

**Revised November 2012**

## **STUDENT'S RIGHTS AND RESPONSIBILITIES**

As members of the Saint Leo University community, students can expect to be afforded certain basic privileges and can also expect to be held accountable for certain basic responsibilities. Therefore, to maintain standards that contribute to the intellectual, spiritual and moral development of students that promote the welfare of the University community, Saint Leo University has established this Code of Conduct.

### **PREAMBLE**

Saint Leo University is an educational environment dedicated to fostering intellectual achievement, personal development, and social responsibility. The disciplinary system is an integral part of our educational process. While a University education is primarily academic and intellectual in nature, it also includes the development of Core Values that translate into responsible behavior. Students are expected to display respect for individuals and their rights within the Saint Leo University community setting. Persons at Saint Leo University locations are expected to express themselves through conduct which does not deny other individuals the freedom to express their own individuality socially, emotionally, intellectually, and spiritually, and does not deny other individuals their rights. Saint Leo University maintains the right to dismiss or suspend or otherwise take action related to any student for reasons that the administration deems to be in the best interest of the University.

### **ARTICLE 1: DEFINITIONS**

1. The term "University" means Saint Leo University (University Campus, On-line, and Centers).
2. The term "student" is defined as any person who is admitted, enrolled or registered for study at Saint Leo University (University Campus, On-line, and Centers) for any academic period. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with Saint Leo University are considered "students" for purposes of applying this Code. A person is also considered a student for purposes of this Code during any period while the student is under suspension from the University or when the person is attending or participating in any activity preparatory to the beginning of school including, but not limited to, orientation, LEAP and residence hall check-in.
3. The term "University official" includes any person employed or appointed by the University, performing assigned administrative or professional responsibilities or a Residence Life student staff member.
4. The term "member of the University community" includes any person who is a student, staff member, faculty member, or a University official.
5. The term "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University.
6. The term "organization" means any athletic team, service organization/trip or any group/association of persons who have complied with the formal registration requirements for (the) University, as applicable.
7. The term "Administrative Hearing Officer" means a University official designated on a case-by-case basis by the Associate Vice President for Student Services to conduct fact-finding and make determinations about possible infractions. Nothing prevents the Associate Vice President for Student Services from authorizing the same Administrative Hearing Officer to impose sanctions in all cases.
8. The term "Appellate Board" means any person or persons authorized by the Associate Vice President for Student Services to consider an appeal from an Administrative Hearing Officer's determination that a student has violated University policy, procedure, or other reasonable expectations or from sanctions imposed as a result of an Administrative Hearing Officer's determination.

- a. Decisions of Administrative Hearing Officers may be appealed to the Associate Vice President for Student Services or designee. When appropriate, a faculty member will also be selected to act in an advisory capacity to the Associate Vice President for Student Services. If the Associate Vice President for Student Services acted as the Administrative Hearing Officer, the Vice President for Continuing Education & Student Services will consider the appeal.
9. The term “policy” is defined as the written regulations of the University as found in, but not limited to, the Code of Conduct, Guides to Residence Hall living, and the Catalog.
10. The term “residence hall” is defined as any University owned/operated student housing facility.

## **ARTICLE II: UNIVERSITY CORE VALUES**

Saint Leo University offers a practical, effective model for life and leadership in a challenging world. As such our community has adopted six steadfast moral Guidelines to help us recognize the dignity, value, and gifts of all people. We encourage all members of our community to use and embrace the following values in their day-to-day lives in order to strengthen our commitment to each other, our University, and to God.

***Excellence*** – Saint Leo University is an educational enterprise. All of us, individually and collectively, work hard to ensure that our students develop the character, learn the skills, and assimilate the knowledge essential to become morally responsible leaders. The success of our University depends upon a conscientious commitment to our mission, vision, and goals.

***Community*** - Saint Leo University develops hospitable Christian learning communities everywhere we serve. We foster a spirit of belonging, unity, and interdependence based on mutual trust and respect to create socially responsible environments that challenge all of us to listen, to learn, to change, and to serve.

***Respect*** – Animated in the spirit of Jesus Christ, we value all individuals’ unique talents, respect their dignity, and strive to foster their commitment to excellence in our work. Our community’s strength depends on the unity and diversity of our people, on the free exchange of ideas, and on learning, living and working harmoniously.

***Personal Development*** - Saint Leo University stresses the development of every person’s mind spirit, and body for a balanced life. All members of the Saint Leo University community must demonstrate their commitment to personal development to help strengthen the character of our community.

***Responsible Stewardship*** – Our creator blesses us with an abundance of resources. We foster a spirit of service to employ our resources to university and community development. We must be resourceful. We must optimize and apply all of the resources of our community to fulfill Saint Leo University’s mission and goals.

***Integrity*** – The commitment of Saint Leo University to excellence demands that its members live its mission and deliver on its promise. The faculty, staff, and students pledge to be honest, just, and consistent in word and deed.

## **ARTICLE III: JUDICIAL AUTHORITY**

1. The Associate Vice President for Student Services is responsible for the disciplinary system at Saint Leo University.

2. The Associate Vice President for Student Services, in consultation with University governance shall develop Policies for the administration of the disciplinary program and procedural rules for the conduct of hearings that are consistent with provisions and Core Values of University.
3. The Associate Vice President for Student Services may designate a University official to act as his/her designee.

## **ARTICLE IV: PROSCRIBED CONDUCT**

### **A. JURISDICTION OF THE UNIVERSITY**

Although the University is not responsible or liable for student off-campus events or behavior, it does reserve the right, in the interest of protecting students from harm and as part of fulfilling its educational mission, to take action in response to behavior off campus that violates University expectations, Core Values and Policies and when the University determines that it's interests as an academic community are involved. University policies and other expectations govern students participating in Saint Leo or Saint Leo-affiliated study abroad programs or other University-sponsored activities.

### **B. CONDUCT- RULES AND REGULATIONS**

As responsible members of the Saint Leo University community, students are expected to maintain the University's highest ideals of academic and social conduct and are responsible for knowing and abiding by University policies and expectations and reporting violations to Campus Security and Safety, Residence Life or any member of the Student Services staff.

#### **B1. ABUSE (Physical, Mental, or Verbal)**      *Values: Community, Respect, Integrity*

Physical, mental, or verbal abuse of any person is prohibited. No student shall cause harm to another or aid in commission of an act that causes physical or emotional harm to others or which intimidates, degrades, demeans, threatens, or otherwise unreasonably interferes with another person's rights or comfort. Please note this encompasses all means of communication, including but not limited to, electronic and social media.

#### **B2. ACADEMIC HONOR CODE**      *Values: Excellence, Respect, Integrity*

Please consult the Catalog for Academic Policies. The Academic Honor Code is repeated here, given its vital importance in the Saint Leo community.

Saint Leo University holds all students to the highest standards of honesty and personal integrity in every phase of their academic life. All students have a responsibility to uphold the Academic Honor Code by refraining from any form of academic misconduct, presenting only work that is genuinely their own, and reporting any observed instance of academic dishonesty to a faculty member.

### **ACADEMIC MISCONDUCT**

Academic misconduct includes but is not limited to the following categories:

#### **A. Cheating:**

- Providing or receiving academic work to or from another student without the permission of the instructor/professor.
- Buying or selling academic work.
- Violating test conditions.
- Forging academic documents.
- Copying computer programs.

#### **B. Plagiarism:**

- Stealing and passing off the ideas and words of another as one's own or using the work of another without crediting the source whether that source is authored by a professional or a peer.
- Submitting an article or quoted material from a periodical or the internet as one's own.
- Retyping or re-titling another student's paper and handing it in as one's own.

- Intentionally or unintentionally failing to cite a source.

C. Complicity:

- Helping another student commit an act of academic dishonesty.

D. Misrepresentation:

- Resubmitting previous work, in whole or in part, for a current assignment without the written consent of the current instructor(s).
- Having another student complete one's own assignments, quizzes, or exams.
- Lying to a professor.
- Fabricating a source.

## **ADJUDICATION**

It is the responsibility of every member of the faculty and student body to cooperate in supporting the honor system. When there is a reason to suspect that a student has violated the University's Academic Honor Code, the faculty member must discuss the evidence in private with the student. Depending on location of the student, the following procedures are outlined below for reporting a violation or sanction.

### **University Campus Undergraduate Students**

All University Campus faculty must report all sanctions issued to University Campus undergraduate students to the Online Academic Honor Code Reporting System in eLion. The faculty member can resolve the incident with an in-classroom sanction, excluding failure based on the offense. Some examples of sanctions include zero for an assignment, resubmission of an assignment, reduced grades, assigning additional work, etc. The Academic Standards Committee must hold a hearing if the instructor believes the violation warrants a sanction of failure for the course. Sanctions should be levied according to the seriousness of the offense. If the instructor of record would prefer to have the committee hear the case, all requests for hearings must be submitted using the Online Academic Honor Code Reporting System in eLion.

The student will have the opportunity to appeal the allegation and/or the sanction within 5 days of receipt of the notification. If the student appeals the allegation and/or sanction, a hearing will be scheduled with the Academic Standards Committee. If a submission to the Online Academic Honor Code Reporting System results in a second offense for a student, the Academic Standards Committee must schedule a hearing. Once a faculty member submits the report to the Online Academic Honor Code Reporting System, the system will automatically send a notice to the student, the faculty member and the Academic Standards Committee. If a sanction is imposed, the notice will record the incident and the sanction.

### **Center Students**

All undergraduate center faculty must report any suspected violation to the center director as soon as possible so that an ad-hoc Standards Committee can be formed if necessary.

### **Graduate Students**

All graduate faculty must report any suspected violation to the graduate director as soon as possible so that the Graduate Academic Standards Committee can meet to hear the case.

## **REPORTING PROCESS**

**When reporting an offense, the faculty member must provide the following information to the committee, center director, or graduate director:**

1. The faculty member's charge against the student.
2. A copy of the course syllabus.
3. The dates of the events as they occurred.
4. Any supporting evidence such as a Turnitin.com originality report.

5. A summary of the discussion or copies of emails between the student and the faculty member, including any admission or denial of guilt by the student.
6. Statements from another student to corroborate and other evidence if necessary.

Upon receipt of the faculty member's report, the Academic Standards Committee or an ad hoc committee appointed by the Center Director or Graduate Director will schedule a hearing and inform the student, in writing, of the date and time of the hearing and include a copy of the faculty member's report. A student cannot avoid a sanction by withdrawing from the course and is not permitted to withdraw from a course while the allegation is under investigation. The Committee will hold the hearing whether or not the student chooses to attend. After reviewing the evidence, the Committee will render a decision on the charge and determine any sanctions that are appropriate.

