

OHIO
NORTHERN
UNIVERSITY

Student Handbook

2023-2024

(Revised, August 2023)

TABLE OF CONTENTS

TABLE OF CONTENTS	2
I. INTRODUCTION	9
II. GENERAL INFORMATION.....	9
III. GENERAL ACADEMIC REQUIREMENTS & INFORMATION	11
<i>ACADEMIC STANDING OF STUDENTS</i>	<i>11</i>
<i>CLASS ATTENDANCE</i>	<i>11</i>
<i>DIRECTORY INFORMATION.....</i>	<i>11</i>
<i>EDUCATIONAL RECORDS.....</i>	<i>11</i>
<i>FINAL EXAMINATIONS</i>	<i>12</i>
<i>FULL-TIME STATUS.....</i>	<i>12</i>
<i>INCOMPLETE GRADES</i>	<i>13</i>
<i>MILITARY DUTY</i>	<i>13</i>
<i>PLACEMENT OR CREDIT BY SPECIAL EXAMINATION</i>	<i>14</i>
<i>STANDARDS FOR SATISFACTORY PROGRESS FOR FULL-TIME STUDENTS</i>	<i>15</i>
IV. GENERAL NON-ACADEMIC REQUIREMENTS & STANDARDS OF CONDUCT	17
<i>ACADEMIC MISCONDUCT (see Section III above and Appendices I through M).....</i>	<i>17</i>
<i>ALCOHOL ABUSE/PUBLIC INTOXICATION</i>	<i>17</i>
<i>ALCOHOL CONSUMPTION (see Appendix R)</i>	<i>17</i>
<i>COMPUTERS and UNIVERSITY NETWORK (see Appendix F and Q).....</i>	<i>18</i>
<i>CREATING A SAFETY HAZARD</i>	<i>18</i>
<i>FAILURE TO COMPLY.....</i>	<i>18</i>
<i>FIREARMS, OTHER WEAPONS, EXPLOSIVES AND DANGEROUS MATERIALS.....</i>	<i>18</i>
<i>FIRE SAFETY (FIRE SETTING, FIRE LAWS, REPORTING FIRES, FIRE DRILLS, BONFIRES)</i>	<i>19</i>
<i>UNAUTHORIZED ENTRY</i>	<i>19</i>
<i>DAMAGES TO UNIVERSITY PROPERTY</i>	<i>20</i>
<i>DISHONESTY (see Appendix F).....</i>	<i>20</i>
<i>DISORDERLY CONDUCT (see Appendix R and Appendix C).....</i>	<i>20</i>
<i>DRUG USE OR POSSESSION.....</i>	<i>21</i>
<i>FIGHTING/ASSAULT</i>	<i>21</i>
<i>GAMBLING</i>	<i>21</i>
<i>GUESTS.....</i>	<i>21</i>
<i>HARASSMENT (see Appendix R)</i>	<i>21</i>
<i>HAZING (see Appendix S)</i>	<i>22</i>

