

Due to COVID-19 this version will be the  
Code for the 2020 2021 Academic year.

# STUDENT RIGHTS AND RESPONSIBILITIES:

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## A CODE OF STUDENT BEHAVIOR

### **2019–2020 Student Handbook Disclaimer**

The policies listed in this printed planner may NOT be most current. For the most up-to-date Code of Student Behavior policies visit [USI.edu/deanofstudents/code](https://usi.edu/deanofstudents/code) website or contact the Dean of Students.

The University of Southern Indiana expects and requires all of its students—upon admission to the University—to develop, adhere to and maintain high standards of scholarship and conduct. *The Student Rights and Responsibilities: A Code of Student Behavior* is the guiding document for USI community standards and outlines all rights and responsibilities afforded to USI students.

The University's Code of Student Behavior is published in the annual web-based Student Handbook available on the Dean of Students website. The Handbook provides an overview of University policies and procedures, departments and services relevant to all undergraduate and graduate students. The policies included in this planner are current as of the beginning of the fall 2019 semester.

The University reserves the right to make changes in the Student Handbook at any time. The Handbook is formally reviewed and updated each spring semester. Suggestions and updates may be sent to [deanofstudents@usi.edu](mailto:deanofstudents@usi.edu) for consideration in the next review process.

## Preface

Higher education plays a vital role in developing future leaders by providing students with educational opportunities both in and outside the classroom. As an institution of higher education, the University of Southern Indiana is a learning community dedicated to excellence. All USI students are presented with rights, privileges, and opportunities by choosing to become a part of the USI community.

In order for USI community members to live and learn in harmony, they must assume responsibility for their actions and respect the rights of others. Students, faculty, staff and alumni make a commitment to furthering the mission of the University of Southern Indiana.

The University of Southern Indiana expects and requires all of its students upon admission to the University to develop, adhere to, and maintain high standards of scholarship and conduct. The *Student Rights and Responsibilities: A Code of Student Behavior* is the guiding document for USI community standards, and outlines all rights and responsibilities afforded to USI students.

## 1.0 PURPOSE AND APPLICATION

The University of Southern Indiana is charged by the State of Indiana with the responsibility for the development and administration of institutional policies and rules governing the role of students and their behavior. *Student Rights and Responsibilities: A Code of Student Behavior* contains statements of those University regulations and policies relevant to the academic and co-curricular experience.

The University community is not a sanctuary from the law, and all students of the University are subject to federal, state, and local law. This document forms the basis for student behavioral expectations in the USI community and the greater community at large. The standards of conduct apply to students while on University-owned or controlled property, when attending University-sponsored events off campus, or when off-campus conduct poses a threat to the University's educational mission or property or to the health or safety of University community members.

In addition, the University is a forum for the free expression of ideas. The development and enforcement of these standards of behavior is designed to foster students' personal, social and ethical development. These standards serve to promote the protection of the rights, responsibilities, and health and safety of the USI community, so that its members may pursue educational goals.

### 1.1 Student Rights and Responsibilities

The following statement of students' rights and responsibilities is intended to reflect the base upon which the *Student Rights and Responsibilities: A Code of Student Behavior* document is built.

### Student's Rights

- A student has the right to participate in a free exchange of ideas, and there shall be no University policy that in any way abridges the rights of freedom of speech, expression, petition and peaceful assembly in accordance with applicable federal, state and local laws.
- Each student has the right to be free from discrimination, including harassment, on the basis of race, sex, religion, disability, age, national origin, sexual orientation or veteran status.
- A student has the right to personal privacy except as otherwise provided by law and University policy and this will be observed by students and University authorities alike.
- Each student subject to disciplinary action arising from alleged violations of the *Student Rights and Responsibilities: A Code of Student Behavior* will be assured procedural due process. In conduct proceedings, the student will be guaranteed due process.

### Student's Responsibilities

- A student has the responsibility to be fully acquainted with the published *Student Rights and Responsibilities: A Code of Student Behavior* in its entirety and to comply with the policies as well as all federal, state and local laws.
- A student has the responsibility to recognize that student actions reflect upon the individuals involved and upon the entire University community.
- A student has the responsibility to recognize the University's obligation to provide an environment conducive to learning.

### Student's Relation to University Community

The University of Southern Indiana, as an institution of higher education, and any division or agency which exercises direct or delegated authority for the institution, has rights and responsibilities of its own, including:

- To provide opportunities for students of the University to present and debate public issues.
- To require persons on University-owned or controlled property to present appropriate identification.
- To establish reasonable standards of conduct for all persons on the campus in order to safeguard the educational process and to provide for the safety and welfare of its students, visitors and University property.
- To restrict students of the University from using its name, its finances or its physical and operating facilities for commercial activities, except in cases involving registered student and faculty groups as provided for in policies governing use of the campus facilities and fund-raising activities.
- To provide, for registered student groups of the University, the use of campus facilities under the policies of the campus.

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### ***Student's Relation to External Community***

Students attending the University take on responsibilities not only of campus citizenship but also community citizenship. When community standards are not respected and upheld by students, conflicts between students and other community members may result. Such conflicts are destructive to relationships in the community and detrimental to the image of the University, as well as to the reputation of the student body.

### ***Student Employee Responsibilities***

When students commit acts that potentially violate this Code while in their capacities as student employees, the University reserves the right to review those potential conflicts with these standards. When viewed as appropriate, the University may pursue resolution of those conflicts under this Code in addition to any other personnel actions that may be taken against the students as employees.

\*The Dean of Students or his/her designee reserves the right to notify University employers of a student employee's disciplinary record. Further action may be warranted at the discretion of the employer.

## **1.2 Freedom of Expression Policy**

### **1.2.1 Statement on Freedom of Expression**

The University of Southern Indiana considers freedom of inquiry and discussion essential to a student's educational development. Through open discussion of ideas and exchange of opinions, one can become informed and can test and give expression to values as they relate to issues concerning oneself and society.

The ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, constitutes a false and defamatory communication against a specific individual, constitutes a genuine threat of unlawful harassment, unjustifiably invades substantial privacy or confidentiality interests or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions

never be used in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas.

In a word, the University's fundamental commitment is to the principle that debate and deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

*Much of this statement was originally drafted and adopted by the University of Chicago.*

### **1.2.2 Free Speech, Peaceful Dissent, Protests and Demonstrations Rights and Responsibilities**

In accordance with the University of Southern Indiana's obligation to promote the free expression of all views, the campus is open to any speaker whom registered student organizations, administrators, staff or faculty members have invited and for whom official arrangements to speak have been made with the University.

The right of free speech at the University also includes the right to acts of peaceful dissent, protests in peaceable assembly and orderly demonstrations. These are permitted on the USI campus. However, the University may regulate the time, place and manner in order to prevent unreasonable interference or disruption of the University's educational, research, outreach and business functions, normal or scheduled uses of University property by the campus community, as well as protecting public health, safety and welfare.

All individuals and groups planning to engage in speech and expressive activities of the sort described in the previous

paragraph should register in advance with the Dean of Students Office to allow the University the opportunity to provide space that accommodates the reasonable needs of both the University community and those engaged in acts of speech or protest.

The following locations on the USI campus are available for speech and expressive activities by members of the public, members of the USI community and guests:

- the lawn area south of Rice Library
- the lawn to the north of the Wright Administration building

In addition, the following general conditions of use apply to all areas of the University campus:

- Activities may not be conducted in a manner that violates any federal, state or local law.
- Activities may not be conducted in a manner or at a time or place that is either incompatible with or unreasonably interferes with the educational, research, service or other legitimate functions of the University.
- Activities may not be conducted in a manner that violates the rules, regulations, or policies of the University of Southern Indiana including *Student Rights and Responsibilities: A Code of Student Behavior* (Appendix C, Sections C 10 and 11).
- Activities may not be conducted in a manner that violates applicable fire or safety regulations.
- Activities may not disrupt academic activity, block egress (i.e. block safe access to exits and entrances, hallways, sidewalks, streets etc.) or pose a threat to the personal safety of community members.

Violations of these policies may result in appropriate disciplinary action and/or arrest, in accordance with applicable law and University policies and procedures.

The University of Southern Indiana, as a public institution, does not endorse or take any position on or action against a speaker or group of speakers based on the content of the message.

## 1.3 Changes to the Code

The dean of students is charged with maintaining and updating of the *Student Rights and Responsibilities: A Code of Student Behavior* which is updated annually and printed biannually in conjunction with the *USI Bulletin*. *Student Rights and Responsibilities: A Code of Student Behavior* also is published in the student planner and on the University of Southern Indiana website.

Any changes to the *Student Rights and Responsibilities: A Code of Student Behavior* between publication dates will be disseminated to students in the following manner:

- An official announcement will be posted to the following locations:
- University of Southern Indiana website ([USI.edu](http://USI.edu))

- USI Dean of Student's website ([USI.edu/deanofstudents](http://USI.edu/deanofstudents))
- myUSI ([my.usi.edu](http://my.usi.edu))
- *The Shield*, the student newspaper of USI
- All currently-admitted students will be emailed an update notice to their official University email address directing them to the website for changes or deletions to the *Student Rights and Responsibilities: A Code of Student Behavior* at the beginning of each academic year.

## 2.0 Community Standards

Students are expected to do one or more of the following when in the presence of a potential code violation: a) personally confront the violation; b) bring the violation to the awareness of a staff member; c) leave the scene of the violation, if not responsible for the space in which the violation is occurring. Knowingly encouraging or assisting others to commit such acts that are prohibited by this code may be sanctioned to the same extent as if one had committed the prohibited act. No student should participate in the creation of an unsafe learning environment.

### 2.0.1 Responsibility to Others

A student has a responsibility to ensure the wellbeing of their guests and fellow students. If an individual needs emergency medical attention, the student is required to call an ambulance or other appropriate emergency response personnel (University public safety, ambulance, police, fire, etc.) to gain that assistance. If a student fails to carry out this responsibility, the student may be subject to severe University sanctions and may potentially be subject to additional civil and/or criminal liability.

### 2.0.2 Medical Amnesty

The University recognizes the Senate Enrolled Act. No. 274 amendment to the Indiana Code, effective July 1, 2012, which outlines when a person who meets the criteria of the act, is immune from criminal prosecution. When a student is intoxicated or under the influence of drugs/controlled substances and seeks medical assistance, s/he may be granted amnesty from formal disciplinary action by the University for violating alcoholic beverage or drug/controlled substance policies. Upon receiving a report that a student needs medical assistance, University personnel will respond and officials will use standard procedures for documenting and collecting information for all parties involved. Conduct charges will be deferred and will be dismissed upon successful completion of an approved alcoholic beverage or drug/controlled substance intervention program, leaving the student with no reportable disciplinary record. Failure to successfully complete an approved alcoholic beverage or drug/controlled substance intervention program, as required, will result in the processing of charges and may result in more severe sanctions.

For more information on the Medical Amnesty policy and University procedures, visit [USI.edu/rfw/aod](http://USI.edu/rfw/aod).

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## 2.0.3 Parental/Guardian Drug and Alcohol Notification Policy

### A.1 Background

This policy action was made possible as a result of an amendment to the Federal Educational Rights and Privacy Act (FERPA) in 1998. Prior to this amendment, universities were prohibited by law from releasing disciplinary records of students 18 years of age or older without their written consent. The amendment provides the opportunity, should a university choose, to notify the parents of students under the age of 21.

### A.2 Goal

It is the goal of the University of Southern Indiana to expand the partnership between parents/guardians and the University in encouraging students to make healthy, responsible decisions about alcohol and other drugs.

### A.3 Details of Notification

If a student under the age of 21 is found responsible for a violation of the University code of conduct drug/controlled substance and/or alcoholic beverage policy, Housing and Residence Life or the Dean of Students will notify the student's parents/guardians in writing. This notification will detail the fact that the student has been found responsible for an alcoholic beverage or drug/controlled substance violation. The notification is designed to inform parents/guardians that the violation has occurred and to encourage discussion between parents/guardians and their student regarding acceptable behavior in the USI community setting. Written notice will not include specific details of the incident(s), circumstances surrounding the violation(s), or the specific disposition of the case. Parents/guardians interested in specific information are encouraged to discuss the case with their student. If questions remain, parents/guardians are encouraged to contact the notifying office.

### A.4 Direct Contact

When there is reason to believe that a student's health and wellbeing are in jeopardy or that they have placed other members of the University community at risk, the dean of students or his/her designee may contact the parents/guardians directly.

### A.5 Consideration

An integral part of the conduct adjudication process will be the discussion concerning notification of the parents/guardians. Consideration will be given to situations where notification may be detrimental to the student or family.

## 2.1 Alcoholic Beverages and/or Drug/Controlled Substance Use

### 2.1.1 Alcoholic Beverages on USI Property

The manufacture, sale, transfer, purchase, transportation, possession or consumption of an alcoholic beverage anywhere on University-owned or -controlled property (including University-owned or -leased vehicles, regardless

of location), or as a part of any "University Activity" as that term is defined by the University; for alcoholic beverages, is prohibited by the University; exceptions are granted by the president or his/her designee.

### 2.1.2 Alcoholic Beverages at Student Organization Events

Recognized USI student organizations planning events where alcoholic beverages may be served must adhere to the guidelines established by the University. See *Student Organizations and Activities Policies (C)*.

### 2.1.3 Behavior While Under the Influence of Alcoholic Beverages and/or Other Drugs/Controlled Substances

Being under the influence of alcoholic beverages is a violation of this code when a person is on University-owned or controlled property (including University-owned or leased vehicles, regardless of location), or as a part of any "University Activity" as that term is defined by the University, and the person: 1) endangers, or may endanger, the safety of others, property or themselves; or 2) causes a disturbance.

### 2.1.4 Contributing to the Delinquency of a Minor

Contributing to the delinquency of a minor is prohibited. This includes, but is not limited to, purchasing alcoholic beverages for a minor, giving alcoholic beverages to a minor, encouraging a minor to drink alcoholic beverages, and/or providing an environment where underage drinking occurs.

### 2.1.5 Driving Under the Influence of Alcohol and/or Other Drugs/Controlled Substances

Driving while under the influence of alcoholic beverages or illicit drugs/controlled substances on University-owned or controlled property (including University-owned or leased vehicles, regardless of location), or as a part of any "University Activity" as that term is defined by the University is prohibited.

### 2.1.6 Drug/Controlled Substance Related Violations

Being under the influence, possessing, manufacturing, exchanging, distributing, purchasing, using, selling or emanating the scent of illegal drugs or any controlled substance, including marijuana, synthetic cannabinoids, designer drugs, abuse of over-the-counter drugs, inhalants, prescription drugs, etc., except pursuant to a physician's/dentist's prescription, or possessing paraphernalia for drug use on University-owned or controlled property (including University-owned or leased vehicles, regardless of location), or as a part of any "University Activity" as that term is defined by the University is prohibited.

- **2.1.6 A:** Being in the presence of drugs/controlled substance(s)
- **2.1.6 B:** Possession of drugs/controlled substance(s)
- **2.1.6 C:** Possession of drug/controlled substance paraphernalia
- **2.1.6 D:** Use of drugs/controlled substance(s)
- **2.1.6 E:** Purchase of drugs/controlled substance(s)

- **2.1.6 F:** Possession and or use of prescription drugs without document prescription
- **2.1.6 G:** Manufacturing of drugs/controlled substance(s)
- **2.1.6 H:** Distribution and/or sale and/or delivery of drugs/controlled substance(s)
- **2.1.6 I:** Emanating the scent of marijuana

## 2.2 Attempts to Commit and/or Complicity in Prohibited Acts

### 2.2.1 Attempts

Attempts to commit acts prohibited by the standards of this Code of Student Behavior may be sanctioned to the same extent as if one had committed the prohibited acts. See Community Standards 2.0.

### 2.3 Violations of Law

The University reserves the right to take disciplinary action when a student violates federal, state or local laws that have a direct impact on the institution or community.

### 2.4 Property Violations

Property Violations are exerting unauthorized control over another person's or the university's property and include but are not limited to burglary, robbery, theft, trespassing or vandalism.

## 2.5 Aggressive or Abusive Behavior/Physical or Verbal

### 2.5.1 Physical Violence/Abuse

Physical violence/abuse is prohibited and includes but is not limited to unauthorized touching, use of physical force, violence or intoxicants or other substances to restrict the freedom of action or movement of another person or to endanger the health or safety of another person.

### 2.5.2 Threatening or Intimidating Behavior

Behavior that involves an expressed or implied threat, which includes, but is not limited to the use of words verbal, written or electronic (Facebook, Instagram, Twitter, etc.) inherently likely to provide an immediate violent reaction when directed toward a specific individual, or any behavior that has the purpose or reasonably foreseeable effect of creating a hostile environment by, but not limited to, interfering with another individual's personal safety, safety of property, academic efforts, employment or participation in University-sponsored activities and causes that person to have a reasonable apprehension that such harm is about to occur, is prohibited.

### 2.5.3 Hazing

Hazing is a broad term encompassing any action or activity that inflicts or intends to cause physical or mental harm or anxieties; that may demean, degrade or disgrace any person, regardless of location, intent or consent of participants. Hazing also can be defined as any action or situation, on or off campus premises, that intentionally or

unintentionally endangers a student for admission into or affiliation with a student organization, team or group. Such activities and situations include, but are not limited to, paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule or other activities prohibited by law or University policy.

Hazing in any form is prohibited by the University and state law. It is the responsibility of the organization, team and its leadership in conjunction with the advisor, coach and, where appropriate, (inter)national organization, to protect its new members, associate members, members or other persons associated with the organization from any hazing ceremony, activity or practice conducted, condoned or encouraged by the current members of the organization, alumni or other associates. The University or prospective group members may file a complaint of hazing against all parties as individuals and/or against the group or organization. In addition, individuals and/or groups also may be subject to criminal and/or civil liability outside the jurisdiction of the University.

### 2.5.4 Social Media Policy

USI will not regularly monitor the language and/or actions of students on social media platforms, including Facebook, LinkedIn, Twitter, etc. However, while the University will defer to the user policies of the individual social medium, USI will hold students accountable for reported related Code of Student Behavior violations by USI students.

Students may not:

- Post messages that: incite imminent lawless action or violation of University policy, are a serious expression of intent to inflict bodily harm upon a person, are unlawful harassment, are defamatory or otherwise unlawful.
- Claim or imply that they are speaking on behalf of the University.

## 2.6 Disorderly Conduct/Indecent Behavior

Disorderly, lewd, indecent, bullying, cyber-bullying or obscene conduct is prohibited, including the expression of such on University-owned or controlled property or at University-sponsored or -supervised events, on or off campus.

**2.6.1** The essential element to disorderly conduct is intentionally causing or recklessly creating a risk of public inconvenience, annoyance or alarm without proper authority such as by fighting or engaging in violent behavior, making loud and boisterous activity, unreasonable noise, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, streaking, etc.

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### 2.7 Endangerment of Individuals or the Safety of Individuals

**2.7.1** Initiating or circulating a report or warning concerning an impending bombing, fire or other emergency or catastrophe knowing that the report is false; making a false report concerning a fire or that a bomb or other explosive has been placed in any University building or elsewhere on University-owned or controlled property; or knowingly transmitting such a false report to an official or an official agency is prohibited.

**2.7.2** Willful failure to comply with orders issued by any University personnel under emergency procedures or directives during a tornado, fire, fire drill, bomb threat, earthquake or other natural disaster is prohibited.

**2.7.3** Tampering with any fire protection sign or device or any other emergency equipment including but not limited to fire extinguishers, fire hoses, smoke/heat detectors and other alarm systems, for reasons other than an actual emergency, except when done with the reasonable belief that such an emergency exists, is prohibited.

**2.7.4** Damaging or attempting to damage property or structures on University-owned or controlled property by fire or any other incendiary device is prohibited.

**2.7.5** Acts on or off University property related to the safety and security of the University community and its members, the integrity of the educational process or the interests of the University.

### 2.8 Harassment (General)

Harassment is any conduct based on the victim's actual or perceived identification with a particular protected class or classes that creates an intimidating, offensive or hostile working or learning environment that interferes with the victim's work or education, or that adversely affects their living conditions. Such harassment can be physical, verbal or visual, and can be committed by employers, coworkers, faculty and students. Statements and/or conduct legitimately and reasonably related to the University's mission of education will generally not constitute harassment under this policy.

#### 2.8.1 Stalking

For the purposes of this policy, stalking and assault are considered to be distinct forms of harassment. Stalking is generally defined as a course of conduct directed at a specific person or persons that would cause a reasonable person to feel fear for their safety; fear for the safety of others or suffer substantial emotional distress.

**Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens or

communicates to or about, a person or interferes with a person's property.

**Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

Such behaviors and activities may include, but are not limited to:

- Initiating non-consensual communication such as face-to-face communication, telephone calls, voice messages, e-mails, texts, letters, notes, gifts or any other communications that are undesired and place another person in fear
- Using online, electronic or digital technologies to make unauthorized postings of pictures, messages and/or information about the victim on social networking sites or other internet sites such as bulletin boards, chat rooms, etc.
- Pursuing, following, waiting or showing up uninvited at or near a residence, workplace, classroom or other places frequented by the victim
- Conducting surveillance or other types of observation, including staring or "peeping", or using Global Positioning Systems (GPS) to monitor a victim
- Making verbal or physical threats

#### 2.8.2 Assault

Assault is generally defined as any intentional act involving physical contact or the threat of such contact that places another person in fear of imminent bodily harm, or actually causes physical injury to another person and/or harm to their property.

Examples may include but are not limited to:

- Engaging in choking, pushing, hitting, slapping, punching, kicking, etc.
- Initiating any non-consensual physical contact, regardless of whether it causes an injury

### 2.9–2.10 Sexual Misconduct

The University of Southern Indiana embraces and celebrates the many differences that exist among the members of a dynamic, intellectual and inclusive community, and strives to maintain an environment that respects differences and provides a sense of belonging and inclusion for everyone. Any form of discrimination or harassment, including sexual harassment and sexual misconduct, will not be tolerated. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others, and should be aware that the University is prepared to take prompt action to prevent and correct such inappropriate behavior and to remedy its effects.

The University prohibits all forms of sexual misconduct (regardless of the gender of those involved) as well as discrimination and harassment on the basis of race, color, religion, sex (including pregnancy), national origin, age (any age as it relates to University programs and services, age 40 or older as it relates to employment), disability, genetic information, sexual orientation, gender identity, or any other category protected by law or identified by the University as a protected class.

#### Title IX coordinator

Wright Administration Building, FA 171  
812-464-1703 | cnlynn@usi.edu

The sexual misconduct policy, procedures, resources and information about how to file a complaint can be found at [USI.edu/stopsexualassault](http://USI.edu/stopsexualassault).

