

ACADEMIC POLICIES

ACADEMIC INTEGRITY

Academic integrity presumes that each member of the academic community exhibits respect for him/herself, respect for others, respect for property (including intellectual property), and respect for authority. Honesty and respectful behavior are fundamental to the learning and development of each member of the academic community. ODU expects that all members of the community adhere to these values through the honest pursuit of learning and through the maintenance of an atmosphere of support and respect within the community.

Honesty and the Pursuit of Truth

The Dominican Motto, "To contemplate truth, and to share with others the fruits of this contemplation" guides the thinking and the actions of faculty and students at Ohio Dominican University. Sincere truth seekers, by definition, approach their work with a commitment to honest inquiry, principled discussion, and debate. ODU expects that all members of the community adhere to the Dominican academic tradition and adopt a strict standard of integrity as their own.

Academic Dishonesty

Academic dishonesty and cheating in any of its forms will not be tolerated. Offenses such as copying from another person or using unauthorized notes or materials during exams, unauthorized collaboration on tests or projects, falsifying research and using fictitious data and are strictly prohibited.

Cheating

Some examples of cheating include: using open textbooks, notes, electronic devices or other assistance during an exam, except those authorized by the instructor; copying from another person's work during an exam, Collaborating with another person on an assignment in a manner not authored by the instructor; substituting for another person or permitting another person to substitute for oneself in an exam.

Plagiarism

Plagiarism occurs when a student submits work purporting to be his/her own, but that borrows ideas, organization, wording, or anything else from some other source without an appropriate acknowledgment of that fact.

Plagiarism may take many forms. The most flagrant form of plagiarism consists of directly reproducing someone else's work, whether published or unpublished, complete or in part. Examples of this would include books, articles, another's writings, a friend's paper in another class or school, or a page from the Internet.

Similarly, when the student's assignment involves research, she/he must be careful to acknowledge exactly what, where, and how she/he has employed the work of others. If the student uses the words of someone else, quotation marks must be used with some appropriate indication of its origin added. A citation is also required when the organization, content, and phraseology of another's thought remains substantially intact.

Knowingly permitting one's own work to be submitted by another student as if it were the student's own also constitutes a form of plagiarism.

In a case where a student feels unsure about a question of plagiarism involving his/her work, she/he is obligated to consult the instructor on the matter before submitting it. Students who violate University and instructor policy on plagiarism are subject to University discipline.

Procedure for Addressing Academic Dishonesty (including Plagiarism)

When a student engages in academic dishonesty, the professor will decide the appropriate course sanction, complete the Academic Disciplinary Action Form with appropriate supplementary material, and file this material in the Office of Academic Affairs.

If a student's actions form a pattern of academic dishonesty, the Office of Academic Affairs will bring formal charges against the student, and a hearing will be held following the Academic Disciplinary Hearing Procedure.

Classroom Civility

Academic integrity demands that each member of the community treat all others with respect. Dominican scholars are expected to speak their minds openly, fully and responsibly, but they are also expected to listen to each other carefully, critically, and respectfully.

During classroom discussions students may argue points with passion, and debates may sometimes become heated. Students and faculty are cautioned to treat each other with respect and courtesy. Verbal and non-verbal expressions of disrespect have no place on campus.

It is the responsibility of the faculty member to facilitate the learning of all students, but learning cannot occur in an atmosphere of disorder or fear. Faculty members may establish and enforce behavioral standards for their classroom. Students who are not responsive to the faculty member, and who continue to be disruptive in class, may be immediately removed from the classroom and are subject to the charges of Disorderly/Disruptive Behavior or possibly, Intimidation/Harassment.

Removal of a Student from Class for Disciplinary Reasons

The professor has the right to remove a student from the classroom because of disruptive or offensive behavior. At the professor's discretion he/she may also file an Academic Disciplinary Action Form. In either case, one of the following informal processes must occur before the student may be readmitted to the classroom:

1. The faculty member and student may meet outside of class to resolve the behavioral issues and return to the normal state of equilibrium.
2. The professor is free to arrange a meeting between the professor, the student, the Division Chair and/or the Dean of Undergraduate Studies, or the Dean of Student Life in order to set conditions for the student's return to class. This meeting should occur within three days from the date of the offense.

When the professor deems it necessary to remove a student permanently from the class, he/she must bring formal charges against the student

and invoke the Academic Disciplinary Hearing Procedure.

Academic Disciplinary Hearing Procedure (adapted from Faculty Handbook)

It is the responsibility of the faculty to assure that academic integrity prevails. When serious violations of academic honesty, classroom behavior, or other serious academic offences occur, the Academic Disciplinary Hearing Procedure may be invoked.

In the event that the student indicates fault prior to the enactment of the hearing procedure, the Academic Vice President will determine the appropriate sanction.

a. The Academic Standing Committee

The Academic Standing Committee, consisting of Vice President for Academic Affairs (Chair), four appointed Faculty Members, Director of the Academic Resource Center, Director of Counseling, the Dean of Student Life, and the Registrar, will conduct a hearing in cases involving a serious charge of academic dishonesty. The Vice President for Academic Affairs chairs the Committee and the course Instructor presents the background of the alleged student violation. If there is determination of responsibility for the violation, the Vice President for Academic Affairs discusses appropriate sanctions with the Committee.

b. The Disciplinary Hearing Procedure

- (1) The Vice President for Academic Affairs will inform the student in writing of the alleged violation and the time and place of the hearing.
- (2) If, in the judgment of the Vice President, the student's continued presence on campus is thought to be detrimental to the University Community and/or any of its members, the student will be temporarily dismissed from campus until the time of the hearing.
- (3) The student will be given at least three days from the communication of the violation to prepare a case for the hearing. Within the time allotted, the student may obtain an advisor and witnesses in order to present the case before the committee.
- (4) This hearing procedure has been designed to afford fair procedures to accused students and to protect the individual rights of every student. It is not the University's intent to operate the hearing in accordance with the standards or procedures of a formal court of law. Therefore, legal counsel (an attorney) is not permitted. The hearing is intended to support investigation of allegations; to protect the rights, person and property of members of the University community; to assign responsibility and set appropriate sanctions in keeping with the disciplinary philosophy of the University.
- (5) At the hearing, the Vice President will state the violation and ask if the student accepts responsibility for his/her behavior or not.
- (6) If the student does not accept responsibility, the course Instructor will present evidence in support of the case. The student will then be given the opportunity to present his/her case.
- (7) The student and the student's advisor, and members of the Committee, will be given an opportunity to question the parties making the charges, the parties charged, and any witnesses.
- (8) At the conclusion of the hearing, the Committee will deliberate the facts and arrive at a decision. The presenter of the case against the accused and the accused student will not be present during deliberation.
- (9) The members of the Committee will determine responsibility by a majority decision. The Vice President, while not having a vote, will poll the Committee to determine the correct vote.
- (10) If the committee finds the student responsible for the violation, appropriate sanctions will be discussed with the Vice President.
- (11) The Vice President will be responsible for notifying appropriate persons of the decision and for enforcing any penalties imposed. Those notified will include the Chair of the student's academic division.
- (12) The decision of the Committee will be final unless the student appeals in writing to the President of the University within five days of being notified of the Committee's decision. The decision of the Administrative Council, which handles such appeals, is final.

Academic Grievance Procedure (includes grade disputes)

It is the student's right to follow all the steps outlined in the *Student Handbook* in the section titled, "Student Problem Resolution." Students with academic complaints are required to pursue the following informal procedure in registering their concerns with the institution.