<i>MOTOR VEHICLE REGULATIONS</i>	22
<i>SERIOUS MISCONDUCT</i>	22
<i>SEX DISCRIMINATION (see Appendix B)</i>	22
<i>TEMPORARY SUSPENSION</i>	22
<i>THEFT</i>	23
<i>TOBACCO AND SMOKING</i>	23
<i>VIOLATION OF UNIVERSITY POLICY</i>	23
V. RESIDENCE HALL POLICIES AND PROCEDURES	24
<i>INTRODUCTION</i>	24
<i>RESIDENT RIGHTS AND RESPONSIBILITIES</i>	24
<i>UNIVERSITY HOUSING POLICY STATEMENT</i>	24
<i>GENERAL HOUSING INFORMATION and PROCEDURES</i>	25
Staffing.....	25
Check-In.....	25
Check-Out.....	26
Consolidation of Vacancies Policy.....	27
Damages in Residence Halls – Individual Rooms, University Apartments and Common Areas.....	27
Fees and Refunds.....	27
Reduced Services.....	28
Off-Campus Housing.....	28
Policy Related to Room Searches and Confiscation of Items.....	28
Termination of Occupancy.....	28
Withdraw from ONU and Removal of Belongings.....	29
Vacation Periods/Closing of Halls and Food Services.....	29
Meal Plans.....	29
Room Changes.....	29
Room Inspections.....	30
Summer Storage of Belongings.....	30
<i>HOUSING REGULATIONS and EXPECTATIONS</i>	30
Appliances.....	30
Bathrooms.....	30
Bicycles.....	30
Candles, Incense, Potpourri and Flammable Materials.....	30
Ceiling Fans.....	30
Cooking in Residence Hall Rooms.....	31
Dart Boards.....	31
Exterior Doors – Residence Halls and Apartments.....	31
Halogen Lamps.....	31
Keys and Unauthorized Duplication, Possession or Use.....	31
Lofts.....	31
Lounges and Lounge Furniture.....	31
Mini-Refrigerators.....	31
Noise.....	32
Non-Approved Postings.....	32
Painting or Rooms.....	32
Quiet Hours.....	33
Roof Areas.....	33
Room and Residential Area Conditions / Damages and Repairs.....	33

Space Heaters.....	33
Subletting.....	33
Trash & Recyclables	33
Utility Closets.....	33
Water Beds.....	34
Windows and Window Screens	34
VI. UNIVERSITY AFFILIATED GROUPS & ORGANIZATIONS	35
<i>INTRODUCTION.....</i>	<i>35</i>
<i>NOTICE OF NON-DISCRIMINATION</i>	<i>35</i>
<i>RECOGNITION PROCEDURES.....</i>	<i>35</i>
<i>CATEGORIES OF STUDENT ORGANIZATIONS.....</i>	<i>35</i>
<i>RIGHTS AND RESPONSIBILITIES OF STUDENT ORGANIZATIONS.....</i>	<i>36</i>
<i>SIGNS, POSTERS, BANNERS, AND SIDEWALK CHALKING POLICY</i>	<i>36</i>
Signs, Posters, and Banners Outside Buildings.....	36
Signs and Posters Inside Buildings.....	37
<i>SOLICITATION AND FUNDRAISING POLICY.....</i>	<i>37</i>
Guidelines	37
Solicitation in McIntosh Center.....	38
<i>SPIRIT ROCK POLICY.....</i>	<i>39</i>
<i>STUDENT ORGANIZATIONS AND POLITICAL ACTIVITY.....</i>	<i>39</i>
University Policy Regarding Politics	39
<i>UNIVERSITY-SPONSORED STUDENT TRAVEL.....</i>	<i>40</i>
Guidelines for University Student Travel.....	40
Campus Communications.....	41
Faculty or Staff Advisor/Representative Responsibilities for University Student Travel (before departure).....	41
<i>CONDUCT EXPECTED OF STUDENT ORGANIZATIONS.....</i>	<i>42</i>
Disciplinary Procedures for Student Organizations.....	42
Organization Sanctions and Educational Obligations.....	43
Submitting an Organization Appeal.....	43
VII. FRATERNITY/SORORITY LIFE	44
<i>POLICY STATEMENT.....</i>	<i>44</i>
<i>MEMBERSHIP.....</i>	<i>44</i>
<i>NEW MEMBER EDUCATION</i>	<i>45</i>
<i>HAZING.....</i>	<i>45</i>
<i>FRATERNITY HOUSING.....</i>	<i>45</i>
Ownership and Leases.....	46
Capacities.....	46
End-of-Year House Closures	46
House Operations.....	46
Living Conditions / Inspections.....	47
Meal Provision.....	48
Summer Housing.....	48
Use of University Facilities.....	49
<i>FRATERNITY AND SORORITY BEHAVIOR EXPECTATIONS</i>	<i>49</i>

