procedures assume a commitment to support ethical behavior in every aspect of the academic community within the University. **These policies and procedures are not exhaustive, but rather provide the essential framework for acceptable use of the computer and communication resources of Waynesburg University.** Inevitably, the responsibility for utilizing common sense and upholding common standards of decency and fairness must be employed by the users for the benefit of others within the University community.

Accessing the Waynesburg University Network at ANY security level constitutes an agreement by the user to abide by ALL Rules & Policies as well as updated rules, policies, and responsibilities that may come into effect in the future. The user waives all claims against Waynesburg University, legal or otherwise, which may be incurred through the use and/or registration for use of the Network.

Violations of the policies and procedures for the Waynesburg University Network may result in the loss of computer use privileges and disciplinary review. Violations of some of the listed policies may be illegal and may be subject to prosecution by state and federal authorities. A more in-depth overview of the ITS Policies, Procedures and Guidelines can be found on the web under the MyConnect link.

Computer Labs and Network Accounts: The computer labs listed below are fully networked general purpose labs available to all students, and open during a wide range of hours. Lab hours are subject to change as needs change. Please check the schedules posted on the main door of each lab for specific times the lab is open and which hours a lab assistant is on duty to answer questions and provide assistance.

All students receive Internet access and an Email account, free of charge, when they begin at the University. These accounts and other University computer resources are to be used for educational purposes and in accordance with the University's mission, goals, and policies. Failure to use resources appropriately may result in disciplinary sanctions. For computing services assistance, please contact the ITS Help Desk at (724) 852-3413.

The Network Policy relates directly to Social Media and Cyber-Bullying in a previous section

C. DISCIPLINARY PROCESS AND APPEALS

Complaints

Any student, faculty, or staff member of the institution may make a complaint alleging violation of University policies or the Student Code of Conduct. Additionally, any police reports and documentation supplied by members of the community concerning Waynesburg University students may be used to submit a complaint against a student. Any student may contact a member of the Student Services staff to file a complaint alleging violation of University Policy by another student. Department of Public Safety, residence life officers or Student Services staff who either observe a student violation or receive a report which he/she is able to corroborate will submit a written report. Waynesburg University will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense), the final results of any institutional disciplinary proceeding dealing with that crime or offense.

**Administrative
Interview
Process**

Upon complaint of a violation of the Code of Conduct, the Dean of Student Services or his/her designee will appoint an individual(s) to serve as the investigating officer(s), meet with the appropriate student(s) to determine the legitimacy of the allegations, and ascertain responsibility for these violations of the Code of Conduct. The Dean of Student Services or his/her designee will notify any accused student(s) of the specific charges, including the date(s) and time of the alleged incident. If it is determined that the allegation is without merit, the investigation shall promptly cease and no record of the accusation will be made in the accused student's file.

Administrative Interview: If the Investigating officer(s) determine the allegation is merited, an administrative interview will be conducted with the accused student. During the administrative interview, the Investigating officer(s) shall notify any accused student(s) of the specific charges, including the date(s) and time of the alleged incident. During the administrative interview, students charged with a disciplinary violation will be given the opportunity to admit to the charge and acknowledge responsibility for their actions. When an admission of responsibility is made, the opportunity for a disciplinary hearing is no longer applicable. The student will be given a sanction determined by the investigative officer. The student may appeal the sanction only in accordance with the same appeal procedures available for hearing dispositions. If the student denies responsibility for the violation, a disciplinary hearing will be scheduled during the administrative interview to occur within 10 working days of that date. The accused student may examine relevant portions of reports as well as other pertinent evidence and may request a copy for their personal use.

The University reserves the right to conduct any hearing virtually whenever, in its discretion, it deems the virtual hearing is necessary to address any safety concerns associated with Covid-19 or other infectious diseases.