1. Complaints of an academic nature, including but not limited to grade disputes, should first be discussed and resolution sought with the particular instructor.
2. If resolution is not reached at the instructor level, the student should bring the matter before the Chair of the Academic Division in which the course is offered. The Chair will verify that all department or division policies have been followed and that the student has been treated fairly. The Chair will render a written judgment in the matter.
3. If resolution is not reached with the Chair of the Division, the matter may be brought to the Dean of Undergraduate Studies. At his/her discretion, this Dean may call a meeting of the student, the professor, and the Division Chair to discuss the case. The Dean will verify that the student has had a fair opportunity to express him/herself fully, will review the decision of the Chair, and will verify that all institutional policies have been followed. The Dean will render a final written decision in the matter.

BEHAVIORAL POLICIES

The following is a summary of some policies and regulations established to create a productive educational community. Although it does not and cannot include all behavior that may lead to disciplinary sanctions, it is a guide to behavioral expectations for students at Ohio Dominican University.

ACCESS TO FACILITIES

Campus buildings are open and closed according to class and event schedules. After a building is closed only individuals with prior authorization from a faculty or staff member will be allowed access. Students who provide unauthorized access to others are in violation of University policy and subject to disciplinary action. All faculty, staff, and students are required to carry their ODU ID card on campus at all times. A Public Safety Officer or other University personnel may request an identification card before granting access to certain areas of campus such as the Alumni Hall athletic facilities, computer labs, or residence halls. A card reader controls access to the Residence Halls. Any problems with card access should be reported immediately to the Public Safety Department, 251-4700.

ALCOHOL

Excessive drinking and intoxication will not be tolerated and members of the Ohio Dominican community who choose to drink will be held fully responsible for their behavior while under the influence of alcohol. Loss of control due to intoxication does not excuse or justify violation of State Law, University policies or the rights of others. According to Ohio State code, it is unlawful for any person under the age of 21 to possess, purchase, or consume any beer, wine, mixed beverage, or other liquor. It is also unlawful for a person over the age of 21 to distribute, sell or give another person under the age of 21 any alcoholic beverage mentioned above. Ohio Dominican University upholds these laws with the following additions:

1. Only students age 21 or older are permitted to consume or possess alcohol in their rooms. Beer, wine and wine coolers that are not in glass containers are the only alcoholic beverages permitted. Liquor and other beverages similarly classed are not permitted.
2. No alcohol may be present where any person in the room is under 21. This includes common area refrigerators.
3. Common sources of alcohol, including but not limited to, kegs, mini-kegs, party balls, and boxed wine (empty or full) are prohibited. Open containers are not permitted in any open areas
4. Any items present during a potential violation of alcohol policy, including but not limited to, funnels, beer bong, or other items used for the rapid consumption of alcohol, are prohibited and will be documented.
5. 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 participating in pre-season athletics or other students who have been approved by Residence Life to return early.
6. Public intoxication is not permitted, regardless of the age of the individual. Any individual who enters the campus and indicates signs of intoxication (slurred speech, red eyes, smell of alcohol on breath or clothing, difficulty with motor skills, etc.) will be subject to disciplinary action. Public intoxication is determined either by the University official(s) (Residence Hall Directors, Public Safety Officers, etc.) confronting the individual(s) or by the judicial hearing officer on the basis of witnesses' accounts. The judgment of intoxication will be made by the University official and his/her judgment should be respected.

Minimum guidelines for sanctions associated with violations of the alcohol policy can include, but are not limited to, an alcohol awareness course, a fine, community service, non-participation/loss of privilege and parent notification. Sanctions will be based on the role of the individual as it relates to the incident and will be assigned at the discretion of the judicial officer. If warranted, the University reserves the right to impose more severe sanctions, especially when multiple alcohol violations occur during the academic year. Parental notification will occur through the Dean of Student Life or designee when appropriate.

ASSAULT

Assault is knowingly committing or attempting to commit an act of unwanted physical contact of one person by another, including punching, shoving, kicking or other such contact.

COMPLIANCE WITH CAMPUS OFFICIALS

It is expected that students will cooperate fully with University officials at all times. Any student who ignores or abuses the right to mutual respect and cooperation will be subject to sanctions. This includes failing to comply with the directions of or obstructing University officials acting in performance of their duties or failing to positively identify oneself when requested to do so. Abusive or defiant language or behavior towards University personnel will not be tolerated. In addition, students are required 1) to present their identification cards when requested by a University official, 2) to report to the office of a University official when requested to do so, 3) to respond favorably and in compliance with the directives of a University official. It is also expected that students will cooperate fully with notifications and sanctions related to the ODU student conduct/judicial process. This includes completing all sanctions in the manner in which they were assigned to the individual student and by the deadline provided. Any student who ignores or fails to meet the deadlines provided by a University official may incur additional violations and/or sanctions. All student conduct information will be provided via the student's ODU email account. Failure to check email regularly will not be an accepted excuse for failing to respond or comply with the conduct process. The term "University official" applies to any University employee acting in accordance with their expected job responsibilities, including RA's, Residence Hall Directors, Public Safety, and other faculty, staff, and administrators.

COMPLICITY

Complicity implies that a student has not actually violated University policies but has been in the presence of others involved in policy violations, condoned, supported, or encouraged any violation or aided and abetted another person in any violation and has not expressed disapproval, or attempted to persuade the student(s) involved to cease this activity. Students who observe a policy violation are expected to remove themselves from association or participation and report the incident.

CRIME

Students are expected to comply with all federal, state, and local laws at all times. Students who violate these laws also violate University policy. The University reserves the right to take independent disciplinary action in cases where students are charged with violations of these laws.

DAMAGE AND DESTRUCTION

Students are held responsible for any University property entrusted to their personal use. Also, Any student who damages or destroys any property of the University, campus community member, guests, or others will be subject to University discipline, fines, damage charges, and/or civil penalties.

DEFAMATION OF COLLEGE REPUTATION

It is a privilege for a student to be a member of Ohio Dominican University. Should a student defame the reputation of the University either in dealings with University officials or non-University persons, agencies, or vendors, or through inappropriate or irresponsible behavior, disciplinary action may be warranted. Students using online social networking sites are not permitted to post images, photos, or narratives that show violations of University policies or in any way negatively represent Ohio Dominican. Each student represents the University and is therefore responsible as a member of the Ohio Dominican Community for how s/he advertises the image of the University by his/her behavior.

DISHONEST CONDUCT

Dishonest conduct refers to behavior or actions that include, but are not limited to, furnishing false information to any college official, faculty member, or office; making a false accusation of misconduct, or knowingly initiating, filing or circulating a report or warning to a College official or official agency known to be false. This also includes lying to a university official during a conduct investigation or hearing.

DISORDERLY/DISRUPTIVE BEHAVIOR

Disruptive behavior is any action that causes annoyance or alarm to others or which interferes with the rights of other individuals, including fighting, unreasonable noise, or abusive written or verbal language. Disruptive behavior may also involve disturbing the peace or endangering the well being of another or causing physical harm. Persons, who engage in any disorderly or disruptive behavior, including intoxication or indecent conduct, while on campus or at a University related activity, will be subject to disciplinary action.