The student may appeal the Committee's decision to the Vice President of Academic Affairs within 5 days of receipt of the notification of the official report, who may issue an appellate decision on behalf of the University. The final authority rests with the Vice President of Academic Affairs.

### **SANCTIONS**

The sanction for a first violation of the Academic Honor Code could range from zero for the assignment to dismissal from the university, depending on the nature of the violation, but the usual sanction is failure of the course. The minimum sanction for a subsequent offense is failure of the course, but the usual sanction is suspension or dismissal from the university.

For additional information, faculty members should contact either the Committee Chair or the appropriate Center Director.

### **B3. ALCOHOL**      *Values: Community, Respect, Personal Development, Integrity*

Excessive drinking and intoxication will not be tolerated. Members of the Saint Leo community who choose to drink will be held fully responsible for their behavior while under the influence of alcohol. Drinking games designed for the purpose of the irresponsible consumption of alcohol or any other substance are prohibited. Loss of control due to intoxication does not excuse or justify violation of State Law, University policies or expectations, or the rights of others.

1. Any violation of Florida State laws regarding alcohol will be considered grounds for University disciplinary action. These include:
  - a. Possession and/or consumption of alcoholic beverages if under the age of 21 (including alcohol based drinks, e.g. FourLoko).
  - b. Selling, giving, or serving, alcoholic beverages or permitting alcohol to be served to persons under 21.
  - c. Misrepresenting or misstating one's age or using altered identification for the purpose of procuring alcoholic beverages.
  - d. Consuming or possessing open containers of alcoholic beverages including secondary containers, while in municipal parks, playgrounds, sidewalks, or streets or being found in the state of intoxication on a street or in a public place. This open container law applies on and off campus. This includes the consumption/possession of open alcohol in residence hall corridors, lounges, and any public areas.
  - e. Common sources of alcohol, including but not limited to, kegs and party balls (empty or full) are prohibited, except as outlined in the Social Event Guidelines.
  - f. Devices and games designed for the rapid consumption of alcohol or any other substance including but not limited to, beer pong, funnels and/or beer bongs are prohibited.
  - g. Driving with a blood alcohol level of 0.08% or more. (Individuals arrested for driving under the influence of alcohol or drugs face a suspension of driver's license for 6 months, fines of up to \$500.00, a minimum of 50 hours of community service, and imprisonment for up to six months.) The State of Florida will suspend driver's licenses for those under 21 driving with a blood alcohol level of .02%.

- h. Possession and/or consumption of alcoholic beverages is strictly prohibited on campus before the start of classes regardless of age. Campus is considered “dry” for new and returning students during Orientation/Week of Welcome (fall, spring, summer) or other students who have been approved to return early. This includes all approved students participating in vacation housing.
  - i. Possession of alcohol and/or alcohol containers, within any room/suite that is not designated by a Wet Room terms and conditions, regardless of occupants’ age, constitutes a violation of the University’s alcohol policy.
2. Minimum Guidelines for sanctions associated with violations of the alcohol policy are listed below. When, in the university’s judgment, more severe sanctions are warranted, the University reserves the right to impose more severe sanctions. Parental notification will occur through the Associate Vice President for Student Services or designee when appropriate and permitted under FERPA.
- a. Written Warning
  - b. Participation in and successful completion of an on-line course designed to assist students with alcohol-related topics and healthy lifestyle choices. There is a fee associated with this course for which the student will be responsible.
  - c. Parental and/or coach notification, if appropriate (can be considered for first infraction/required on second infraction)
  - d. 2 points

**B4. ALCOHOL AND NON-ALCOHOL SOCIAL EVENT GUIDELINES**      *Values: Community, Respect, Personal Development, Integrity*

The University is committed to promoting an environment that includes policies and educational elements to encourage healthy, low-risk, and safe choices for the use or non-use of alcohol for those of legal age. Further, the University believes in the importance of alcohol education programs for all members of the University community. It is upon this and the education-oriented philosophy of the University that the following alcohol social event policy is based.

The alcohol social event policy at Saint Leo University is based in compliance with Florida state laws as they pertain to alcohol possession, distribution, and consumption. Any centers located in other states are expected to follow applicable state laws for their location. This policy applies to all students and student organizations (including but not limited to Greek fraternities/sororities, athletic teams, academic honor societies, clubs, groups, etc.) sponsoring events on or off campus. In the case of visitors/guests violating the policy, the student host and/or host organization may be held responsible.

- I. Policies
  - a. All events with alcohol must have a third party vendor, properly licensed by appropriate local and state authorities, possessing a liability insurance policy with a million dollar minimum coverage, and providing a copy of same with Saint Leo University named as additional insured for the event. All sales of alcohol must be on an individual drink-by-drink basis and staffed only with employees of the third party vendor.
  - b. All events that have alcohol present must be in a location properly zoned for the distribution and consumption of alcoholic beverages.
  - c. Outdoor events will be approved on a case-by-case basis and must follow applicable local ordinances.
  - d. With the exception of licensed third party vendors, common source alcohol containers (such as kegs, party balls, garbage bins, coolers, etc.) are prohibited.
  - e. Student activity fees may not be used for the purchase of alcohol.
  - f. No event shall include drinking contests, drinking games, or have alcohol as prizes to any contests.

- g. All events (including charter/party buses) with alcohol must have a guest list that is generated, finalized, and submitted to the Student Activities Office 48 hours prior to the event with each student's full name and student identification number. If the individual is not a Saint Leo University student, the guest's full name and student host's full name and student identification number must also be included on the guest list. An actual list of everyone in attendance to the event must be submitted to the Student Activities office 48 hours after the event.
  - h. Guest lists are limited to the total number of students in the sponsoring organization and a maximum of two guests (students or non-students) per sponsoring organizational member in attendance.
  - i. Open parties, defined as events with unrestricted access by non-members of the sponsoring organization, are prohibited.
  - j. No student organization may co-sponsor an event with alcohol with an alcohol distributor, non-University affiliated organization, or tavern (business generating more than 50% of annual gross sales from alcohol). No funds, privileges, endorsements, charitable contributions or other special considerations shall be granted to the student organization from the host site.
  - k. No student organization may hold an event with alcohol during or 48 hours preceding the final examination period; at organizational recruitment induction or initiation events; at any campus recreation event, intramural event, NCAA event; or during the academic week (Monday-Thursday), unless granted an exception by the Associate Vice President for Student Services.
- II. General Procedures
- a. The following must be turned into the Student Activities Office with the Event Form for approval:
    - i. List of monitors (one trained monitor for every 25 guests) responsible for remaining sober (not drinking at all), regulating the event, and enforcing policy.
    - ii. Proof that the organizational member planning the event has attended a risk management training session and passed the alcohol quiz to be eligible to hold an event with alcohol.
  - b. Any prior publicity (including but not limited to posters, banners, newspaper advertisements, t-shirts, social media, etc. ) must not contain phrases emphasizing alcohol being served or manner it will be consumed (i.e. "Drink and Drown" , "All you can Drink", etc.) and must be in compliance with the University Solicitation Policy. Publicity must also mention the availability of non-alcoholic beverages.
  - c. Guests over the age of 21 must be given a wrist band at the door and must have it on at all times to be served.
  - d. Food and non-alcoholic beverages will be made available to all participants. If the non-alcoholic food and beverages run out, alcohol sales must stop.
  - e. Verification of the guest list by a member of the sponsoring student organization must be completed prior to allowing guests to enter the event. Proof of identification is required.
  - f. The serving of alcoholic beverages is to be discontinued one half hour before the end of the event.
  - g. Alcoholic beverages should be served in a container noticeably different than non-alcoholic beverages.
- III. Procedures for On-Campus Events with Alcohol
- a. An Event Form must be completed with all appropriate signatures and handed into the Student Activities Office for approval at least ten (10) business days prior to the scheduled activity. All student organizations approved to hold an event with alcohol must use Dining Services as their vendor unless a waiver is received from Dining Services and approved by the Director of Student Activities.
  - b. The amount and manner of distribution of alcoholic beverages to be served will be determined prior to the event by the sponsoring organization, in conjunction with the Director of Student Activities. The Executive Director of Campus Security and Safety will determine the number of officers to be present to verify age

identification for those entering the designated drinking area and/or to assist with crowd control. The sponsoring student organization is responsible for the cost of any officers.

- c. If damage occurs, the proper authorities will make an effort to seek out the responsible individual(s) and/or sponsoring student organizations and refer them to the appropriate disciplinary process. The organization's faculty/staff advisor or approved designee must be present throughout the entire event.

#### IV. Procedures for Off-Campus Events with Alcohol

- a. An Event Form must be completed with all appropriate signatures and handed into the Student Activities Office for approval at least ten (10) business days prior to the scheduled activity.
- b. Proof of the third party vendor license and insurance policy must be included with the Event Form for approval.
- c. Proof of licensed security personnel (not members of sponsoring organization) either provided by the host establishment or sponsoring student organization must be present at event. Documentation must be submitted with the Event Form.

### **B5. CAMPUS FACILITY USE**      *Values: Community, Respect*

Access to Saint Leo University facilities is limited to Saint Leo students, faculty, staff and authorized visitors. Student Organizations must be registered with the Office of Student Activities in order to access facilities without being charged. Classroom and administrative buildings are normally open on weekdays during daytime hours and locked on evenings and weekends. Unauthorized or illegal use of the facilities is prohibited.

Residential facilities are locked 24 hours daily. Campus Security and Safety personnel routinely patrol all campus facilities, including campus residences.

### **B6. COMPUTER & OTHER ELECTRONIC DEVICE MISUSE**      *Values: Excellence, Community, Respect, Integrity*

#### 1. Computer Misuse:

- a. Theft or other abuse of computer resources includes, but is not limited to:
  - i. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - ii. Unauthorized transfer of a file.
  - iii. Unauthorized use of another individual's identification and password.
  - iv. Use of computing facilities to interfere with the work or reasonable enjoyment of another student, faculty, member or University Official.
  - v. Use of computing facilities to interfere with normal operation of the University computing system.
  - vi. Use of computing facilities to violate violations of Federal, State or local laws or University policy.

#### 2. Electronic Device Misuse:

- a. Saint Leo students, faculty, staff and visitors are expected to uphold high standards of academic integrity and personal conduct while using camera phones and other electronic recording devices, such as film, digital and web cameras, etc., on campus. Saint Leo strictly prohibits the use of camera phones and other recording devices in any manner which violates or compromises academic integrity, University Core Values, or University policy. Saint Leo follows the two party rule, meaning that no person shall record another without their knowledge and consent. Those who violate this policy may be subject to disciplinary action up to and including termination of campus employment, expulsion/dismissal, academic dismissal, removal from campus, and/or criminal prosecution/civil liability.