The Dean of Student Services, or his/her designee, will handle all cases involving a violation of University policy by a student organization. An organization charged with violation of University policy will have the opportunity to admit to the violation and receive an appropriate sanction. The opportunity for a hearing is then dismissed. The organization may appeal the sanction imposed to the Dean of Student Services or the Provost of the University (if the Dean of Student Services conducted the hearing). If the organization denies the charge, a hearing will be conducted. The organization will be notified of a hearing date in writing and a single Hearing Officer (the Dean of Student Services or his/her designee) will conduct the hearing in conformity with the procedures governing student disciplinary hearings in matters initiated by report of a University official. Its current President, who may be assisted by another student from the same organization, shall represent the organization at the hearing. The President of the organization may present evidence and question witnesses on behalf of the organization in the same manner as an individual respondent.

Please review "Personal Integrity and the Judicial Process" for more details on the interview process.

**Disciplinary
Hearing
Process**

The disciplinary hearing will normally be conducted by the Student-Faculty Judiciary Council. The Student-Faculty Judiciary Council will not ordinarily be convened during the last week of classes of each semester, during final examinations, or during summer school sessions.

**(Judiciary
Council)**

Depending upon the seriousness and sensitivity of the accusations or the time of the semester, the disciplinary hearing may be held before a designated hearing officer at the discretion of the staff member conducting the administrative interview. In this case, the Dean of Student Services will assign the hearing officer. It is within the discretion of the Dean of Student Services or his/her designee, or the Disciplinary Panel, to require that certain matters be submitted to mediation prior to a disciplinary hearing. If the involved parties (complainant(s) and accused) agree, the matter will be submitted to mediation before a staff member acceptable to all parties. Any mediation will result in a "Contract of Resolution" which will specify any terms of settlement and define any future behavioral expectations.

Summary Suspension: In appropriate circumstances, the Dean of Student Services or his/her designee may issue a summary suspension pending an investigation and disciplinary hearing. A student under summary suspension must immediately leave campus and may not return except to participate in the disciplinary hearing. A summary suspension may be imposed when the Dean of Student Services or his/her designee has reason to believe that the student is an immediate or imminent threat to persons or property, and/or that his/her presence may disrupt the operations of the University. Any student who returns to campus during the period of summary suspension without the permission of the Dean of Student Services shall be subject to further disciplinary action, including but not limited to, suspension, dismissal or expulsion. The imposition of a summary suspension shall not create any presumption of responsibility with respect to the underlying accusations. Parents of the student may be notified of the summary suspension.

The disciplinary hearing will be scheduled with the student within ten working days of the Administrative Interview. If the accused student is unable to appear at the scheduled hearing date, he/she will have until 4:00 p.m. two days prior to the scheduled hearing to notify the hearing officer or body. Should the accused fail to appear without giving this proper notice, the case will be heard in his/her absence. At the scheduling of the hearing, the accused student may examine relevant portions of reports as well as other pertinent evidence and may request a copy for their personal use. Evidence and witnesses must be submitted to the Student Services staff member at least three days prior to the scheduled hearing.

Student-Faculty Judiciary Council:

The Judiciary Council is composed of three students (one senior, one junior, and one sophomore) appointed by the Student Senate President, two faculty members appointed by the President of the University, and a member of the Student Services staff. The Student Services staff member will serve as the chairperson in a non-voting capacity. Student alternates will also be appointed for availability in the case of a conflict of interest. To be eligible to serve on the Judiciary Council, students must be in good academic standing (minimum 3.0 GPA), have been full-time students at Waynesburg University for at least one year immediately prior to the appointment, may not have been the subject of any major disciplinary action, and did attend a mandatory training session in the fall of the academic year.