DRUGS/ILLEGAL SUBSTANCES

Ohio Dominican University values the health and safety of its students and therefore supports local, state, and federal laws concerning illegal drugs and expects compliance with these laws from their students. **The University maintains a “zero tolerance” approach to all illegal drugs and other illegal substances.** The sale, purchase, possession, complicity, use and/or distribution of illicit drugs or drug paraphernalia on University premises or as part of any of the University’s activities are prohibited. The unlawful manufacture, distribution, possession, use or complicity with the use of a controlled substance is also a violation of University policy ***whether those activities occur on or off campus.*** Additionally, to enter the campus under the influence of any non-prescription drug is considered a violation and will be treated the same as if the individual used the drug on campus grounds. In off-campus cases involving legal procedures, the Dean of Student Life can impose additional judicial sanctions, including suspending a student from the University. Violation of state and federal drug laws may also result in fines, prosecution, and/or incarceration.

Disciplinary Action

The Dean of Student Life or other Student Development designee will investigate and/or conduct a hearing with students charged with violating the University policy regarding illegal substances and/or drug paraphernalia. Minimum guidelines for sanctions associated with illegal use of drugs are listed below. If warranted, the University reserves the right to impose more severe sanctions. Parental notification will occur through the Dean of Student Life or designee when appropriate.

The sanction for the first offense possession and/or use of drugs or drug paraphernalia will be:

- a.) For **residential students**: If the student is found responsible for the violation, the sanction will be mandatory expulsion from the residence halls with no refund. Parents will also be notified at this time and other sanctions may be imposed depending on the nature and scope of the offense.
- b.) For **non-residential students**: If the student is found responsible, the sanction may include fines, community service, class-only limitation, non-participation in campus activities or possible probation or suspension. Non-residential students may be ineligible for housing at a later date.

A second offense for possession or use of drugs and drug paraphernalia will include other more serious sanctions commensurate with the severity of the violation.

Federal and State Laws Regarding Drugs and Alcohol

Ohio Law prohibits illicit selling, cultivating, manufacturing, or otherwise trafficking in controlled substances, including cocaine, heroin, amphetamines, and marijuana; knowingly or recklessly furnishing them to a minor; and administering them to any person by force, threat, or deception with the intent to cause serious harm or if harm results. The law also prohibits knowingly obtaining, possessing, or using a controlled substance, and permitting drug abuse on the premises or in one’s vehicle. The law further prohibits obtaining, possessing, or using hypodermics for unlawful administration of drugs, and the sale to juveniles of paraphernalia for use with marijuana. A felony conviction may lead to imprisonment or both imprisonment and fine. The maximum prison term is 25 years. A misdemeanor conviction may lead to imprisonment for up to six months and/or a fine of up to \$1,000.

Federal law forbids the illegal possession of and trafficking in controlled substances. A person convicted for the first time of possessing a controlled substance, other than crack cocaine, may be sentenced to up to one year in prison and fined between \$1,000 and \$100,000. A second conviction carries a prison term of up to two years and a fine of up to \$250,000. Subsequent convictions carry prison terms of up to three years and fines of up to \$250,000. Imprisonment for five to twenty years and fines of up to \$250,000 apply to persons possessing more than more than five grams of crack cocaine on the first conviction, three grams on the second and one gram on subsequent convictions. In addition to the above sanctions, a person convicted of possessing a controlled substance may be punished by forfeiture of property used to possess or facilitate possession, if the offense is punishable by more than one year in prison; forfeiture of any conveyance used to transport or conceal a controlled substance; denial of

Federal benefits, such as student loans, for up to five years; ineligibility to receive or purchase a firearm; and a civil penalty of up to \$10,000. Federal trafficking penalties are set forth in a chart at the following Web location:

<http://www.usdoj.gov/dea/concern/abuse/chap1/penal/chart1.htm>

Federal Student Financial Aid Penalties for Drug Law Violations

Students convicted under any federal or state law for the possession or sale of illegal drugs for an offense that occurred while receiving federal student aid, are ineligible for aid for a period of time based on the type and number of convictions.

EMERGENCIES

The full cooperation of all students is mandated in emergency situations. Failure to cooperate with the directives of University officials or civil authorities will result in University discipline and/or civil penalties.

Fire

All persons inside a campus building when a fire alarm sounds must move quickly to the nearest building exit or to the exit noted on posted emergency instructions. The Public Safety department should be contacted at ext. 4700.

Tornado

When information regarding tornado warnings affecting the campus is received, University officials and Public Safety Officers will cooperate to notify campus community members. The cooperation of all persons in any University building in moving to a safe area is expected.

Medical

If a potentially life threatening medical emergency arises, call 911 Emergency **and** notify Public Safety at ext. 4700 immediately.

FAILURE TO PAY FEES, FINES, ASSESSMENTS

Students must pay fees, fines, and other assessments by the dates specified. Only the Business Office may authorize extended payment plans. A finance charge will be incurred on any unpaid balance. Ohio Dominican reserves the right to impose one or more of the consequences including, but not limited to those described below:

- **Failure to pay tuition, computer, other fees, room, or meal charges**

Loss of permission to register for classes; withholding of transcript; withholding of diploma; suspension of privilege to participate in commencement exercises; cancellation of room and/or meal contract; dismissal from the college; assignment of account to collection agency.

- **Failure to pay parking fines**

Towing; suspension or cancellation of parking privileges; loss of permission to register for classes; withholding of transcript; suspension of privilege to participate in commencement exercises.

- **Failure to pay library fines**

Withholding of transcript; suspension of privilege to participate in commencement exercises.

- **Failure to pay disciplinary fines or damage assessments**

Loss of permission to register for classes; withholding of transcript; suspension of privilege to participate in commencement exercises; disciplinary referral to Dean of Student Life or designee

FALSIFICATION OF UNIVERSITY RECORDS

Falsification of University records or forms, including identification cards, application forms, grade reports, time sheets/cards, transcripts, permits, and any other document or publication bearing the name, logo, or seal of the University is a serious offense and will result in disciplinary action.

FIRE ALARMS

Campus buildings are equipped with fire alarm systems. Ohio Dominican University students may not interfere, tamper, or misuse fire or safety equipment including, but not limited to, fire alarms, heat sensors, smoke detectors, and fire extinguishers; hinder or impair the ability of others to respond to the instructions of emergency or safety personnel, or interfere, disrupt, or hamper the actions of emergency or safety personnel. Any person who activates the emergency fire system in the absence of an emergency will face serious University penalty, as well as the possibility of civil prosecution. Failure to evacuate a building when a fire alarm is sounding will result in disciplinary action.

GUESTS

Ohio Dominican University students are held fully responsible for the behavior of their guests while on campus or at University functions. Guests must be escorted by or in the presence of their ODU host while on campus. Should a guest's behavior come into question, the University may require that such guest leave the premises and/or insist that the guest's privilege to visit be terminated. Guests or visitors with a vehicle on campus are required to contact the Public Safety office at 251-4700 and abide by all University parking regulations. Students are advised to inform their non-student guests of University policy.

HARASSMENT

To help ensure that faculty, staff, and students are treated with respect and not subjected to illegal harassment, and in order to create a comfortable, secure learning environment, the University strongly opposes and prohibits any offensive physical, written, spoken, or non-verbal conduct as defined and prohibited by state and federal law. Examples of harassment include but are not limited to: unwelcome or unwanted

conversations, suggestions, demands, or attentions; abusive language, including but not limited to, profanity and threats, prank phone calls or text messages; racist or degrading language, remarks or jokes, or inappropriate sexual language or gestures that discriminate against an individual or group; or unwanted physical contact or threats. Such behavior that degrades the dignity due all persons is not acceptable and will be treated seriously and dealt with severely.