### 2.11 Weapons/Explosives/Hazardous Materials

The transfer, sale, use of, possession of weapons, including but not limited to: firearms, ammunition, bombs, explosives, clubs, dirks, martial arts weapons, sling shots, bows and arrows, sabers, swords, knives with blades in excess of three (3) inches except kitchen knives used in the preparation and/or serving of food, war souvenirs, incendiary devices, fireworks, paintball guns, pellet guns, BB guns, stun weapons, Tasers, or look-alikes, dangerous chemicals or fuels or other destructive devices or substances, are not allowed on University-owned or controlled property unless permission for possession and/or use has been authorized by an appropriate University official. Duly-licensed officers of the law are exempt from this policy. For authorization, contact USI Public Safety, phone number 812-464-1845.

Personal safety device (chemical spray) – persons are permitted to carry chemical spray that is sold for personal protection; however, persons choosing to carry pepper spray are responsible for ensuring that they are properly secured, maintained, only used for defensive purposes and according to manufacture instructions.

### 2.12 Animals

Animals, defined as domesticated pets, may be brought on campus under the following conditions:

- The animal is part of a classroom demonstration that has been approved by faculty. In such cases, the animal should be brought on campus immediately before the class and removed from campus immediately after class. The animal must be on a leash or in a carrying case when in transit.
- The animal is a “service animal” as defined by current Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and State of Indiana regulations. Under these laws, a “service animal” is defined as an animal that is specifically trained to do work or perform tasks for the benefit of an individual with a physical, sensory, psychiatric/mental or intellectual disability; and the work or tasks performed by the animal must be directly related to the individual’s disability.

Animals that only provide crime deterrent effects, emotional support, wellbeing, comfort or companionship do not fall under the legal definition of “service animal.” The University reserves the right at any time to ask if the animal is required because of a disability and what specific work or task the animal has been trained to perform. The University also reserves the right to request that the animal be removed from the property if it does not meet the legal definition of service animal, if the handler fails to keep it under appropriate control or if it is not housebroken. An animal meeting the complete and proper definition of “service animal” will otherwise be permitted anywhere on campus that is typically open to students and visitors.

- With permission of the president or his/her designee.
- The animal meets the current definition of an “emotional support animal” as defined by state and federal law and best practices that specifically apply to University housing and residential services for individuals with disabilities. A student may keep an emotional support animal in his or her dwelling unit on campus as a reasonable accommodation only if the student fully complies with all procedures and responsibilities as described in Section B.25 of this publication.
- Animals other than “service animals” may be exercised on exterior areas of campus as long as they are on a leash and are not taken to any areas where an active program or event is occurring.
- In all cases it is the responsibility of the individual(s) bringing any animal to any University owned or controlled property to be aware of state and local immunization and licensing requirements, to fully comply with those requirements and to assume any and all liability associated with failure to do so. Such individuals are responsible for cleaning up after their animal, for maintaining humane control of the animal at all times and are financially responsible for any damage that the animal may cause to University property or injuries caused to other individuals.
- The animal is a “service animal” as defined earlier in this section. Students accompanied by a service animal as a reasonable accommodation while residing in University housing are subject to the responsibilities described in Section B.25 of this publication, with the exception of documentation standards and other student responsibilities in that section in B.25.1 that specifically apply only to emotional support animals.

Student’s residing in University residence halls or apartments may keep animals in their residences only under the following conditions:

- Non-predatory tropical fish are allowed as long as they are well maintained and kept in aquariums holding no more than 20 gallons of water.
- The animal meets the current definition of a “service/assistance animal” as defined by state and federal law and best practices that specifically apply to University housing and residential services for individuals with

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disabilities. A student may keep a service/assistance animal in his or her dwelling unit on campus as a reasonable accommodation only if the student fully complies with all procedures and responsibilities as described in Section B.25 of this publication.

### **2.13 Computer-Related Inappropriate Behavior**

- Unauthorized use, sharing, lending or borrowing of an account is prohibited.
- Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing is prohibited. Violation may subject a student to civil and criminal liabilities in addition to University sanctions.
- Using the computer facilities for purposes other than those for which the account was issued is prohibited.
- Storing game programs on allocated disk space or private tape, except when authorized in writing by the Information Technology director or the director's designee is prohibited.
- Using the University's computer systems for commercial purposes without written authorization of the Information Technology director or the director's designee is prohibited.
- Copying, altering or destroying the files or output of another individual without the express permission of that individual is prohibited.
- Contact Information Technology for additional Data Communications and Computer Use policies and procedural guidelines.

The entire policy can be viewed at [USI.edu/it/policies/data-communication-computer-use](http://USI.edu/it/policies/data-communication-computer-use).

### **2.14 Telephone and Related Equipment Abuse**

- Intentionally making telephone call(s) to or from the University for the purpose of abusing, threatening, annoying or harassing another person is prohibited.
- Charging, or causing to be charged, any long distance or other toll telephone calls to University telephone accounts without proper authorization is prohibited.
- Damage or destruction to the University's telephone system and any of its telephone instruments or equipment is prohibited.
- Using or abusing telephone equipment, lines or accounts belonging to the University or to University employees, students and/or faculty without authorization, or for purposes other than those originally granted authorization, is prohibited.

### **2.15 Identification/Failure to Comply with University Personnel or University Policies**

**2.15.1** Failure to produce either a University identification card or a driver's license upon request by any University official including but not limited to USI Public Safety officers, Housing and Residence Life area coordinators and resident assistants, and program sponsors in the performance of their duties, is prohibited.

**2.15.2** Disrespectful behavior or failure to comply with the instructions or directions of University officials in the performance of their duties is prohibited. Such acts may include but are not limited to intentionally, knowingly or recklessly obstructing or delaying any University proceedings, failing to cooperate with an investigation, fleeing a University official and/or failing to comply with assigned University behavior sanctions.

#### **2.15.3 Bribery**

The offering, giving, receiving or soliciting of anything of value to influence the official decision or action of a University employee or official or a person in a position of trust or influence, is prohibited.

#### **2.15.4 University Policies**

Failure to comply with any published University policies.

### **2.16 Deception/Falsification/Misrepresentation**

**2.16.1** Dishonest behavior is prohibited. Dishonest behavior includes but is not limited to falsely accusing another individual of inappropriate behavior; possessing, manufacturing, using or furnishing false identification; providing false or misleading information on University documents; and forgery, alteration, misuse or unauthorized destruction of any University document, record or identification. Such documents include but are not limited to student identification cards, parking permits, transcripts, charge slips, meal cards, receipts, grade reports, etc.

**2.16.2** Representing a University entity falsely and/or committing or using the resources of any University entity without proper authorization is prohibited.

**2.16.3** Making false accusations of inappropriate behavior under this code against another individual; providing false information or falsified evidence with the intent of harming another individual; attempting to intimidate witnesses and/or altering or destroying evidence necessary to conflict resolution pending with the University is prohibited.

**2.16.4** Failing to keep the Registrar (Orr Center) notified of current local, permanent and email addresses, or providing a false or fictitious address(es) for the purpose of evading University responsibilities, is prohibited. Contact Information can be updated through the myUSI portal.

### **2.17 Interference with University Conduct Process**

Interfering with the discipline procedures or outcomes including but not limited to falsification, distortion, or misrepresentation of information before a hearing officer or hearing panel; knowingly initiating a complaint without cause; harassment and/or intimidation of any member of a hearing panel, witness(es), or University personnel before, during or after a proceeding; failure to comply with the sanction(s) imposed by either a hearing officer or hearing board, are prohibited.

### 2.18 Gambling

Gambling for money or other things of value on University-owned or controlled property on or at University-sponsored activities is prohibited, except as permitted by federal, state and local law.

### 2.19 Bad Debts/Financial Responsibility

#### 2.19.1 Payment

All students must pay in full any debts to USI, including but not limited to tuition/fees, room and board charges, long distance telephone bills and any fines or tickets. Any failure to meet these obligations may result in a denial of registration or graduation privileges, denial of occupancy and/or continued occupancy of any University housing accommodation or a refusal to forward an official transcript.

#### 2.19.2 Financial Aid Misuse/Abuse

Misusing financial aid through fraud or abuse is prohibited.

#### 2.19.3 Student Organization/Individual Debt

USI bears no responsibility for the financial obligations of individual students or student organizations. Any debts incurred, either on or off campus by students or student groups, will be the responsibility of the student or the organization and its leadership. In the event an organization dissolves and is no longer in existence, the individuals holding leadership positions at the time the debt was incurred will maintain responsibility for settling outstanding debts.

### 2.20 Tobacco-Free Policy

It is the policy of the University of Southern Indiana to promote and maintain a clean and healthy working and learning environment for students, faculty, staff and visitors.

The University expects the cooperation and commitment of all students, faculty, staff and visitors in maintaining a smoke-free environment and an environment free from smokeless tobacco waste. Smokeless tobacco consists of the use of snuff, chewing tobacco, smokeless pouches or other forms of loose-leaf tobacco as well as E-cigarettes or any other devices that use a heating element to vaporize a liquid solution that includes nicotine and/or flavored vapor designed to mimic traditional cigarettes or cigars.

The University of Southern Indiana prohibits smoking or the use of tobacco or tobacco products:

- on University-owned, operated or leased property
- in University-owned, operated or leased vehicles

The use of tobacco or tobacco products in personal vehicles on University-owned, operated or leased property is allowable.

This policy extends to all University property and all campus sports facilities.

Smoking or the use of tobacco or tobacco products is prohibited inside all student housing facilities. This includes residence halls, apartments, common areas, balconies,

building entries and student rooms. Smoking is permitted in designated outdoor areas in student housing.

Enforcement of this policy will depend upon all members of the campus community to comply with and encourage others to comply with this policy in order to ensure a healthy environment to work, study and live. Primary enforcement of this policy will be the responsibility of those persons who head individual units, departments, buildings, student housing units, those who supervise faculty and staff, security personnel and others designated by the University.

Violations of this policy will be handled through existing processes already in place for students, faculty and staff. Student violations will be processed under the *Student Rights and Responsibilities: A Code of Student Behavior*. Complaints regarding violations of this policy should be referred to the appropriate dean or director or Human Resources manager for faculty or staff and to the dean of students for students.

### 2.21 Disruption of University Business

Disruption or obstruction of teaching, research, administration, public service functions, meetings of University committees or boards or of any other authorized University activity or organization on or off University premises (including but not limited to ingress or egress; classes; studying; social, cultural and athletic events; computing services; registration; governance meetings; Housing and Residence Life and Dining Services), such that the function or service is materially or repeatedly or substantially disrupted or obstructed is prohibited.

#### 2.21.1 Classroom Disruption

Behavior a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program is prohibited. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. For longer periods of removal from a class see section III: Faculty and Academic Policies of the University Handbook.

### 2.22 Misuse of Proprietary Information

Unauthorized use of information or misuse of information, in whatever form, proprietary to the University or a University official, employee or student is prohibited. "Proprietary" means property in which the University or its employee(s) and/or student(s) have a legal interest. This includes but is not limited to copyrightable materials, patents, trademarks and service marks.

#### 2.22.1 Copyright Policy

All students who use the University of Southern Indiana ("USI" or the "University") computer network are prohibited from downloading or enabling sharing of music, movies,

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images and other digital, copyright protected files without proper licensing. Downloading or enabling the sharing of music, movies and other digital, copyright protected files without proper licensing constitutes the theft of copyright protected material and is subject to both civil and criminal penalties. Companies and agencies that monitor computer networks and internet Protocol (“IP”) addresses inform USI when someone on USI’s network is downloading or sharing copyright protected songs, movies and other material. USI is considered an Online Service Provider (“OSP”) for the users of its computer network. A student’s continued use of the University’s OSP computer network implies the student’s acknowledgment and acceptance of this policy.

If it comes to the attention of USI that an individual is using USI’s computer equipment and/or network access to illegally download copyrighted material, the University will take action to stop such activities. If the University detects peer-to-peer file sharing of encrypted content, this will be treated as if it is copyrighted material, and the University will take action to stop this activity as well. The University takes such action in order to comply with provisions within the Digital Millennium Copyright Act (“DMCA”) which limits the liability of the University, as an OSP, for certain copyright infringement liability if the University follows applicable procedures. Additional information on the DMCA can be found at [www.copyright.gov/legislation/dmca.pdf](http://www.copyright.gov/legislation/dmca.pdf).

Immediate action by the University will include the immediate disabling of USI network access to all wireless and wired networks and referral to the Dean of Students for disciplinary follow-up. Once the conduct process is completed, whether by the student accepting responsibility or a formal hearing, the Dean of Students will inform the appropriate University offices of the outcome and request that access be reinstated, as may be appropriate.

For the complete University Student Copyright Infringement Policy and a detailed outline of the procedures the University will use to respond to report of potential copyright infringements, refer to the Policies and Procedures Section of the Student Handbook.

### 2.23 Traffic and Parking Regulations

Students are expected to uphold and abide by all USI traffic and parking regulations. The complete regulations are published in a brochure entitled “University of Southern Indiana Traffic and Parking Regulations,” located at the Parking Division of the Public Safety or online at [USI.edu/public-safety/parking](http://USI.edu/public-safety/parking).

### 2.24 Sales/Solicitation

Unauthorized sales, canvassing, peddling, soliciting, distribution or posting of any written or printed material by non-University individuals or organizations is not permitted on University-owned or controlled property without the written permission of the president of the University or his/her designee. This includes the use of electronic mail and web page solicitations. Organizations or students

seeking authorization should contact Student Development Programs. All other inquiries should contact the Dean of Students Office.

### 2.25 Student Organizations

Behavior that conflicts with regulations established by the University for student organizations is prohibited, including but not limited to misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, abuse of student election regulations or failure to abide by University policies, procedures and regulations. See *Student Organizations and Activities Policies (C)*.

### 2.26 Unauthorized Surveillance

Making unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy, including, but not limited to, shower/locker rooms, residence hall rooms and men’s or women’s restrooms, is prohibited. Also prohibited is the storing, sharing and/or other distribution of such unauthorized images by any means.

### 2.27 Unauthorized Use or Entry

Unauthorized entry into or use of any University building, facility, vehicle, equipment room or area is prohibited. This includes, but is not limited to, unauthorized possession or use of University keys, computers, lock combinations or pass codes. Unauthorized entry upon the performance area or the spectator areas of any University event, including but not limited to athletic contests, exhibitions and musical or theatrical events.

### 2.28 University Housing Safety and Security Efforts

Due to the nature of the University housing environment, safety and security standards have been established. All students will be held accountable for their behavior in University housing. All students and their guests need to cooperate with efforts to establish a secure campus by complying with policies and cooperating with residence hall staff. The complete University housing policies can be obtained at the Housing and Residence Life Department, or via the web at [USI.edu/housing](http://USI.edu/housing). See Housing and Residence Life Policies.

## Academic Integrity Policies and Procedures

### 3.1 Purpose

The University of Southern Indiana is an engaged learning community advancing education and knowledge, enhancing civic and cultural awareness, and fostering partnerships through comprehensive outreach programs. The campus is dedicated to a culture of civility among students, faculty and staff. Academic integrity is vital to the campus mission and culture. The academic integrity statement serves as an educational tool, defining academic integrity, violations of academic integrity, outlining sanctions for violations and administration of academic integrity policy.

**Academic Integrity:**

- Demonstrates respect for all students' right to a safe, quality learning environment
- Does not interfere with others' educational goals
- Promotes professional and ethical behaviors of all majors
- Appropriately cites others ideas, writings and/or work
- Prohibits unapproved assistance with all academic endeavors which includes but is not limited to tests, writing, research, analysis, interpretation

**Academic Integrity ensures:**

- Fairness to students
- All students have the same opportunities
- Everyone receives appropriate credit for their work
- Academic honor
- A culture of civility

**Failure to uphold academic integrity:**

- Diminishes degree value
- Threatens the credibility of the institution and students

The benchmarks of any great university are high academic standards and academic integrity. Academic integrity is the hallmark of truth and honesty in an engaged university community. Students have the right and responsibility to pursue their educational goals with academic integrity. All members of the University are accountable for their actions in maintaining high standards of academic integrity. Students are responsible for completing academic requirements without action and/or material that violate academic integrity.

**3.2 Violations of Academic Integrity****3.2.1 Cheating**

Cheating is intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise.

Examples of cheating include, but are not limited to:

- Using external assistance during any examination unless the instructor has specifically authorized such assistance. Examples of external assistance include but are not limited to: books, calculators, notes, formula lists, cues on a computer, photographs, cell phones, symbolic representation and electronic devices.
- Copying from another student's work. Examples include, but are not limited to: a test, paper, project, product, performance or electronic document of file.
- Completing assignments for someone or having someone complete an assignment for them
- Taking a test for someone
- Having someone take a test for them
- Submitting the same academic work more than once without permission from all instructors who may be involved.
- Obtaining a copy of an examination from an unauthorized source

- Submitting another's works as their own, using commercial term-paper companies, and/ or past papers

**3.2.2 Interference**

Interference is behavior that detracts from a safe, quality learning environment of others educational goals.

Examples of interference include, but are not limited to:

- Disruptive classroom behavior
- Disrespectful classroom behavior
- Failure to comply with instructor instructions

**3.2.3 Fabrication**

Fabrication is creating something for the purpose of deception.

Examples of fabrication include, but are not limited to:

- Creating false citations
- Falsifying research, lab, clinical activities, data or source material

**3.2.4 Plagiarism**

Plagiarism is using the work and/or ideas of another person as if it is your own. Examples of plagiarism include, but are not limited to:

- Quoting another person's actual work without appropriate citation
- Using another person's ideas, opinion or theory without appropriate acknowledgment
- Using facts, statistics or other illustrative material without appropriate citation

**3.2.5 Academic Sabotage**

Academic sabotage is intentional impediment of others academic progress.

Examples of academic sabotage include, but are not limited to:

- Destroying another's work
- Impeding another from completing their work
- Removing books, papers, journals and/or electronic devices from a student or the University
- Changing another students data, papers, results and/or assignments
- Defacing resources

**3.2.6 Facilitating Academic Dishonesty**

Facilitating academic dishonesty is intentionally or knowingly helping or attempting to help another commit an act of academic dishonesty.

Examples of facilitating academic dishonesty include, but are not limited to:

- Allowing another to copy assignments, papers, examination answers, lab results
- Providing copies of unauthorized examinations
- Providing copies of papers, examinations, lab results
- Developing methods for exchanging information during an examination

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### 3.2.7 Violation of research or professional ethics

Violations in this category include professional ethical codes, University code of conduct, ethical research protocol and/or any professional standard communication by a professor or program.

Examples of violations of research or professional ethics and/or standards include, but are not limited to:

- Violation of professional ethical codes of behavior or professional standards
- Conducting research without completing University procedures
- Violation of HIPAA
- Misuse of funding
- Misuse of positions, such as teaching assistant, graduate assistant, or student worker

### 3.2.8 Violations Involving Potentially Criminal Activity

Violations in this category include actions such as theft, fraud, forgery and/or distribution of unauthorized materials.

Examples of violations include, but are not limited to:

- Stealing material, including electronic files
- Forging any University documents such as grade change forms
- Falsifying transcripts or grades
- Selling stolen materials
- Violating state and federal regulations governing a profession

### 3.2.9 Repeated Academic Integrity Violations

Students found responsible of multiple Academic Integrity related violations may be referred to the appropriate College dean's office for further action. Being found responsible of multiple Academic Integrity violations may result in disciplinary probation, removal from the academic program, removal from the college and/or expulsion from the University.

## 3.3 Student Rights and Due Process in the Academic Integrity Process

### 3.3.1 Violation of Policy

A student is considered to have violated the *Academic Integrity Policy* when the student:

- Admits to his/her responsibility for a violation; or
- Is found responsible for one or more provisions of the *Academic Policy*.

### 3.3.2 Informal Resolution

The first step of any resolution should be at the lowest unit level between the student and the faculty member involved or the appropriate administrator. The faculty member involved or appropriate administrator should meet with the student to discuss the alleged violation. In the event an informal resolution is reached, the faculty will notify the appropriate college administrator (typically an associate or assistant dean) of the violation and the outcome and provide documentation. The college administrator will create an academic integrity conduct case file and send an official informal resolution

letter to the student recapping the charge and the outcome. The student will have five (5) University business days after receipt of the letter to request a formal resolution if they do not agree with outcome of the informal resolution.

### 3.3.3 Formal Resolution

If the student and faculty member or administrator are not able to reach an informal resolution or if the student requests a formal resolution within five (5) University business days of the receipt of the letter, the faculty member or administrator should notify the appropriate college administrator (typically an associate or assistant dean) who will send a formal charge letter to the student.

### 3.3.4 Presentation of Information Relevant to the Complaint Resolution Process

Charged students and complainants will be given every reasonable opportunity to present their information, including questions and presentation of additional testimony, during the complaint resolution proceedings. Students have the right against self-incrimination.

### 3.3.5 Standard of Proof

The standard of proof will be “more likely than not” University policy has been violated. That proof need only show that the facts are more likely to be so than not so. Evidence, when considered and compared with that opposed to it, has more convincing force and produces in the hearing body's mind the belief that what is sought is more likely true than not true (Journal of College and University Law).

### 3.3.6 University Advisor

The student and the complainant each have the right to an advisor. The student's advisor must be a member of the University community—student, faculty, administrator, staff, coach, recognized University affiliate, etc. The role of the advisor is to provide support and to assist in preparing for the hearing. Since the complaint resolution process is not a civil or criminal court hearing, the advisor's role is not that of an attorney representing you. This person may not address the hearing officer or hearing board or ask questions of any witnesses. For assistance in securing an advisor, contact the provost's office.

### 3.3.7 Witnesses

Witnesses, including the student accused of violating policy, are permitted in all complaint resolution proceedings. Witnesses may present information on behalf of the student or the complainant. It is the responsibility of the student or the complainant to secure their witnesses or witness statements. Witnesses may be questioned by the hearing administrator or hearing board members, by the complainant and by the student. Witness(es) will be asked to provide information concerning only the violation(s) being adjudicated. Since the complaint resolution process does not have the authority to subpoena, witness statements may be submitted in place of having witness(es) present during the hearing.

### 3.3.8 Academic Integrity Process Environment

All hearings are closed to the public. Only individuals involved in the situation may be present. Involved individuals may include:

- Hearing officer and/or hearing board members
- Student accused of violating University policy
- Advisor
- Complainant
- Witnesses\*

*\*Witnesses will remain only for the duration of their own testimony.*

### 3.4. Notification

Generally within ten (10) working days of receipt of the complaint, the associate or assistant dean will notify the charged student. This notification will include:

- The nature of the alleged inappropriate behavior.
- The date, time, and place of the alleged inappropriate behavior.
- The source of the complaint.
- A summary of information to be presented.
- The date, time, and place of the hearing.
- A description of the preservation and the release of information from the conduct record; and
- A notice that a decision will be made in the student's absence if the student chooses not to appear at the hearing, and failure to appear will be considered in reaching a decision whether or not the behavior code has been violated.