### **B7. DAMAGE TO PROPERTY**      *Values: Community, Respect, Responsible Stewardship, Integrity*

Damage and/or vandalism to University property or the property of others is prohibited.

**B8. DISCRIMINATION & HARASSMENT**      *Values: Community, Respect, Integrity*

The University values a community atmosphere that is free of all forms of discrimination and harassment, and will endeavor to prevent discrimination because of race, color, ethnicity, religion, sex, sexual orientation, national origin, age, disability, or military service, or other reasons provided for by law. The University prohibits conduct that prevents or impairs an individual's ability to participate in an education program or activity, or causes an individual to be denied the benefits of, or be subjected to discrimination under any education program or activity. Complaints of discrimination or harassment should follow the procedures outlined in the Code of Conduct, section C8. Student Grievance Procedures.

**STATEMENT ON HATE-MOTIVATED VIOLATIONS**

Saint Leo University defines hate-motivated offenses as conduct (harassment or physical acts) directed at an individual(s) on the basis of race, color, ethnicity, religion, sex, sexual orientation, national origin, or disability with the intent to intimidate or injure an individual(s), physically, mentally, or emotionally. Hate-motivated offenses compromise the integrity of the Saint Leo University community and may constitute violations of the Saint Leo University Code of Conduct. Harsher sanctions may be imposed when behavior is determined to have been motivated by hate. Students found responsible for such violations are subject to a range of disciplinary sanctions including University expulsion/dismissal.

Saint Leo University seeks to foster a safe environment conducive to learning and the free exchange of ideas. Saint Leo University, however, is steadfast in its intolerance for hateful behavior that is directed at an individual(s) with the motivation of causing harm. This position is a permitted exercise of the University's authority to educate and discipline its students.

Members of the Saint Leo University community affected by hate-motivated offenses are strongly encouraged to report the incident. Reporting hate-motivated offenses does not in itself constitute a formal complaint nor compel one to file a formal complaint of misconduct. Such offenses can be reported (formally/informally) to a variety of offices on campus including, but not limited to: Campus Security and Safety, Counseling, Residence Life, Student Activities, and Student Services.

**B9. DISRUPTIVE BEHAVIOR**      *Values: Excellence, Community, Respect, Integrity*

Any behavior that infringes on the rights, privileges, or property of others, or which impedes or is reasonably expected to impede the safety of community members or the educational process is prohibited. This includes, but is not limited to: disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its events or community service functions on or off campus, or other authorized non-University activities, when the act occurs on University premises.

Disruptive class behavior is unacceptable. Disruptive class behavior is behavior that, in the judgment of the instructor, impedes other students' opportunity to learn and which directly and significantly interferes with class objectives. Should such behavior occur, the instructor may request the student to leave class and will refer the matter to the Associate Vice President for Student Services or designee. Permission to return to class will be granted only after the student meets with the Associate Vice President for Student Services or designee. Instructors are encouraged to refer to this policy in syllabi and to establish clear classroom behavior expectations. This policy may not be used to inhibit legitimate classroom dissent or discussion with the course instructor or other students.

**B10. FALSIFICATION**      *Values: Excellence, Respect, Personal Development, Integrity*

Falsification of any University records, including, but not limited to, records of admission, registration, financial aid, housing, student discipline, academic, health, and parking decals is prohibited. The University vigorously pursues allegations of providing false information to any campus official or providing false, altered, or forged academic records. These include, but are not limited to, registration and drop/add forms.

**B11. FIRE SAFETY**      *Values: Community, Respect, Integrity*

Students are expected to act with due regard for the health and safety of others. Violations of this standard would include, but are not limited to, such behaviors as: failing to evacuate a building or failing to cooperate with authorities during a fire alarm or drill; deliberate or negligent activation of a false alarm; tampering with fire safety equipment; creating a safety hazard, starting a fire or causing an explosion. Students will be held financially liable for the fines imposed by the Fire Department, applicable expenses (clean up, recharging a fire extinguisher, etc.) in addition to possible sanctions.

**B12. FIREWORKS, EXPLOSIVES, WEAPONS & OTHER DANGEROUS ITEMS**      *Values: Community, Personal Development, Integrity*

The possession, use, or sale of weapons, ammunition, combustibles, fireworks, explosive devices or any other substance or devices designed to harm or incapacitate is prohibited on campus. Any item that is used in a manner that means to intimidate, scare, or threaten and not used for its originally intended purpose will be deemed a weapon. "Weapons" are defined and include, but are not limited to, rifles, pistols, BB guns, paintball guns, pellet guns, stun guns, chemical weapons, knives (blade over 4 inches in length), slingshots, bows and arrows, and martial art weapons.

Pursuant to Florida law, firearms are not permitted on campus.

**B13. GAMBLING**      *Values: Integrity, Responsible Stewardship*

The University prohibits activities involving gambling or placing a bet of money or any item of any value in a game of chance. To be considered prohibited gambling by the University. The activity must involve the following three elements:

- a. Consideration: you pay or give something of value to play
- b. Chance: what you are playing involves more chance than skill
- c. Prize: the winner receives **anything** for playing

In addition to sanctions that may be imposed by the University, participants may also face consequences under state law.

**B14. HANDBILLS & NOTICES**      *Values: Community, Respect, Responsible Stewardship, Integrity*

Posting of handbills, notices, and signs on University property is a privilege, not a right. All individuals, student organizations, businesses and vendors must receive permission from the Office of Student Activities to post on the Saint Leo campus. Posting is restricted to certain designated bulletin boards. Posting outside of these areas, including common areas, benches, trees, utility poles, walls, and in residence halls, is prohibited unless specific permission is granted by the Office of Student Activities. Approved information to be posted within the residence halls should be brought to the Office of Residence Life to be disseminated to staff members. Event promotional materials are prohibited from using direct or indirect references to alcohol. (See Social Event Guidelines)

**B15. HAZING**      *Values: Excellence, Community, Respect, Personal Development, Integrity*

Saint Leo University prohibits hazing. In the State of Florida. As used in this policy, "hazing" means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution. "Hazing" includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to

extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.”

[Florida Statute 1006.63(1)]

Note that hazing can, and in many instances is, a crime in Florida and can subject participants to criminal penalties in addition to University sanctions.

**B16. IDENTIFICATION CARDS**      *Values: Excellence, Respect, Integrity*

An identification card is issued to each student and shall be carried at all times while on campus. Students living in certain Residence Halls on campus will need the card for entrance to the facility. The card is used for checking books out of the library, purchasing food in the Dining Hall, admission to athletic contests, and making purchases at the University Bookstore and/or the Convenience Store (Lion's Lair). Lending this card for any purpose to anyone, failure to present it when requested by a University official, or falsification/alterations of identification card is prohibited. The possession, use, manufacture or sale of government-issued identification cards is strictly prohibited. The State of Florida considers fake identification cards as felony offenses.

**B17. ILLEGAL SUBSTANCES**      *Values: Excellence, Community, Respect, Integrity, Personal Development*

Saint Leo University has zero tolerance for either the illegal use and/or distribution of drugs. The University expects all members of the community to comply with state and federal laws pertaining to illegal drugs. The sale, purchase, manufacture, possession, distribution and illegal use of controlled substances, K2, drugs and drug paraphernalia, including hookahs, are prohibited. Saint Leo accepts Florida statutory definitions of drugs and drug paraphernalia.

The University responds to the issue of substance abuse in three ways: education for the University community about drug use and its consequences, confidential counseling for those with personal problems related to drug abuse and illegal substance abuse/use, and disciplinary action. In the spirit of our Core Values, the University must and does pursue all means possible to support the laws regarding illegal drug use or distribution. The campus is not a sanctuary from Law Enforcement Agents.

A. Disciplinary Action

- a. The Associate Vice President for Student Services or designee will investigate and conduct an administrative hearing with students charged with violating the University policy regarding illegal drugs and/or drug paraphernalia. Minimum guidelines for sanctions associated with illegal use of drugs or distribution are listed below. If deemed appropriate by the University, the University reserves the right to impose more severe sanctions. Parental and/or coach notification will occur through the Associate Vice President for Student Services or designee when appropriate and permitted by FERPA.
- b. The sanction for the first offense possession and/or use of a small quantity of marijuana (as defined by Florida statutes) or drug paraphernalia will be:
  - i. Community Probation and Deferred Suspension, and/or possible Suspension from the University (without financial refund)
  - ii. 8 – 11 Points
  - iii. Immediate Residence Hall Suspension (removal and/or denied access to any Residence Hall facility for a designated period of time without refund).
  - iv. Community Service 40 hours
  - v. Mandatory Drug Counseling
  - vi. Parental and/or coach notification (if applicable)

- vii. Participate in an on-line course designed to assist students with marijuana-related topics and healthy lifestyle choices. There is a fee associated with this course for which the student is responsible.
  - viii. Illegal Substance Use/Dependency Evaluation. Additionally, students using or found in possession of marijuana (excludes paraphernalia) will be required to be evaluated for drug use and dependency by an approved outside agency. Such evaluation will be at the student's expense and the student must agree to release the results of that evaluation to the designated University official. The student will be required to follow through on any treatment plan the evaluator deems appropriate. Failure to follow this agreement may result in suspension from the University.
  - c. The sanction for a second offense is a minimum of a two-semester suspension (without financial refund) from Saint Leo University.
  - d. The sanction for possession and/or use of any other illegal substances or large quantities of marijuana is an immediate two-semester suspension or permanent dismissal (without financial refund) from Saint Leo University.
  - e. The sanction for intent and/or sale, manufacture or distribution of any illegal substances is separation from Saint Leo University without the opportunity for readmission or financial refund.
- B. Education
- a. Courses, programs, workshops and training sessions developed and coordinated by various departments will be presented throughout the academic year. Additional programs will be presented throughout the year to the general student population and student leaders (SGU, Orientation Leaders and/or Residence Life staff).
  - b. The Office of Student Services will work cooperatively to provide information sessions throughout the academic year. Major campus events will be sponsored during theme weeks (e.g., National Collegiate Drug Awareness Week, etc.)
- C. Counseling
- a. The Office of Counseling Services provides confidential, personal counseling. The office is staffed with licensed mental health counselors. Off-campus referrals will be made on a request basis or if deemed appropriate. These services are confidential and follow the ethical standards and guidelines of the American Counseling Association.
- D. Residence Hall Searches
- a. Campus Security and Safety Officers and a Student Services professional staff (typically Associate/Assistant/Hall Director, Residence Life) may obtain verbal approval from the Associate Vice President for Student Services or designee to search a student room, common area, or vehicle when:
    - i. Drug paraphernalia are observed by a University Official or,
    - ii. It is reasonably determined by a Campus Security and Safety Officer and/or a professional member of the Student Services staff (typically an Associate/Assistant/Hall Director, Residence Life) that the odor of an illegal substance is emanating from a particular area.
    - iii. The University has a reasonable basis for suspecting the presence of illegal drugs or drug paraphernalia.
  - b. In all instances, both a Campus Security and Safety Officer and a professional member of the Student Services staff (typically the on-duty Associate/Assistant/Hall Director, Residence Life) will conduct the search. Written notice of the search authorization will be given to room/vehicle occupants within 72 hours after the search, as provided for in the Guides to Residence Living - 20. Room Search.