Alcohol consumption.....	49
Candles and Open Flames.....	49
Social Event Notification Form	49
Flammable Materials.....	50
Hosted Events.....	50
Noise and Stereos.....	50
Roof Use.....	50
<i>STANDARDS OF EXCELLENCE</i>	50
APPENDIX A: STUDENT RECORDS	51
<i>POLICY</i>	51
<i>DEFINITIONS</i>	51
<i>DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION IN EDUCATION RECORDS</i>	52
<i>DIRECTORY INFORMATION</i>	53
<i>RECORDS OF DISCLOSURES</i>	54
<i>DESTRUCTION OF RECORDS</i>	54
<i>STUDENT RIGHTS WITH RESPECT TO EDUCATION RECORDS</i>	54
Inspection	54
Amendment.....	54
APPENDIX B: SEX DISCRIMINATION POLICY	56
APPENDIX C: CARE TEAM POLICY	80
<i>MISSION OF THE CARE TEAM</i>	80
<i>STUDENT BEHAVIOR OF CONCERN</i>	80
<i>STRUCTURE OF THE CARE TEAM</i>	80
<i>SHARING INFORMATION WITH THE CARE TEAM</i>	81
<i>REVIEW OF INFORMATION AND INDIVIDUALIZED ASSESSMENT</i>	81
<i>WITHDRAWAL OF A STUDENT</i>	82
Care Team Withdrawal Procedure.....	82
Facilitating the Withdrawal.....	82
<i>RE-ENROLLMENT FOLLOWING AN INVOLUNTARY WITHDRAWAL</i>	83
Care Team Re-enrollment Procedure	83
<i>PARENTAL/GUARDIAN/EMERGENCY CONTACT NOTIFICATION</i>	83
APPENDIX D: EMOTIONAL SUPPORT ANIMAL POLICY	84
APPENDIX E: DISCIPLINARY PROCEDURE FOR NON-ACADEMIC VIOLATIONS	87
<i>Article I. Reporting Violations of the Student Code of Conduct</i>	87
Section 4: Conferences with the Director of Student Conduct.....	88
Section 5: Referral to the University Disciplinary Board	88
<i>ARTICLE II: THE UNIVERSITY DISCIPLINARY BOARD</i>	89
Section 1: Organization	89
Section 2: Membership.....	89
Section 3: Disciplinary Board General Procedures	89

Section 4: Conduct of the Hearing	91
Section 5: Discretionary Procedures.....	92
ARTICLE III: APPEALS	92
Section 1: Filing the Appeal.....	92
Section 2: Review and Approval of the Appeal.....	93
Section 3: University Board of Appeals Membership	93
Section 4: University Appeals Board Procedure	93
ARTICLE IV: PUBLIC INFORMATION	94
ARTICLE V: DISCIPLINARY OFFENSES	94
ARTICLE VI: SANCTION GUIDELINES	96
Level I Offenses and Sanction Recommendations	96
Level II Offenses and Sanction Recommendations	96
Level III Offenses and Sanction Recommendations.....	96
APPENDIX F: CODE OF STUDENT ACADEMIC CONDUCT	97
<i>PREAMBLE</i>	97
<i>Section I - ACADEMIC OFFENSES</i>	97
<i>Section II - RESOLUTION AND ADJUDICATION PROCEDURES</i>	98
A. College Procedures	98
B. Appeal to University Committee on Academic Conduct	99
C. Sanctions	100
D. Secondary Sanctions	101
<i>Section III - ENFORCEMENT</i>	101
<i>Section IV - THE RELATION OF COLLEGE STANDARDS TO THE OHIO NORTHERN UNIVERSITY CODE OF STUDENT ACADEMIC CONDUCT</i>	101
APPENDIX G: GRADE APPEALS PROCEDURE	102
APPENDIX H : ONU DISABILITIES POLICY	104
<i>Admissions</i>	104
<i>Access to facilities</i>	104
<i>Procedure for Obtaining Reasonable Accommodation</i>	104
<i>Notice and Appeal</i>	105
APPENDIX I: GETTY COLLEGE OF ARTS AND SCIENCES	106
<i>ACADEMIC STANDING</i>	106
<i>CODE OF ACADEMIC STUDENT CONDUCT</i>	106
I. Academic Offenses.....	106
II. Sanctions for Academic Offenses.....	107
III. Resolution and Adjudication Procedures.....	108
APPENDIX J: SMULL COLLEGE OF ENGINEERING	109
<i>CODE OF STUDENT ACADEMIC CONDUCT</i>	109
APPENDIX K: RAABE COLLEGE OF PHARMACY	110