### 3.5 Academic Integrity Resolution Procedures

#### 3.5.1 Academic Integrity Authority

The provost's office is charged with the development and administration of the University of Southern Indiana academic integrity process. Under the supervision of the provost's office, the following individuals will be charged with the execution of academic integrity proceedings:

- Associate Provost for Academic Affairs
- Director of Graduate Studies
- Academic Deans
- Associate and Assistant Academic Deans
- Department Chairs

#### 3.5.2 University Hearing Board

These individuals are appointed and trained by the dean of students to hear cases involving student conduct or academic integrity. When the University hearing board is convened, the dean of students/ associate provost of academic affairs or his/her designee will comprise the board by members of the University hearing board pool:

- Students residing in University housing
- Students who live off campus
- Undergraduate students
- Graduate students

- Undergraduate faculty members
- Graduate faculty members
- Administrative staff members

#### 3.5.3 Academic Integrity Process

In cases involving potential dismissal from an academic program or suspension or expulsion from the University, the student may request a hearing before the University Hearing Board (see 3.5.2).

Most complaints are resolved via the administrative hearing process. An administrative hearing involves the student, the hearing officer (typically the department chair), and any other individuals necessary to determine whether the student is responsible for a violation of University policy. Advantages of an administrative hearing include a more timely resolution of the conflict and the involvement of fewer individuals.

An administrative hearing also may become necessary for those times when the full University hearing board is unable to meet. In such instances where the University hearing board would normally be convened, the associate provost for academic affairs or his/her designee will conduct the administrative hearing.

#### 3.5.4 Administrative Hearing Process

- Students will meet with a department chair. Members of the University hearing board will not conduct administrative hearings.
- Student rights will be reviewed by the hearing officer with the student.
- Charges will be reviewed with the student. At this time, students can indicate whether they believe they are responsible for the policy violation(s) or not responsible for the policy violation(s).
- A student will be given the opportunity to present his/her version of events to the hearing officer and respond to any of the materials associated with the violation.
- The hearing officer may ask questions of the student and any witnesses.
- The hearing officer will deliberate over the information and will make every attempt to reach a decision within five (5) business days from the date of the meeting as to whether or not the student is responsible or not responsible for the violation(s).
- The student will be notified of the outcome in writing. Any sanctions associated with the outcome will be included in the written notification.
- The appeals process will be outlined and included in the notification of outcome.

#### 3.5.5 University Hearing Board Procedures

- A student will meet with the University hearing board.
- Student rights will be reviewed by the hearing officer with the student.

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- Charges will be reviewed with the student. At this time, the student can confirm whether he/she pleads responsible for the policy violation(s) or not responsible for the policy violation(s).
- The University representative bringing charges against the student will present his/her testimony to the University hearing board.
- The student will be given the opportunity to respond to the charges and to present materials associated with the violation.
- The University representative and accused student shall have the opportunity to present witnesses/witness statements to the University hearing board.
- The University representative and accused student may ask questions of the witnesses through the chair of the University hearing board.
- The University hearing board members may ask questions of the witnesses, the student and the University representative.
- The University representative and accused student may summarize evidence and testimony through closing statements.
- The University hearing board will deliberate over the information and reach a decision generally within five (5) business days as to whether or not the student is responsible or not responsible for the violation(s). Decisions will be made by a majority vote of the University hearing board.
- Students will be notified of the outcome in writing by the chairperson of the board. Any sanctions associated with the outcome will be included in the written notification. Additionally, the appeals process will be outlined and included in this notification.

### 3.5.6 Conflict of Interest

No member of the hearing board or no hearing officer who has a conflicting interest in a particular case may conduct an

academic integrity hearing for said situation. Hearing board members and hearing officers with conflicting interests must recuse themselves from the proceedings. Either the student or the complainant may challenge a member of the hearing board or a hearing officer in writing with the provost's office.

### 3.6 Findings

A hearing officer or the University hearing board will reach one of the following findings at the conclusion of the hearing:

- *Charges Dropped:* If the alleged conflicts prove to be unfounded, no action will be taken against the student. All written materials will be retained for a minimum of seven years and then destroyed.
- *Not Responsible:* The finding of the facts of the case found that it was NOT "more likely than not" that the student was responsible for the violation(s). No action will be taken against the student. All written materials pertaining to that charge will be retained for one year and then destroyed.
- *Responsible:* The finding of the facts of the case found that it was "more likely than not" that the student was responsible for the violation(s). Sanctions, restrictions, and/or stipulations can be imposed (see 3.7). All written materials will be retained for a minimum of seven years and then destroyed, except in the case of suspension or expulsion and/or at the discretion of the dean of students, which becomes a matter of permanent record.

### 3.7 Levels of Violations and Sanctions

A violation of academic integrity is a serious offense subject to sanction. The University of Southern Indiana classifies violations into three levels. Classification of violations depends upon several factors, such as premeditation/planning, dishonest or malicious intent, first-time violation/multiple violations, the academic experience and the assignment. The classification of violations examines offenses in the context of the situation, facts and evidence. Therefore, academic integrity violations committed by

Severity of Offense	Examples	Possible Sanctions
<b>Level I</b>	<ul style="list-style-type: none"> <li>• Small portion of work not cited</li> <li>• Unauthorized assistance/collaboration on assignments</li> <li>• Disruptive classroom behaviors</li> <li>• First violation</li> </ul>	<ul style="list-style-type: none"> <li>• Failing the assignment</li> <li>• Educational activity</li> <li>• Rewriting the assignment for partial credit</li> <li>• Removal from the class</li> </ul>
<b>Level II</b>	<ul style="list-style-type: none"> <li>• Plagiarism</li> <li>• Using unauthorized devices or material on exams</li> <li>• Facilitating dishonesty</li> <li>• Multiple violations</li> </ul>	<ul style="list-style-type: none"> <li>• Failing the assignment</li> <li>• Failing the class</li> <li>• Dismissal from the program</li> <li>• Probation</li> </ul>
<b>Level III</b>	<ul style="list-style-type: none"> <li>• Falsifying data</li> <li>• Violating research and/or professional ethics or standards</li> <li>• Criminal activities</li> <li>• Destroying or obstructing another student's work</li> <li>• Multiple violations</li> </ul>	<ul style="list-style-type: none"> <li>• Dismissal from the program</li> <li>• Academic probation</li> <li>• Expulsion from the institution</li> </ul>

graduate students often are more severely penalized than the same violation committed by an inexperienced undergraduate student. Violation of academic integrity, even a first offense, places the student in jeopardy of the most severe form of sanction—expulsion from the University.

### 3.8 Appeals

Students found responsible for a violation of the *Academic Integrity Policy* may appeal. An appeal from any decision, either administrative hearing or University hearing board, must be made in writing within two (2) business days following the date the hearing record notification is assigned and notice is received by the student. The *University Disciplinary Appeal Form* can be found at [USI.edu/deanofstudents/code](http://USI.edu/deanofstudents/code).

#### 3.8.1 Format of Appeal

An appeal shall be written and contain the student's name, the date of the decision or action, and the reason(s) for the appeal. The appeal letter must specify in detail one or more of the following bases for appeal:

- Student's rights were violated as a result of failure of due process (specify right believed to have been violated),
- Decision is arbitrary (no basis in University policy for decision) or capricious manner
- (the finding is against the substantial weight of the evidence),
- Significant new evidence is available that could change the outcome, and/or
- The appropriateness of the sanction is inconsistent with University community standards.

#### 3.8.2 Appellate

The dean of the College in which the alleged violation occurred will review appeals.

#### 3.8.3 Appeal Process

The appellate officer will review the written letter of appeal from the student and determine if one of the basis for appeal is present. If it is, a consideration of the appeal will be granted. The appellate officer shall review:

- The response from the hearing officer/body.
- Materials presented at the original hearing, and if available the recorded transcript of the hearing.

Appeals shall be decided upon the record of the original proceedings and upon the written briefs submitted by the parties. Decisions of the hearing bodies will be given great deference by the appellate decision maker. After reviewing these materials, the appellate officer may decide to do one of the following:

- Affirm the finding and the sanction imposed.
- If specified errors occurred, remand to the original decision makers to reverse the error, change the procedures, consider new evidence that could not have been discovered by a properly diligent accused before or during the original hearing, substitute new adjudicators, or otherwise repair the grounds that gave rise to the appeal.

- Affirm the finding and reduce, but not eliminate or increase the sanction if found to be grossly disproportionate to the offense.
- Cases may only be dismissed if the finding is held to be arbitrary and capricious.

A crucial point in the appeals process is the shifting of the burden of proof. At the initial hearing, the burden of proof lies with the complainant. Once there is a finding of responsibility, the burden shifts to the petitioner. The decision on the appeal will generally be made within ten (10) business days of receipt of the appeal, but may take longer during University recesses or in the event of complex cases.

#### 3.8.4 Provost Review

If the dean upholds the original decision, the appellant may request that the dean's decision be reviewed by the provost or his/her designee if the outcome is dismissal from an academic program or suspension or expulsion from the University. Persons wishing to pursue this review must submit a request in writing to the provost's office within ten (10) business days after the date of receiving written notice of the dean's appeal decision. Upon receipt of this written request from the appellant, the provost's office will request the complete file of the complaint and the dean's appeal evaluation.

The provost or his/her designee will review all documentation and evidence that was used in support of both the original complaint outcome and the appeal decision. The provost or his/her designee will have the option to uphold the prior decision all or in part, to overturn and reverse the decision all or in part, or to refer all or part back to the department chair with recommendations for further action. Within ten (10) business days after receiving the request for review, the provost or his/her designee will notify the student of the outcome.

## University Conduct Process

### 4.1 Purpose

This document establishes complaint resolution procedures in order to better serve students, faculty and staff. The purposes of the complaint resolution procedures include:

- To provide for the education and personal growth of the student;
- To provide for fair inquiries concerning alleged violations of the *Student Rights and Responsibilities: A Code of Student Behavior*;
- To determine through fair procedures whether or not any individual student has actually violated a regulation in the *Student Rights and Responsibilities: A Code of Student Behavior*;
- To allow for consideration of extenuating or mitigating factors where a violation has been found to exist; and
- To determine a conflict resolution that will be appropriate and also will help the student involved make a positive contribution to the University community.

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The focus of the complaint resolution procedures shall be to determine whether a student is responsible or not responsible for the violations of which the student is accused.

## 4.2 Student Rights and Due Process in the Conduct Process

### 4.2.1 Violation of Policy

A student is considered to have violated the *Student Rights and Responsibilities: A Code of Student Behavior* when the student:

- Admits to his/her responsibility for a violation; or
- Is found responsible for one or more provisions of the *Student Rights and Responsibilities: A Code of Student Behavior*.

### 4.2.2 Conduct Process

Students alleged to have violated any University policy, including student organization and Housing and Residence Life policies, will be subject to the University Conduct Process. See Section B for University housing policies and Section C for student organizations and activities policies. In situations where an outcome is likely to yield sanctions of suspension or expulsion (see Section 4.6.1) from the University, a pre-hearing will be scheduled to review the conduct process and review the applied charges.

### 4.2.3 Presentation of Information Relevant to the Complaint Resolution Process

Charged students and complainants will be given every reasonable opportunity to present their information, including questions and presentation of additional testimony, during the complaint resolution proceedings. Students have the right against self-incrimination.

### 4.2.4 Standard of Proof

The standard of proof will be “more likely than not” University policy has been violated. That proof need only show that the facts are more likely to be so than not so. Evidence, when considered and compared with that opposed to it, has more convincing force and produces in the hearing body’s mind the belief that what is sought is more likely true than not true (Journal of College and University Law).

### 4.2.5 University Advisor

The student and the complainant each have the right to an advisor. The student’s advisor must be a member of the University community—student, faculty, administrator, staff, coach, recognized University affiliate, etc. The role of the advisor is to provide support and to assist in preparing for the hearing. Since the complaint resolution process is not a civil or criminal court hearing, the advisor’s role is not that of an attorney representing you. This person may not address the hearing officer or hearing board or ask questions of any witnesses. For assistance in securing an advisor, contact the Office of the Dean of Students.

### 4.2.6 Witnesses

Witnesses, including the student accused of violating policy, are permitted in all complaint resolution proceedings. Witnesses may present information on behalf of the student or the complainant. It is the responsibility of the student or the complainant to secure their witnesses or witness statements. Witnesses may be questioned by the conduct officer or hearing board members, by the complainant and by the student. Witness(es) will be asked to provide information concerning only the violation(s) being adjudicated. Since the complaint resolution process does not have the authority to subpoena, witness statements may be submitted in place of having witness(es) present during the hearing.

### 4.2.7 Conduct Process Environment

All hearings are closed to the public. Only individuals involved in the situation may be present. Involved individuals may include:

- Conduct officers and/or hearing board members
- Student accused of violating University policy
- Advisor
- Witnesses\*

*\*Witnesses will remain only for the duration of their own testimony.*

## 4.3 Initiation, Investigation, and Disposition of Complaints

### 4.3.1 Documentation/Reporting Alleged Violations of University Policy

Any alleged violation should be reported as soon as possible following the discovery of the suspected inappropriate behavior. Any potential violations of University policy may be reported in the following manner

- A report may be filed with USI Public Safety
- A report may be filed with the USI Housing and Residence Life
- A report may be filed with the USI Dean of Students

Any student, faculty, staff member, or guest of the University of Southern Indiana may officially report an alleged violation of University policy as outlined in the *Student Rights and Responsibility: A Code of Student Behavior*.

### 4.3.2 Notification

Generally within ten (10) working days of receipt of the complaint, the dean of students or his/her designee will notify charged student. This notification will include:

- The nature of the alleged inappropriate behavior;
- The date, time, and place of the alleged inappropriate behavior;
- The source of the complaint;
- A summary of information to be presented;
- The date, time, and place of the hearing;

- The sanction(s) applicable if found responsible for a violation of the *Student Rights and Responsibilities: A Code of Student Behavior*;
- A description of the preservation and the release of information from the conduct record; and
- A notice that a decision will be made in the student's absence if the student chooses not to appear at the hearing, and failure to appear will be considered in reaching a decision whether or not the behavior code has been violated.

### 4.4 Student Behavior Resolution Procedures

#### 4.4.1 Conduct Authority

The Dean of Students is charged with the development and administration of the University of Southern Indiana student conduct process. Under the supervision of the Dean of Students, the following individuals will be charged with the execution of conduct proceedings:

- Assistant Dean of Students
- Director of Housing and Residence Life
- Assistant Director of Student Conduct/Housing and Residence Life
- Director of Student Development Programs
- Additional staff members in the University community as deemed appropriate and as trained by the Dean of Students or his/her designee

#### 4.4.2 University Hearing Board

This board is comprised of two students in good standing with USI, one University faculty member, one University administrator, and the dean of students or his/her designee to serve as the hearing board chair. These individuals are appointed and trained by the dean of students. When the University hearing board is convened, the dean of students or his/her designee will choose from a pool of residential and commuter students of diverse backgrounds and class levels. There will be at least two faculty members and two administrative staff in the pool.

#### 4.4.3 University Conduct Process

In cases involving potential suspension or expulsion from the University, the student may request a hearing before the University Hearing Board (see 4.4.2). The Dean of Students also may refer disciplinary cases to the Hearing Board at his/her discretion.

Most complaints are resolved via the administrative hearing process. An administrative hearing involves the student, the administrative hearing officer and any other individuals necessary to determine whether the student is responsible for a violation of University policy. Advantages of an administrative hearing include a more timely resolution of the conflict and the involvement of fewer individuals.

An administrative hearing also may become necessary for those times when the full University hearing board is unable to meet. In such instances where the University hearing

board would normally be convened, the dean of students or his/her designee will conduct the administrative hearing.

#### 4.4.4 Administrative Hearing Process

- Students will meet with one of the individual professional staff members designated to conduct University student complaint resolution proceedings. Members of the University hearing board will not conduct administrative hearings.
- Student rights will be reviewed by the hearing officer with the student.
- Charges will be reviewed with the student. At this time, students can indicate whether they believe they are responsible for the policy violation(s) or not responsible for the policy violation(s).
- A student will be given the opportunity to present his/her version of events to the administrative hearing officer and respond to any of the materials associated with the violation.
- The administrative hearing officer may ask questions of the student and any witnesses. The administrative hearing officer will deliberate over the information and will make every attempt to reach a decision within five (5) business days from the date of the meeting as to whether or not the student is responsible or not responsible for the violation(s).
- The student will be notified of the outcome in writing. Any sanctions associated with the outcome will be included in the written notification.
- The appeals process will be outlined and included in the notification of outcome.

#### 4.4.5 University Hearing Board Procedures

- A student will meet with the University hearing board.
- Charges will be reviewed with the student. At this time, the student can confirm whether he/she pleads responsible for the policy violation(s) or not responsible for the policy violation(s).
- The University representative bringing charges against the student will present his/her testimony to the University hearing board.
- The student will be given the opportunity to respond to the charges and to present materials associated with the violation.
- The University representative and accused shall have the opportunity to present witnesses/witness statements to the University hearing board.
- The University representative and accused may ask questions of the witnesses through the chair of the University hearing board.
- The University hearing board members may ask questions of the witnesses, the student and the University representative.
- The University representative and accused may summarize evidence and testimony through closing statements.
- The University hearing board will deliberate over the information and reach a decision generally within five (5) business days as to whether or not the student is responsible or not responsible for the violation(s).

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- Students will be notified of the outcome in writing by the chairperson of the board. Any sanctions associated with the outcome will be included in the written notification. Additionally, the appeals process will be outlined and included in this notification.

### 4.4.6 Conflict of Interest

No member of the hearing board or no conduct officer who has a conflicting interest in a particular case may conduct a conduct hearing for said situation. Hearing board members and conduct officers with conflicting interests must recuse themselves from the proceedings. Either the student or the complainant may challenge a member of the hearing board or a conduct officer in writing with the dean of students. In cases where the Dean of Students' involvement is questioned, the challenge would be forwarded to the Associate Provost for Student Affairs.

### 4.5 Findings

An administrative hearing officer or the University hearing board will reach one of the following findings at the conclusion of the hearing:

- **Charges Dropped:** If the alleged conflicts prove to be unfounded, no action will be taken against the student. All written materials will be retained for a minimum of seven years and then destroyed.
- **Not Responsible:** The finding of the facts of the case found that it was NOT "more likely than not" that the student was responsible for the violation(s). No action will be taken against the student. All written materials pertaining to that charge will be retained for one year and then destroyed.
- **Responsible:** The finding of the facts of the case found that it was "more likely than not" that the student was responsible for the violation(s). Sanctions, restrictions, and/or stipulations can be imposed (see 4.6). All written materials will be retained for a minimum of seven years and then destroyed, except in the case of suspension or expulsion and/or at the discretion of the Dean of Students, which becomes a matter of permanent record. See also sections 4.6-4.9.

### 4.6 Sanctions, Restrictions, and Stipulations

#### 4.6.1 Sanctions

Sanction(s) is/are a consequence(s) placed upon a student when responsibility for a violation(s) of specified University policy(ies) has been determined. In assigning a sanction(s) for inappropriate student behavior, the presiding entity will consider:

- Facts of the case as presented by the accuser(s) and the accused,
- Type and severity of offense,
- Degree of involvement by accused, extenuating circumstance, and
- Previous incidents of inappropriate behavior committed by the individual(s) accused.

#### The following is a list of possible sanctions:

- **Warning (Written):** A student may be given a written warning. A written warning is a letter that makes a matter of record any incident in violation of the code. Subsequent code violations will normally result in more severe sanctions.
- **Probation:** Probation is a specified period of review and observation during which the student must demonstrate the ability to comply with University policies, and any other sanctions as outlined above and/or conditions which have been imposed in writing. The specific terms of the probation will be determined on a case-by-case basis. Notification may be given to other University officials as necessary. Probation may be supervised or unsupervised. Further inappropriate behavior may result in additional sanctions to be assigned, including suspension or expulsion.
- **Emergency Suspension:** A student may be temporarily and immediately suspended, pending a hearing, when the student's actions or threats of action poses a threat to themselves or to others, or to the University's educational mission or property or to the health or safety of University community members. No hearing will be required before the emergency suspension is imposed; however, a review of the emergency suspension will be held within five (5) working days following the notification. The adjudication process will proceed in a timely manner.
- **Suspension:** A written notification of the termination of student status and exclusion from further enrollment for a specific period of time not less than one academic semester and not to exceed two academic years.
  - A student who has been suspended must vacate campus within the time frame established.
  - The notice will include the conditions for readmission which must be met prior to application for readmission. An interview with the Dean of Students or his/her designee will be required prior to acceptance of the student's application for readmission.
  - The student's eligibility for any refund of tuition/fees will be subject to the University's normal withdrawal policy.
  - The student must leave University residences and may not be on University-owned or -controlled property or attend University events.
  - Suspension is a matter of permanent record. A permanent record indicates that student behavior files may be retained indefinitely.
  - **Expulsion:** A written notification that the student is permanently ineligible to return to the University. The student must leave University residences and may not be on University owned or -controlled property or attend University events. Petitions for re-enrollment will not be accepted. The expulsion will be recorded on the student's transcript as "May Not Register" and is a matter of permanent record.

## University Conduct Range of Sanctions

Offense (Hearing Count)	Possible Sanctions (non-AOD)	Possible Sanctions (Alcohol)	Possible Sanctions (Other Drugs)
<b>First</b>	Warning Educational Sanction Other	Warning Parental Notification CHOICES (\$75) Other	Warning or University Probation Parental Notification Directions (\$75) Drug Policy Review Housing Contract Termination Loss of privileges Other
<b>Second</b>	Warning or University Probation Educational Sanction Loss of privileges Other	Warning or University Probation Parental Notification Alcohol Assessment (\$100) Other	University Probation Parental Notification Drug Assessment (\$100) Housing Contract Termination Loss of privileges Other
<b>Third</b>	University Probation or University Suspension Housing Contract Termination Loss of privileges Other	University Probation or University Suspension Parental Notification Housing Contract Termination Loss of privileges Other	University Suspension Parental Notification Housing Contract Termination Loss of privileges Other

### Notes:

- This chart is applicable to all USI students, regardless of housing status.
- The severity of the offense(s) will have an effect on what sanctions will be applied. For example, a student who is found in violation for using marijuana will most likely receive sanctions less severe than if the same student was found in violation for dealing marijuana.
- Educational sanctions can include the following: reflective paper, participation in an educational program, film/article reviews and follow up meetings.
- Loss of privileges can include the following: visitation in housing, recreation facilities use and participation in University events/organizations.
- “Other” sanctions can include: disciplinary fines, apology letters, housing assignment relocation, etc.
- A student may be asked to revise or add additional information if the expectations for the sanction are not met.
- Failure to complete a sanction(s) may result in a hold being placed on the student’s account until the sanction is completed.

### 4.6.2 Interim Actions

The Dean of Students/designee may impose interim actions prior to adjudication. Interim actions may be imposed in the following circumstances:

- To ensure the safety and well-being of members of the University community, or preservation of University property,
- To ensure the student’s own physical or emotional safety or well-being; or
- If a student poses a threat of disruption or interference with the normal operations of the University.