In addition to sanctions that can attach for university policy violations related to drugs, the University, in accordance with the Higher Education Act (20 U.S.C. 1091- r), provides the following notice to all students regarding the possible impact of drug convictions on federal financial aid:

“A student who is convicted in a court of law of any offense under any Federal or State law involving the

possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any federal grant, loan, or work assistance . . . shall not be eligible to receive any federal grant, loan, or work assistance . . . from the date of that conviction for the period of time specified in the following table:

If convicted of an offense involving:

The possession of a controlled substance:

First offense: 1 year ineligibility

Second offense: 2 years ineligibility

Third offense: Indefinite ineligibility

The sale of a controlled substance:

First offense: 2 years ineligibility

Second offense: Indefinite ineligibility"

Students should contact Student Financial Services for details on how to restore financial aid eligibility. If you have questions about the law, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243).

**B18. IMPLIED CONSENT** *Values: Integrity, Respect, Community*

All students within the direct vicinity (i.e., room, vehicle, outdoors, parking lot, etc.) where a violation of University policy, laws, or other regulations occurs is responsible for behaviors and/or objects (alcohol, drugs, etc.) in that direct vicinity, regardless of that student's actual participation in the behavior, direct possession of the items and/or use, or duration of time present.

**B19. LAWS (FEDERAL, STATE & LOCAL)** *Values: Excellence, Community, Respect, Personal Development, Responsible Stewardship, Integrity*

Students are responsible for compliance with all public laws. Any act that could constitute a violation of law may establish cause for legal and/or disciplinary action by the University. The campus is not a sanctuary from Law Enforcement Agents. Law Enforcement Agents have jurisdiction on campus and, when possessing proper documents, may legally make arrests or search any room or building without prior notice to University officials. Moreover, the University cannot intervene to protect an accused person from the consequences of their arrest or conviction, on or off campus.

**B20. MOTOR VEHICLES** *Values: Community, Respect, Personal Development, Integrity*

Students are expected to register motor vehicles with the Campus Security and Safety Office and to operate motor vehicles in accordance with Saint Leo University Parking and Traffic Regulations and county and state laws. Copies of Saint Leo University Parking and Traffic Regulations are available at the Campus Security and Safety Office.

**B21. REQUESTS OR ORDERS** *Values: Excellence, Community, Respect, Personal Development, Integrity*

Students are required to comply with reasonable requests or orders by authorized University officials or representatives acting in behalf of the University, including Residence Life student staff. Violations of this requirement include, but are not limited to, reasonable requests for appointments in administrative/faculty offices and:

- a. Failing to attend a scheduled hearing with an Administrative Hearing Officer.
- b. Falsifying, distorting, or misrepresenting information before an Administrative Hearing Officer.
- c. Disrupting or interfering with the orderly conduct of a judicial proceeding.
- d. Attempting to discourage an individual's proper participation in, or use of, the judicial system.

- e. Attempting to influence the impartiality of an Administrative Hearing Officer prior to, and/or during the course of, the judicial proceeding.
- f. Harassment (physical, mental or verbal) and/or intimidation of an Administrative Hearing Officer prior to, during, and/or after a judicial proceeding.
- g. Failure to comply with the imposed sanction(s).
- h. Influencing or attempting to influence another person to commit an abuse of the judicial system.

## **B22. RESIDENTIAL LIVING**

Students who live in campus residence halls are expected to comply with the [Guides for Residential Living](#). All students in a room will be held responsible for behaviors or objects in that room, regardless of whether they were participating in the behavior, were in possession of the items, or how long they may have been in the room. When a student enters a room where a violation is taking place, under the “Implied Consent” policy, the student is putting themselves at risk of disciplinary action.

All students residing in University-owned housing MUST provide proof of the meningitis and hepatitis B vaccines (recorded on the Immunization Form), unless proof of medical or religious exemption are provided, before a housing assignment is issued.

## **B23. SEXUAL MISCONDUCT**      *Values: Excellence, Community, Respect, Personal Development, Integrity*

The following behavior is considered to be sexual misconduct and is prohibited by Saint Leo University, whether or not it constitutes a violation of law. (Note: This list is not intended to be exhaustive of prohibited sexual activities). Sexual Harassment: Any conduct which emphasizes the sexuality or sexual identity of a person in a manner that prevents, impairs or causes that that person to be excluded from participation, in be denied the benefits of, or be subjected to discrimination under any education program or activity. In cases involving alleged sexual harassment, assault, or battery, or sexual violence, students should contact the Associate Vice President for Student Services. Complaints of sexual harassment should follow the procedures outlined in the Code of Conduct, section C8. Student Grievance Procedures.

- a. Sexual Imposition: Sexual touching or requests for sex when the offender knows or should reasonably understand that such behavior is offensive to the victim or when the victim’s judgment is impaired.
- b. Public Indecency: Exposing portions of one’s body in such a manner that it may be seen by someone who reasonably could be offended.
- c. Voyeurism: Trespassing, spying, or eavesdropping.
- d. Sexual Battery: Sexual conduct when the victim does not consent, or when there is force or the threat of force; or when the victim’s judgment is impaired.

Definition for the purposes of this policy: Impaired is defined as temporary incapacity to evaluate or control conduct, because the person is unconscious, asleep, intoxicated or under the influence of other drugs or for any other reason physically unable to communicate or grant consent. Consent is defined as intelligent, knowing, and voluntary agreement.

## **B24. SMOKING**      *Values: Community, Respect, Personal Development*

Florida Clean Indoor Air Act (s.386.201, et seq.) stipulates that there is to be no smoking in any educational facility in the state. This includes residence hall rooms and balconies adjacent to student rooms. Additionally, a minimum distance of 25 feet from a building entrance/exit has been established before designating a smoking area.

**B25. SOLICITATION**      *Values: Excellence, Community, Respect, Responsible Stewardship, Integrity*

The University prohibits solicitation, sales, or door-to-door canvassing by students or non-students on University property except with permission of the Director of Student Activities or designee. No concession for profit or other commercial business will be operated on University property without the written permission of the Director of Student Activities or designee.

Solicitation in the Residence Halls by anyone requires approval of the Associate Director of Residence Life. The following guidelines will be used:

- a. No door-to-door solicitation of any type will be permitted in any residential living unit.
- b. Presentations by nonprofit organizations in common areas will be permitted pending written approval by the Office of Student Activities. These presentations may not infringe in any way upon the rights of the residents living in that building.
- c. "Home Shows" hosted by students in their rooms with the intent of promoting or selling a company's products MUST be registered in advance with the Office of Student Activities. The office has the right to research the company for legitimacy and may also preclude any form of commercial activity on campus.

**B26. THEFT OR UNAUTHORIZED POSSESSION**      *Values: Excellence, Respect, Integrity, Community, Responsible Stewardship, Personal Development*

The taking, sale, or possession of property without the expressed consent of the owner is prohibited.

**B27. USE OF SAINT LEO UNIVERSITY NAME OR SYMBOLS**      *Values: Excellence, Integrity*

No individual, group or organization may use Saint Leo University name, seal, symbols, logos, slogans, or songs without the written authorization of the Associate Vice President for Student Services or designee and the Office of University Communications. The University name may be used for the purpose of identifying institutional affiliation so long as it is made reasonably clear that the University is not endorsing or condoning any given activity by the one using the name.

**B28. VISITORS**      *Values: Community, Respect, Integrity*

Students are welcome to bring visitors to the campus but must assume responsibility for the conduct of their visitors. Students choosing to have their guest stay with them on campus must comply with the following:

- a. Residents may have a guest stay in campus housing a total of three days in a semester. In special circumstances, the Office of Residence Life may grant permission to extend a stay to seven days in a semester. A guest is defined as an individual not residing within this particular room/building. Remember, overnight visitation is not to be confused with co-habitation. Cohabitation is illegal in the state of Florida and therefore is not permitted in the residence halls.
- b. Guests staying in excess of three days in any semester must be registered with the Office of Residence Life.
- c. Guests are not permitted unless all roommates consent to their presence.
- d. A student host is responsible for the actions of his or her guest while they are on campus. Therefore, a student host will be held accountable through the judicial system for individual policy violations by their guests. Guests must be escorted and are expected to abide by all campus policies and regulations. Students are prohibited from inviting or hosting a person in their room, residence hall, or on campus when the student knows that that person has been barred from campus by law enforcement or University officials. Any student or person who knowingly violates this section is subject to all applicable University sanctions in addition to any applicable civil and criminal penalties.

## **C. OTHER UNIVERSITY POLICIES/PROCEDURES**

### **C1. ASSEMBLY, INQUIRY & EXPRESSION**

In support of and within the parameters of the University Core Values, students are free to examine and discuss all questions of interest to them and to express their opinions publicly and privately. Students are free to support causes in any orderly manner, including organized protests which do not disturb the normal and essential functions of the University and that support the University Core Values. These policies are designed to ensure that every student be given the opportunity and freedom to learn.

- A. Invited Speakers/Performers
  - a. Students and registered student organizations may invite and hear any person of their own choosing, subject to supporting the University Core Values and the requirements for use of institutional facilities and funds.
- B. Protesting on Campus
  - a. The right of peaceful protest is recognized within the University community. Orderly picketing and other forms of peaceful protest are not to be prohibited on the institutional premises, however, reasonable conditions may be imposed to regulate the timeliness of requests and to determine the appropriateness of the space.
  - b. Interference with ingress and egress at University facilities, interruption of classes or institutional operations or damage to property exceeds permissible limits of behavior and will not be permitted.
  - c. Even though remedies are available through local enforcement bodies, the University may choose instead to impose its own disciplinary sanctions in cases of disorderly picketing and unpeaceful protests.
  - d. Every student has the right to be interviewed on campus by any military or law enforcement organization which is recruiting at the institution. Reasonable conditions may be imposed to regulate the timeliness of requests and to determine the appropriateness of the space. Any student, any group, or any registered organization may protest against such organization provided that protest does not interfere with any other student's rights to have such an interview.
- C. Student Media
  - a. The student press, radio, and TV station are to be free to express ideas and viewpoints in support of the University Core Values. The editors and managers shall not be arbitrarily prohibited from establishing and expressing editorial views because of student, faculty, administration, alumni, or community disapproval of content. This freedom entails a corollary obligation under the canon of responsible and applicable regulations of the Federal Communications Commission and Associated Press. All student communication shall explicitly state in the publication or broadcast that the opinions expressed are not necessarily those of the institution or its student body.
  - b. All student media are required to be registered with the Office of Student Activities on an annual basis. Organization registration of all media groups must include: an organization constitution or statement of purpose and stylebook (including safe harbor and FCC guidelines for TV/radio), editorial, advertising/underwriting, and business policies. All policies must be in compliance with University Core Values, FCC laws, Associated Press journalistic practices, and University policies and procedures.
  - c. The University believes that the student media contribute to the educational mission of the institution, although the views and ideas presented may not represent the institutional perspective. Advisers provide input and feedback to aid the decision-making process while allowing for free press. Decisions with regards to the internal policies and practices within each organization are based on the Mission and Core Values of the University.