Hearing Procedures: All hearings before the Student Faculty Judiciary Council or an individual hearing officer shall proceed in accordance with the following guidelines:

1. All hearings shall be considered confidential and shall be conducted in private.
2. No transcript of the proceeding will be produced.
3. Admission of any person to the hearing shall be at the discretion of the hearing body. Since hearings are intra-institutional functions, students are not entitled to representation by legal counsel. Moreover, as the presence of the accused student's (hereinafter "the respondent") parents would not facilitate the hearing process; their attendance is not permitted unless presented as a witness to the events at issue.
4. When an incident or series of related incidents have given rise to complaints against more than one student, the hearing body may, in its discretion, conduct separate hearings, or hear one or more related cases together.
5. When a complaint has been filed by a reporting officer of the University (security, residence life staff, administrative staff, and faculty members), the initial written report and any supplemental reports will be submitted to the hearing body and read aloud at the outset of the hearing. Unless requested in advance by the student, the reporting officer will not be expected to testify before the council. The Assistant Dean of Students or his/her designee will serve as the complainant and present the relevant information to the hearing body, including calling and questioning witnesses.

6. When both complainant and respondent are students, the Assistant Dean of Students or his/her designee will present relevant information to the hearing body, including calling and questioning witnesses with firsthand knowledge. Both the complainant and the respondent shall each be permitted to ask questions of all witnesses.
7. A list of witnesses must be provided to the hearing body at least three days in advance of the hearing. Where either party or the Assistant Dean of Students has called a witness known to the hearing body to possess relevant evidence, the Judiciary Council or hearing officer may call the witness to testify.
8. Both the complainant and the respondent are permitted to have a support person during the hearings to provide moral support and attend to the needs of the complainant or the accused student. The support person will not be allowed to speak at the hearing or question the witness.
9. The hearing body has broad discrimination in determining the type and quantity of testimony and materials to accept as evidence. The hearing body may accept written statements in lieu of live testimony when the circumstances warrant; e.g., where a witness is unavailable.
10. In matters before the Judiciary Council, the chairperson shall decide all matters pertaining to issues of procedure, including objections or requests to submit evidence.
11. The standard by which all disciplinary matters shall be decided is a preponderance of the evidence, i.e., it is more likely than not the accused student violated the Student Code of Conduct.
12. The Judicial Council shall determine by majority vote both whether the student has violated University Policies and/or the Student Code of Conduct and/or the appropriate sanction for each violation.
13. The decision of the hearing body will be in written form and mailed or emailed to the accused student within two (2) business days. If the hearing determines there was a violation, the sanction shall be listed. The written decision will also list the procedures available to the student for appeal of either the violation or the sanction.

Appeals

Any student may appeal a determination of the Investigative Panel or Judiciary Council by filing a written appeal of the determination with the Dean of Students within seven (7) days of the Investigative Panel's decision. The written appeal shall set forth the basis for the appeal and the reason why the student believes the Investigative Panel's determination on responsibility or sanction was improper. The Dean of Students or Appeal Panel, consisting of the Dean of Students and two (2) senior administrators, shall review the written appeal, the evidence that the Investigative Panel considered and may meet with the student as part of the review.

The Dean of Student Services, or the Appeal Panel as the case may be, shall review the appeal through written materials to determine the following:

1. Whether the original hearing was conducted fairly and in conformity with the prescribed procedures;
2. The sanction(s) imposed were appropriate for the violation found to have been committed;
3. Any new evidence raised in the appeal was not available to the student at the time of the original hearing and if presented at the hearing would have changed the outcome.

Within 7 days of the submission of the written appeal, the Dean of Students or Appeal Panel shall render a decision on whether the Investigative Panel's determination had a rational basis in light of the Policy and the evidence presented at the hearing. The Dean of Student Services, or the Appeal Panel, may uphold the decision and sanction imposed, reduce or increase the sanction imposed, or remand

the case to the original hearing officer or body for a new hearing. All decisions on appeals are final.

When an appeal is made, the disciplinary sanction will not be implemented pending a decision on the appeal. During the appeal process, and provided the student has not otherwise been placed on summary suspension, the student may attend class but may not participate in extra-curricular activities or live on campus. The student must check in with Security when they arrive and depart campus daily. Appeals in the case of expulsion may be made to the President, whose decision will be final.