Interim actions can include but are not limited to any sanctions, restrictions or stipulations listed in this document.

### 4.6.3 Restrictions and Stipulations

Restrictions and stipulations are concurrent actions which may be imposed by the administrative hearing officer or the University hearing board in addition to a sanction.

- Educational Requirements: A provision to complete a specific educational requirement designed to promote

the education and development of the student while maintaining the integrity of the academic environment. The provision will be clearly defined. Such educational requirements may include but are not limited to meeting with University staff, completion of an alcohol education program, reflection paper, reports, behavioral agreements, etc.

- Community/University Service: A student may be assigned to complete a specified number of hours of community/University service.
- Restitution: A student may be required to repair or pay the cost for the repair or replacement of any property damaged by the student. This sanction can be imposed by itself or in addition to other sanctions.
- Confiscation: Goods used or possessed in conflict with USI policies, including but not limited to falsified information or identification, will be confiscated
- Restriction of Access/Removal from University Housing: A student or other person(s) may be removed from and/or have access restricted to specified campus facilities,

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- or portions of specified campus facilities, including relocation in, or removal from Housing and Residence Life facilities, for a specific period of time.
- Loss of privileges: A student may be denied certain privileges. Examples include, but are not limited to:
    - Be an active participant in and/or to be in attendance at any or all public events sponsored by USI or by student, and/or
    - Represent USI in specified matters, and/or
    - Hold office in any or all USI registered organizations, and/or
    - Visit with guests during regular Housing and Residence Life visitation periods, and/or
    - Receive institutional financial aid, and/or
    - Participation in extra or co-curricular activities, and/or
    - Employment at the University.
  - Participation in a Specific Program: A student may be required to participate in a specific program(s), such as counseling, public service and alcohol and/or other drug education program, an educational class, or other program participation as assigned. Failure to participate as directed may result in the imposition of additional sanctions, including suspension or expulsion.

### 4.6.4 Offenses Motivated by Bias

Any offense that is motivated by bias may result in stronger penalties. An offense motivated by bias is any offense wherein the accused intentionally selects the alleged victim because of the alleged victim's race, creed, color, religion, national origin, gender, age, marital status, sexual orientation, public assistance status or inclusion in any group protected by federal, state and local law.

## 4.7 Appeals

Students found responsible for a violation of the *Student Rights and Responsibilities: A Code of Student Behavior* may appeal. An appeal from any decision, either administrative hearing or University hearing board, must be made in writing within two business days following the date the hearing record notification is assigned and notice is received by the student. The *University Disciplinary Appeal Form* can be found at [USI.edu/deanofstudents/code](http://USI.edu/deanofstudents/code).

Under Title IX of the Education Amendments of 1972 and the Violence Against Women's Act the complainant may appeal in cases of sexual violence (Sexual Misconduct).

### 4.7.1 Format of Appeal

An appeal shall be written and contain the student's name, the date of the decision or action, and the reason(s) for the appeal. The appeal form must specify in detail one or more of the following bases for appeal:

- Student's/student organization's rights were violated as a result of failure of due process (specify right believed to have been violated),
- Decision is arbitrary (no basis in University policy for decision) or capricious manner (the finding is against the substantial weight of the evidence),

- Significant new evidence is available that could change the outcome, and/or
- The appropriateness of the sanction is inconsistent with University community standards.

Form can be found on the Dean of Students' webpage.

### 4.7.2 Suspension of Original Sanction Pending Appeal Review

A properly-filed notice of appeal suspends the imposition of sanctions until the appeal is decided, unless, in the discretion of the dean of students, the continued presence of the student on the campus poses a serious threat to themselves or to others, property or to the normal operation of the University.

### 4.7.3 Individuals Reviewing Appeals

The appeal will be reviewed by the Dean of Students or designee.

### 4.7.4 Appeal Review Process

The appellate officer will review the written letter of appeal from the student and determine if one of the basis for appeal is present. If it is, a review of the appeal will be granted. The appellate officer shall review:

- The response from the hearing officer/body.
- Materials presented at the original hearing, and if available the recorded transcript of the hearing.

Appeals shall be decided upon the record of the original proceedings and upon the written briefs submitted by the parties. Decisions of the conduct bodies will be given great deference by the appellate decision maker. After reviewing these materials, the appellate officer may decide to do one of the following:

- Affirm the finding and the sanction imposed.
- If specified errors occurred, remand to the original decision makers to reverse the error, change the procedures, consider new evidence that could not have been discovered by a properly diligent accused before or during the original hearing, substitute new adjudicators or otherwise repair the grounds that gave rise to the appeal.
- Affirm the finding and reduce, but not eliminate or increase the sanction if found to be grossly disproportionate to the offense.
- Cases may only be dismissed if the finding is held to be arbitrary and capricious.

A crucial point in the appeals process is the shifting of the burden of proof. At the initial hearing, the burden of proof lies with the complainant. Once there is a finding of responsibility, the burden shifts to the petitioner. The decision on the appeal will generally be made within ten (10) business days of receipt of the appeal, but may take longer during University recesses or in the event of complex cases.

#### 4.8 Student Behavior Records

In accordance with the Family Educational Rights and Privacy Act (Public Law 93-380), conduct records are considered to be “educational record” and all student behavior records are confidential and may not be disclosed in whole or in part except as provided by law or by the written authorization of the student. This disciplinary record will be separate from the student’s academic record, but will be considered a part of the student’s educational record and will be retained in the Dean of Students and/or other offices as authorized by the dean of students. Students have the right to inspect and review the materials contained in their conduct record subject to office procedures.

When a student is expelled from the University, the Dean of Students shall request of the Registrar the placement on the student’s permanent academic record the words “May Not Register.”

#### 4.9 Student Behavior Record Retention and Destruction

##### 4.9.1 Sanctions Less than Suspension or Expulsion

In cases in which students are found responsible for a violation and receive a sanction of less than suspension or expulsion, records related to the hearing will be retained for a minimum period of seven (7) years from the date of the incident. Student disciplinary files may be retained indefinitely at the discretion of the dean of students or his/her designee. Release of information may be restricted by the dean of students for good cause, upon written petition. Factors considered in review of such petition shall include:

- The present demeanor of the student;
- The conduct of the student subsequent to the violation;
- The nature of the violation and the severity of the damage, injury or harm resulting from it.

##### 4.9.2 Suspension or Expulsion

In cases where students are found responsible for a violation and receive a sanction of suspension or expulsion, students’ disciplinary files will be considered permanent records. A permanent record indicates that student disciplinary files may be retained indefinitely.

##### 4.9.3 Student Organization Records

Student organizations are considered to have a continuing relationship with the University of Southern Indiana so long as the organization maintains its official recognition status with USI. Records of behavioral conflicts involving student organizations will be retained for a minimum of seven (7) years following the date of the incident with the Dean of Students, or his/her designee.

### Housing and Residence Life Policies

#### B.1 Introduction

It is the mission of Housing and Residence Life to provide a high quality, affordable living environment for members

of the USI community that is convenient, comfortable, culturally enriching and conducive to academic success. As an integral part of USI’s educational efforts and support services, Housing and Residence Life is responsible for the formulation and enforcement of policies reflecting the University’s mission within the residence setting.

The success of the campus living experience depends upon our residents, and it is our hope that all students in housing will take an active role in determining that success. As such, it is expected that all residents will be responsible for their own activities, and the activities that occur within their assigned apartments/rooms.

Any violation of the rules and regulations contained in this section, along with any violation of the *Student Rights and Responsibilities: A Code of Student Behavior*, may be considered Breach of Contract (Reference the terms and conditions on the website [USI.edu/housing](http://USI.edu/housing) and choose “Terms and Conditions” on the left hand side of the menu). The director of Housing and Residence Life and his/her designee are authorized to cancel any contract of students who are considered to be in breach of contract. Housing and Residence Life professional staff are delegated permission to act concerning cases of misconduct.

#### B.2 Community Standards and Policies

The following terms and conditions are statements of USI Housing and Residence Life community standards and policies. Violations of any of the following policies may result in contract termination or disciplinary action under the *Student Rights and Responsibilities: A Code of Student Behavior*.

Students are expected to do one or more of the following when in the presence of a potential code violation:

- personally confront the violation;
- bring the violation to the awareness of a staff member;
- leave the scene of the violation, if not responsible for the space in which the violation is occurring.

##### B.2.1 Community Living

Residents commit to abide by the USI Creed.

I will practice personal and academic integrity; I will reject and confront all manifestations of discrimination while striving to learn from differences in people, ideas, and opinions;

I will demonstrate concern for others, their feelings, their property, and their need for conditions which support their work and development;

Allegiance to these ideals requires that I refrain from and discourage behaviors which threaten the freedom and respect every individual deserves.

##### B.2.2 Community Living Forms

Residents will complete all forms (room condition report and roommate agreement) necessary for community living documentation before the end of the first week of classes.

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### B.2.3 Moving Residents

Housing and Residence Life reserves the right to change an assignment at any time during the contract period.

### B.2.4 Terminating Contract

Housing and Residence Life may terminate the housing contract at any time for violations of the Contract Terms and Conditions, violations of any University regulation, for health and safety reasons or any other reasons deemed sufficient by the University.

### B.3 Apartment or Residence Hall Room Entry

The University of Southern Indiana reserves the right to enter apartments or residence hall rooms for inspection, cleaning or maintenance purposes at reasonable times.

#### B.3.1 Administrative Searches

Upon approval by the director of Housing and Residence Life and/or the director of Public Safety, or their designee, a room can be entered without notice when there is reasonable suspicion to believe a violation of University policy has occurred or is taking place, or to determine compliance with federal, state or local laws. The director of Housing and Residence Life, director of Public Safety or their designees, shall determine the existence of “reasonable suspicion” prior to the room entry.

- Searches may be conducted in the absence of residents.
- During a search, the University may obtain evidence when there is reasonable suspicion to believe that a violation has occurred or is taking place.
- Housing and Residence Life staff will ask any residents present to sign a Consent to Search form. Failure or refusal to sign the form will not prevent University personnel from conducting a search.
- On occasions when outside agencies (police, FBI, etc.) may need to search an apartment or room, University staff are expected to cooperate.

#### B.3.2 Maintenance

USI maintenance staff will enter apartments and residence hall rooms in the absence of residents in order to carry out any essential repairs, routine maintenance and respond to any emergencies.

#### B.3.3 Access to Apartments/Residence Hall Rooms

Access to apartments and residence hall rooms are granted only to the assigned residents of that location or to University staff. Access will not be granted to resident's friends, relatives or other students by staff.

#### B. 3.4 Vacancy Inspections

Housing and Residence Life may move or reassign students as needed. When there is a vacancy in an apartment or residence hall, students must keep the vacant space clean in order for another student to move in. Housing and Residence Life staff will inspect vacancies to ensure the space is ready and make every attempt to give residents 24 hours notice before a roommate or suitemate moves in.

### B.4 Alcoholic Beverages and Other Drugs/ Controlled Substances

Behavior that violates the University Alcohol-Related Violations, (See Policy 2.1) and occurring on University housing property to include property adjacent to or surrounding University housing property is prohibited. Campus housing is “dry,” therefore the manufacture, sale, transfer, purchase, transportation, possession or consumption of an alcoholic beverage to include caffeinated alcoholic energy drinks on University property is prohibited.

#### B.4.1 Alcohol in housing

##### B4.1.1 Alcohol or alcohol-like games

No activity shall encourage excessive or rapid consumption of alcoholic beverages, nor should any activity mock these. This includes but is not limited to: drinking contests and drinking games (such as beer pong, beer bong, or any games associated with high risk behavior).

##### B4.1.2 Parties

Using your apartment/suite (or allowing others to use it) for alcohol parties is prohibited.

##### B4.1.3 Alcohol advertising

Public advertisements of alcohol products are prohibited as decoration in campus housing.

##### B4.1.4 Alcohol containers and alcohol paraphernalia

Alcohol containers are prohibited. This includes but is not limited to containers kept as decoration, any paraphernalia and any bottles, cans or boxes in the apartment/suite.

#### B.4.2 Drugs in housing

Behavior that violates the University Drug-Related Violations policy (2.1.6) and occurring on University housing property to include property adjacent to or surrounding University housing property is prohibited.

- Being found responsible for a violation of the Drug-Related Violations policy may result in housing contract termination. Any and all housing contract cancellation charges apply as stated in the terms and conditions section of the Housing and Residence Life Contract.

##### B4.2.1 Drug advertising

Public advertisements of drugs are prohibited as decoration in campus housing.

#### B.5 Candles

Candles, candle warmers, wax warmers and incense are prohibited in campus housing. If candle/incense burning is part of a religious/cultural ritual, then permission is required prior from Housing and Residence Life with documentation from Religious Life.

### **B.6 Children and Babysitting**

Children under the age of 16 may not be left unattended in housing facilities, and babysitting is strictly prohibited in campus housing. Residents will be held responsible for policy violations of any child visiting their apartment or residence hall suite.

### **B.7 Health and Safety Check**

Up to three (3) times per semester, Housing and Residence Life staff will enter the apartments and residence halls to check safety equipment (fire extinguishers, weather radios, smoke detectors, etc.). Staff also will check to ensure that all appliances are working correctly. Housing and Residence Life will provide students with at least 24 hours notice prior to these inspections. Housing and Residence Life staff will do the following:

- Inspect the apartment or suite.
- Give the residents a set period of time, not to exceed 48 hours, to clean the apartment or suite.
- Re-inspect the apartment or suite.
- File a report with Housing and Residence Life.
- Failure to maintain a clean environment may result in disciplinary action.

### **B.8 Cohabitation**

See B.23 Guests, Overnight Guests and Cohabitation

### **B.9 Cooking (Residence Halls)**

Cooking in rooms with an open flame or exposed element is prohibited. Electrical appliances such as electric skillets, woks, electric grills, George Foreman grills, hot pots, coffee makers without automatic shutoff feature or other appliances that can be used to prepare raw foods are prohibited (with the exception of microwave ovens). Students will be asked to remove the appliance. If s/he fails to remove the item, the University will remove the appliance and store for ten (10) working days. A storage fee will be added to the student's account. If, after ten (10) days, the item has not been retrieved by the student, the item will be discarded.

### **B.10 Decorations**

Housing staff will coordinate common space decorations. Residents are encouraged to decorate their residence hall suite or apartment, as this is considered a resident's "home away from home." However, residents are asked to be considerate of the community by adhering to the following guidelines for decorations:

#### **B.10.1 Exterior Decorations**

Exterior alterations or decorations are only permitted in University housing with the following stipulations:

- A maximum of 50 percent of each window may be covered with decorations but may not include profanity, illicit illegal actions or contain threatening language.
- Sidewalk chalk, spirit foam, shoe polish, paints or other methods used for writing on the exterior of the buildings are prohibited.

- Large potted plants or trees are not permitted in front of apartments or residence hall suites. These obstacles inhibit quick access for police, fire and medical emergency personnel.
- Clothing, bathmats, rugs, towels or other items may not be hung over balconies, as this creates a "line of sight" problem for Public Safety officers and other University personnel.
- Apartment or suite numbers may not be blocked or covered by wreaths, door coverings, lights or any other decorative element.
- Peepholes may not be covered.
- Fire protections and/or emergency equipment may not be covered or altered by exterior decorations.
- Lawn furniture is not to be left unattended in front of apartments or in hallways or stairwells.
- When not in use, all lawn furniture must be taken inside the apartment or suite.
- University furniture is not to be taken outside of the apartment or residence hall suite under any circumstances. If University furniture is found outside of the apartment or suite, you may be charged a fine and/or to replace the item(s).
- Gas and/or charcoal grills are not permitted in University housing apartments or residence hall suites.
- Holiday or decorative lights may be used, with the following stipulations:
  - Lights may not be strung under windows or doors.
  - Only exterior outlets may be used for outside lights.
  - Lights must be UL approved for outside usage, and the label denoting such use must remain on the light strand.
  - Lights may not be strung across areas where people walk (sidewalks, balconies, stairwells, etc).

If the guidelines for exterior decorations are not followed, residents will be asked by staff to remove the decorations and may face disciplinary action.

#### **B.10.2 Interior Decorations**

Interior decorations are allowed in University housing units with the following stipulations:

- A maximum of 50 percent of each window may be covered with decorations but may not include profanity, illicit illegal actions or contain threatening language.
- Interior decorations may not block air vents.
- Interior decorations may not cover fire protection or other emergency equipment.
- Decorations may not cover peepholes.
- Placement of live Christmas trees and/or other live greenery (excluding potted houseplants) in any part of housing is prohibited. Artificial trees are permitted inside an apartment or residence hall suite.
- Canned spray snow is not permitted on windows in housing.
- Window coverings must be the provided mini-blinds.
- Cloth curtains, solar film or white poster board may be placed on the windows for additional light control. No

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cardboard, aluminum foil, cellophane or other type of window covering is permitted on windows.

- Large nails, staples, screws, wall anchors, poster putty or tape on walls or doors inside or outside the apartment are prohibited.
- Public advertisements of alcoholic beverages and/or drugs/controlled substances are prohibited. This includes, but is not limited to, signs or advertisements that are visible in public areas or from outside the apartment or residence hall suite.
- Lofts and risers are prohibited in the apartments and residence halls.
- Removing mounted fixtures from walls or ceiling is prohibited.
- Private door locks (or adding additional locks) on any exterior or interior doors are prohibited.
- Any renovations or changes to the apartment are prohibited.
- Darts and dartboards are prohibited.
- Residents may not paint or wallpaper walls or ceilings in the apartments or residence hall suites.
- Bricks or landscape stones are prohibited in the residence halls

If these guidelines for interior decorations are not followed, residents will be asked by staff to remove the decorations and may face disciplinary action.

### **B.11 Door Propping**

Students found propping open exterior doors in any housing facility may face contract termination as this is a security risk for the community. This includes exterior doors in McDonald East apartment area, the sealed glass sliding doors in McDonald East, residence hall entry doors, residence hall wing doors or any unattended residence hall suite door or apartment entry door. Any door found propped may result in a disciplinary fine fee. Propped doors that are not attributed to an individual may be prorated among all residents of that building or wing.

### **B.12 Emergency Protection Equipment**

Tampering with emergency protection equipment, including but not limited to University fire protection equipment, evacuation route postings, emergency signs, weather radios, exit lights, fire extinguishers, smoke detectors and alarm systems, is prohibited. Violations to this code will most likely result in a disciplinary fine.

### **B.13 Fire Evacuation**

When a fire alarm sounds, or when instructed to evacuate by staff, all residents are expected to leave the building immediately. Failure to comply with the fire evacuation may result in a disciplinary fine.

### **B.14 Grills**

The use of personal grills in University housing is prohibited. Public grills are provided throughout housing for student use. Use the grills in accordance with the following guidelines:

- Clean grills thoroughly before and after use. You may use aluminum foil on the grills, but foil must be removed after you are finished and discarded properly.
- Only match-ready charcoal (no lighter fluid) may be used with the grills and stored in apartments or suites.
- Used coals must be placed in the coal disposal bucket located next to every grill.
- Trash must be removed from the grill area and disposed of properly.
- Paper trash must be thrown away in garbage cans and not the coal disposal bucket.

See full University Grill Policy in the *Students Rights and Responsibilities: A Code of Student Behavior*.

### **B.15 Halogen Lights**

Halogen lights are prohibited in any Housing and Residence Life facility.

### **B.16 Keys/Access Cards**

#### **B.16.1 Eagle Access Cards/Housing Access Cards**

- Eagle/Housing Access Cards are required for entry into the residence halls and in some areas of the apartment buildings.
- Eagle Access Cards are required in order to use any USI meal plan. Without an Eagle Access Card, lost or not, students will be denied access and asked to pay the daily cash amount for any meal purchased.
- All housing residents are required to carry their Eagle/Housing Access Card with them at all times.
- Eagle/Housing Access Cards may not be given to any persons other than the individual to whom the card is assigned.
- Lost Eagle/Housing Access Cards will result in a lost card/lock reprogramming fee.
- Lost Eagle/Housing Access Cards must be reported to Housing and Residence Life.
- Residence Hall Key Cards (or Housing and Residence Life Key Cards) are required for entry into residence halls
- All housing residents are required to carry their Residence Hall Key Cards with them at all times.
- Residence Hall Key Cards may not be given to any persons other than the individual to whom the card is assigned
- Lost Residence Hall Key Cards will result in a lost card/lock reprogramming fee
- Lost Residence Hall Key Cards must be reported to Housing and Residence Life

## B.16.2 Keys

- Residents are expected to carry their apartment keys with them at all times.
- Apartment keys are required for entry into the campus apartments
- Apartment keys may not be given to any person other than the individual to whom the key is assigned.
- Lost apartment keys will result in a re-core charge.
- Lost apartment keys must be reported to Housing and Residence Life

## B.16.3 Eagle Access Cards

- Eagle Access Cards are required in order to use any USI meal plan. Without an Eagle Access Card, students will be denied access to meals and asked to pay the daily cash amount for any meal purchased.
- All housing residents are required to carry their Eagle Access Card with them at all times
- Eagle Access Cards may not be given to any persons other than the individual to whom the cards is assigned
- Lost Eagle Access Cards must be reported to Eagle Access

## B.17 Lock Outs

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It is the responsibility of the student to ensure that they carry their apartment/room key/card with them. If a student locks themselves out of their apartment/room, there will be no charge for the first time each semester. Beginning with the second and with each subsequent lockout, the student will be charged for the service. A student who loses their key/card will not be charged for the lockout service, as the cost of a lost key/card will be assessed.

## B.18 Parking and Bicycle Policies

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- All parking and traffic regulations apply in Housing and Residence Life areas. A complete listing of the Traffic and Parking Regulations can be found at [USI.edu/parking](http://USI.edu/parking).
- Bicycles must be stored in designated bicycle racks within University housing. Residents may not lock bicycles on the balcony or posts attached to the building, nor may they bring them into the apartments or suites or hallways of the residence halls. The University is not responsible for stolen or damaged bicycles.

## B.19 Personal Property

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### B.19.1 Large or Disturbing Items

Housing and Residence Life reserves the right to restrict the use of furniture, i.e., pianos, organs, drums, dartboards, waterbeds and similar large or potentially disturbing items. Residents may bring/move personal furnishings. Housing and Residence Life assumes no responsibility for anything left in the apartment or residence hall suite upon resident move out. Items left in the apartment or suite will be disposed of at the owner's expense. Items may not be stored in the furnace closet, stairwells, on balconies or inner courtyards.

### B.19.2 Diffusers

Plug-in diffusers or any diffuser that has an electric element are not permitted.

### B.19.3 Humidifiers

Humidifiers must be carefully placed within the housing units. Residents who place units in close proximity to smoke detectors could cause false fire alarms.

## B.20 Quiet and/or Courtesy Hours

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Violation of quiet and/or courtesy hours is considered disorderly conduct. Courtesy hours are always in effect. Community residents and/or Housing and Residence Life staff reserve the right to ask people to observe courtesy hours at all times. Quiet hours are:

- Sunday – Thursday, 10 p.m.–8 a.m.
- Friday – Saturday, Midnight–8 a.m.
- 24-hour quiet hours begin the night before final exams are administered.