### **C2. CAMPUS ORGANIZATIONS**

Students are encouraged to organize and join associations that promote their common interests. A group becomes

an organization when properly registered and approved by the institution through the Office of Student Activities. The University believes in the co-curricular experience and its potential contribution to building community. The University recognizes leadership skill development opportunities present in co-curricular life and their contribution to the educational mission. Institutional registration of an organization does not indicate endorsement by the University of the aims, objectives, or policies of that organization.

Specific requirements for registration include: organization constitution, national policies where appropriate, agreement of a full-time Saint Leo faculty and/or staff member to serve as adviser, and a membership roster. All constitutional documents of students' organizations, such as charters, constitution bylaws, regulations, policies, etc., are subject to administrative review and approval by the Office of Student Activities. Campus organizations will be required to register annually in order to facilitate institutional communication with organization officers when necessary. A formal registration will be required at the time of formation. Annual registration after the formation shall include a list of newly elected officers, update membership roster and any changes to the organization's constitution or statement of purpose.

Campus organizations are responsible for adhering to the University policies and Core Values. Violations by a campus organization will result in an administrative hearing by the Associate Vice President for Student Services or designee. Secret societies are prohibited.

Social fraternities and sororities will be governed by the Interfraternity Council and the Saint Leo PanHellenic Association. The Director of Student Activities will serve as the adviser to each of these governing bodies. Each national organization and/or local organization affiliated with either of these governing bodies is required to provide the Office of Student Activities with a copy of its national as well as local constitution and insurance policy when applicable. Nationally affiliated groups that wish to organize on the Saint Leo University campus must be approved by the appropriate governing body and the University. The Saint Leo PanHellenic Association and Interfraternity Council must have their extension procedures on file with the Office of Student Activities.

The Saint Leo Student Government Union (SGU) will serve as the student voice in institutional decision making. The student voice is critical to the educational mission of the University. The SGU Executive Board shall be elected by a simple-majority vote among the full-time University Campus students annually each Spring term. The Director of Student Activities or designee shall serve as the adviser to the Student Government Union. The adviser serves as a liaison between the institution and students on issues including the institutional decision-making processes and encouraging active student participation in academic and campus life. To ensure democratic practice, all Student Government Union meetings must be open to the public.

### **C3. CRIME REPORTING**

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a detailed report of various safety policies and crime statistics may be found on-line. A complete copy of the law is available in the Student Services office located in the Student Activities Building, first floor and the Campus Security & Safety Office.

Members of the Saint Leo community are encouraged to be alert for suspicious or criminal activity and to accurately and promptly report criminal action and other emergencies which occur on the Saint Leo University campus. Emergency phones are located throughout the Saint Leo University campus for the safety and convenience of students, faculty, staff, and visitors. Additionally, anyone can provide a confidential tip by calling extension 7777 (or 352-588-7777) and leaving a message regarding information about suspicious activities of concern.

### **C4. DISABILITY POLICY**

Saint Leo University is committed to equal access and does not discriminate unlawfully against persons with disabilities in its policies, procedures, programs or employment processes. Within the context of education, the University recognizes its obligations under the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as amended. More specifically, the University is committed to providing an environment that does not discriminate against otherwise qualified persons with disabilities and providing students with appropriate academic adjustments and auxiliary aids and services ("accommodations") that are reasonably necessary to afford an individual with a disability an equal opportunity to participate in the University's education program.

A disability is defined as: a physical or mental impairment which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing hearing, speaking, breathing, learning, or working. Individuals with a history of such impairment or who are regarded as having such impairment are covered under these procedures.

If students believe that they require an accommodation, they must provide the following information:

- a. They must identify themselves as persons with a disability, and
- b. They must identify the nature of the accommodations desired, and
- c. They must provide adequate medical or other appropriate documentation of the disabilities and the desired accommodations. Such documentation must be no more than 3 years old.
- d. The Director of Disability Services will coordinate all accommodations for the University. Specific documentation and accommodation guidelines may be obtained from the Office of Disability Services
- e. If a student is dissatisfied with the accommodation offered, he or she may appeal in accordance with the Student Grievance Procedure in section C8.

#### **C5. DRUG FREE SCHOOLS AND COMMUNITIES ACT**

In compliance with the Drug Free School and Communities Act of 1989, the philosophy and educational services provided by Saint Leo University are located in the Code of Student Conduct under the alcohol and illegal substance policies. All members of the academic community -- students, faculty, administrators and staff members -- share in the responsibility for protecting and enhancing an environment committed to the pursuit of this objective, while maintaining the highest standards of professional and personal conduct. The illegal and/or abusive use of drugs or alcohol by any member of the academic community adversely affects the educational environment. Saint Leo University is therefore committed to having a campus that is free of illegal drug use and drug or alcohol abuse. Information regarding the health risks associated with drug and alcohol use is available from the Counseling Center.

#### **C6. HOSPITALIZATION**

Saint Leo University cares deeply about the physical and mental health of its students. Therefore, health and counseling services are available on campus. At times however, a student may experience such extreme medical or psychological conditions that the ability to function successfully or safely in the role of a student is significantly impaired. Students are encouraged to prioritize their health and safety and take steps toward recovery, even if academic progress must be delayed. The University will support student-initiated self-care plans and/or initiate action that considers the welfare of the individual student and the University community. All medical withdrawals follow the tuition and fee reimbursement policy as outlined in the Catalog.

#### **Procedures**

*Medical Interim Leave*

The Associate Vice President of Student Services or designee may invoke a medical interim leave upon a student's medical or psychological hospitalization, emergency, or during a medical evaluation period. Students who are on medical suspended for any health reason are temporarily not allowed to participate in any University activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. This interim period allows time for a student to receive the needed medical and/or psychological care, and for all parties to consider an evaluation of readiness to return to the University. The student must follow the clearance procedures listed below before returning. Students who are placed on medical interim leave will be notified in writing and will have the opportunity to address the basis for the decision by contacting the Associate Vice President for Student Services or designee. Faculty will be notified of student absence from class (but not the cause of absence) so that the student will be able to continue to make appropriate and adequate academic progress.

#### *Voluntary Medical Withdrawal*

Students are encouraged to request a voluntary medical withdrawal when they believe their physical or mental health problems are preventing successful engagement in and completion of, academic course work even with accommodation; when safety is in question; or when the demands of college life are interfering with the ability to recover from, or adjust to a significant physical or mental health challenge. Students interested in pursuing a voluntary medical withdrawal may wish to discuss this option with providers at the Health & Wellness Center or the Counseling Services office, or they may independently initiate the process through the Associate Vice President for Student Services' office. After the voluntary withdrawal is approved, the person is no longer considered a student and must immediately leave campus and, if applicable, officially check out of on-campus housing. Students who make this choice must follow the clearance procedures listed below for return.

#### *Involuntary Medical Withdrawal*

In rare circumstances, the Associate Vice President of Student Services or designee may determine that a student must be involuntarily medically withdrawn. Those who are medically withdrawn for any health reason are not allowed to participate in any University activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. Examples of situations that might result in an involuntary medical withdrawal include the following:

- Professional evaluations following a medical interim leave do not support a student's readiness to return;
- A student fails to complete the required assessment during a medical interim leave;
- Contagious disease or infection that cannot be appropriately managed;
- A known condition has deteriorated (e.g., a student with an eating disorder), rendering the student to be in possible imminent danger and/or incapable of functioning as a student. In most cases, these situations can be handled through voluntary medical withdrawals; however, if the student is unwilling to pursue a voluntary withdrawal, the Associate Vice President of Student Services or designee may invoke its right to involuntarily withdraw a student. The Associate Vice President of Student Services or designee will recommend assessment and/or treatment conditions needed to return to Saint Leo University. The student must follow the clearance procedures listed below.

#### *Clearance Procedures*

Any student who has been transported to the hospital (for any reason regardless of severity), and/or placed on a

medical interim leave or an involuntary medical withdrawal will need to complete the following clearance procedures before being allowed to return to the University. The following steps are designed to ensure that a health emergency no longer exists and a treatment plan for continuing good health and safety is in place when reasonably needed.

Note: Depending on the situation, students may complete these procedures on different timelines. Some students may complete these steps within hours/days of the incident or medical interim leave notice while others may wait several months before pursuing a return to the University.

1. The student must be assessed by an appropriate outside professional, whose opinions will be advisory to the University. The professional, who is selected by the student, must be a licensed psychologist or psychiatrist if evaluating mental health concerns, and must be a licensed physician if the evaluation is regarding other medical concerns. Further, all providers must be unrelated to the student and must have specialty/credentials appropriate for the condition of concern (e.g., an eating disorder or substance abuse specialist). To make an accurate assessment, before conducting the evaluation the provider must be given information related to the precipitating events that led to the leave.

This typically would involve the student signing a release allowing the University (e.g., the Health & Wellness Center, Counseling Services office, or Associate Vice President for Student Services or designee) to share information regarding relevant incidents or concerns, and if applicable, recent hospital records. The student will be responsible for any cost incurred by the evaluation.

2. The outside mental health or medical professional, with the student's written permission, must provide directly to the University an assessment of current functioning of the student and provide written recommendations regarding:
  - a. given the precipitating events, the student's readiness to return to the academic and co-curricular demands of University life;
  - b. the student's readiness to live in the on-campus residential community;
  - c. ongoing treatment or testing needs;
  - d. any conditions or restrictions that the University should consider imposing; and
  - e. the student's readiness to return to competitive sports, if the student is a collegiate athlete. Note: The University team physician, in consultation with the Saint Leo University Director of the Health & Wellness Center and/or Counseling Services office, will ultimately make the decision regarding athletic activities but will consider this outside evaluation in making such a determination.
3. After the evaluation results and treatment documentation have been provided, the student must meet with the Associate Vice President of Student Services or designee who will make a determination on the readiness of the student to return in conjunction with the appropriate University offices (i.e. Health & Wellness Center, Counseling Services, etc.). The evaluation and the student's own perception regarding readiness to return, needs, and plans for treatment will also be discussed. Additionally, the Associate Vice President of Student Services or designee will consider how the outside evaluator's recommendations fit with the realities of student life at Saint Leo University and services that are available on campus or in the community.
4. If the Associate Vice President of Student Services or designee determines the student is able to return and resume all University activities (classes, on-campus housing, etc.) the student will be required to sign a re-admittance form prior to receiving final clearance.
5. Students will receive written notification of the Associate Vice President of Student Services or designee's decision about clearance return to the University.