In order to guarantee the well-being of each and every student, both physically and psychologically, harassment of any kind will not be tolerated. The student discipline process provides an opportunity for a student to report another student who is engaging in intimidating or harassing behavior that is tormenting, disturbing, or threatening. Any student who believes she/he has experienced harassment from anyone (faculty, staff, or student) should report this to the Dean of Student Life immediately. Once the matter has been brought to the Dean, it will be referred to the proper official, or investigated and acted upon promptly. The nature of the complaint and the identities of the individuals involved will be held in strict confidence if possible or revealed on a "need-to-know" basis only. The severity of the sanctions imposed will depend on the seriousness of the incident(s) reported.

HAZING

Hazing is defined as any group or individual action/activity that inflicts physical or mental harm or intends to coerce another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm or which may demean, disgrace, or degrade any person, regardless of location, intent, or consent of participants. Hazing includes, but is not limited to, forced consumption of any food, alcohol, controlled substances, drugs, or any other substance, forced physical activity, deprivation of food or sleep, physical abuse of any nature, and verbal abuse, including yelling or demands. In the State of Ohio hazing is also a criminal offense. The hazing law of the State of Ohio is set forth in Section 2307.44 of the Ohio Revised Code. Any person, who is subjected to hazing, may also commence a civil action for injury or damages, including mental and physical suffering that may result from the hazing.

INTIMIDATION/STALKING

Intimidation occurs when a person's actions either make another afraid or when such actions result in another person's feeling unreasonably threatened. Stalking occurs when a person, through a pattern of conduct, knowingly causes another to believe that the offender will cause them physical or mental distress. Such behavior is illegal. Any student who believes he/she has been unreasonably intimidated, or stalked by a campus community member or by someone on campus property may enlist the help of Student Development Staff, Public Safety or any campus official.

OFFENSIVE BEHAVIOR

All students and University employees deserve to be treated with respect. Abusive language, including but not limited to, profanity and threats, prank phone calls, e-mails, text messages; racist or degrading language, remarks or jokes; inappropriate sexual language or gestures that discriminate against an individual or group, or unwanted physical contact or threats are considered offensive behaviors and are not acceptable. Such behavior degrades the dignity due all persons and will be treated seriously and dealt with severely.

PARKING

All students who park vehicles on campus must purchase and display a parking permit. Applications for a parking permit are available on the ODU website. The Public Safety Office enforces traffic and parking regulations. Failure to comply with parking regulations, especially parking in a handicapped space, will result in parking fines, towing, or revocation of parking permit. Any forged or unregistered parking permits will also result in disciplinary action and similar sanctions.

SEXUAL DISCRIMINATION AND MISCONDUCT

Ohio Dominican University is a community or trust, committed to respect and the promotion of an ethical, just way of life. All members of this community, guests, and visitors are expected to conduct themselves in a manner that does not infringe on the rights of others. Therefore, Ohio Dominican University is committed to providing a healthy learning, working, and living environment that promotes personal integrity and mutual respect. It is free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive, including sexual misconduct. This type of conduct will not be tolerated within our community.

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. It states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance." To ensure compliance with Title IX and other federal and state civil rights laws, the University has developed policies and procedures that prohibit sex discrimination in all of its forms.

It is the policy of Ohio Dominican University, as well as federal, state, and local discrimination statutes, to forbid illegal discrimination and/or retaliation in the workplace and with admission to the University. The law and the policies of ODU prohibit disparate treatment, hostile environment, or retaliation on the basis of sex or any other protected characteristic.

The following persons have been designated to handle inquiries regarding this policy:

Michelle Geiman, director of Human Resources and Title IX Coordinator

Ohio Dominican University
1216 Sunbury Road
Columbus, Ohio 43219
Office location: Erskine 136
Phone: 614-251-4597
E-mail: geimanm@ohiodominican.edu

Sharon Reed, Assistant Vice President and Dean of Student Life

Ohio Dominican University
1216 Sunbury Road
Columbus, Ohio 43219
Office location: Griffin Student Center 247
Phone: 614-251-4593
E-mail: reeds@ohiodominican.edu

Guidance on Reporting

If a person believes they are being sexually harassed or witnesses sexual or other unlawful harassment report it immediately, to seek all available assistance. The University takes complaints very seriously and will work with victims to protect their safety and to remedy the situation.

- Any allegation of sexual harassment or retaliation will be quickly and discreetly investigated. To the extent possible, confidentiality of the person making the complaint and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure.
- **To Report Confidentially:** If a person desires that the details of the incident be kept strictly confidential, they should speak with mental health counselors, health providers, campus clergy or other off-campus resources who may maintain confidentiality. Be advised that the University generally must act on any non-confidential information it receives.
- **Non-confidential Reporting Options:** If a person desires to make a formal report they are encouraged to speak to an official of Ohio Dominican University (Title IX Coordinator, Dean of Student Life, Public Safety, Hall Directors, Resident Assistants, Supervisors, Faculty, Coaches, etc.). The University considers these to be "responsible employees." Notice to any of them is official notice to the institution.
- **U.S. Department of Education:** Nothing in this policy is intended to prohibit you from filing a complaint with the Department of Education's Office of Civil Rights:

Office for Civil Rights

Cleveland, Office
U.S. Department of Education
600 Superior Avenue East
Suite 750
Cleveland, OH 44114-2611
Telephone: (216) 522-4970
Facsimile: (216) 522-2573

Any official who becomes aware of possible sex discrimination or harassment must immediately advise the Title IX Coordinator or Dean of Student Life. Ignoring such conduct is not acceptable and may subject the official to disciplinary action up to and including termination.

Guidance on Taking Immediate Action

- Report the incident. You may contact Ohio Dominican University Public Safety at 614-251-4700 and/or the University's Title Coordinator at 614-251-4597 or Dean of Student Life 614-251-4593
- You may also contact counseling services. For students that would be the Wellness Center at 614-251-4570. For employees, it would be IMPACT at 1-800-227-6007.
- In the event that sexual assault or sexual violence has occurred, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. (The decision to press charges does not have to be made at this time. However, following these procedures will help preserve this option in the future.) Survivors should not bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed but if they are bring all the original clothing to the hospital in a paper bag. (Plastic bags damage evidence.)
- When necessary seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.
- Survivors may choose whether or not to speak to the police at the hospital. If they do not, the option to choose whether to file charges against the accused still exists.
- If a survivor desires police involvement, they may request this contact. Also, with a private physician, survivors may ask that a rape kit be completed. Please keep in mind: a rape exam does not mean that survivors are mandated to press charges. This action only keeps the survivor's options open.

Complaint Procedure - Informal

Some complaints of sex misconduct can be resolved through informal mediation between the parties. Informal resolution procedures are optional and may be used when the University determines that it is appropriate. Informal procedures are never applied in cases involving violence or non-consensual sexual intercourse.

- Once a report has been made, an investigation into the report shall be started by the Title IX Coordinator or designee within seven days
- Once the informal resolution procedure is complete, written notification to all parties shall be given by the Title IX Coordinator or designee within seven days of the findings. Those responsible for such behavior may be subject to actions under the Student Code of Conduct (Student Handbook) if they are a student, or they may be subject to actions under the Employee Handbook if they are an employee or third party
- The University shall take reasonable steps to prevent the recurrence of sexual misconduct in any form.