Student equipment (stereos, televisions, musical instruments, alarms, etc.) that continues to be a noise problem will be confiscated by staff. Items will be stored for 10 working days. Unclaimed items will be disposed of by Housing and Residence Life. A storage fee will be added to the student's account.

## B.21 Tobacco-Free Policy

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Smoking or the use of tobacco or tobacco products, including the use of E-cigarettes or any other device that use a heating element to vaporize a liquid solution that includes nicotine and/or flavored vapor designed to mimic traditional cigarettes or cigars, is prohibited inside all student housing facilities. This includes residence halls, apartments, common areas, building entries and student rooms. Smoking is permitted in designated outdoor areas in student housing. Individuals are responsible for proper disposal of cigarette butts. Cleaning charges may be assessed if cigarette butts are not properly disposed. See section 2.20 Tobacco-Free Policy.

## B.22 Trash

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Residents are responsible for the removal of trash and garbage in and around their apartment or suite. All trash must be disposed of in provided dumpsters within University housing. Leaving trash outside apartments or in lobby or laundry rooms is prohibited. Trash that is not attributed to an individual may result in charges being prorated among the residents of the building or floor where the trash was found. Charges will be assessed to student accounts. If a Housing and Residence Life staff member requests that trash be removed, due to health and safety concerns, the student(s) will have 24 hours to comply with the request. Failure to remove trash in a timely fashion may result in a disciplinary fine.

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### **B.23 Guests, Overnight Guests and Cohabitation**

Guests in University housing is a privilege and must be respected in order to maintain an environment conducive to student learning, growth and safety. Housing and Residence Life may revoke guest privileges if necessary to ensure the safety and privacy of the community. Permission must be given by the roommate(s) for a guest (housing resident or non-resident) to be present in an apartment or residence hall suite.

#### **B.23.1 Guests**

- Residents are responsible for the behavior of their guests. Residents will be charged for any and all violations caused by their guests.
- Guests are prohibited from staying in the apartments or residence halls without the resident. These individuals will be asked to leave by Public Safety officers or Housing and Residence Life staff if found unescorted or unaccompanied in or around University housing property. Residents who leave guests unattended will be held responsible.
- Number of Guests - The maximum capacity of any two-bedroom apartment or residence hall suite is eight (8) persons, including both residents and guests. A one-bedroom apartment or residence hall suite has a maximum capacity of four (4) persons, including both residents and guests.

#### **B.23.2 Overnight Guests**

- Any guest staying overnight in University housing must have registered with Housing and Residence Life. Housing residents also must be registered as guests if staying overnight in another on-campus apartment or residence hall suite. To register a guest, log into myUSI, click on the Housing icon on the left and scroll to find the form. Unregistered guests will be asked to leave University housing. Guests must be at least 16 years of age.
- Overnight guests can stay up to two consecutive nights (no more than once per month).
- No more than two guests per resident are allowed to stay overnight in a room and total number of occupants in a room cannot exceed the capacity listed in B.23.1 Guests.
- Permission must be given by roommate(s) prior to any guest staying overnight.
- Overnight guests must register their vehicle with Parking, display a temporary parking permit and park only in designated non-resident visitor parking.

#### **B.23.3 Guest hours are as follows:**

- Sunday –Thursday: 7 a.m.– Midnight
- Friday and Saturday: 7 a.m.– 2 a.m.

Multipurpose rooms, lounges, computer labs and other public areas within the residence hall areas are available for individuals to study together after guest hours. All guests staying past guest hours must be registered with Housing and Residence Life.

#### **B.23.4 Cohabitation**

Living or staying for any pattern of time in an apartment or suite without an official current USI housing contract for that particular space will be considered cohabitation. Cohabitation is defined as a person (housing resident or non-resident) staying in an apartment or suite for more than two (2) consecutive nights, or other patterned behavior that is intended to allow an individual to stay beyond guest hours. Non-registered guests can be considered as an instance of cohabitation. The resident who allows cohabitation to occur can be held accountable. Students found responsible for a violation of the cohabitation policy may be charged a conduct fine of \$50, charged for use of the facility or charged for each night the non-contracted person spent in residence.

### **B.24 Fees/Disciplinary Fines/Restitution**

Fees and disciplinary fines can range from \$25-\$100. For a list of associated charges, visit Housing and Residence Life. Residents can be held responsible for the behavior of their guests; therefore, fines are determined by the policies violated by the guest. Fees, fines and/or restitution may be assessed to a student's account, if there are damages or policy violations the student is found responsible for.

### **B.25 Service/Emotional Support Animals for Residents with Disabilities**

As part of the University's commitment to comply with state and federal law and best practices that specifically apply to University housing and residential services for individuals with disabilities, Housing and Residence Life permits the use of service/emotional support animals in University residence halls or apartments on a case-by-case basis, on the conditions described under this section.

There are distinct differences in the laws that apply to service animals and those that apply to emotional support animals. These differences are reflected in University policies, and it is the responsibility of the student to know and to comply with those University policies that apply to specifically to the type of animal that they are bringing to University housing.

#### **B.25.1 Request to House Service/Emotional Support Animal**

- All animals whether a service or emotional support animal are required to comply with state/local laws regarding vaccinations and licensing.
- A resident student who wishes to use a service or emotional support animal in campus housing must notify Disability Resources no later than sixty (60) days prior to the date prospective housing will be needed. Exceptions to this deadline can be made on a case-by-case basis for those students who are experiencing an unexpected change in their disability status and/or treatment needs.
- A student with a disability who requests to live with a service or emotional support animal in University housing will first be evaluated by Disability Resources as to whether their animal meets the definition for a "service

animal” under the American with Disabilities Act (ADA) as described in Section 2.12 of the Code. If the animal does meet that definition, no further documentation will be required for the animal to be approved to accompany the student in University housing. If the animal does not meet the ADA definition of a service animal, students will then be asked to provide Disability Resources with documentation from the student’s health care or mental health provider that clearly documents the following through criteria as established by the Fair Housing Act (FHA): must first provide Disability Resources with documentation from the student’s health care or mental health provider that clearly documents the following three (3) criteria:

1. That the student has a disability
2. That the animal is necessary to afford the student an equal opportunity to use and enjoy his/her University residence hall or apartment; and
3. That there is an identifiable relationship or nexus between the disability and the assistance the animal provides.

\*The documentation should be on the health care or mental health provider’s letterhead and signed by the provider in her or his own hand.

- Upon reviewing the student’s circumstances, Disability Resources will advise Housing and Residence Life of the student’s request and a conclusion as to whether the situation warrants approval of a service/emotional support animal in campus housing and whether the animal is approved under ADA or FHA regulations. In the case of emotional support animals, this review will include an evaluation of supportive documentation.
- Once a service animal or emotional support animal is screened by Disability Resources, the student will meet with Housing and Residence Life to review the University policies regarding service/emotional support animals. At that time, students with an approved emotional support animal will provide proof of vaccination(s) for that animal to Housing and Residence Life per Vanderburgh County Animal Control Ordinance regulations. Proof of vaccination(s) for an emotional support animal is required to be submitted to Housing and Residence Life annually. The meeting to review the University policies with Housing and Residence Life will occur annually.
- Students with approved emotional support animals must notify Housing and Residence Life if the animal is no longer in residence. If the student wishes to bring a different emotional support animal, the student must meet with Housing and Residence Life.
- The University recognizes that a wide variety of domesticated animals may be appropriate for use as an emotional support animal and has no standing prohibition against any specific breed or type or animal. However, the University does reserve the right to conduct an individualized assessment before allowing the use of any specific individual animal in campus housing that it believes may present a danger to the health and safety

of the University community or to the animal itself. In cases where an individual animal is determined to be inappropriate for campus housing for health and safety reasons, that student will have an opportunity to select a different animal for use as an emotional support animal.

#### **B.25.2 Animal Behavior**

If the animal has a history of dangerous behavior it will not be permitted to reside in campus housing. Once approved by the University, a service/emotional support animal may continue to reside in a University residence hall or apartment provided that its behavior, noise, odor, and waste do not create unreasonable disruptions for residents. The University reserves the right to temporarily or permanently exclude a service/emotional support animal from University residence halls or apartments if effective action is not taken to control the animal at all times, if the animal’s presence would result in substantial physical damage to the property of others (unless it can be eliminated or reduced by a reasonable accommodation), if the animal’s behavior poses a direct threat to the health or safety of others or if the animal’s behavior otherwise creates a significant disruption to the environment or operations of the University. Should the animal be permanently removed from the premises, the owner may request permission from Housing and Residence Life to move out of University housing by following the contract release process. Damage to University property caused by a service/emotional support animal will be charged to the student’s account. No deposit is required to house an approved service/emotional support animal in University housing.

#### **B.25.3 Notifications**

The University is committed to respecting and protecting the confidentiality of all students with disabilities. However, given the number of staff persons who are responsible for operating and maintain campus housing, Housing and Residence Life does share limited information about the presence of a service/emotional support animal with University staff on a need-to-know basis. Students with an approved service/emotional support animal in University housing will be asked to sign a “Service or Emotional Support Animal Guidelines and Agreement” form and will in turn be provided with a description of the staff/departments that received notification about the presence of an approved service/emotional support animal. Notifications may be sent to staff by email or by written memorandum, and will follow the general format of the sample notification below: “This message serves as notification that in compliance with state and federal law and best practices concerning individuals with disabilities (student’s name) who lives in (address) is permitted to possess a service/emotional support animal in campus housing for (semester and year). As such, the student has a (animal type) in the unit.

This information is confidential and is being shared with you because you have a need-to-know based on your potential interaction with this student and your responsibility for their

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living unit in the normal course of your duties or because you supervise an area that includes this student's living unit. This information must not be shared with others without first consulting with the sender of this message." It will be the responsibility of students with service/emotional support animals in campus housing to notify actual or potential roommates that an animal will be residing in that living unit. Such notifications should occur as soon as possible to ensure that the other students will have a reasonable opportunity to make other arrangements and/or to express their concerns to Housing and Residence Life as described below in B.25.4.

### **B.25.4 Conflicting Disability or Other Concerns of Those Sharing a Housing Unit**

Some people may have conditions such as animal-related allergic reactions or phobias that are substantial enough to qualify as disabilities that qualify for accommodations, or there may be other concerns related to the presence of an animal in campus housing. In these circumstances, Housing and Residence Life will consider the needs of both persons and will make a good faith effort to reasonably accommodate all disabilities and student concerns to the extent that circumstances permit. Such accommodations may include, but not be limited to, relocation to another unit (depending on availability), exchanging living units with another student (depending on the availability of other students willing to make such an exchange) or being released from a campus housing contract with no financial penalty. Students who become aware of the presence of a service/emotional support animal in University housing and who believe that they will require such accommodations are encouraged to contact Housing and Residence Life as soon as possible. Depending on the circumstances, the student may be referred to Disability Resources for a determination of the existence of a disability that requires an accommodation.

### **B.25.5 Student's Responsibilities**

#### **B.25.5.1 Control of the Animal**

- The service/emotional support animal must always be under the control and supervision of the student within the student's residence hall or apartment. Service/emotional support animals may be "exercised" on the exterior grounds as long as they are under the control of the student at all times. Service/emotional support animals may not remain in the residence hall or apartment without the student unless the animal is appropriately secured in the bedroom (caged or crated) during the student's absence. Students who are leaving campus for a period exceeding twelve (12) consecutive hours must make prior arrangements to take the animal with them or to board it off-campus for the duration of their absence.
- While not required, students with service/emotional support animals in campus housing are strongly encouraged to identify a back-up handler who will care for the animal in case of an emergency, and to provide that person's name and contact information to Housing and Residence Life. If an emergency situation will result in the

animal being under the care of the back-up handler for longer than twelve (12) consecutive hours, Housing and Residence Life must be contacted as soon as possible. Emergency situations involving students who have service/emotional support animals in campus housing will be dealt with on a case-by-case basis.

- Animals may be "exercised" on exterior areas of campus as long as they are under the control and supervision of the student at all times. However, only animals that also meet the complete and proper federal and state definitions of "service animal" as described below may be taken to the University residence hall or apartment of other students, or to other areas of campus where programs or services are provided (e.g., food service areas, convenience store, classrooms, outside programs/activities, etc.) outside of the student's own residence.
- The animal is a "service animal" as defined by current Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and State of Indiana regulations if that animal is specifically trained to do work or perform tasks for the benefit of an individual with a physical, sensory, psychiatric/mental or intellectual disability; and the work or tasks performed by the animal must be directly related to the individual's disability. Animals that only provide crime deterrent effects, emotional support, wellbeing, comfort or companionship do not fall under the legal definition of "service animal." Per ADA regulations, the University reserves the right at any time to ask if the animal is required because of a disability and what specific work or task the animal has been trained to perform. The University also reserves the right to request that the animal be removed from the property if it does not meet the legal definition of "service animal," if the handler fails to keep it under appropriate control, or if it is not housebroken.

#### **B.25.5.2 Care and Cleaning of the Animal**

- The student is responsible for making sure that reasonable sanitary standards are maintained everywhere the animal is present.
- The student is responsible for promptly picking up and properly disposing of all animal waste by immediately disposing of the waste in outdoor dumpsters. Animal waste is not to be disposed of in indoor trash receptacles.
- The student is responsible for feeding and watering the animal within all living areas. If the service/emotional support animal vomits or becomes incontinent, it is the responsibility of the student to clean waste immediately. Service/emotional support animals should be kept clean and free from odor at all times.
- The student is responsible for providing the service/emotional support animal with appropriate veterinary medical care on both an ongoing and an emergency basis.
- The student is responsible for being knowledgeable of state and local immunization and licensing requirements for their service/emotional support animal and for fully complying with those requirements.

### B.25.5.3 Community Living

The student is responsible for assuring that the service/emotional support animal does not interfere with the routine activities of University residence halls or apartments. Sensitivity to residents and staff with allergies or to those who fear animals is an important consideration for the student in order to ensure a community environment that supports the individual needs of all who reside and work at the University of Southern Indiana. It also is important for students with approved service/emotional support animals in campus housing to notify actual or potential roommates as soon as possible that an animal will be residing in that living unit so that affected students will have a reasonable opportunity to make other arrangements and/or to express their concerns to Housing and Residence Life as described above in B.25.4.

## Student Organizations and Activities

### C.1 Definitions of Student Organizations

#### C.1.1. Student Organizations

Student organizations or student committees are groups in which the membership is (1) composed of University students, faculty and staff; (2) entirely responsible for the conduct of various sponsored activities as well as the daily affairs of the group. The inclusion of faculty and staff is defined in the role of an advisor, not a voting member. The University registers three types of student organizations:

1. A “recognized” University student organization; one that successfully completes the registration requirements and receives annual financial support from University sources; and
2. A “registered” independent student organization; one that successfully completes the registration requirement, engages in sustained activities and/or programs and use facilities on a regular basis and receives no annual financial assistance.
3. A “temporary” independent student organization; one that will exist for a specified period of time or has a purpose that has a definite timeline and has completed the appropriate registration requirements. Example includes political campaigns.

#### C.1.2. Governing Bodies

Residence hall, fraternity and sorority governing bodies are considered “registered” student organizations and are expected to complete the registration process before facilities other than their own specific living unit can be used. Additional regulations for the establishment and operation of fraternity and sorority groups are available in Student Development Programs. In order to be a recognized fraternity or sorority at USI, the organization must be affiliated with a national Greek organization and have received approval for inclusion in the fraternal system from one of the Greek governing boards or Student Development Programs. (Federal law through Title IX permits fraternities and

sororities to remain single gender organizations provided there is equal opportunity to join similar organizations.)

#### C.1.3. University Organizations

Groups such as faculty-initiated academic interest groups, faculty/student governing committees, musical organizations, athletic teams and theatrical activities are not student, but University organizations. As such, they are directed or chaired by a regular University staff member responsible to the academic or administrative authorities. Membership in University organizations is subject to various internal requirements and regulations. The University staff member, by virtue of his or her expertise, is responsible for directing the organization. Students, however, have the right to participate in the organization’s decision-making process. Registration of such groups is not required; however, they are subject to general University procedures, for example, non-discrimination, fundraising, outdoor event and license policies.

### C.2 Benefits to Student Organizations

#### C.2.1. “Registered” Student Organizations

Student organizations registered with the Student Development Programs to receive the following benefits:

- Use University facilities;
- Be listed in University publications and newsletters;
- Use the University name in publicity and press releases;
- Use University logos and trademarks;
- Apply for and expend University funds as distributed through the Student Government Association or University departments;
- Apply for and occupy office space in the University Center Student Involvement Center;
- Participate in any information fairs;
- Reserve vehicles through the University;
- Establish and utilize a University Agency Fund;
- Use technology resources (i.e. EagleSync Portal)
- Apply for University recognition for organizational achievement.

#### C.2.2. “Temporary” Student Organizations

“Temporary” student organizations must be registered with the Student Development Programs to receive the following benefits:

- Use University facilities;
- Apply for and expend University funds as distributed through the Student Government Association or University departments;
- Participate in some information fairs;
- Use technology resources (i.e., EagleSync Portal)
- Apply for University recognition for organizational achievement
- Temporary student organizations are not eligible for the Student Organization Activity Fund Grant.

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### C.3 Registration and Renewal of Student Organizations

- When any group of students wishes to engage in sustained activities and/or programs and use facilities on a regular basis, registration of the group as a “registered” student organization is required. When a group of students wishes to exist for a specified period of time (no more than six months), registration of the group as a “temporary” student organization is required. The Student Development Programs shall rule whether a group should be registered as a “registered” or “temporary” student organization.
- The purpose of the registration procedure is to guarantee that organizations enjoying the above privileges of association with the University do the following:
  - State their purpose, officers, advisor and activities;
  - Keep with the mission of the University.
- Registration does not imply that the viewpoints of the organization are those of the University.

#### C.3.1 New Student Organization Registration

A group wishing to be a registered student organization must complete the Intent to Organize process through Student Development Programs. Groups have 90 days to complete the process. The following information must be completed:

- Name of organization (no organization shall register a name identical to or closely similar to the name of a currently registered organization nor can the University of Southern Indiana or USI precede any organization name);
- A constitution and by-laws of the organization, which includes a declaration of purpose, membership composition, non-discrimination statement, organizational structure, amendment procedures, etc. must be submitted. University of Southern Indiana policies supersede those of an organization’s constitution and bylaws;
- A list of officers or official representatives of the organization;
- Registration attests that the local organization agrees to abide by the Conditions of Membership (C.4.):
- The name of a faculty or staff advisor (part-time faculty and staff qualify as advisors if they are not simultaneously pursuing a graduate degree) and completion of the Advisor Agreement. Advisors must actively participate in the organization and regularly attend meetings of the organization. In case of severe hardship, the director of Student Development Programs is authorized to waive this requirement for a reasonable period of time.
- The national organization’s constitution and/or by-laws or memorandum of understanding must be on file in the Student Development Programs if organization is affiliated with one. National constitutions/by-laws imposed upon the local organization may not conflict with the University of Southern Indiana policies and procedures.
- A membership roster;
- Secure insurance if required by University (sports/recreational clubs and others conducting high-risk activities)
- Social fraternities and sororities are required to carry insurance.

- Complete an organization orientation. If there is any question involving any of the above-stated conditions in the Procedures section, the registration of the group seeking to register will not be completed until it is referred to the Student Development Programs for review.

#### C.3.2 Temporary Student Organization Registration

A group wishing to be a “temporary” student organization must complete the Temporary Student Organization Registration Form with Student Development Programs. The following must be completed to receive temporary status:

- Name of organization (no organization shall register a name identical to or closely similar to the name of a currently registered organization nor can the University of Southern Indiana or USI precede any organization name);
- A list of official representatives of the organization;
- Registration attests that the local organization agrees to abide by the Conditions of Membership (C.4)
- The name of a faculty or staff advisor (part-time faculty and staff qualify as advisors if they are not simultaneously pursuing a graduate degree) and completion of the Advisor Agreement Form. Advisors must actively participate in the organization and regularly attend meetings of the organization. In case of severe hardship, the director of Student Development Programs is authorized to waive this requirement for a reasonable period of time.
- A membership roster;
- Secure insurance if required by University (sports/recreational clubs and others conducting high-risk activities).

#### C.3.3. Fraternity or Sorority Registration.

In order to be a registered fraternity or sorority at USI, the organization must be affiliated with a national Greek organization and have received approval for inclusion in the fraternal system from one of the Greek governing boards or Student Development Programs, and completed the procedures and requirements for the establishment of social fraternities and sororities. This may be obtained from Student Development Programs (Federal law through Title IX permits fraternities and sororities to remain as single-sex organizations provided there is equal opportunity to join similar organizations).

#### C.3.4. Student Organization Renewal

To keep the organization’s registration current, it must be renewed with Student Development Programs by the third Friday of the fall semester. This renewal consists of updating names of current officers or representatives, advisor and any other relevant information, and completing an annual organization orientation. Should this renewal of registration not occur, all privileges extended to the organization will be withdrawn.

To renew an organization’s registration, the organization must do the following:

- Complete the student organization registration renewal by updating their EagleSync portal information and submit it to the Student Development Programs.

- Organization advisor must approve EagleSync portal information and complete an Advisor Agreement.
- An executive officer of the organization, must complete the annual organization orientation by the third Friday of the fall semester. The executive officer who completes the orientation must be listed as an executive officer on the organization's renewal form.

### C.3.5 Termination of Organization Registration

The Student Development Programs reserves the right to cancel registration of any organization that fails to observe the understanding outlined in this section. Furthermore, it shall be assumed that an organization is no longer registered if it fails to complete these requirements. Organizations will have 60 days to fill vacant advisor positions. If the advisor position is not filled within 60 days, the organization will lose their recognition until an advisor is identified. Activities of the organization may be limited during the time the organization is without an advisor.

### C.3.6. Appeal of Registration Procedures

Decisions concerning registration denial may be challenged by submitting a written statement to Student Development Programs. The director of Student Development Programs will review the statement in light of the guidelines established herein. If the challenge is validated by the director of Student Development Programs, the organization will be registered. If the challenge is not validated by the director of Student Development Programs, the challenging party may refer the statement directly to the Associate Provost for Student Affairs.

## C.4 Conditions of Membership

Student organizations are made up of students, faculty and staff. The inclusion of faculty and staff is defined in the role of an advisor, not a voting member. Student organizations must:

- Provide equal opportunity to all students;
- Not discriminate against any member or prospective member because of age, disability, ethnic origin, marital status, race, religious commitment, sex, sexual orientation or veteran status;
- Promote the realization of equal opportunity through affirmative action. Certain groups, such as social fraternities and sororities, governing organizations in single-sex residence halls, and other organizations specifically exempted from Title IX of the Education Amendments of 1972, may rightfully exclude men or women.
- Act in accordance with Section 504 of the Rehabilitation Act of 1973. No qualified handicapped student shall, because of handicap, be excluded from participation in or denied the benefits of an extracurricular activities or programs, including student organizations.