## **C7. MAIL ROOM**

All student mail is available in the Stephen Herrmann Mail Center. Student mail will be in mailboxes for pickup by 11:00am Monday – Friday, except on University Holidays when the University is closed. Only students living on

campus may be issued a key and mailbox. Students are responsible for accessing their own mailbox. Mail Room staff is not permitted to check mailboxes and/or distribute mail through the window. As with all University-owned keys, there will be a replacement charge for any lost mailbox key of \$100.

DHL, FEDEX, UPS, & USPS deliver daily to the University and packages will be available for pickup between the hours of 8:00 AM & 5:00 PM, Monday thru Friday, except on holidays recognized by the University. Student packages are delivered to the Mail Room and will receive a package notification slip in their mailbox after the package has been checked in, please allow for 30 minutes of processing time after arrival. Students must present University or picture I.D. and package slip to receive their package. The Mail Center is also a drop off location for students to ship prepaid UPS and FedEx packages.

All mail/packages being shipped to a student must be addressed as follows:

Student Name  
Saint Leo University  
33701 State Road 52  
MC# \_\_\_\_ P.O. Box 5555  
Saint Leo, FL 33574

**Please Note:** *Any mail incorrectly addressed may be refused* by the United States Post Office due to insufficient address and not reach its final destination. It is the student's responsibility to supply sender's the correct address and failure to do so may result in lost or undeliverable mail.

## **C8. STUDENT GRIEVANCE PROCEDURES**

A discrimination grievance is a complaint or report of an injury, injustice or wrong in which the grounds for complaint are based on race, color, ethnicity, religion, sex, sexual orientation, national origin, age, disability, or military status, or other reasons provided for by law.

Saint Leo University is committed to creating and maintaining a community in which students, faculty, and administrative and academic staff can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation. Specifically, every member of the University community should be aware that Saint Leo is strongly opposed to discrimination, harassment and inappropriate behavior of any kind, and that such behavior is prohibited by University policy. It is the intention of the University to take whatever action may be necessary to prevent, correct, and, if necessary, discipline for behavior that violates this policy.

### **Eligibility and Time for Filing**

All students may use this procedure for discrimination-related grievances, except those involving grade appeals. Faculty and staff must use the procedures outlined in the appropriate handbook or University policy applicable to them. Grievances should be reported immediately upon occurrence of the events leading to the complaint, injury or wrong, and in any event must be reported within 30 calendar days of such event unless the University determines that good cause for an extension has been established.

### **Overview**

Many complaints can be resolved through open discussion between the parties involved. Individuals are encouraged to engage in direct consultation with each other so the problem can be solved through communication, if possible. An individual is not required to directly approach an offender, and may initiate the grievance procedure by reporting to

the Associate Vice President for Student Services. The Equity Officer and Director of Human Resources (or its designee) or others within the University community may act as resources for the Associate Vice President for Student Services, may answer questions or provide information, and may take part in the investigation of the complaint when appropriate. When a student believes the Associate Vice President for Student Services is involved in the alleged discrimination, the student must report the actions to the Vice President for Continuing Education and Student Services. In the event a grievance is filed with the Vice President for Continuing Education and Student Services, then the Vice President for Continuing Education and Student Services or designee assume the role of the Associate Vice President for Student Services described herein.

If a student seeks the advice of the Associate Vice President for Student Services on a matter of sexual harassment, sexually inappropriate behavior or any kind of discriminatory behavior, the Associate Vice President for Student Services must report this behavior to the Vice President for Continuing Education and Student Services. Every effort will be made to ensure the confidentiality of the complainant insofar as is reasonably possible under the circumstances. No student shall be disciplined for filing a good faith grievance or report of discrimination or inappropriate behavior.

Any student who believes that (s)he is the victim of discrimination or inappropriate discriminatory behavior may elect to follow the procedures detailed below. If a student files a complaint under a procedure other than the Discrimination Grievance Procedure, (s)he cannot elect to have the same complaint heard under the Discrimination Grievance Procedure. However, if a student believes (s)he has been discriminated against in violation of University policy during the processing of a complaint other than under the Discrimination Grievance Procedure, (s)he may file a complaint under the Discrimination Grievance Procedure.

The formal grievance may be a simple written statement, but should include the following minimum information:

1. A full description of the problem and any relevant facts, including but not limited to the specific acts considered to be discriminatory, including when, by whom, and what was specifically done or not done, and its impact or consequence to the complainant.
2. A summary of the steps, if any, the student has already taken in attempt to resolve the problem, including the names of persons involved;
3. A statement of the requested resolution and the student's rationale for the requested resolution for each perceived violation;
4. Any supporting documentation; and
5. The name, contact information and signature of the person initiating the complaint.

To facilitate a clear and prompt resolution, once initiated, a grievance may not be expanded beyond the issues presented in the student's initial complaint. This does not preclude a student from submitting a new grievance if additional concerns have arisen. The University reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure where appropriate.

If a student exercises his/her rights to file a complaint with a government agency or files a court action, the University reserves the right to terminate the grievance process and allow the issues to be resolved through the external process. In the event that a student has already commenced his/her grievance procedure at the time the student files a complaint with any governmental agency or court, the student shall notify the Associate Vice President for Student Services of that fact. If the University chooses to end further internal processing of the grievance, the Associate Vice President for Student Services will notify all parties involved. Files on the grievance procedure maintained by the Associate Vice President for Student Services will only be released to others with the written permission of the Vice

President for Continuing Education and Student Services.

### **Burden of Proof**

In all cases, the burden of proof rests with the complaining party. The Associate Vice President for Student Services is responsible for fact finding but in no way is responsible for proving the complainant's charge. The burden is that of a preponderance, that is, showing that more likely than not considering all of the facts and circumstances, the conduct complained of did occur and was determined to be a violation of University policy.

### **Mediation**

Students may elect to utilize the Mediation Program. This program is designed to help resolve disputes in a more informal way than through the grievance process. It facilitates solutions without having to file a formal grievance. A mediation does not impose any solution but helps parties reach a mutually agreed-upon solution.

Mediation is a non-adversarial process that does not guarantee a resolution but is a good way to discuss disputes. Participation in a mediation process does not mean that an individual gives up any rights to file a grievance or any other formal procedure. Further, both parties must agree to mediate a dispute. No one can be forced into mediation. Mediation is not a process that imposes punishment, determines facts or decides who is right or wrong. Mediation is a process whereby miscommunication can be cleared up, individuals agree on solutions and people are empowered to make changes.

If mediation between the parties is (a) not appropriate (such as in cases involving alleged sexual violence) or (b) not possible, or (c) does not lead to resolution, the Associate Vice President for Student Services shall proceed to investigate the report or complaint. Mediation does not preclude the University from conducting an investigation of a complaint or taking such disciplinary action or imposing such sanctions as it determines is appropriate or necessary.

### **Grievance Investigation**

When a grievance is filed the Associate Vice President for Student Services will notify the person named in the complaint ("Respondent") and provide the Respondent with a copy of the complaint. The Respondent may submit to the Associate Vice President for Student Services a written response to the complaint within five (5) working days, and the appropriate Dean will send a copy to the complainant.

As soon as is practical, the Associate Vice President for Student Services, or an individual(s) appointed by the Associate Vice President for Student Services, will initiate an investigation of the complaint and where possible, attempt to reach conciliation between the parties. During this period, the Associate Vice President for Student Services will have access to all information pertinent to the complaint, may meet with any individual with possible information related to the complaint, and will otherwise conduct such fact-finding as is appropriate and reasonable under the circumstances

Upon the conclusion of the investigation, the Associate Vice President for Student Services will present a report to the Vice President for Continuing Education and Student Services. . It is expected that this stage of the process should normally be completed within thirty (30) calendar days. The Associate Vice President for Student Services will include in the report a recommendation for resolution to the Vice President for Continuing Education and Student Services. The report of findings and written recommendation Vice President for Continuing Education and Student Services will also be copied to the student and individual(s) against whom the grievance was brought. In those instances when the Associate Vice President for Student Services recommends that remedial or disciplinary action

should be taken against the individual against whom the grievance was filed, those recommendations will be provided separately with a copy provided only to the individual against whom the recommendation is made.

The Vice President for Continuing Education and Student Services will strive to make a final determination within thirty (30) calendar days of receipt, or of appeal as provided below.

All the time limits here may be extended at the discretion of the Associate Vice President for Student Services.

### **Appeals**

If the Associate Vice President for Student Services' determination and recommendation is not acceptable to either the Complainant or Respondent, the decision may be appealed within ten (10) working days to the Vice President for Continuing Education and Student Services. Any appeal should be in writing and should specifically describe the point(s) on which the appeal is based. The Vice President for Continuing Education and Student Services also has the independent authority to accept or reject the underlying findings and recommendations in whole or part regardless of whether an appeal is filed. The Vice President for Continuing Education and Student Services will make the final decision in all cases upon receipt of the report and after the time for appeals has passed.

The Vice President for Continuing Education and Student Services should notify all affected parties of his or her decision within a reasonable period of time—typically fifteen days after receipt of the report or any appeal is filed (whichever is later) unless school is closed or other extraordinary circumstances exist—and initiate whatever action he or she deems necessary. The Vice President for Continuing Education and Student Services may, in his or her discretion, appoint a designee to issue the final disposition for the University. Except when otherwise required by law, the Vice President for Continuing Education and Student Services will determine the amount of information to provide the parties.

When the resolution of a student complaint under this policy in turn causes potential adverse action to be taken against a faculty or staff member, such as discipline or a loss of employment, those efforts will be coordinated with the applicable Vice President and the faculty or staff member may in turn seek review using any applicable faculty and staff grievance procedure.

Both Complainant and Respondent shall have the option of assistance by an individual of their choice from the University faculty, staff or student body during all portions of the Grievance procedure, provided that the chosen faculty, staff or student is willing to participate in the process. Third parties shall not be allowed to participate.