- If the reporting party is unsatisfied with the outcome of the informal resolution, they may pursue a formal complaint procedure.

Complaint Procedure - Formal

The complainant should provide as much information as possible. Typically this would include a description of the incident(s), date(s), location(s), witnesses, background information, and person(s) of interest. An investigation into the report shall be initiated within seven calendar days.

- *For University Employees and/or Third Parties:* The investigation will typically be conducted by the Human Resources Department.
- *For Students:* The investigation will typically be conducted by the Office of the Dean of Student Life.

Each investigator will have received Title IX and investigative training. The investigation shall be concluded as quickly as possible, typically within seven calendar days, or within a reasonable timeframe appropriate for the investigation. The investigation will be conducted in a manner that is adequate, reliable, and impartial. Witnesses and any other parties involved are expected to cooperate during the investigation process.

The investigation may include any of the following:

- Interviews of the parties involved, including witnesses, and the gathering of other relevant information
- The investigator recommending interim protections or remedies for the parties involved or witnesses. (Examples may include: separating the parties, placing limitations on contact between the parties, suspension, or making alternative workplace or student housing arrangements.)
- Compliance with law enforcement request(s) for cooperation, which may require the University to temporarily suspend the fact-finding process.

A resolution shall be determined at the conclusion of the investigation. Victim(s) and anyone accused of violating this policy will be given notice of the outcome in writing.

Parties to the complaint may appeal the findings of the investigation. All appeals will be conducted in an impartial manner by one of the persons in the following positions who did not conduct the initial investigation: Title IX Coordinator, Assistant Dean or Dean of Student Life, or Vice President of Student Development, Vice President of Academic Affairs .

- *For University Employees and or Third Parties:* All grounds for appeal shall be based on the emergence of new evidence that was previously unavailable, despite the exercise of due diligence.
- *For Students:* They can appeal in accordance with standards of appeal established by the institution.

Sexual Misconduct Offenses Include, But Not Limited To:

1. Sexual Harassment
 2. Non-Consensual Sexual Contact (or attempts to commit same)
 2. Non-Consensual Sexual Intercourse (or attempts to commit same)
 4. Exploitation
1. **Sexual Harassment:** Sexual Harassment is defined as unwanted sexual advances, requests for sexual favors, or other visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same or different gender as the harasser.
- Submission to such conduct is made a term or condition of employment or the educational relationship;
 - Submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual;
 - Such conduct has the effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment.
 - Failure to provide equal opportunity in education programs and co-curricular programs including athletics.

Examples include:

- An attempt to coerce an unwilling person into a sexual relationship;
 - To repeatedly subject a person to unwelcome sexual attention;
 - To punish a refusal to comply with a sexual based request;
 - To condition a benefit on submitting to sexual advances;
 - Displaying of sexual suggestive objects or pictures, cartoons, or posters;
 - Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes;
 - Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading works used to describe an individual, or suggestive or obscene letter, notes or invitation;
 - Sexual violence;
 - Intimate partner violence;
 - Stalking;
 - Gender-based bullying.
2. **Non-Consensual Sexual Contact:** Non-consensual sexual contact is any intentional sexual touching, however slight, with any object, by a person

upon another person that is without consent and/or by force.

Examples include:

- Intentional contact with the breasts, buttock, groin, or genitals,
 - Or touching another with any of these body parts,
 - Or making another touch you or themselves with or on any of these body parts,
 - Any other intentional bodily contact of a sexual nature.
3. **Non-Consensual Sexual Intercourse:** Non-consensual sexual intercourse is any sexual intercourse however slight, with any object, by a person upon another person, which is without consent and/or by force. For example, vaginal penetration, anal or oral, no matter how slight the penetration or contact, is non-consensual.
4. **Sexual Exploitation:** Sexual exploitation occurs when a student/employee takes non-consensual or abusive sexual advantage of another for personal gain or benefit.

Examples include:

- Invasion of sexual privacy;
- Prostituting another;
- Non-consensual video or audio-taping of sexual activity
- Voyeurism (such as letting your friends hide in the closet to watch you having consensual sex);
- Knowingly transmitting an STI or HIV to another
- Exposing one's genitals in non-consensual circumstances;
- Inducing another to expose their genitals;
- Sexually-based stalking and/or bullying.

Additional Applicable Definitions:

Consent: Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, should not be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Previous relationships or consent does not imply consent to future sexual acts.
- Effective consent cannot be given by minors, mentally disabled individuals or person's incapacitated as a result of drugs, alcohol, sleep, or taking of rape drugs.
- Consent can be revoked or modified after initially given.

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you. Okay, don't hit me, I'll do what you want.").

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

- There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance.
- Administering any rape drug to another employee and or student is prohibited.
- Use of alcohol or other drugs will never function as defense for any behavior that violated this policy.

Support Services

There are various supportive measures available for those who have experienced sexual misconduct.

These support services include:

Campus Resources:

- Wellness Center: 614-251-4570 Health and counseling services personnel available.
- Public Safety: 614-251-4700
- Dean of Student Life: 614-251-4593
- Assistant Dean of Student Life: 614-251-4694
- Campus Ministry: 614-251-4567

Community Resources:

- Sexual Assault Network of Central Ohio (SARNCO) www.ohiohealth.com/sexualassaultnetwork 14-hour Rape Helpline: 614-267-7020
- 24 hour Rape Help Line-1-800-656-hope (toll-free) www.rain.org
- Ohio Domestic Violence Network: 1-800-934-9840 www.odvn.org
- CHOICES Domestic Violence Hotline: 614-224-4663 222. www.choicescolumbus.org
- Catholic Social Services: 614-221-5891 www.colscss.org
- Stalking Resource Center: 1-800-FYI-CALL (800-394-2255) www.victimsofcrime.org/ou-programs/stalking-resource-center
- Columbus Police Department: www.columbuspolice.org
- Sexual Abuse Unit: 614-645-4701
- Columbus Health Department: 614-645-7772 www.publichealth.columbus.org
- Netcare Crisis and Suicide Hotline: 614-276-2273 www.netcareaccess.org

Statement of Victim's Rights

The welfare of the victim is a matter of great concern to the University and administrators, therefore, they are available to guide the person through the investigation process. In addition, the victim should be assured of the following rights afforded a complainant:

1. The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to university administrators;
2. The right to have complaints reviewed by university officers who have received sexual harassment and sexual misconduct training;
3. Adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present relevant witnesses and other evidence during the investigation and hearing;
4. The right to be treated with respect by university officials;
5. The right not to be discouraged by university officials from reporting an assault to both on- campus and off-campus authorities;
6. The right to be notified of available counseling, mental health, or student/employee services for victims of sexual assault, both on campus and in the community;
7. The right not to have irrelevant prior sexual history admitted as evidence;
8. The right to be fully informed of the nature and extent of all alleged violations contained within the complaint;
9. The right to be informed, in writing, of the outcome of the complaint or any disciplinary action involving sexual misconduct, usually within 24 hours of the findings;
10. The right to appeal the findings and sanction applied, in accordance with standards of the appeal established by the institution;
11. The right not to have released to the public any personal information about the complaint, without his or her consent. (Except when required by law, please see section federal and state reporting);
12. The right to notification of options and available assistance included but not limited to:
 - Change of an on-campus student's housing to a different on-campus location;
 - Assistance from University support staff in completing the relocation;
 - Arranging to dissolve a housing contract and pro-rating a refund;
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal;
 - Alternative course and completion options;
 - Changing of job assignment or location.