APPENDIX L: DICKE COLLEGE OF BUSINESS ADMINISTRATION	120
<i>CODE OF STUDENT ACADEMIC CONDUCT</i>	<i>120</i>
APPENDIX M: PETTIT COLLEGE OF LAW – Student Code of Conduct	121
<i>PREAMBLE.....</i>	<i>121</i>
<i>PART ONE: CODE OF CONDUCT.....</i>	<i>121</i>
Article 1.0 Terminology.....	121
Article 1.1 Student-School Relationship	122
Article 1.2 Responsibilities to the College of Law.....	122
Article 1.3 Candor and Honesty.....	122
Article 1.4 Misstatements to University Officials.....	123
Article 1.5 Demeanor.....	123
Article 1.6 Offenses Affecting Property, Etc.	124
Article 1.7 Other Misconduct.....	124
Article 1.8 Encouraging Prohibited Conduct.....	124
<i>PART TWO: ADJUDICATION PROCEDURES.....</i>	<i>124</i>
Article 2.0 Matters Subject to Adjudication.....	124
Article 2.1 Complaint.....	125
Article 2.2 Adjudication Counsel.....	125
Article 2.3 [Reserved].....	125
Article 2.4 Probable Cause Determination	125
Article 2.5 Adjudication Committee.....	127
Article 2.6 Hearing.....	128
Article 2.7 Verdict.....	129
Article 2.8 Sanctions.....	130
Article 2.9 Review.....	131
Article 2.10 Enforcement.....	131
<i>PART THREE: OTHER PROVISIONS.....</i>	<i>131</i>
Article 3.0 Academic Action by Faculty.....	131
Article 3.1 Computing Time Periods.....	132
Article 3.2 Amendments	132
APPENDIX N: STUDENT TRAFFIC APPEALS PROCEDURE	133
APPENDIX O: STUDENT FEE APPEALS PROCEDURE	134
<i>Fees than can be appealed.....</i>	<i>134</i>
<i>Procedures for handling fee appeals will be as follows.....</i>	<i>134</i>
APPENDIX P: POLICIES REGARDING A DRUG VIOLATION BY A STUDENT ATHLETE	135
<i>DEFINITION OF DRUG VIOLATION</i>	<i>135</i>
<i>FORMAL GRIEVANCE PROCEDURE.....</i>	<i>135</i>
APPENDIX Q: COMPUTER USE POLICY	137
<i>Policy</i>	<i>137</i>
<i>Shared Resource.....</i>	<i>137</i>
<i>Computer Account Agreement Terms</i>	<i>138</i>
<i>Email Access.....</i>	<i>139</i>