## C.5 Eligibility for Co-Curricular Participation

The major concern of the University of Southern Indiana for its students is their academic achievement. One mark of academic achievement is orderly progress toward a degree. Students are encouraged to complete a minimum of twelve (12) hours of course work each semester. Each

student is therefore advised to balance a desire to progress in a systematic fashion toward a degree and the desire and ability to participate and/or lead in co-curricular activities. After a student has assessed the abilities and interests he/she may have, the student may then choose to participate or not (taking into consideration the qualifications required by the various activities and organizations). Students must meet a specific cumulative grade point average requirement prior to joining a fraternity or sorority. These specific requirements are found in the Fraternity and Sorority Life Policy and Guidelines. To assume leadership, elective and/or appointive positions, the student must meet the University requirements listed below:

### C.5.1 Specific Requirements

The minimum requirements that the University sets for students to assume elective and appointive positions in co-curricular activities include enrollment and continuance in a minimum of nine (9) hours of USI course work, degree seeking status, good academic and student status and a cumulative grade point average (GPA) of 2.0 or greater. Students must be admitted in good standing to the University to assume elective and appointive positions in their first semester at the University. Additional requirements: Organizations or groups may make, with the consultation of Student Development Programs, such additional eligibility requirements as they deem necessary. These additional requirements cannot be in conflict with the University policies on discrimination.

### C.5.2. Athletic Requirements

NCAA and athletic conference rules will govern participation in intercollegiate athletics.

### C.5.3. Compliance Requirements

The above stated requirements must be met in order to:

- Apply or receive consideration for an appointive or elective office;
- Campaign for an elective office;
- Hold an elective or appointive office;
- Receive special honors;
- Receive an appointment to serve on an all-campus (student or faculty-student) committee or governing-organization (RHC, IFC, Panhellenic, etc.) or on the staff of any University or student publication.

**C.5.4. Individuals should be aware of their eligibility status at all times. They shall inform the concerned organizations of their status when seeking or desiring to continue in positions of leadership as described above.**

**C.5.5. Each University or student organization, with the assistance of the advisor, is responsible for compliance with these requirements.**

### C.5.6. Waiving requirements

Any student who does not meet the aforementioned requirements and is still interested in an appointive or elected position can request a review by the director

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of Student Development Programs or designated representative. Any student wishing to appeal a decision regarding eligibility to be an officer must do so in writing to the director of Student Development Programs.

### C.6 Funding of Registered Organizations

#### C.6.1. Banking Arrangements

Student organizations may elect to deposit their funds with the University through the USI Business Office into an Agency Fund. If an organization elects to deposit funds off campus they must obtain their own federal ID number and the University's tax exempt status should not be used in obtaining financial services. Organizations are required to follow all federal, state and local laws.

#### C.6.2. Expending Funds

- Registered and temporary independent student organizations may expend their monies for organizationally related activities. All expenditures are subject to review by the University controller, who retains the right to question the propriety of the expenditure.
- "Recognized" University student organizations expenditure of funds is subject to purchasing policies and regulations.
- Student organizations with University accounts (Agency Fund) must maintain a positive balance. Agency Funds that incur a deficit balance will become inactive until the balance is positive. Organizations may face additional sanctions and loss of privileges.

#### C.6.3. Student Government Association Allocations

- Registered and temporary student organizations (RSO & TSO) can apply for University funds from the Student Government Association (SGA). All organizations receiving funding must agree to (a) abide by State regulations in all purchasing and budget control activities; (b) expend funds only for University-related purposes; and (c) obtain a University agency fund.
- RSO and TSO funds must be used to promote a diverse array of use, facilitate intellectual engagement, encourage collaboration between students and student groups and/or foster campus community. All funded program/events must be open to the University and free to all students who pay the activity fee. Applying RSOs and TSOs must meet the following criteria to qualify for RSO and TSO funds:
  - RSOs and TSOs must not discriminate based upon race, color, national or ethnic origin, religion, sex (except for single-sexed social sororities and fraternities and residence halls exempted from Title IX), disability, age, sexual orientation or veteran status in accordance with federal, state, or local laws.
  - RSOs and TSOs must not knowingly present false documents or information to SGA
  - Funding stipulations and regulations are can be found in the USI Student Organization Support Grant Application General Provisions and are subject to change at the discretion of the Student Government Association.

#### C.6.4. Provost Programming Grant

The Provost has available funds in two grant categories: Provost Travel Grants for Undergraduate Students and Provost Programming Grants. Descriptions of purpose, eligibility and criteria are available online at the Student Affairs website: [USI.edu/studentaffairs/provost-grants](http://USI.edu/studentaffairs/provost-grants). For consideration, students must complete an application and submit it to the Student Affairs Office (Wright 104). The Provost makes final allocation decisions.

#### C.6.5 Student Organization Activity Fund Grant

Registered student organizations can be eligible for funding each fiscal year. Eligible student organizations must be currently registered with Student Development Programs. A student representative must successfully complete the required training and the student organization must have an on-campus agency fund. Student organizations receiving annual student activity funding from the University are not eligible for the grant. Further information about this funding can be found in the Student Development Programs Office or online at [USI.edu/sdv](http://USI.edu/sdv).

#### C.6.6. Unexpended Balances of Inactive Student Organizations

Any student organization that does not register for two (2) consecutive years will have the funds in its University Agency Fund, which is managed by the Business Office, transferred to the provost program grant account unless arrangements have been made with the USI Business Office.

### C.7 Student Organization Responsibility for Activities and Events

Student groups and organizations planning and carrying out their activities and conducting their affairs bear the responsibility for doing so in accordance with University regulations as well as state and local laws. Student organizations will be held responsible for the behavior of their members or guests when the actions of these individuals evolve from or are associated with the organization or an activity related to the organization. The extent to which an organization will be held responsible for the actions of individual members or guests will be determined in accordance with the following guidelines:

#### C.7.1.1. Definition of an Activity Related to an Organization

An activity is considered to be related to an organization when one of the following circumstances exists:

- The activity being sponsored was planned in an official meeting of the organization.
- The activity is a registered event with the University.
- The context of the activity indicated that it was the product of the organization per se. This includes but is not limited to: the activity was held on organization property, the presence of one or more of the group's officers, the presence of 25 percent or more of the group's members, promoting or financing the event or the presence of organized entertainment.

**C.7.1.2 The parent organization shall be responsible for the actions of new members or other subgroups carrying official status.**

**C.7.1.3. Events or activities that include numbers of non-members also are the responsibility of the group or organization in question. Appropriate measures must be employed to prevent or deal with infractions and problems involving nonmembers.**

#### **C.7.1.4. Infractions**

Each group or organization has the responsibility and is expected to deal with individuals allegedly in violation of University regulations or laws by referring such individuals to Public Safety, the Dean of Students, Housing and Residence Life and/or the Student Development Programs. Circumstances that do not constitute violation of University policy or law, but that may be violations of organizational regulations may be dealt with internally by the organization.

- Each group or organization is expected to refer such individual(s) to the appropriate University authorities. Public Safety should be contacted immediately for any issue involving public safety. Student Development Programs should be contacted for any organizational-constitution violations. Referral should be made to Student Development Programs and/or the Dean of Students for violations of the Code of Student Behavior and/or University conduct action.
- The group or organization must show good faith in referring individual(s) who may be responsible for violating University policy or any federal, state or local laws. The degree to which the group or organization carries out this overall responsibility will have bearing on the extent to which it may be held accountable for the actions of the individual(s). Members and non-members of a group at an activity related to an organization are included in the expectation of the group's responsibility and appropriate measures must be employed to prevent or deal with problems and/or violations.
- When (1) sufficient preventive measures have not been employed and/or (2) action to refer individual cases to appropriate authorities has not been taken, the student organization may be held accountable for violations.
- Additional responsibilities for social fraternity and sorority organizations regarding activities and events can be found in the University of Southern Indiana Fraternity and Sorority Policies and Guidelines available in Student Development Programs.

#### **C.7.2. Entertainers, Speakers and Performers**

- Information on acts, both local and national, who may be available for entertainment at social events, is located in the Student Development Programs. It is strongly recommended that any student organization or group wishing to engage entertainment groups contact the Student Development Programs for specific advice as to the contracting procedures. Students nor advisors should be signing contracts and must follow all contractual

procedures as required by the University when using University Agency Funds or University accounts.

#### **C.7.2.1. Film Copyright**

- If your student organization wants to show a film on campus, you must pay the licensing fees associated with the film. After you have selected the movie that you would like to show, you must first purchase a public viewing license and rights to show the film in public, (public performance fee). Even if you choose to show the movie for free, you still must purchase the copyrights. Willful copyright infringement is punishable by federal law.

#### **C.7.3. Child Protection Policy**

- See University's Child Protection Policy that is being revised over Summer 2017. To review the policy, visit: [USI.edu/policies/handbook/child-protection-policy](http://USI.edu/policies/handbook/child-protection-policy).

### **C.8 Student Organization Responsibilities for Events Involving Alcoholic Beverages**

The University of Southern Indiana Alcoholic Beverages and other Drug/Controlled Substance Policies are consistent with the educational and non-punitive philosophy that governs the *Student Rights and Responsibilities: A Code of Student Behavior*. The code emphasizes personal responsibility and is intended to facilitate individual student growth and development. To help reduce the incidence and prevalence of alcoholic beverage use that may adversely affect the quality of an individual's experiences at the University of Southern Indiana, abstinence is encouraged. No alcoholic beverages may be brought to or distributed at any event on campus without permission of the University president or his/her designee. Kegs and other containers used for distributing alcoholic beverages are not permitted anywhere on campus or in organized student housing. Students of legal age who choose to drink off campus are expected to handle alcoholic beverages in a low risk manner and behave responsibly. The following procedures have been established to emphasize the shared responsibility of the host organization and individuals attending social events or activities related to an organization when alcoholic beverages are present. These procedures are intended to reduce risks associated with social events involving alcoholic beverages and to assure compliance with University policies as well as state and local laws concerning the use of alcoholic beverages and other drugs/controlled substances.

#### **C.8.1. Registration**

Any social event with alcoholic beverages that is to be held on by one or more student organizations must be registered. Student organizations register social events with alcoholic beverages through Student Development Programs. All social events with alcoholic beverages must be registered at least five business days prior to the date of the event and must include proof of liquor legal liability insurance and liquor license from vendor used. Student organizations may be required to have a designated faculty advisor or authorized sponsor present at the event. In addition, a representative from the

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registering office may meet with the organization leader(s) to plan procedures in accordance with these guidelines for the event. Social events with alcoholic beverages will not be permitted unless complete compliance with these procedures, University policies and state and local laws can be assured to the best of the ability of the hosting group(s).

### C.8.2. Requirements

- It is the responsibility of the sponsoring group(s) to institute measures to assure that alcoholic beverages are distributed only to individuals who are appropriately designated as 21 or over at social events
- It is the responsibility of the sponsoring group(s) to ensure alcoholic beverages are not distributed to persons who are or appear to be intoxicated.
- It is the responsibility of the sponsoring group(s) to monitor that members or guests of age are not providing alcoholic beverages to underage individuals.
- It is recommended that sponsoring organization(s) only hold events that are by invitation and not open to the general public.

### C.8.3. Security

All social events with alcoholic beverages must have sufficient security for the size of the event. If the event is over 100 expected attendees and the vendor does not provide security, the organization is responsible to hire sufficient security.

### C.8.4. Violations

If University policies, federal, state, and/or local laws are violated during or as a result of a social event, the sponsoring organization(s) will be considered responsible and held accountable for the violation(s). The group must understand that other potential legal liabilities also may occur for the organization, individual students, officers, guests and advisors. Littering, infringing upon the rights of others and abuse of public or private property also are examples of violations of this policy. Other possible violations of University policy will include but are not limited to the following:

- Failure to register functions
- Construction of unauthorized structures
- The failure to use required entrances and exits properly
- The consumption of alcoholic beverages by individuals who are under the legal age
- The providing of alcoholic beverages to any person under 21 years of age
- Failure to provide adequately trained and identified marshals to supervise the event
- Conducting "spontaneous" social functions, activities or events
- Exceeding the maximum number of guests at any given time
- Failure to comply with the policies regarding sound system and sound ordinances
- Failure to adhere to clean-up plans
- Failure of responsible members to attend all training sessions if deemed necessary.

**NOTE:** All organizations should remember that these are minimum standards of care that should be exercised in all social events. Depending on the scope of activities, additional measures may be deemed necessary by the organization/ University to ensure a safe and enjoyable activity.

**C.8.5. Additional responsibilities and regulations for social fraternity and sorority organizations regarding events involving alcoholic beverages can be found in the University of Southern Indiana Fraternity and Sorority Policies and Guidelines available in Student Development Programs.**

### C.9 Sales, Solicitation and Fundraising

Sales, solicitations, and fundraising activities are permitted by officially registered and recognized campus organizations only if they are for the general benefit of the University and/or the community, have received authorization of the president or a designate and follow University policies. Mass emailing may NOT be used for selling, solicitation or fundraising activities. The complete University Fundraising Policy may be found at [USI.edu/giving/fundraising-policy](http://USI.edu/giving/fundraising-policy)

#### C.9.1. Definitions

- Sales shall be defined as the sale or offer for sale of any property or service.
- Solicitation shall be defined as the act of making a request or plea for one's cause or philanthropy and includes the receipt of or request for any gift or contribution.
- Fundraising is defined as the organized activity/event of raising funds and/or property.

#### C.9.2. Approval Process

- Application for approval for sales, solicitation and fundraising (including athletic events and events held in Housing and Residence Life areas) must be initiated with Student Development Programs. Approval for all activities must be received prior to beginning these activities. This must occur whether or not you are reserving University space.
- Authorization to sell on campus does not constitute an endorsement by the University of either the product sold or the service rendered. Special rules exist for bake sales. A copy of the Health Department regulations is available at the USI Dining. All sales must be conducted in accordance with state law and University policy, including the food service policy.
- Donations may be tax-deductible if they go directly to a 501(c)(3) organization. (The USI Foundation is a 501(c)(3) organization, but the University of Southern Indiana is not). Organizations must clearly state if a request for donation is considered tax-deductible or not. All tax-deductible charitable contributions must be processed through the USI Foundation.
- Fundraising activities must not violate state law by including a drawing, raffle, half-pots, bingo, lottery, charity game night, casino night, game of chance or any scheme

for distribution of prizes among persons who are paying for a chance to obtain a prize. Fundraising activities must also adhere to University and USI Foundation policies.

- Student organizations wishing to solicit private funds must coordinate this through the USI Foundation. Solicitations cannot be made to anyone on the Honor Roll of Donors or anyone in the Foundation's database without the approval of the Foundation. Organizations should request approval four (4) weeks in advance for any solicitation.
- Student organizations are not allowed to conduct sales, solicitation or fundraising at any athletic events

### C.9.3. Sponsorship Fundraising Policy

- Student organizations may sponsor a company (except food vendors) on campus as a way to raise funds for their organization by charging the company for that sponsorship or sharing in profits of sales.
- Every company must be sponsored by a registered student group or organization (referred to as the sponsoring group). The sponsoring group will need to contact Special Events and Scheduling Services to reserve space and any necessary equipment. Fundraising companies may NOT make reservations.
- Space is not provided on a sub-lease basis. Sponsoring group must have a representative present for the duration of the function. That representative must be a currently enrolled student from that sponsoring group.
- For-profit entities must have a retail sales permit available at the scheduled activity.
- Reserved space will be limited to three days a week in a 30-day period and no more than twice a semester per company.

## C.10 Priorities for Use of University Buildings and Facilities

Officially registered student organizations may use University facilities on a space-available basis to hold meetings or conduct activities consistent with the objectives of that organization.

### C.10.1. Definition of Facilities

The facilities of the University include all buildings and grounds owned or leased by the University. Space within the buildings and grounds is of three types (1) Dedicated, (2) Semi-public and (3) Public.

1. **Dedicated**—Dedicated space is defined as space used primarily to serve and support the educational, cultural, living and recreational functions of the University. Although such areas may be used by the public, University functions have priority. Examples of such space are: classrooms, laboratories, libraries, student housing, restricted facilities and intramural and athletic fields.
2. **Semi-public**—The semi-public space areas are defined as space available for use by internal and external individuals and groups on a reservation only basis. Normally, non-University organizations will pay for the use of such space. Examples of such space are meeting rooms and lecture rooms in academic buildings and the University Center.
3. **Public**—The public space areas are defined as those which accommodate traffic flow, and facilities of the

University open to the public. These areas are defined to include sidewalks, campus streets and drives, entrances to buildings, lobbies and corridors in classroom and office buildings and semi-public facilities and common areas in student housing and the University Center.

### C.10.2. Use of Facility

#### A. Dedicated Space—General Instructional Space

1. General classroom areas in academic buildings, including large lecture rooms, are not assigned to any specific academic area. These areas are under the jurisdiction of the Registrar for assignment of regularly scheduled classes. Reservations for meetings, study groups and other temporary uses by student organizations are to be made by calling Special Events and Scheduling Services. Classroom space is released for campus reservation after the first two weeks of class in the Fall and Spring semesters and after one week in the Summer sessions. Anything before this will have to be confirmed the day prior to the event.
2. General instructional space such as athletic fields, University Center, conference rooms, Physical Activities Center and the buildings constituting Bent Twig Outdoor Education Area may be reserved by student organizations through Special Events and Scheduling Services.

#### B. Semi-public Space

1. Student Activities Space—General student activities space is available in the University Center. Space for social events, such as dances, movies, organizational meetings and other activities will be coordinated with Special Events and Scheduling Services.
2. Lobby Areas and Other Semi-public Space—Reservations for use of lobby areas and semi-public space areas must be made with and approved by Special Events and Scheduling Services. The University reserves the right to deny the use of areas if it is determined that access by the group is disrupting the normal operation of the facility or the University.
3. Outdoor space in and around student housing must be reserved through Special Events and Scheduling Services.

#### C. Public Space

1. General Buildings and Ground Space
  - a. Every person with legitimate business at the University has the privilege of free access to public areas of the buildings and grounds during hours when they are open; such hours are determined by the president or his/her designee. These areas include sidewalks, closed streets, entrances to buildings, corridors in classroom and office areas, library reading rooms and common areas.
  - b. The president or his/her designee may deny this privilege of free access to an individual or group which disrupts the normal operation of the University.

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### D. Reservation of Space

1. Public area space as defined by this policy may be reserved by officially registered student organizations. Soliciting for monetary reasons, or selling, will not be permitted in the public areas except in cases of student groups whose activities are approved through Special Events and Scheduling Services or other University organizations as approved by the president or his/her designee.

### C.10.3. Right of Use of Space

- A. Use of space for purposes other than those for which it has been designated will not be allowed. Neither individuals nor groups will be permitted to interrupt the use of space, after it has been duly assigned, without permission of the president or a University official designated by the president.
- B. Users who misrepresent any event or affiliation in order to avoid fees and charges or compliance with the general policies of the University may have reservation privileges suspended or incur additional charges.
- C. If, after observing the situation, the person in charge of a facility or function determines that a situation is no longer peaceful and orderly, s/he should:
  1. Request, not direct, the individual(s) to desist from activities causing the disturbance and allow a reasonable time for such action to occur. In the event efforts at persuasion fail, s/he should inform Public Safety of the nature of the disturbance and remain on the scene, except for extreme cases, until the Public Safety officers arrive, at which time emergency procedures will be initiated; or
  2. Elect, when personal safety or wellbeing will be endangered by direct involvement with the demonstrators, to inform immediately Public Safety, who will in turn implement approved emergency procedures.
- D. Agencies coming to the campus to recruit students for employment must make reservations for space and schedule with Career Services and Internships. Personal interviews will be scheduled with Career Services and Internships or in semi-public areas if the facilities of the office do not accommodate the demand.

### C.10.4. Reservation Procedures

The following procedures apply to reservations requested by officially registered student organizations:

- A. Scheduling should take place sufficiently in advance of the using date to permit necessary adjustments and arrangements. Two weeks is the normal time required for activities requiring special services. It is expected that major events will be scheduled as far in advance of the activity date as possible.
- B. Indoor Space: Those requesting a reservation of an indoor University facility/space should contact the Special Events and Scheduling Services and follow any policies and procedures established for that site.

### C. Outdoor Space: Those requesting a reservation of an outdoor University facility/space must complete a reservation form and submit the form to the Special Events and Scheduling Services and follow any policies or procedures for that site.

1. If the attendance for the event is expected to be 200 or greater and there will be amplification of sound, the group must also submit a Proposal for Outdoor Event/Activity, a budget and timeline to Special Events and Scheduling Services sixty (60) days prior to the event. Special Events and Scheduling Services shall forward copies of the reservation and the Proposal for Outdoor Event/Activity to Student Development Programs, Public Safety and other appropriate offices for approval. The organization also must schedule a meeting with a program advisor in Student Development Programs. This meeting must occur at least sixty (60) days prior to the event. If event approval is granted, the group must complete paperwork and requests at least thirty (30) days prior to the event. The group may meet as necessary with Special Events and Scheduling Services and the program coordinator in Student Development Programs. Once approved, Special Events and Scheduling Services will notify the reserving organization.
2. Approval of outdoor activities will be based upon the impact to the educational process and other events already scheduled.
3. Events involving the use of amplification must add a standard clause on all contracts, which will give the sponsoring organization the right to request the artist/provider to reduce the volume output. All contracts must be approved by Student Development Programs. All technical riders must be approved by Special Events and Scheduling Services.
4. The student organization scheduling the outdoor program is accountable for the performance and volume output of the participating artists and/or individuals. If requested by an appropriate University official, the responsible student organization designee will be expected to reduce the volume output. Failure to do so may result in immediate termination of the scheduled event and subsequent use of USI grounds by the sponsoring organization and artists involved.
5. Outdoor events may require security. This cost will be the responsibility of the sponsoring organization. Public Safety will determine such security requirements in conjunction with Student Development Programs and Special Events and Scheduling Services.
6. Arrangements for set-ups (including but not limited to staging, electrical needs, tables, chairs, portable restrooms), tear-downs, cleaning and damage repairs are at the expense of the sponsoring organization. Facility Operations and Planning in conjunction with Student Development Programs and Special Events and Scheduling Services, may estimate the associated costs.