Rights of the Student Victim in a Conduct Hearing

13. The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);
14. The right of both accuser and accused to have the same opportunity to have others present (in support or advisory roles) during a campus disciplinary hearing;
15. The right to a hearing closed to the public;
16. The right to give testimony in a campus hearing by means other than being in the same room with the accused student.

Statement of Rights of the Accused

The welfare of the accused is also a matter of great concern to the University and administrators, therefore, they are also available to guide the accused person through the investigation process. In addition, the accused should be assured of the following rights also afforded a complainant:

1. The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to university administrators;
2. The right to be treated with respect by university officials;
3. The right not to have irrelevant prior sexual history admitted as evidence;

4. The right to have University policies and procedures followed without material deviation
5. The right to present relevant witnesses to the investigator;
6. The right to be fully informed of the nature and extent of all alleged violations contained within the complaint;
7. The right to have complaints reviewed by university officers who have received sexual misconduct training;
8. The right to be informed of and have access to campus resources for medical, counseling, and advisory services;
9. The right to be informed of the outcome and sanction of any disciplinary action involving sexual misconduct usually within 24 hours of the findings;
10. The right to an outcome based solely on the evidence provided during the process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
11. The right to appeal the finding and sanction applied, in accordance with standards of appeal established by the institution.

Rights of the Accused Student in a Conduct Hearing

12. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
13. The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);
14. The right of both accuser and accused to have the same opportunity to have others present (in support or advisory roles) during a campus disciplinary hearing;
15. The right to a fundamentally fair hearing;
16. The right to written notice of the outcome and sanction of the hearing.

Prohibition on Retaliation

Retaliation against individuals who exercise rights or participate in investigations or proceedings under this policy is prohibited. However, frivolous or bad faith proceedings or abuse of process may also violate this policy.

Federal and State Reporting Obligations

Certain campus officials have a duty to report violations of this policy for federal statistical reporting purposes under Federal "Clery" law. Typically, these reportable incidents pose a substantial threat of bodily harm or danger to members of the campus community. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. The University will make every effort to ensure that a victim's name and other identifying information is not disclosed.

In addition, Ohio Law requires the University to call the local authorities anytime it has knowledge that a felony has been committed, or a felony may have been committed.

SMOKING/TOBACCO USE

Ohio Dominican University is proudly both a smoke-free and tobacco-free campus. Tobacco products refer to any substance that contains tobacco, including, but not limited to, chewing tobacco, cigarettes, pipes, snuff, smoking tobacco, and smokeless tobacco. There are NO identified smoking or tobacco use areas on Ohio Dominican's campus, so all students, faculty, and staff must be off campus if they choose to smoke. This includes the main campus, the LEAD building and surrounding grounds. Every member of the Ohio Dominican community is charged with enforcing this policy. Students found smoking or using tobacco products will be confronted and asked for their ID's. Repeated student offenses reported by faculty, staff or students to Public Safety will result in appropriate disciplinary action. Sanctions for smoking may include fines, community service, or an educational workshop on the dangers of smoking or a smoking cessation class. Faculty, staff and other employees who are smoking will be reported to their supervisor and their violations handled through Human Resources. The University will provide ongoing smoking cessation resources through the Wellness Center for students, faculty, staff who wish to stop smoking.

TECHNOLOGY POLICY

Ohio Dominican University provides a wealth of technology resources and materials for members of the campus community. All users of these resources and materials are bound by existing federal, state, and local laws and by existing university policies. Violations of University policies will be subject to the university discipline process. University technology policies (subject to changes and additions) and other important procedures are listed online on at <http://www.ohiodominican.edu/NetworkPolicy/>

Users should be aware that all ODU computer resources are the property of Ohio Dominican University. The university employs various measures to protect the security of its computing resources and of user accounts. Users should be aware, however, that the university cannot guarantee such security. ODU provides a network account (User-ID) for access to electronic resources. This account is the sole responsibility of the individual to whom it is granted. Users should therefore engage in "safe computing" practices by establishing appropriate access restrictions for their User-ID, guarding their passwords, and changing them regularly. User-IDs are not transferable and must not be shared with other individuals. Users should also be aware that their uses of university computing resources are not completely private. While the university does not routinely monitor individual usage of its computing resources, the normal operation and maintenance of the university's computing resources require backup and caching of data and communications, logging activity, monitoring general usage patterns, and other such activities that are necessary for the rendition of service.

Unauthorized downloading of music, movies, pictures, games, or software is illegal and is a violation of ODU's Responsible Use Policy. Peer-to-peer networks are not permitted. Downloading or uploading copyrighted files is prohibited. Under Federal Law, first-time offenders who commit copyright violations that involve digital recordings can face criminal penalties of up to 5 years in prison and \$250,000 in fines.

Two areas of University policy of **special note** for users of the campus network are our Email policy and Responsible Use Policy. The following

statements are contained within the Email Policy and Responsible Use Policy located on the Helpdesk website. Every person granted a network user account must read and accept the Responsible Use Policy before using their account.

Email Policy

ODU students and/or employees are provided an electronic ODU e-mail address by the University. ODU provides email as an official means of communication of the university. The university will consider employees and students to be duly informed and in receipt of notifications and correspondences sent by a university administrator, staff, or faculty delivered to a university e-mail account. You may choose to forward your campus e-mail account to an off-campus service, but if this forwarding fails for whatever reason, YOU MAY MISS IMPORTANT OFFICIAL COMMUNICATIONS SENT TO YOUR ODU E-MAIL ADDRESS AND YOU ARE STILL RESPONSIBLE FOR THOSE COMMUNICATIONS! Students should be responsible for checking their e-mail once a week at the minimum. Daily checks of e-mail communications are recommended. The University is not responsible for delivery problems to non-official e-mail accounts and the Helpdesk cannot provide help for e-mail services not provided by ODU.

Responsible Use Policy (abbreviated)

The use of the University's computing facilities for personal use or in connection with University activities is a privilege extended to various members of the University; it is not a right. Users of the University's computing resources are required to comply with, and by using such resources agree and are subject to, the Ohio Dominican University Information Security Policy, Privacy Policy, Responsible Use Policy, and other policies that apply to their specific role with the University. Users also agree to comply with all applicable federal, state, and local laws and to refrain from engaging in any activity that is inconsistent with the University's tax-exempt status or would subject the University to liability. The University reserves the right to amend this Policy at any time without prior notice and to take such further actions as may be necessary or appropriate to comply with applicable federal, state, and local laws.

Thousands of users share the computing resources at Ohio Dominican University. These resources must be used responsibly by everyone, since misuse by even a few individuals has the potential to disrupt University business or the work of others. Users are therefore required to exercise responsible, ethical behavior when using the University's computing resources.

Responsible use of University computing and electronic communication resources demonstrates respect for unobstructed access, intellectual property rights, truth in communication, ownership of data, system security and integrity, and individuals' rights. Responsible use includes, but is not limited to, respecting the rights of other users, sustaining the integrity of systems and related physical resources, and complying with all relevant policies, laws, regulations, and contractual obligations.

Failure to use ODU computing and electronic communication resources responsibly in accordance with the standards set forth in this policy threatens the atmosphere for the sharing of information, the free exchange of ideas, and the secure environment for creating and maintaining information. Any member of the University community who violates this policy may be subject to disciplinary action under appropriate University disciplinary procedures.