### **C9. STUDENT RECORDS**

Saint Leo University adheres to the rights accorded to students with regard to their educational records as set forth in the Family Educational Rights and Privacy Act (FERPA) of 1974 and as subsequently amended. This federal legislation protects the confidentiality of students' records. It also affirms the student's rights to inspect the contents of his or her educational records, to seek to have the records amended, and to have some control over the disclosure of information from the records. Educational records are maintained in the offices of the Student Services, Student Records, Bursar, and Student Financial Planning.

Saint Leo University reserves the right to release "directory information" as defined by the Family Educational Right and Privacy Act. Saint Leo University releases the following directory information: name, address, telephone number, date and place of birth, class, email address, major field of study, participation in the officially-recognized sports, weight and height of members of athletic teams, dates of attendance, degrees, awards and honors achieved in the

curricular and co-curricular life of the University, the most recent previous educational institution attended by the student, enrollment status (undergraduate or graduate, full- or part-time) and individually identifiable photographs of the student solicited by or maintained directly by Saint Leo University as part of the educational record.

A full copy of the University policy with regards to FERPA and forms for consent to release, dependency status, and request to withhold release of directory information are available in the Office of the Registrar. Students have an opportunity to complete these forms during the check-in process every fall and may request in writing to release or withhold specific information annually.

This policy is subject always to the provisions of the Family Educational Rights and Privacy Act of 1974 and as subsequently amended.

## **C10. COPYRIGHT, PATENT, AND INVENTION POLICIES**

The following policy is reproduced from the University Policy Manual on Copyright, Patent, and Invention Policies:

### **2.7.1 Copyright Guidelines**

It is Saint Leo University's policy to comply with United States copyright law, including the Digital Millennium Copyright Act (DMCA) and the Technology, Education and Copyright Harmonization Act (TEACH). The University further acknowledges that copyright law applies to digital resources and that any unauthorized distribution or redistribution of music, movies, text, software, or other protected media may be a violation of the law. The University's values encourage all members of the University community to exercise individual stewardship in understanding and upholding the provisions of the copyright law and respecting the copyrights of others.

#### **2.7.1.1 The TEACH Act**

The Technology, Education, and Copyright Harmonization Act (TEACH) was signed into law on November 2, 2002. The Act updates copyright law in the area of digital distance education and, if numerous requirements are met, facilitates the use of copyrighted materials in digital distance education efforts without having to obtain prior permission from the copyright owner. It is an effort to simulate fair use as allowed by copyright law.

However, TEACH imposes certain requirements on the use of copyrighted materials in distance education. TEACH is more restrictive than the law allowing face-to-face instructional use of copyrighted materials. For uses that fall outside the scope of TEACH, the user should seek permission or evaluate the use under the fair use exemption of the copyright law.

TEACH is a compromise between the needs of academe to make free use of copyrighted materials as an efficient and effective teaching tool, and the needs of copyright holders to protect the value of their work effort. Most of the TEACH requirements are designed to allow transmission of copyrighted works (or parts thereof) to a legitimate student audience for a limited time, without permission or license fees, while preventing dissemination that could undermine the market for the works.

In general, faculty who want to incorporate works into digital transmissions for instructional purposes pursuant to TEACH must:

1. Not use unlicensed commercial works that are sold or licensed for purposes of digital distance education.
2. Not use pirated works or works where the faculty member otherwise has reason to know the copy was not lawfully made.
3. Limit the use of works to an amount and duration comparable to what would be displayed or performed in a live physical classroom setting. TEACH does not authorize the digital transmission of textbooks or course packs to students.

4. Faculty should interactively use the copyrighted work as part of a class assignment in the distance education course. It should not be an entertainment add-on or passive background/optional reading.
5. Use software tools provided by the University to limit access to the works to students enrolled in the course, to prevent downstream copying by those students, and to prevent the students from retaining the works for longer than a “class session.”
6. Notify the students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.

Use the Teach Checklist (See Appendix 2.7.1.1) to make sure all requirements have been met.

### **2.7.1.2 Fair Use**

The University seeks to encourage the fair use of copyrighted materials, balancing the research needs of faculty, students, and staff while respecting the intellectual property rights of copyright holders and abiding by the pertinent laws governing usage of copyrighted materials. According to Title 17, Chapter 1, Section 107 of the U.S Copyright law:

In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work. The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

For a more complete set of guidelines, see Fair Use Guidelines for Educational Multimedia developed by The Consortium of College and University Media Centers.

### **2.7.1.3 Peer to Peer Filing Sharing**

Campus computer networks are often used to reproduce and distribute copyrighted music, movies, television shows, pictures, and software through the use of peer-to-peer (P2P) networks. P2P file sharing applications allow a computer to connect to a P2P network, and once connected, make it possible to download and share files with other users on the network. When Saint Leo University receives a complaint from a copyright holder, the University notifies the individual involved and passes along any information received from the copyright holder to that individual. The University does not supply any information to the copyright holder about the individual involved unless a valid subpoena is presented.

#### **2.7.1.3.1 Legality of Peer-to-Peer Filing Sharing**

P2P technologies have many legitimate uses. For this reason, Saint Leo does not ban “P2P” programs from its network. The University believes, however, that the primary use of P2P technology has been copying of commercial music and video files, without the copyright holder's permission, for personal enjoyment. It is that type of activity that generally violates the Copyright Law.

#### **2.7.1.3.2 Penalties for Violation of Copyright**

University Disciplinary Action: Copyright infringement can subject a student to disciplinary action under the Student Code of Conduct, since violation of law or University policy is grounds for discipline. First offenses will result in a

notice from Computing Services to cease illegal activity. Failure to comply or further incidents of infringement may result in further disciplinary action including but not limited to suspension and loss of network access for the infringing computer. Sanctions may include suspension of network access (meaning loss of Saint Leo email account and course web site access) and formal University disciplinary action.

**Civil Liability:** Persons found to have infringed may be held liable for substantial damages and attorneys' fees. The law entitles a plaintiff to seek statutory damages of \$150,000 for each act of willful infringement.

**Criminal Liability:** Copyright infringement also carries criminal penalties under the federal No Electronic Theft Act. Depending on the number and value of the products exchanged, penalties for a first offense may be as high as three years in prison and a fine of \$250,000. Saint Leo is not the police; however, Saint Leo will cooperate with the law enforcement agencies when required.

### **2.7.1.3.3 Obtaining Digital Music and Movie Files Legally**

Some music, movies and television shows can be legally obtained through online subscription services or from sites officially permitted by the copyright holders to offer certain downloads. Some of the "pay for play" services from which these files can be legally obtained are listed below.

#### Music

- Apple iTunes Music Store
- Rhapsody
- eMusic
- MP3.com

#### Movies/TV

- AtomFilms
- CinemaNow
- MovieFlix
- Movielink
- NetFlix

### **2.7.1.4 Resources**

For additional reading on intellectual property issues, and copyright in particular, see these online resources.

1. The American Library Association;
2. Bitlaw on technology law;
3. Digital Millennium Copyright Act at EDUCAUSE;
4. Intellectual property law at [www.intelproplaw.com](http://www.intelproplaw.com); and
5. U.S. Copyright Office.

## **ARTICLE V: JUDICIAL POLICIES**

### **A. CHARGES AND HEARINGS**

Any member of the University community may file charges against any student for misconduct. Charges shall be prepared in writing directed to the Office of Residence Life. All charges should be submitted as soon as possible after the event takes place, preferably within seven-two (72) hours of the incident. The Office of Residence Life may

conduct or initiate an investigation to determine if the charges have merit and/or if they can be disposed of administratively. Such disposition shall be final and there shall be no subsequent proceedings.

The accused individual or organization is notified by e-mail of the charges and a request to attend an administrative hearing or otherwise participate in fact-finding within a given timeline. The accused student/organization representative is expected to be present when requested. If the student or group chooses not to attend the hearing or otherwise participate in the fact-finding process, they may be charged with a violation of Article IV, B21. Requests or Orders in addition to their original alleged violations of University policy. In such a circumstances, any fact-finding or hearing will be conducted in their absence. When a student or student organization declines to participate in the process, the student or organization loses the ability to appeal any decision on the basis of new evidence or other relevant facts not brought out in the original process.

As used in the process, fact-finding refers to the process wherein the allegations are examined and information is collected as reasonably necessary to determine the merits of the charges. This process can include a formal meeting during which the individual charged, the complainant, and/or witnesses can supply factual information about what occurred. But it may also include interviewing those involved and any witnesses to determine the issues and facts that have occurred and to resolve any factual dispute, including those hinging on credibility; and/or obtaining and reviewing any records, documents, emails, etc. relevant to the issues presented. Only the Administrative Hearing Officer will question witnesses if multiple individuals are convened together, but any participant in the process may suggest areas of inquiry to be explored.

When hearings are conducted, the Administrative Hearing Officer will conduct hearings according to the following guidelines:

1. Hearings will be conducted in private.
2. Admission of any person to the hearing is at the discretion of the Administrative Hearing Officer.
3. In hearings involving more than one accused student, the Administrative Hearing Officer may choose to hold separate hearings.
4. The accused student may select a Saint Leo University student, faculty, or staff advisor to assist in preparation of the hearing. If the individual consents to serve as an advisor, the adviser may accompany the accused student to the hearing and may consult with the accused student prior to or during the course of the hearing, but may not address the Administrative Hearing Officer. Advisers may contact the Associate Vice President for Student Services prior to the hearing to clarify questions or concerns. Parents, attorneys or other third parties are not permitted in and may not "represent" the student at the administrative hearing without the approval of the Administrative Hearing Officer. If permitted, however, they may not address the Administrative Hearing Officer or "represent" the student.
5. A member of the Office of Residence Life may contact the accused student to explain the charges, students' rights, obtain a response to the charges, discuss all aspects of the disciplinary process, and offer support and assistance in preparing for the hearing.
6. Persons to be present at hearings may include the Administrative Hearing Officer, accused student, student's adviser, and if deemed appropriate, witnesses relevant to the case. Relevant witnesses will be present only during their own testimony, subject to questions from the Administrative Hearing Officer; however, they may be required to remain available for the duration of the hearing. Additionally, relevant witnesses will be interviewed by the Administrative Hearing Officer outside of the formal hearing as part of the fact-finding process.
7. Pertinent records, documents, written statements or other items may be accepted for consideration by the Administrative Hearing Officer at their discretion.
8. All procedural questions are subject to the final decision of the Administrative Hearing Officer.

9. After the fact-finding process, the Administrative Hearing Officer will determine whether the student has violated University policy or expectations.
10. The Administrative Hearing Officer's determination will be made on the preponderance standard (i.e., whether it is more likely than not that the accused student committed the offense at issue).

Except in the case of a student charged with failing to attend a scheduled judicial hearing, no student may be found to have violated University policy solely because the student failed to appear before an Administrative Hearing Officer. Any hearing may be postponed, recessed or continued at the discretion of the Administrative Hearing Officer.