7. Any event that will be providing/selling food or items must abide by the USI Fundraising Policy for Student Organizations and the Student Organization Food Policy.
  8. All proposals for outdoor events must have an Emergency Action Plan (EAP) and a designated EAP representative to manage situations in the event of bad weather or other unforeseen circumstances. The EAP event representative's contact information should be kept with the Special Events and Scheduling Services event planner.
  9. Event must be approved before publicity for the event is distributed.
  10. University of Southern Indiana and Student Development Programs are not responsible for charges incurred by sponsoring organization (including but not limited to Facility Operations and Planning charges, off campus vendors, food service or contracted obligations).
- D. Approval Subject to Review: At all times, any reservation approval is conditioned upon full compliance with all University policies and all reservation requirements. The University reserves the right to disapprove the request of any entity that fails to comply with University policies or federal, state or local laws or which has damaged University facilities at any time.
- C.10.5. Additional Facility Use Policies**
- A. Alteration of University Property: Alteration or physical modification of property owned or leased by the University is not permitted. To prevent damage to University infrastructure, Facility Operations and Planning must approve the erection of tents or any temporary structures.
  - B. Decorations: The organizer must have decorations approved and/or facilities inspected for safety in advance by Facility Operations and Planning or the facility official. Decorations, displays or exhibits that require flame or water cannot be used in University buildings. All candles must be battery operated. Open flame candles are prohibited. Painters tape may be used to hang decorations on painted walls. The use of cellophane tape, glue, staples, thumbtacks or adhesive is not permitted on the walls, ceilings, doorframes, doors, columns, or staging for attaching any material. No tape is allowed on wood surfaces. Angel hair, glitter, confetti and straw also are prohibited. Failure to adhere to the University decorating policy could result in consequences.
  - C. Property Damage: Any group or individual that causes damage to University property must pay any charges necessary to return the property to its original state; University employees, students or organizations also may be subject to disciplinary action.
  - D. Organizer Arrangements: The organizer shall be responsible for addressing issues such as special power requirements, access to restrooms, adequate waste receptacles and inclement weather sites. Many campus buildings are closed after hours and on weekend/holidays; therefore, power and restrooms are not readily available.
    - If waste receptacles are overflowing after an event, the requestor/sponsoring group will be charged the additional cleanup costs incurred by the department that operates the facility/outdoor space. The organizer shall be solely responsible for any and all costs arising from or relating to any event and by requesting to use University facilities agrees to pay all such charges. Arrangements for audio-visual or other equipment and special set-up must be requested 72 hours in advance for the event.
- E. Events held on campus involving food must follow the University Food Policy, which can be obtained from Special Events and Scheduling Services.
- F. Publicity, handouts, etc.: All publicity, handouts, printed materials, etc. are governed by University policies and procedures.
- G. Information Tables: Requests to use information/display tables on campus will be honored, for student organizations and University departments. Special Events and Scheduling Services will make all arrangements.
1. All table activities must carry the identification of the sponsoring organization.
  2. A representative of the sponsoring organization must be present at the table at all times.
  3. Promotions may take the form of ticket sales, collection of funds, distribution of literature, etc.
  4. Tables must be kept neat and orderly. Materials must be removed at the end of each day.
  5. All table activities are limited to the confines of the table. Traffic flow through the hallways cannot be restricted. Information table activities cannot interfere with the rights of others operating other information tables.
  6. Loud and boisterous activity will not be allowed.
  7. Non-University related groups may reserve information/display table space if:
    - a. The use of the booth would result in a service to the University community that is needed and is of measurable benefit, i.e., telephone service, etc.
    - b. The use of information/display table space is a recruitment of students and sponsored through the Career Services and Internships, the U.S. Armed Forces recruiting teams, or other government agencies sponsored by the Career Services and Internships.
    - c. They are sponsored by a registered student organization or University department.
- H. USI Outdoor Grill Policy
1. Students, recognized student organizations and University departments are allowed to hold grilling activities in designated approved areas on campus. Responsible parties are required to follow all policies and safety guidelines associated with grilling on University property.
  2. Off campus organizations that have reserved space through Special Events and Scheduling Services may be allowed to hold grilling activities in designated approved areas on campus and are required to

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follow all policies and safety guidelines associated with grilling on University property. All off campus organizations must provide a certificate of insurance as required by Special Events and Scheduling Services in order to grill on University property.

3. Personal grills, leased commercial grills, smokers and turkey fryers are not permitted on University property. Commercial grade grills (charcoal or gas) will only be allowed on University property from off campus if the event qualifies for the following policy exemption:
  - a. An off campus preapproved grill will be permitted on campus if USI Dining is unable to meet the needs of a scheduled event being held on University property or if the sponsoring group has received special exemption from the Risk Management. In order to qualify for exception to this policy, you must obtain a commercial grade grill and make arrangements to have the grill inspected and approved by the Risk Management 10 days before the event. The exemption policy only applies to grills; smokers and turkey fryers are not exempt from the policy.
  - b. University departments and organizations that qualify for the above exemption can safely transport no more than 60lbs per unit of liquid propane onto University property.
4. Portable grills are available for rent for events through USI Dining. Call 812-465-1652 to reserve a grill. Grills can be used at approved locations on University property.
5. All grilling operations shall be operated in a safe manner. Grills can only be used on a firm, flat, stable surface away from trees, shrubs and other landscaping.
6. All portable grills must be kept at least 30 feet away from any buildings or structures, including balconies and terraces, and not used beneath any structure equipped with an overhang.
7. All portable grills must be kept at least 30 feet away from any vehicles, equipment and materials. Grilling is not permitted in areas where vehicular traffic is allowed unless approved by Risk Management and Public Safety.
8. All portable grills must be kept at least 100 feet away from any building fresh air vents.
9. The University department, organization or off campus group reserving the grill site is responsible for safety during the grilling event and must ensure the grill(s) are supervised at all times when in use. Any damage to the surrounding environment is strictly prohibited. If damage to the area occurs, the sponsoring University department, organization or off campus group may be charged for damages.
10. A fire extinguisher is required at every event using a gas grill. (Fire extinguishers are furnished on all USI Dining grills.) Fire extinguishers must be serviceable, fully charged and inspected or "tagged" by an authorized fire equipment distributor within the past year. Fire extinguishers cannot be taken from any

University building or structure and used to meet the requirements for grilling operations. Separate extinguishers must be obtained for this purpose. If the fire extinguisher is used, the Public Safety must be notified and a report of incident filed.

11. Public permanent in-ground charcoal grills are provided throughout campus for use by University students and organizations.
12. Users of charcoal grills on campus must adhere to the following:
  - a. Only match-ready charcoal (no lighter fluid) may be used with the public grills. Charcoal shall be provided by the user.
  - b. The use of any fire accelerant is prohibited. (Examples; gasoline, kerosene and lighting fluid).
  - c. A bucket of water near the grill is required.
  - d. The organizer is responsible for ensuring that any burning charcoal is completely extinguished with water after the grilling is complete and that the site is left as clean as it was found.
  - e. Embers and ash from the grills must be disposed of in an approved metal container labeled for charcoal disposal located near the permanent grills.
  - f. Paper trash must be removed from the grill area and disposed of in appropriate trash receptacles; paper or trash of any type is not to be placed in the coal disposal container.
  - g. All users must leave grills in a generally clean condition. Cleaning fees may be imposed on anyone leaving grills in a soiled condition.

### C.10.6. Sound Regulations on Campus and Respect for Others

- A. Noise Disturbances to be Avoided: University entities and non-University entities must respect others' rights by not creating noise disturbances on the campus or around residences. The sound regulations apply to outdoor campus events that may potentially cause noise disturbances regardless of whether or not amplified sound is used (e.g., outdoor music performances).
- B. End of Semester Policy: Outdoor events which could create noise disturbances on campus will not be approved after the last day of classes through the end of finals each Fall and Spring semester.
- C. Notification to Others: Event organizers are responsible for notifying parties potentially affected by their event sound levels or activities.

### C.10.7. Procedures for Use of Facilities By Student Organizations

- A. Any registered student organization may use University facilities for open or closed events, meetings or performances subject to University policies regarding use of University facilities and outdoor space. Student organization sponsored events will be cancelled if the University closes. Cancelling classes does not mean student organization events are cancelled.

- B. Publicity and communications concerning any meeting shall clearly identify the sponsoring organization and shall carefully avoid any stated or implied approval, support or endorsement by the University
- C. An invitation to a speaker does not necessarily imply approval or disapproval of the speaker or his or her views by either the University or the student organization. In case a request for the use of a University facility by a registered student organization cannot be granted, it is the responsibility of the University officer to whom the request was made to notify promptly in writing the organization making the request stating the reasons for the denial.
- D. The University administration and advisor may inform an organization concerning its views on any proposed off-campus speaker or performer, but will leave the final decision to the organization.
- E. Speakers may be invited to campus to discuss political issues. Registered student organizations may solicit memberships and dues at meetings. However, political party membership may not be promoted or money may not be raised for projects not directly connected with a University activity, and private business may not be conducted in University facilities.

### C.10.8. Service Charges

- A. Any special services provided by the Facility Operations and Planning or other departments will result in appropriate charges to the using groups. Student organizations may be required to have a minimum amount of dollars on deposit within their University Agency Fund or pre-pay a portion of University charges upon approval of events.
- B. Ordinary maintenance requirements—(i.e., scheduled refinishing of floors, painting, etc.)—will be assumed by the University even though this schedule may be advanced due to the extra use of such facilities.

### C.10.9. Use of University Center facilities

- A. Room Reservation: Requests to use meeting rooms in the University Center will be honored for officially registered student organizations, University departments, non-University official guests and official guests of the University (as approved by Special Events and Scheduling Services). The reservations should be made at least 24 hours prior to the event. Larger events must be scheduled at least two weeks in advance. University scheduled classes for credit may not be held in the University Center.
- B. Groups reserving rooms in the University Center are granted exclusive use of such rooms for the time period reserved.
- C. Groups reserving rooms in the University Center must notify Special Events and Scheduling Services at least 24 hours in advance of any cancellation of that space. If the group does not cancel the space, they will be charged a fine to cover meeting room set-up labor charges. Complete policy may be obtained from Special Events and Scheduling Services.

- D. Non-University Entities: Non-University entities may request to reserve space in the University Center, subject to the approval of the Vice President for Government and University Relations or designee and all applicable University policies.
- E. University Center Display Cases: Registered student organizations and University departments may reserve designated display cases in the University Center for promoting their organization and/or events with Special Events and Scheduling Services.
  1. Display cases can be reserved for up to a three (3) week period with a limit of two display cases at one given time. The reservations cannot be continuous in nature.
  2. If reserved display cases are not used within the first three (3) days, the entire reservation will be cancelled.
  3. Display cases may be reserved up to one (1) year in advance.
  4. Display cases must be cleaned out by 4 p.m. on the last day of the reservation.
  5. Individuals must present a valid University ID to check out display case key in Special Events and Scheduling Services.
  6. The University will not be responsible for the safekeeping of any materials in the display case and will empty the case if items are not removed in the time allowed. Five (5) days after the reservation period ends, items will be discarded.
  7. Requesters not complying with these rules will lose the privilege of reserving display cases for the rest of the semester. Any other display cases they have reserved will be released at that time.

### C.10.10. Student Organization Food Policy

All student organizations are expected to follow the University Food Policy. Policy may be obtained at [USI.edu/student-development/student-organizations](http://USI.edu/student-development/student-organizations).

## C.11 Information Materials, Publicity/News Releases, and Advertising

### C.11.1. Campus Posting Policies

- A. Posting on campus is restricted to University campus groups, organizations, University departments, students, faculty and staff. Space is not available for commercial advertising by non-University firms or organizations unless a request is received in writing and permission is granted in writing by the Dean of Students.
- B. All posting is limited to those activities open to the student body; events that bear some direct relationship to the educational purpose of the University and/or that provide an exceptional or beneficial service to students, faculty, and staff not normally available; and information about a student organization or University department, including educational material related to their purpose or function.
- C. All posting must have the name of the sponsoring group or organization and follow the posting policies and

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procedures. If the posting is not in English, an English-language translation must be included with the posting.

- D. The posting policy applies to all forms of posting. Additional policies may apply to specific forms or areas. No posting of flyers or literature on car windows, light poles, sidewalks, building doorways, trash cans or unapproved locations. Violations to the campus posting policy should be reported to the Dean of Students.

### C.11.2. Posting Guidelines and Procedures

#### A. Bulletin Boards

1. All flyers and posters may be placed on bulletin boards and must meet the guidelines stated in the first section of this policy. They are not to exceed 22" X 30" and must be secured by using pushpins or thumbtacks on bulletin boards. Bulletin boards and posting areas are defined for use as follows:
  - a. Bulletin boards identified as "designated" or "General University Posting Areas" are available for posting to the following: University campus groups, organizations, University departments, students, faculty, staff and approved non-University firms or organizations. To obtain a current listing of all designated or "General University Posting Areas," contact Special Events and Scheduling Services.
  - b. Bulletin boards identified as "restricted" are under the jurisdiction of a college, department or administrative office and are restricted to their use only. University campus groups, organizations and University departments may request permission to use these bulletin boards by the appropriate college, department or administrative official.
  - c. Groups or individuals using designated bulletin boards may bring 11 copies to Special Events and Scheduling Services (UC 017) to be posted by a member of the Scheduling staff.
  - d. An open posting area is available for posting by anyone, without permission. The open posting area is located just inside the University Center East boulevard entrance.

#### B. Banners

1. Banners may be hung by registered student organizations and University departments on the UC in designated locations. Banner space on the University Center is available on a first-come, first-served basis with Special Events and Scheduling Services, but can be scheduled in advance to secure space. All banners must meet the following guidelines: cannot exceed a standard twin sized sheet (66" x 96") that hangs vertically, cannot contain wood or metal, and utilizes the appropriate weights (anchors), such as balloons filled with sand (available free from Special Events and Scheduling Services). Anchors must hold the banner straight but must not present a risk to people or property. After removal, banners not picked up within five working days will be discarded.

#### C. Staked Signs/A-Frames

1. Staked signs and A-Frames may be utilized by registered student organizations and University departments. Staked signs, maximum size of 18" x 24", and A-frames, maximum size of 36"x36", are allowed in specified lawn areas along the sidewalks and roadways as long as they do not block or overhang onto a walkway, driveway or street. Staked signs and A-frames are not permitted in landscaped areas nor in specified areas (see Student Development Programs website for map). Only directional signs for campus events may be posted in the boulevard median with approval from Special Events and Scheduling Services. Permanent signs are not permitted on University premises. Within 72 hours of the completion of the event, all signs must be removed or it will result in Facilities Operations and Planning charges.

#### D. Table Tents

1. Table tents in the UC may be utilized by registered student organizations and University departments. To place table tents, permission must be obtained through Special Events and Scheduling Services. Table tents must state the sponsoring University department or student organization and stand upright. Unauthorized table tents will be removed.

#### E. Chalking

1. Chalking may be utilized by registered student organizations and University departments and is allowed on outdoor concrete (non-brick) sidewalk areas that are exposed to the weather and can be easily washed away by rain. No spray chalk or chalk pens may be used. No chalking on the side of buildings or walls/ramps. Facility Operations and Planning charges for cleanup in areas not exposed to rain may be incurred. Use only brands of chalk identified as sidewalk chalk on the label. Designs with lewd content, hateful or derogatory messages or symbols or designs that can be changed into lewd content are not permitted. All chalking must meet the campus posting policy. Counter-chalking is not allowed. Counter-chalking is defined as chalking that occurs either directly on original chalking or in proximity to original chalking and represents an opposing viewpoint. Chalk paint is not allowed.

#### F. Handbills/flyers

1. Registered student organizations, University departments and sponsored non-University firms and organizations may distribute literature/handbills on campus if in compliance with the campus posting policy, in addition to the following:
  - a. Individuals distributing do not hawk, shout or accost individuals;
  - b. The distribution may not obstruct pedestrian or vehicular traffic;
  - c. Literature or handbills discarded on the ground in the general area of distribution are to be picked up by sponsoring group;

- d. The distribution of material is not in an area reserved by another organization nor does it impede another scheduled activity or event.
- e. The distribution of material must be outside and will not be allowed inside University buildings.

### C.12 License and Trademark Policy

The purpose of the licensing program is to ensure the University of Southern Indiana's (USI) brand identity is properly represented on products and services marketed to the USI community and the public. The licensing program is responsible for determining if a product and/or design are consistent with the goals and image of USI. The program also ensures the quality, content, production and distribution of products meets USI standards.

USI has contracted with Leerfield Licensing Partners to administer its licensing program. Leerfield acts as an intermediary for USI, enabling it to work directly with manufacturers and retailers. This ensures that decisions can be made promptly and that manufacturers can become licensed with the University in a timely manner.

In order to produce products bearing the marks of USI, manufacturers and vendors must be licensed through Leerfield. The licensing program is a resource for all members of the USI community and the vendors who work with the USI and was designed to ensure consistent and appropriate use of the University's visual identity. Additionally, the program enables USI to share in the benefits derived from the commercial use of these trademarks. For more information and frequently asked questions visit: [USI.edu/brand/licensing-and-trademark](http://USI.edu/brand/licensing-and-trademark)

All University of Southern Indiana registered trademarks are the property of University of Southern Indiana.

### C.13 Student Organization Travel Policy

Please see the University's Student Organization Travel Policy being revised over Summer 2017. For complete policy visit, [USI.edu/travel-services/travel-policy](http://USI.edu/travel-services/travel-policy).

#### C.13.1 Behavior Expectations

**C.13.1.a.** Every student traveling on behalf of a registered student organization is acting as a representative of the University of Southern Indiana. To that end, courtesy and respect for others must be demonstrated at all times while traveling and attending the event. Mature, professional conduct is expected of every student. The University of Southern Indiana recommends that the student organization advisor or staff accompanying the trip provide guidance and support to student delegates.

**C.13.1.b.** The following guidelines have been established, and all students traveling on behalf of the University are expected to adhere to these guidelines:

- Students are responsible for their behavior and will be held accountable while traveling on behalf of the University.
- University of Southern Indiana does not condone underage consumption of alcoholic beverages at University sponsored/supported/affiliated functions. Representatives of the University of Southern Indiana are expected to abide by the laws of the state which they are in.
- Use of controlled substances is strictly prohibited under all circumstances.
- Respect should be shown at all times for others and all non-personal property.
- If an advisor or student leader feels any student has not adhered to these guidelines and has behaved in a manner which is unprofessional, illegal or irresponsible, that student could face conduct charges upon returning to campus.

**C.13.2.** Any meal allowance for students traveling as representatives of the University shall not exceed current University per diem rates. Check with USI Travel Services for current rates.

**C.13.3.** When faculty and/or staff are traveling with students, they are prohibited from sharing a room with a student.

### C. 14 Student Organization Conduct

#### C.14.1 Process

- A. All minor violations will be handled by Student Development Programs and will not require an initial review.
- B. In a minor violation case, the alleged organization's leadership (i.e., President and other officers when appropriate) will have a preliminary meeting with the designated staff member from Student Development Programs, here after referred to as the administrative hearing officer. At this time the accused student organization is made aware of the University disciplinary process, the nature of the complaint and alleged violations, and the range of sanctions possible for that type of offense. The student organization is also given an opportunity at this preliminary meeting to respond to the complaint. Based on the information available, the administrative hearing officer may:
  1. Dismiss some or all of the alleged violations
  2. Continue the investigation into the alleged violations to determine if the allegations have merit
  3. Refer the alleged violations to the Dean of Students if the findings from the preliminary meeting elevate the alleged violations to a moderate or major offense.
  4. Charge the student organization with one or more violations
- C. When alleged violation(s) are categorized as moderate to major in nature, the case shall be initially reviewed by the Dean of Students, the Director of Student Development Programs and the appropriate functional

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area administrator to determine the appropriate resolution process.

1. If it is determined that the alleged violation(s) are by individuals but not collectively by the organization, the case will be referred to the Dean of Students for adjudication.
2. If it is determined that the alleged violations are by organizations, the case will be evaluated for seriousness of the violation to determine who adjudicates the violation.
3. Any case may be referred directly to the Dean of Students for adjudication when the complexity and nature of the violation warrants referral and/or warrants consideration of suspension or withdrawal of recognition from the University.

### D. Student Organization Conduct Process Range of Violations

officer may recommend and refer an organization suspension or withdrawal of organization recognition to the Dean of Students.

- a. If any organization pleads responsible, but does not agree to the determined sanctions, the organization may appeal.
  - b. By pleading responsibility and accepting the terms of the determined sanctions, a student organization forfeits its right to appeal.
3. To plead NOT responsible for the violation and request a formal hearing. In the case of moderate offenses, the administrative hearing officer may choose to hear the case or to refer the case to the Dean of Students. Cases that are major in nature and scope, or where the violations may result in more serious sanctions, will be referred to the Dean of Students.

Minor	Moderate	Major
<b>Sanction Range:</b> Written Warning, Loss of Privileges, Restitution, Educational/Service Sanctions	<b>Sanction Range:</b> Restitution, Educational/Service Sanctions, Probation, Loss of Privileges	<b>Sanction Range:</b> Restitution, Educational/Service Sanctions, Organization Probation, Suspension of Organization Recognition, Withdrawal of Organization Recognition
<b>Initial Reviewer:</b> Student Development Programs	<b>Initial Reviewer:</b> Student Development Programs or Dean of Students	<b>Initial Reviewer:</b> Dean of Students
Types of Violations	Types of Violations	Types of Violations
Academic Performance	Academic Integrity Issues	Academic Integrity Issues
General Social Policy Infractions	Alcohol-related issues	Alcohol-related issues
Misuse of University Space/Property	Assaults/Fights	Arson
University Membership Recruitment Violations	Drug Use	Assaults/Fights
Required Event Attendance	Hazing	Drug Use/Distribution
University Paperwork/Failure to Renewal	Recruitment Infractions/Violations	Hazing
Posting Policy Violation	Repeated General Social Policy Infractions	Sexual Assault/Abuse
Student Organization Food Policy Violation	Theft	Theft
	Vandalism	Vandalism

- E. If the student organization is charged with violation(s), the organization also is informed of his/her options in adjudicating the violation(s), including one of the following:
  1. To plead responsible for the violation. The organization therefore requests an informal resolution in lieu of a hearing and will have sanctions determined at that time by the administrative hearing officer.
  2. As part of an informal resolution, the administrative hearing officer may impose appropriate sanctions up to and including probation but not suspension or withdrawal of recognition. The administrative hearing

- F. Student organization cases referred to a formal hearing will be conducted by the Dean of Students or designee. All evidence shall be submitted to the Dean of Students or designee for review. The student organization will be given the opportunity to present witnesses or other evidence to support their claims. The Dean of Students or designee will determine responsibility and, if necessary, assign appropriate sanctions within the scope of the violation and past conduct history of the organization.
- G. Written notice indicating the finding of the hearing and sanctions will be presented to the organization's leadership. Sanctions are limited to the collective

- student organization(s); individual violations are referred to the Dean of Students or designee.
- H. Student organizations have an opportunity to appeal the decision of the Dean of Students or designee (in Moderate and Major violation cases) and Student Development Programs (in minor violation cases).
1. All appeals of student organization disciplinary decisions must be directed to the online form. All appeals request are submitted via the online Appeals Form which will be available through Maxient – [USI.edu/deanofstudents/code](http://USI.edu/deanofstudents/code) within three (3) business days.
  2. All submitted appeals request will be received by the Dean of Student Office. The Dean of Students office will forward any student organizations appeals to Director of Student Development Programs for any informal resolution case as appropriate.
  3. For informal resolution cases, the Director of Student Development Programs will serve as the primary appeals officer, unless the director has served as the administrative hearing officer. When the director has served as the administrative hearing officer on a case, the Associate Provost for Student Affairs will serve as the primary appeals officer.
  4. For formal resolution cases, the Dean of Students will serve as the primary appeals officer. The Provost/ Designee will serve as needed.
- I. All written materials will be retained in the Dean of Students for a minimum of seven years and then destroyed and/or at the discretion of the Dean of Students, which becomes a matter of permanent record.