The University may take such action as may be necessary in its discretion to address any use violation(s) under this policy, including termination of a user's account. In addition, ODU reserves the right to limit or restrict the use of its computing and electronic communication resources when there is evidence of a violation of applicable University policies, contractual agreements, or state or federal laws.

THEFT

Theft of another's property is a serious violation of University policy and Ohio law. The University will investigate thefts and take appropriate disciplinary action. Criminal prosecution may also be pursued. Students retain responsibility for securing their property on campus. Students in residence are encouraged to keep their rooms locked at all times and maintain renters insurance. The University is not responsible for the theft, loss, or damage of personal property under any circumstances.

VANDALISM

Ohio Dominican University advocates behavior that centers on respect for person and property. Community laws and University policies identify consequences for acts of vandalism, the willful and malicious defacement and/or destruction of public or private property. Reports of vandalism to personal or public property may be reported to Public Safety, Residence Life, or other University officials.

VIOLATIONS OF UNIVERSITY REGULATIONS OR POLICY

Students are expected to comply with University regulations, policy and procedures as may be issued and publicized to the campus community. The current and official Student Handbook containing up to date campus policies is available on the ODU website. Campus discipline is the responsibility of the Dean of Student Life, supervised by the Vice President of Student Development.

VIOLATIONS OF STATE, LOCAL OR FEDERAL LAWS

Violations of state, local, or federal laws threaten the community. While civil or criminal action may be taken against the student, University disciplinary procedures also may be invoked.

WEAPONS

Possession or use of firearms, pellet guns, bows and arrows, slingshots, knives, weapons or facsimiles of weapons, fireworks, combustibles or explosive items anywhere on campus or at University sponsored events is prohibited and subject to serious consequences.

STUDENT PROBLEM RESOLUTION

Students are encouraged to act on problems, complaints, and grievances in a constructive manner. Matters dealing with classes, instructors, administrators, parking, policies, food service, facilities, and services in general should be discussed directly with the person involved or with the person in charge of that area. Students seeking assistance in identifying the appropriate channel are encouraged to consult with the

Student Services.

Concerns of an academic nature should be discussed with the particular instructor. If necessary, the matter should also be discussed with the Department Chair and/or Dean of Undergraduate Studies. Any concern of a non-academic nature that is not resolved with the person directly in charge may be discussed with the Student Services.

The University considers that any problem or concern a student may have deserves attention and consideration. The President and Administrative Council of the University will be updated on matters presented by the Vice President for Academic Affairs or Vice President for Student Development in the interest of addressing student concerns.

The purpose of the following procedure is to provide all parties adequate protection of their rights and to insure that redress of grievances may be accomplished in an amicable, fair, and expeditious way.

Normal channels of communication ought to be used as the first mode of seeking resolution. When a person has a complaint, that person should take her/his case to the person immediately accountable for the area or function involved. If an adequate solution cannot be had at this level, the aggrieved should follow the normal channels of accountability until she/he has reached the chief administrator of the appropriate organizational unit of the University (i.e. Academic Affairs, Admissions, Student Development). Allegations of discrimination in any matter protected by federal or state civil rights legislation should be communicated to the Equal Opportunity Officer prior to invoking the formal grievance procedure described below. The officer shall attempt to mediate the matter in an effort to work out an informal solution. The Equal Opportunity Officer is located in the Office of Human Resources and may be reached at (614) 251-4557. Only when all informal and normal channels of communication have been tried without success may the following formal grievance procedure be invoked. The employment of this grievance procedure ought to be considered only in cases that involve grievances of a grave or substantive nature, and then only after consideration has been given to all of the possible effects that invoking such proceedings might have on the University community. Refer to informal and formal grievance procedures for sexual misconduct on page 25.

Recognizing the reciprocal relation of right to duty, persons who have a complaint should be aware of their responsibilities when attempting to seek redress. If the issues cannot be settled through informal or normal means, and formal proceedings are required, it becomes the duty of the person making the complaint to request in writing that a formal consideration of the issue be undertaken. This written request must establish the exact nature of the grievance, the reasons for initiating formal proceedings, and the circumstances surrounding the cause for the complaint. No claims for redress can be formally considered without this statement. This statement must be filed with the Vice President in charge of the departmental area in which the grievance is alleged to have occurred and to all parties in the dispute. The Vice President will review the record and will make a final determination.

JUDICIAL PROCESS

The basic approach to maintaining a Christian code of conduct is self-discipline and regard for other individuals. Ohio Dominican recognizes, however, that there will be occasions when students do not live up to these standards. The Office of Student Development employs a developmental approach when handling disciplinary situations. Judicial hearings are meant to encourage individual responsibility and self-discipline, with the end result being positive, appropriate behavior. Irresponsible behavior, however, will subject the student to disciplinary action by the University through appropriate channels. Sanctions imposed as a result of disciplinary procedure are intended to be in the best interest of the long term development of the student and of the integrity of the University community.

An individual member of the University community may issue a charge against a student or the University may act to charge a student in the interest of the University community. Students making false charges will be subject to disciplinary procedure. Should a student's behavior come into question, the Dean of Student Life or Vice-President of Student Development (or another designee) will determine the appropriate action according to University policy. Academic violations may be referred to the Office of Academic Affairs.

CAMPUS HEARING PROCEDURE

- 1) To ensure that the disciplinary process is fair, the following guidelines will be followed: Written notification of specific charges will be sent via campus e-mail and/or via U.S. postal service for non-residents. When possible, this will occur within 72 hours of the reported violation. It is a student's responsibility to check his/her e-mail daily. When possible, the student will receive 24 hour advance written notification of the time and place of the hearing. Instructions will also be provided for the student's response to the alleged violation. This response should include his/her indication that s/he either admits and accepts responsibility for these actions or challenges the allegations. A Hearing Officer will sanction a student who accepts responsibility for his/her actions. When a student declares that he/she is challenging the allegations, a Hearing Officer will select one of the following hearing procedures:
 - a) Pre-Hearing: The purpose of the pre-hearing is to review the charges and the disciplinary procedures. The pre-hearing is not intended to review the contents of the case, but merely the procedural aspects of the judicial process. If the accused student does not contact the Dean of Students within 24 hours of notification, then a pre-hearing will not be set. A pre-hearing is conducted at the request of the accused or the Dean of Student Life or her designee.
 - b) Administrative Hearing: This is a hearing by a Hearing Officer assigned from the areas of Residence Life or the Dean or Assistant Dean of Student Life.
- 2) The student will be given at least three (3) days from the time the charge is issued until the campus hearing. The student may waive her/his right to the three-day period in writing to the Hearing Officer. Within the time allotted, the student may obtain a campus advisor (someone from the faculty or staff who is present during the hearing for support) witnesses, or evidence on her/his behalf to be presented during the hearing.
- 3) The hearing procedure is designed to afford fair process to students who allegedly violate University policy, as well as to protect the

individual rights of every student. The hearing is intended to support investigation of allegations and charges; to protect the rights, person and property of members of the University community; to assign responsibility and set appropriate sanctions in keeping with the disciplinary philosophy of the University.