Students who withdraw or take a leave of absences/hiatus from the University prior to their Administrative Hearing will have their case suspended and a Student Services Hold will be placed on their account until the matter is resolved. Students who withdraw or take a leave of absences/hiatus from the University after the date stated in the letter to schedule an Administrative Hearing will have the case heard in absentia if they fail to appear. If the student withdraws following his/her Administrative Hearing, he/she will be subject to the findings and sanctions imposed from the process. Should the student decide to return to the University, he/she will be required to have his/her Administrative Hearing and/or complete all sanctions assigned (if found responsible for alleged violations) prior to the Student Services Hold being removed from his/her account. Please note that this Hold may prevent a student from receiving a transcript in the event that the student is attempting to transfer.

The University recognizes the impossibility of anticipating every circumstance under which disciplinary authority of the University must be exercised. The University also recognizes the possibility that compelling circumstances may require that certain procedures normally afforded students be suspended or changed to better fit the circumstances presented. To facilitate the prompt resolution for a campus disciplinary matter under such circumstances, the Associate Vice President for Student Services, or designee, has the authority to make such adjustments as are reasonable and appropriate and in keeping with the basic premise of allowing the student a fair opportunity to respond to the charges against him or her.

When required by law, Saint Leo University will, upon written request, disclose to the "alleged victims of any violent crime" or next of kin if the victim dies as a result of the crime (as defined in 18 U.S.C.S 16) or a "non-forcible sex offenses" a copy of the outcome of any University proceedings against the alleged perpetrator.

## **B. SANCTIONS**

The following sanctions may be imposed upon any student found to have violated University policy. In the event that a student fails to complete their assigned sanction(s) by the deadline a Student Services Hold will be placed on his/her student account until the assigned sanction has been completed. A point system (0-12 points) has been established to maintain a consistent sanctioning guideline. Specifics of the determined sanction will be provided to the individual in a written and/or electronic document.

1. More than one of the sanctions listed below may be imposed for any single violation.
2. Disciplinary sanctions are part of the student's educational record. Therefore, a student's judicial record may affect participation in any University affiliated programs including but not limited to: Internships, Service Trips, Study Abroad, ROTC, and/or Athletics. Under FERPA, University officials in areas such as these are deemed to have an educational interest in the outcome of charges and may be so informed.
3. If the imposed sanction(s) indicates a lack of suitability for initial or continued campus employment in certain positions and/or offices, the findings will be reported to and evaluated by Human resources and the hiring manager if applicable to determine suitability for employment.

4. Student's educational record is typically maintained for 5 years after graduation or permanent separation from the University. A student may, upon graduation or permanent separation, submit a written request to the Associate Vice President for Student Services, asking that minor disciplinary actions may be expunged. The decision of the Associate Vice President for Student Services is final.
5. The following sanctions may be imposed upon groups or organizations:
  - a. Those sanctions listed below in Article V, Section B
  - b. Probation – Probability of revocation of group/organizational privileges during the designated period of time.
  - c. Suspension - Loss of all privileges, including University recognition, for a designated period of time.
  - d. Dismissal - Permanent loss of all privileges, including University recognition.
6. The Associate Vice President for Student Services or designee will advise the accused student/organization in writing of its findings, sanctions and appeal process in a timely fashion.

#### **SLU01 - Article Review**

A written review of journal articles on a specific topic designed to assist the student to explore the violations in question. The review must include appropriate citations and use appropriate language, grammar, and spelling.

#### **SLU02 - Letter of Apology**

A written apology reflecting an understanding of the inappropriateness of actions and the impact it had on the letter's recipient.

#### **SLU03 - Newspaper Article**

A reflective letter to be submitted for approval to the Office of Residence Life and then may be anonymously submitted to the student newspaper for possible publication. This letter should reflect an understanding of the inappropriateness of actions and the impact on self and the University community.

#### **SLU04 - Personal Journal**

A written daily journal for a designated period of time that addresses various questions each day as outlined in sanction letter. Each daily entry is to be no less than 250 words in length (typed, double-spaced). Completed journals must be submitted for approval to the Office of Residence Life by the stated sanction date.

#### **SLU05 - Reflection Paper**

Reflective paper on a specific incident and its impact on the community. Specific guidelines will be outlined in the sanction letter.

#### **SLU06 - Research Paper**

Research paper on a specific topic citing at least three sources. Specific guidelines will be outlined in the sanction letter.

#### **SLU07 - Restitution**

Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

#### **SLU08 - Educational Community Service**

Completion of a determined number of hours of educational community service with an office/agency approved by the Administrative Hearing Officer. Specific guidelines and hours will be outlined in the sanction letter.

**SLU09 - Probationary Review Meetings**

Scheduled meetings with the Associate Vice President for Student Services or designee to discuss appropriate responses to events or difficult situations in the student's life. Specific guidelines will be outlined in the sanction letter.

**SLU10 - Contact Restriction**

Restriction of personal contact with another individual or group for a stated period of time.

**SLU11 - Computer Privileges Restriction**

Loss or restriction from University computer mainframe access or privileges for a stated period of time.

**SLU12 - Resident Assistant Duty**

Participate in the nightly on-call, duty rotation for a specified period of time of the student Residence Life staff.

**SLU13 - Behavioral Agreement**

A signed behavioral agreement to live responsibly within the Saint Leo University community outlining specific behavior guidelines that must be followed.

**SLU14 - Educational Bulletin Board**

Design, research, and create a bulletin board on a specific topic.

**SLU15 - Program Presentation**

Plan, implement, and evaluate an educational program on a specific topic.

**SLU16 - Alcohol and/or Drug Education**

An on-line course designed to assist students with healthy lifestyle choices. Additionally, there is a fee for which the student is responsible and a required personal reflection journal associated with this sanction.

**SLU17 - Substance Use Evaluation**

A required substance use evaluation. Students are responsible to make arrangements for this evaluation in accordance with the outlined terms in the sanction letter. Students are required to meet the recommendations of the certified treatment professionals as indicated in this evaluation. Results must be released to appropriate University officials as per sanction letter.

**SLU18 - Counseling**

An assessment or specified number of counseling sessions either at the University Counseling Center or an approved community mental health provider.

**SLU19 - Other Restrictions**

Loss of specific privileges including, but not limited to, attendance at athletic and social events; organization participation; and access to specified Residence hall(s) for a designated period of time.

**SLU20 - Written Warning**

A notice in writing to the student that he or she is violating or has violated University policy and that continuation or repetition of similar misconduct, may be cause for further disciplinary action and more severe sanctions.

**SLU21 - Disciplinary Probation**

Disciplinary Probation is for a designated period and includes the probability of more severe disciplinary sanctions,

which may include suspension or dismissal from the University if the student is found violating the specified policy during the probationary period.

**SLU22 - Community Probation**

Community Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions, which may include suspension or dismissal from the University if the student is found violating any policy during the probationary period.

**SLU23 - Residence Hall Probation**

Residence Hall Probation is for a designated period of time and includes the probability of expulsion from campus housing and/or revocation of privileges to live in campus housing if the student is found violating any policy during the probationary period.

**SLU24 – Organizational Probation**

Organizational Probation is for a designated period of time and includes the probability of revocation of organizational privileges during the probationary period.

**SLU25 - Residence Hall Suspension**

Residence Hall Suspension is immediate removal from the University housing without refund for a designated period of time.

**SLU26 - Residence Hall Dismissal**

Immediate and permanent removal from the residence halls without refund.

**SLU27 - University Suspension**

Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified

**SLU28 - Organizational Suspension**

Prohibition of all organizational activities, formal and informal, both on and off campus for a designated period of time after which the organization is eligible for reinstatement/recognition. Conditions for reinstatement/recognition may be specified.

**SLU29 - Dismissal**

Permanent separation of the student from the University.

**SLU30 - Disciplinary Fine**

Appropriate monetary penalty.

**SLU31 – Parental, and/or On-campus Employer, and/or Coach Notification**

Notification to parent/guardian, and/or on-campus employer, and/or coach concerning a specific incident, outcome and appropriate sanction(s). Notification will be in accordance with FERPA regulations. As stated above, such notification may in turn cause other non-disciplinary consequences flowing from the student's violation in relation to other campus activities.

**SLU32 - Deferred Sanction**

When significant mitigating factors are present, one or more sanctions may be deferred for implementation. Deferral

may be rescinded and additional sanctions may be imposed for any new violations which occur during the deferred period.

### **C. SUMMARY SUSPENSION**

In certain circumstances, the Associate Vice President for Student Services or a designee, may impose a University, residence hall, or organizational summary suspension prior to an administrative hearing.

Summary suspension may be imposed:

1. To ensure the safety and well-being of members of the University community or preservation of University property
2. To ensure the physical or emotional safety and well-being of the student(s)
3. If the student(s) poses a threat of disruption of, or interference with, the operations of the University
4. Pending criminal case, (including any arrest, or Notice to Appear), or in the event of an ongoing investigation of a serious nature.

During the summary suspension, student(s) shall be denied access to the residence halls and/or organization, to the campus (including classes), and/or all other University activities or privileges for which the student(s) might otherwise be eligible unless written permission is obtained from the Associate Vice President for Student Services or designee. Summary suspensions may be appealed to the Vice President for Continuing Education and Student Services by the designated date in the suspension letter.

### **D. APPEALS**

A student wishing to appeal a decision must do so in writing via the Appeal Form to their Administrative Hearing Officer, by the deadline stated in the Administrative Hearing Outcome Letter. All appeals must be submitted by the student, not a representative. The Appeal Form is available online at <http://www.saintleo.edu/resources/residence-life/residence-life-forms-and-important-dates.aspx> or via hard copy in the Office of Residence Life.

The only acceptable grounds for an appeal are new information or errors in the disciplinary procedures. The grounds, including the nature of any new information, must be specifically stated on the appeal form. *Please note that disputing fairness and/or dislike of issued sanctions are not acceptable grounds for an appeal.* After consultation with the Administrative Hearing Officer, the Appellate Officer will determine if the grounds are acceptable.

If the Appellate Officer determines that there are sufficient grounds for an appeal, the Appellate Officer will set the time, date, and place for the appeal hearing. A suspended student may be required to leave campus and/or be suspended from classes until the appeal is heard. Permission to make up work during the suspension period will be at the discretion of the Appellate Officer and/or faculty member. Decisions by the Appellate Officer are final.

### **V. DISCLAIMER/UPDATES**

At the time this publication went to print, all the information contained in it was updated. Since this document is a printed version and prepared in advance of the academic year, changes may be necessary after publication. If this occurs, students will be notified electronically and the online version will be updated on the University website. Students are expected to always reference the online version for the most up-to-date information.