#### C.14.2 Student Organization Sanctions

Student organizations may sanctioned one or more of the following sanctions when a student organization is found responsible of a violation(s) of the *Student Rights and Responsibilities: A Code of Student Behavior*:

- A. **Written Warning:** A letter of notification placed in the student organization's file and sent to its national organization (if applicable) warning of more severe sanctions in the event of a repeat of the offending behavior.
- B. **Loss of Privileges:** A specific privilege (i.e., campus resource) is restricted from the use of the organization; the administrative Case Manager shall determine the appropriate restrictions and the terms to reinstate the privilege.
- C. **Restitution:** An organization, whose actions cause damage to public or private property or injury to another person, may be required to provide monetary reimbursement for restoration of or replacement of property or for medical bills related to injuries. Each member of the organization may be held financially responsible through group billing.
- D. **Service Requirement:** Participation in University or community service activities.
- E. **Educational Requirement:** Educational programming hosted and/or attended by a percentage of organization membership.

- F. **Student Organization Probation:** A specific period of probation with or without selected restrictions; the administrative Case Manager shall determine the length and terms of the probationary period. In addition, the Case Manager has the ability to place organizational expectations as conditions of the probation which must be met in order for the probation to be removed.
- G. **Suspension of Organization Recognition:** Suspension of recognition as a student organization and the privileges inherent in that recognition indefinitely or for a specific period of time. In addition, the Case Manager has the ability to place organizational expectations as conditions of the suspension which must be met in order for the suspension to be removed.
- H. **Withdrawal of Organization Recognition:** Withdrawal of University recognition as a student organization.

#### Temporary Student Organization Restriction

- A. Under certain circumstances, a student organization accused of a violation(s) of the *Student Rights and Responsibilities: A Code of Student Behavior* may be subject to Temporary Student Organization Restrictions from the University prior to an administrative review. The decision to restrict on an interim basis shall be made by the Dean of Students. Temporary Student Organization Restrictions shall be imposed only when:
  1. Specific operations of a student organization (i.e., recruitment, membership education, social functions) is deemed to be a threat to the safety and wellbeing of the University community, property or pose a substantial threat of disruption to the University's educational process, or
  2. It is determined that such action would be beneficial to the student organization membership's own safety and wellbeing.
- B. Temporary Student Organization Restrictions, shall be implemented when specific operations of a student organization must cease, but the student organization can continue operation in all other areas. The Temporary Student Organization Restriction may continue until the entire disciplinary process including appeal, is completed. Every effort will be made to complete the disciplinary process in a timely manner so as to limit the Temporary Student Organization Restriction to the shortest time possible.
- C. The student organization will be notified in writing of this action and the reasons for the Temporary Student Organization Restriction. The student organization can appeal the decision for Temporary Student Organization Restriction in writing to the Dean of Students.

#### Temporary Student Organization Suspension

- A. Under certain circumstances, a student organization accused of a violation(s) of the *Student Rights and Responsibilities: A Code of Student Behavior* may be subject to Temporary Student Organization Suspension from the University prior to an administrative review. The

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decision to suspend on an interim basis shall be made by the Dean of Students. Temporary Student Organization Suspension shall be imposed only when:

1. A student organization is deemed to be a threat to the safety and wellbeing of the University community, property or pose a substantial threat of disruption to the University's educational process, or
  2. It is determined that such action would be beneficial to the student organization membership's own safety and wellbeing.
- B. During the Temporary Student Organization Suspension, the student organization shall cease all campus activities (formal and informal) unless noted in the organization's written notification. The Temporary Student Organization Suspension may continue until the entire disciplinary process including appeal, is completed. Every effort will be made to complete the disciplinary process in a timely manner so as to limit the Temporary Student Organization Suspension to the shortest time possible.

The student organization will be notified in writing of this action and the reasons for the Temporary Student Organization Suspension. The student organization can appeal the decision for Temporary Student Organization Suspension in writing to the Dean of Students.

### ATHLETIC DEPARTMENT CONDUCT PROCESS

#### D.1.1 ATHLETIC DEPARTMENT PROCESS

- A. Team Rules – Head coaches will establish team rules consistent with the USI Student Athlete Code of Conduct. The head coach has the authority to impose sanctions for the violation of team rules.
- B. Rules or Policies other than Team Rules – For violations of rules and policies other than team rules (e.g., violation of NCAA rules or USI Athletic Department Code of Conduct) the head coach may impose sanctions with the approval of the Athletic administrator.
- C. Criminal Law – Student athletes arrested for, or charged with, violating the criminal law may be placed on immediate administrative suspension from involvement in team activity pending further investigation. The head coach and/or Athletic administrator may, for violation of criminal law, impose team sanctions on the student athlete apart from the suspension.
- D. Multi-Sport Athletes – Multi-sport athletes will not be relieved of any sanctions previously imposed in connection with rules violation while participating in another team sport when changing sports.
- E. Possible sanctions include but are not limited to:
1. Warning – a notice that the student has violated University policy and is warned that further misconduct may result in more severe disciplinary action.
  2. Probation – a student may be issued a sanction of probation for a relatively serious first offense or as a result of an accumulation of previous violations and sanctions. Probation is for a designated period

of time. If any other discretion happens during probation, the student athlete will be considered in violation of probation.

3. Community Service – at the direction of the Athletic Department.
4. Restitution – payment for damaged property.
5. Temporary Suspension – removal of a student athlete from all Athletics Department activities, including participation in team events, for a limited time.
6. Interim Suspension – removal of a student athlete from all Athletics Department activities, including participation in team events, for a specified period of no less than one season.
7. Expulsion – permanent removal from a team and/or Athletics Department activities.
8. Withdrawal of Financial Aid – termination of athletic-related financial aid at first opportunity allowable by NCAA regulations.

#### D.1.2 VIOLATIONS

- A. Moderate and Major cases shall be initially reviewed by the director of Athletics in collaboration with the Dean of Students Office to determine the appropriate functional area administrator to carry out the resolution processes.
1. Individual or team sport allegations may be referred to the Dean of Students Office for adjudication.
  2. Any case may be referred directly to the Dean of Students Office for adjudication when the complexity and nature of the violation warrants referral and/or warrants consideration of higher-level sanctions. Potential sanctions for higher-level violations adjudicated by the Dean of Students can range from warning (written) to University probation, suspension or to expulsion.

#### D.1.3 SANCTIONS

- A. Potential sanctioning will consider any previous violations that have been documented.
- B. As each case is unique, the same process will be followed for all cases but may be applied differently and the appropriate sanction must be based on the facts of the case.
- C. For a team rule violation, the head coach will issue the sanction to the student athlete(s). Head coaches may ask for assistance from Athletic administration.
- D. For a violation of other rules or policies or minor violation of criminal law, the head coach will consult with Athletic administration, if need be, on sanctions prior to any being issued to student athlete(s). Depending on the situation, the student or team may be sanctioned by the head coach.
- E. Per University policy, the Athletics Department shares pertinent information with the Dean of Students regarding potential student safety and/or conduct concerns; the Dean of Students may determine that further action or follow-up is warranted. Failure to comply with the Dean of Students expectations or

sanctions may result in additional sanctions from both the Dean of Students and the Athletics Department.

- F. In cases where a potential violation of law or University policy has been documented, both the Athletics Department and the Dean of Students or designee may sanction student(s) and/or team(s).

### D.1.4 APPEALS

- A. At least one of three Athletic administrators will be a partial appeals officer for Athletics.
- B. If the appeal is due to NCAA rules and regulations, that will follow the NCAA process.

### D.1.5 UNIVERSITY DISCIPLINARY PROCESSES AND REFERRALS TO THE DEAN OF STUDENTS

- A. The Dean of Students Office serves as a central place of advocacy and support for all students and may reach out to students to provide support through the University CARE Team. The Dean of Students also is responsible for upholding Community Standards and the Code of Student Behavior. As with all students, student athletes are subject to the University of Southern Indiana's Community Standards of behavior in addition to Athletics' standards. In addition, their conduct also is subject to NCAA rules and regulations. Student athletes are expected to know and abide by the University and NCAA standards of behavior. For more information, see the director of Athletics or the Dean of Students.
- B. All allegations related to the following issues MUST be reported to the Dean of Students prior to adjudication to determine appropriate level of follow-up and to meet University, state and federal compliance requirements:
  1. Arson
  2. Assaults/fights
  3. Alcohol, drug use and/or distribution
  4. Hazing
  5. Sexual Abuse
  6. Theft
  7. Vandalism
  8. All Title IX Related Allegations:
    - a. Conduct which threatens or endangers the health or safety of any person based on sex
    - b. Dating Violence
    - c. Discrimination on the basis of gender or ethnic identity
    - d. Domestic Violence
    - e. Gender Identity
    - f. National Origin
    - g. Retaliation (direct or through a third party)
    - h. Sexual Harassment (including stalking)
    - i. Sexual Misconduct (e.g., consent, incapacitation, force or coercion)
    - j. Threats and Intimidation (implied or direct)

- k. Sexual Violence/Assault (e.g., rape, sodomy, sexual assault with an object, fondling, incest, statutory rape, dating violence, domestic violence or sexual exploitation)

- l. Threatening or causing physical harm, extreme verbal abuse

- m. Violations on the basis of the victim's sex/gender

- C. All evidence shall be submitted to the Dean of Students Office for review. Once the appropriate level of response is determined, the individual or team or will be given the opportunity to respond to the evidence and present witnesses or other evidence to support their case. The Dean of Students or designee will determine responsibility and assign appropriate sanctions within the scope of the violation and past disciplinary history of the individual or athletic team. Sanctions may NOT be limited to the team or Athletic Department. The case will be documented and become part of the individual or team disciplinary record.
- D. The most current University Community Standards and Code of Student Behavior is published in the official Student Handbook available on the Dean of Students' website at [USI.edu/deanofstudents/code](http://USI.edu/deanofstudents/code).

### D.1.6 DISCIPLINARY INFORMATION DISCLOSURE STATEMENT

- A. Per University policy, some departments and organizations will share information with the Dean of Students regarding potential student safety and/or conduct concerns; the Dean of Students may determine that further action or follow-up is warranted. This may include but is not limited to athletic teams, organizations and clubs, fraternities and sororities, academic professional standard committees and academic departments conducting disciplinary background checks for student placement. All related materials will be retained by the Dean of Students and become part of your permanent disciplinary record. This information may be reported as part of a disciplinary background check for a minimum of seven years, except in certain cases where the Dean of Students determines that it is appropriate to disclose information beyond the minimum seven years period. For more information, contact the Dean of Students or call 812-464-1862.

## RECREATION, FITNESS AND WELLNESS

### CONDUCT PROCESS (RFW)

#### E.1.1 NON-REPORTABLE OR LOW-LEVEL VIOLATIONS

- A. Recreation, Fitness and Wellness staff may consult with the Dean of Students on any type of disciplinary case. All non-reportable and low-level violations will be resolved at the lowest level possible and be handled by Recreation, Fitness and Wellness and may not require an initial review. Student staff may be included in the Intramural Advisory Council hearing process.

## STUDENT RIGHTS AND RESPONSIBILITIES

The Intramural Advisory Council is made up of Student Intramural Supervisors and RFW staff.

- B. In a non-reportable or low-level violation case, the alleged individual, intramural team or club sport leadership (i.e., team captain, president and other officers when appropriate) will have a preliminary meeting with the designated staff member from Recreation, Fitness and Wellness, hereafter referred to as the administrative hearing officer. At this time the accused individual, intramural team or club sport is made aware of the University disciplinary process, the nature of the complaint and alleged violations and the range of sanctions possible for that type of offense. The individual, intramural team or club sport also is given an opportunity at this preliminary meeting to respond to the complaint. Based on the information available, the administrative hearing officer may:
1. Dismiss some or all of the alleged violations.
  2. Continue the investigation into the alleged violations to determine if the allegations have merit.
  3. Refer the alleged violations to the Intramural Advisory Council.
  4. Refer the alleged violations to the Director of Recreation, Fitness and Wellness or the Dean of Students Office if the findings from the preliminary meeting elevate the alleged violations to a moderate or major offense.
  5. Charge the individual, intramural team or club sport with one or more violations.
- C. The administrative hearing officer will document all low-level violations.

### E.1.2 MODERATE – MAJOR VIOLATIONS

- A. Moderate and Major cases shall be initially reviewed by the Director of Recreation, Fitness and Wellness, in collaboration with the Dean of Students Office, to determine the appropriate functional area administrator to carry out the resolution process.
1. Individual or team/club sport allegations may be referred to the Director of Recreation, Fitness and Wellness and/or the Dean of Students Office for adjudication.

2. Any case may be referred directly to the Dean of Students Office for adjudication when the complexity and nature of the violation warrants referral and/or warrants consideration of higher-level sanctions. Potential sanctions for higher-level violations adjudicated by the Dean of Students can range from warning (written) to University probation, suspension or to expulsion.
- B. If the individual, intramural team or club sport is charged with violation(s), they also are informed of their options in adjudicating the violation(s), including one of the following:
1. To plead responsible for the violation:
    - a. The individual, intramural team or club sport can request an informal resolution in lieu of a hearing and sanctions will be determined by the administrative hearing officer. RFW staff may consult with the Dean of Students to determine appropriate sanctions.
    - b. As part of an informal resolution process, the administrative hearing officer may impose appropriate sanctions up to and including suspension and probation, but not withdrawal of recognition. The administrative hearing officer may recommend and refer a withdrawal of intramural team or club sport recognition to the Director of Recreation, Fitness and Wellness and/or the Dean of Students Office.
    - c. By pleading responsibility and accepting the terms of the determined sanctions, an individual, intramural team or club sport forfeits the right to appeal.
  2. To plead NOT responsible for the violation and request a formal hearing:
    - a. In the case of minor or moderate offenses, the administrative hearing officer may choose to hear the case, refer to the Intramural Advisory Council or refer the case to Director of Recreation, Fitness and Wellness and/or the Dean of Students Office.
    - b. Cases that are major in nature and scope, or where the violations may result in more serious sanctions, will be referred to the Dean of Students Office.

## E.1.3 RECREATION, FITNESS AND WELLNESS CONDUCT PROCESS AND SANCTIONS

Non-Reportable	Minor	Moderate	Major
<b>Sanction Range:</b> Verbal Warning, Record Infraction (technical foul, yellow/red card or low sportsmanship rating) Loss of Privileges, Restitution or Forfeit Fine. Additional sanctions as determined by RFW.	<b>Sanction Range:</b> Written Warning, Loss of Privileges, Restitution, Educational or Service Sanctions or Probation. Additional sanctions as determined by RFW.	<b>Sanction Range:</b> Loss of Privileges, Restitution, Educational or Service Sanctions, Loss of Club Sport Funding or Probation. Additional sanctions as determined by the Dean of Students.	<b>Sanction Range:</b> Loss of Privileges, Restitution, Educational or Service Sanctions, Loss of Club Sport Funding, Suspension of Club Sport Recognition, Withdrawal of Club Sport Recognition or Probation. Additional sanctions as determined by the Dean of Students.
<b>Initial Reviewer:</b> Recreation, Fitness and Wellness	<b>Initial Reviewer:</b> Recreation, Fitness and Wellness	<b>Initial Reviewer:</b> Recreation, Fitness and Wellness or Dean of Students Office	<b>Initial Reviewer:</b> Dean of Students Office
Types of Violations	Types of Violations	Types of Violations	Types of Violations
Forfeit	Inappropriate Behavior	Assaults/Fights	Assaults/Fights
Inappropriate Behavior	Game Ejection	Alcohol-Related Issues	Alcohol-Related Issues
Rough Play	Disrespect to Staff	Drug Use	Drug Use/Distribution
Disrespect to Staff	Cheating	Hazing	Hazing
Abusing Facilities or Equipment	Abusing Facilities or Equipment	Repeated inappropriate Behavior	Sexual Assault/Abuse
Late Equipment Return	Club Sport Recruitment Infractions/Violations	Repeated Infractions/Violations	Arson
Event No Show	Required Club Sport Event Attendance	Threats or Intimidation	Threats or Intimidation
Repeated Forfeits	Club Sport Paperwork/Failure to Renew	Theft	Theft
	Club Sport Academic Performance	Vandalism	Vandalism
		Club Sport Travel Infractions/Violations	Club Sport Travel Infractions/Violations
		Club Sport Academic Integrity Issues	Club Sport Academic Integrity Issues

### E.1.4 INDIVIDUAL, INTRAMURAL TEAM OR CLUB SPORT SANCTIONS

A. Recreation, Fitness and Wellness may sanction one or more of the following sanctions when an individual, intramural team or club sport is found responsible of a violation(s) of the Student Rights and Responsibilities: A Code of Student Behavior

1. Written Warning - A letter of notification or e-mail will be sent to the individual, intramural team or club sport leadership warning of more severe sanctions in the event of a repeat of the offending behavior.

2. Loss of Privileges - A specific privilege (i.e., participation) is restricted from the individual, intramural team or club sport; the administrative hearing officer shall determine the appropriate restrictions and the terms to reinstate the privilege.
3. Restitution - An individual, intramural team or club sport, whose actions cause damage to public or private property or injury to another person, may be required to provide monetary reimbursement for restoration of or replacement of property or for medical bills related to injuries. Each member of the team or club sport may be held financially responsible through group billing.

## STUDENT RIGHTS AND RESPONSIBILITIES

4. Fine – An individual, intramural team or club sport may be fined. (i.e., forfeit, late equipment return or event no-show)
5. Service Requirement - Participation in University or community service activities.
6. Educational Requirement - Educational programming hosted and/or attended by the individual or a percentage of organization membership.
7. Student Organization Probation - A specific period of probation with or without selected restrictions; the administrative hearing officer shall determine the length and terms of the probationary period. In addition, the administrative hearing officer has the ability to place organizational expectations as conditions of the probation, which must be met in order for the probation to be removed.
8. Suspension of Organization Recognition - suspension of recognition as a student organization and the privileges inherent in that recognition indefinitely or for a specific period of time. In addition, the administrative hearing officer has the ability to place organizational expectations as conditions of the suspension, which must be met in order for the suspension to be removed.
9. Withdrawal of Organization Recognition - Withdrawal of University recognition as a student organization.
10. Loss of University Funding – An organization may lose funding for a period of time. In addition, the administrative hearing officer has the ability to place organizational expectations as conditions for the return of University funding, which must be met in order for the funding to be restored.

### E.1.5 APPEALS PROCESS

- A. Individuals, intramural teams or club sports have the right to appeal decision, at the Recreation, Fitness and Wellness (in Non-Reportable and Minor violation cases) or at the Dean of Students (in Moderate and Major Violation cases) level. Decisions at the “Appeals” level are final.
- B. All appeals of individuals, intramural teams and club sports disciplinary decisions must be directed to the online form. All appeals request are submitted via the online Disciplinary Appeal Form available through the Dean of Students’ website at USI.edu/deanofstudents/code. All appeals must be received with 48 hours or (2) business days.
- C. All submitted appeals request will be reviewed by the Dean of Students Office and referred to the appropriate reviewing official (Director of Recreation, Fitness and Wellness/Designee or the Dean of Student or designee.
- D. In cases where the Director serves as the administrative hearing officer, the associate provost for Student Affairs or designee will review the appeal. The Dean of Students serves as the primary appeals officer for cases heard at that level. In cases where the Dean serves as the

administrative hearing officer, the provost or designee will review the appeal.

### E.1.6 UNIVERSITY DISCIPLINARY PROCESSES AND REFERRALS TO THE DEAN OF STUDENTS

- A. The Dean of Students Office serves as a central place of advocacy and support for all students and may reach out to students to provide support through the University CARE Team. The Dean of Students also is responsible for upholding Community Standards and the Code of Student Behavior. Students who participate in Intramural Sports or Club Sports are subject to the University of Southern Indiana’s Community Standards of behavior in addition to Recreation, Fitness and Wellness standards.
- B. All allegations related to the following issues MUST be reported to the Dean of Students prior to adjudication to determine appropriate level of follow- up and to meet University, state and federal compliance requirements:
  1. Arson
  2. Assaults/fights
  3. Alcohol, drug and/or distribution
  4. Hazing
  5. Sexual Abuse
  6. Theft
  7. Vandalism
  8. All Title IX Related Allegations:
    - a. Conduct which threatens or endangers the health or safety of any person based on sex
    - b. Dating Violence
    - c. Discrimination on the basis of gender or ethnic identity
    - d. Domestic Violence
    - e. Gender Identity
    - f. National Origin
    - g. Retaliation (direct or through a third party)
    - h. Sexual Harassment (including stalking)
    - i. Sexual Misconduct (e.g., consent, incapacitation, force or coercion)
    - j. Threats and Intimidation (implied or direct)
    - k. Sexual Violence/Assault (e.g., rape, sodomy, sexual assault with an object, fondling, incest, statutory rape, dating violence, domestic violence or sexual exploitation)
    - l. Threatening or causing physical harm, extreme verbal abuse
    - m. Violations on the basis of the victim’s sex/gender
- C. All evidence shall be submitted to the Dean of Students Office for review. Once the appropriate level of response is determined, the individual, intramural team or club sport will be given the opportunity to respond to the evidence and present witnesses or other evidence to support their case. The Dean of Students or designee will determine responsibility and assign appropriate

sanctions within the scope of the violation and past disciplinary history of the individual, intramural team or club sport. Sanctions may NOT be limited to the individual, intramural team or club sport. The case will be documented and become part of the individual, intramural team or club sport disciplinary record

- D. The most current University Community Standards and Code of Student Behavior is published in the official Student Handbook available on the
- E. Dean of Students' website at [USI.edu/deanofstudents/code](http://USI.edu/deanofstudents/code).

### **E.1.7 DISCIPLINARY INFORMATION DISCLOSURE STATEMENT**

- A. Per University policy, some departments and organizations will share information with the Dean of Students regarding potential student safety and/or conduct concerns; the Dean of Students may determine that further action or follow-up is warranted. This may include but is not limited to athletic teams, organizations and clubs, fraternities and sororities, academic professional standard committees and academic departments conducting disciplinary background checks for student placement. All related materials will be retained by the Dean of Students and become part of your permanent disciplinary record. This information may be reported as part of a disciplinary background check for a minimum of seven years, except in certain cases where the Dean of Students determines that it is appropriate to disclose information beyond the minimum seven years period. For more information, contact the Dean of Students or call 812-464-1862.

*Updated 05/2019*