- a) Neither parents/legal guardians nor legal counsel may be present at a judicial hearing. Parents and/or attorneys may meet with the Dean of Student Life prior to the hearing or after the hearing.
- b) At the discretion of the hearing officer, a recording may be made of the hearing on university supplied recording equipment as the official record of hearing proceedings.
- c) A Hearing Officer will state the alleged policy violation of the student. If the student admits to the behaviors and accepts responsibility, the hearing officer will establish the appropriate sanctions. If the student challenges the allegations, the hearing will continue, allowing the student time to state the facts s/he wishes to present on his/her behalf. At the end of the hearing, the hearing officer will determine whether sanctions should be applied. The student will receive written notification of the findings and sanctions as soon as possible after the conclusion of the hearing.
- d.) The rules of evidence in a court of law do not apply to a judicial hearing. All that is required to establish responsibility is the preponderance of evidence. The hearing officer is not bound to the standards of criminal or civil courts of law.
- e.) The Hearing Officer is responsible for informing the student responsible or involved in the alleged policy violation of the decision and enforcing the sanctions imposed. The outcomes of judicial hearings are confidential except when the law requires specific disclosure. The decision of the Hearing Officer is final unless the student appeals within three (3) days to the Vice President of Student Development.
- f.) In cases appealed to the Vice President, the record and action of the Hearing Officer will be reviewed. In unusual cases, the Vice President may consult with the Administrative Council of the University. The Vice President's decision is final.

DISCIPLINARY SANCTIONS

Ohio Dominican University believes that the discipline process provides an opportunity for the student to learn. Sanctions are determined in the interest of protecting the community and with an educational thrust so that the student learns from the discipline experience. Sanctions may include fines, restitution, educational assignments, mandated counseling, community service, or other instructions deemed to be in the best developmental interest of the student. The University reserves the right to notify the parents, as well as the student's athletic coach, as a result of a disciplinary sanction. When it has been determined that a student was involved with a policy violation, the hearing officer determines and issues sanctions based on the seriousness of the incident, the attitude of the person(s) involved, the previous disciplinary record of the person(s) involved, any special circumstances, and the rights of others in the community. Sanctions imposed include, but are not limited to the following:

On Notice

The University may issue an official reprimand for violations of University policy when the student's behavior is inappropriate. A disciplinary consultation is held and a warning given that any future negative or inappropriate behaviors will not be tolerated and the student is put "on notice" that further misconduct will result in more severe disciplinary action.

Educational/Developmental Sanctions

The student is required to attend or present a program, attend counseling session, write a paper, design a bulletin board or other related activities. For alcohol-related activities the student may be required to participate in an alcohol education program.

Community Service

Community service is an act which directly benefits an individual or group for which no payment or material benefit by the person doing the service is received. Individual community service sanctions may not be completed through service done as part of a campus organization, group, or athletic team, or for which the student is expected to take part in, as a member of the group. The student may be required to participate in a prescribed number of community service hours. The type of work, service location and number of hours will depend on the violation. Students who have not completed community service within the designated time period as prescribed by college officials will be subject to possible fines and will be considered in non-compliance with college officials.

Fines

Fines of varying amounts may be imposed for any infractions.

Loss/Limitation of Privileges (Non-Participation)

The student may lose residence hall and/or university privileges for a temporary or permanent period of time (i.e. loss of guest privileges, loss of privilege of attending campus activities or events or representing Ohio Dominican at off-campus events, loss of participation on an athletic team, barred from accessing or residing in a residence hall, etc.). Since it is a privilege for a student to participate in official school functions and activities on or off-campus, limitation of privilege can be extended to non-participation. A sanction of non-participation means that the student will not be allowed to participate in student activities, student organizations, athletic competitions, or other official University functions.

Class Only Limitation

A judicial hearing officer may also limit a student's presence on campus to attendance of classes only or use of academic buildings only. The hearing officer may also prevent a student from communicating with another student or groups of students. This sanction is extremely important in cases where one party has threatened, intimidated, or harassed another party. Non-compliance with these directives could result in very serious sanctions, including dismissal from the residence halls or from the university on a temporary (suspension) or permanent (expulsion)

basis.

Parent Notification

The University recognizes each student as a responsible adult. However, on certain occasions the University may notify parents or guardians concerning a specific incident or situation. These occasions include violations of the University policy on alcohol and/or other drugs, hospitalization or situations where there is significant concern for the student's behavior, health or safety. The University is cognizant of the sometimes-sensitive nature of these occasions and therefore will do so only at the authorization of the Director of Residence Life, Dean of Student Life, or Vice President for Student Development.

Relocation

The student may be required to move to another room, floor, or residence hall. Roommates or suitemates may be separated as a sanction.

Restitution

The student is required to make payment to the University, or to specific persons or groups, for damages incurred.

Probation

The University may place a student who has been found responsible for an accumulation of offenses or who commits a serious offense on disciplinary probation for a period of time. This probation may include the denial of specific privileges for a specified period of time, or issued in conjunction with other sanctions or fines. There are two forms of probationary status:

- Residential Probation – A resident student may be put on residence hall probation. If this resident is then found responsible for a violation while on probation, then the student can be removed from the residence halls. While on residential probation, the student may be prohibited from representing the University in any public function, including campus organizations. Residential probation may be issued in conjunction with other sanctions or fines.
- University Probation is the more serious form of probationary status. Probationary status reflects that an individual has seriously jeopardized student status at Ohio Dominican and that any further breach of policy will result in further disciplinary action, suspension, or dismissal.

Suspension

The University may suspend a student from the campus or residence hall for disciplinary violation. Suspension may last up to one full academic year depending on the offense. The suspended student is required to leave the campus and/or residence hall for the specified period of time. The financial obligations for a suspended student are not waived for the suspension period. **For both commuters and residential students:** Immediate Interim Suspension from the residence hall and/or the campus may also be imposed pending the outcome of a judicial hearing.

Dismissal

A student may be dismissed by the University as a result of disciplinary action.

APPEALS PROCESS

Every student has the right to appeal certain sanctions levied against him or her. Some offenses, however, cannot be appealed. These offenses include visitation, smoking, candles and incense, pulling of fire alarms, and attempted or actual violence against oneself or another.

If the hearing officer for the case is a Residence Hall Director, then the appeal may be made to the Director of Residence Life. The student appealing the decision must submit their Notification of Appeal form along with a written statement to the Director of Residence Life within 3 business days of being informed of the sanction as defined by the date on the sanction letter.

If the hearing officer for the case is the Director of Residence Life, then the appeal may be made to the Dean of Student Life (or the Dean's designee). The student appealing the decision must submit their Notification of Appeal form along with a written statement to the Office of Student Development within 3 business days of being informed of the sanction as defined by the date on the sanction letter.

The Dean of Student Life always has the option of summoning a hearing Committee to hear the case, to consider an appeal and to render recommendations to the Dean for levying sanctions.

The Dean of Student Life serves as the final authority in all cases resulting in dismissal from the residence halls or lesser sanctions.

A student must appeal a decision on at least one of three grounds:

A. Lack of Fair Process

The student was not informed of the charges within the appropriate period of time or was not given a hearing. Please note that this ground for an appeal is not dependent on whether the student feels that s/he thought the hearing or the sanction fair, but on whether the process afforded the individual to be informed of the charges beforehand and on whether an opportunity was given for the student to give his/her account of the incident.

B. New Information/evidence

The student has become aware of new information essential to the case.

C. Proportionality between Offense and Sanction

The student asserts a lack of proportionality between the sanction and the offense. This ground does not apply to sanctions that are severe, but only to sanctions which seem disproportionately severe for the offense committed.

All appeals must be made on at least one of these three grounds. Appeals cannot be made on grounds other than one of these three. **The**

hearing officer to whom the appeal is made may refuse to hear the appeal if insufficient grounds are present. In such cases the student is bound to the original sanctions levied.