Disciplinary Sanctions

The investigative officer, hearing officer, and the Judiciary Council have broad discretion in determining the appropriate sanctions for code violations for students as well as organizations. Any or all of the following sanctions may be imposed, separately or in combination:

Sanction	Explanation
Disciplinary Warning	A written warning may be issued when the individual's conduct or disciplinary involvement merits official admonition. Disciplinary warning is a written notice that the conduct in question was inappropriate and that future incidents will be treated more severely. The warning is recorded in the confidential discipline records of the Student Services Office.
Loss of Privilege	Loss of privilege is the withdrawal of the right to participate in a specified activity, or to use a specified service, for a specified period of time. Loss of privilege is recorded in the confidential discipline records of the Student Services Office.
Fine	The levying of a monetary fine may be utilized as a sanction. The intended purpose of the fine is to deter future violations and the amount of the fine should reflect this intended purpose, as well as the relative seriousness of the offense.
Restitution	Restitution requires the student or organization to reimburse the University or complainant for damages caused by their conduct. The fact and amount of the restitution is recorded in the confidential discipline records of the Office of Student Services.
Disciplinary Work Assignment	Disciplinary sanctions may be issued in the form of work assignments, such as campus or local area work projects. Failure to complete the work assignment within the time allowed will result in additional sanctions.
Counseling	A student may be required to attend educational counseling that it is deemed appropriate.
Residence Hall Suspension	Residence hall suspension is the separation of the student from his or her residence hall for a definite period of time. In appropriate circumstances, specific conditions for re-admittance may be imposed. The student's parents will be notified of a residence hall suspension.
Disciplinary Probation	A student or organization placed on disciplinary probation is required to comply with all restrictions imposed by the terms of the probation, and to generally behave in accordance with all University rules and regulations for the period of probation. Failure to abide by the imposed restrictions, or any violation of any University rule or regulation, will result in more severe sanctions, up to and including suspension, expulsion, revocation of recognition or dissolution. While on disciplinary probation, the student or organization membership may be prohibited from participation in varsity sports or other extracurricular activities. The student's parents may be notified of the probationary status. Disciplinary probation is recorded in

	the confidential discipline records of the Student Services Office.
Disciplinary Suspension	<p>Disciplinary suspension may exclude the student from registration, class attendance, residence on campus, the use of University facilities, or all of the above, for a specified period of time. In unusual circumstances (when the presence of the student on campus is deemed to be acceptable), suspension may be deferred to the end of the term. In the intervening time period, the privilege of the use of University facilities will be withdrawn, unless specific permission is obtained from the Dean of Student Services. The student's parents will be notified of the suspension status. Upon completion of the period of suspension, the student may request to be readmitted. A three-person Panel, selected by the Dean of Student Services, will review the following information:</p> <ol style="list-style-type: none"> 1. Academic admission standard of 2.50 G.P.A. 2. Prior disciplinary record 3. Availability of on-campus housing 4. Reasoning stated in request to return letter <p>The decision of the Panel is a final decision and could result in denial of admission, loss of privileges or other disciplinary measures. Any violations of University policy after the student is readmitted will likely result in expulsion.</p> <p>In the case of organizations, suspension prohibits the organization from participating in any University sanctioned activities or events, or otherwise operating as an organization, during the period of suspension. Any violation of the terms of the suspension will result in the revocation of recognition and dissolution of the organization.</p>
Disciplinary Expulsion	<p>Disciplinary expulsion is the permanent withdrawal of the privilege of registration, class attendance, or residence on the campus with no possibility of readmission. Access to campus will be restricted, and visiting campus or attending events is at the discretion of the Assistant Dean of Student Services (requests must be made 48 hours in advance). Parents of the student will be notified of the disciplinary expulsion.</p> <p>In the case of an organization, "disciplinary expulsion" will be in the form of permanent revocation of recognition and dissolution, without the possibility of reinstatement at any time in the future.</p>

Fines must be paid by the date assigned or further disciplinary action will likely be taken which could include University transcripts not being released. Fines received for payment of damage to property will be deposited in an account to benefit the damaged building. Fines resulting from other disciplinary action will be deposited in an account benefiting students.