APPENDIX R: UNIVERSITY COMMUNITY SAFETY POLICIES	140
<i>Article 1. ALCOHOL AND OTHER DRUG USE POLICY.....</i>	<i>140</i>
<i>Article 2: DISCRIMINATION AND HARASSMENT POLICY.....</i>	<i>141</i>
ARTICLE 3: SAFETY AND SECURITY POLICY	142
Security in General	142
Access to Campus Facilities	142
Crime Alerts.....	142
Missing Student Policy and Procedure.....	142
Student Contact Information	143
Reporting Crimes	143
Reports Compiled on University Crimes	144
Safety of University Facilities	144
Sexual Offender Registration	144
APPENDIX S: Policy Prohibiting Hazing	145
<i>Policy Statement and Purpose.....</i>	<i>145</i>
<i>Scope of the Policy.....</i>	<i>145</i>
<i>Definitions.....</i>	<i>146</i>
Hazing.....	146
Student.....	147
Student organization	147
Student group	147
Substantial risk	147
Serious physical harm.....	147
<i>Prohibited Conduct.....</i>	<i>147</i>
<i>Mandated Reporters.....</i>	<i>147</i>
<i>Duty to Report.....</i>	<i>148</i>
Hazing emergencies	148
University contacts to report hazing.....	148
Anonymous reporting.....	148
<i>Amnesty.....</i>	<i>148</i>
<i>Procedures for Response.....</i>	<i>148</i>
<i>Sanctions for Violation of the Policy</i>	<i>149</i>
<i>Reporting and Transparency</i>	<i>150</i>
<i>Policy Awareness and Training.....</i>	<i>150</i>
<i>Policy Review</i>	<i>150</i>

I. INTRODUCTION

The purpose of the Student Code of Conduct is to explain student rights and responsibilities as members of the Ohio Northern University (ONU or University) community. The Student Code of Conduct is based upon the values contained in the University Mission Statement:

Influenced by a unique history and an enduring affiliation with the United Methodist Church, Ohio Northern University's mission is to provide a high-quality learning environment that prepares students for success in their careers, service to their communities, the nation, and the world, and a lifetime of personal growth inspired by the higher values of truth, beauty, and goodness. The University's distinctive academic program includes mutually supporting liberal and professional education components that integrate practice with theory, complemented by excellent co-curricular offerings that enrich the Northern experience. To fulfill this mission, faculty and staff engage with students so they can learn to think critically, creatively, and entrepreneurially, communicate effectively, gain practical experience, solve problems collaboratively, and act as ethical and responsible members of a global community.

In essence, the Student Code requires students to behave in a manner consistent with the values described in the University Mission Statement. To do so, students are expected to demonstrate:

- **Commitment to Self** with maturity, openness, accountability, and self-discipline;
- **Commitment to Others** with supportive, mutually collaborative, respectful, social interactions in all living and learning environments; and,
- **Commitment to Community** with responsible citizenship, active participation, and global awareness.

II. GENERAL INFORMATION

NONDISCRIMINATION

ONU is an equal employment opportunity employer. Accordingly, no person shall be discriminated against on the basis of race, color, sex, gender identity, transgender status, religion, national origin, age, disability, sexual orientation, marital status, military or veteran status, genetic information or any other category protected by federal, state, or local law. This policy applies to all areas of employment including recruitment, hiring, training and development, promotion, transfer, compensation, benefits, discipline, separation and other terms, condition and privileges of employment.

RESPECT FOR DIFFERENCES

In addition to its nondiscrimination policy, the University expects its members to respect differences among individuals and to encourage communication, learning, and understanding of differing viewpoints. Individuals of different backgrounds are encouraged to take advantage of University programs and activities which are equally available to all members of the University community.

EXPECTATIONS FOR STUDENT CONDUCT

The Student Codes of Conduct provide students with general notice of behavior that is prohibited at Ohio Northern University. The University expects from its students a higher standard of conduct than the minimum required to

avoid disciplinary action. The University may respond to established offenses of the applicable Code of Conduct with actions ranging from oral reprimand to suspension to academic dismissal.

Individual students, student organizations and other student groups are expected to comply with and support the standards of the University community. Individual students, student organizations and other student groups may be charged with alleged violations of the Codes and may be held individually and collectively responsible. Officers of a student organization or group may be held individually responsible when it is determined that violations by the membership of the group or organization were encouraged or approved by leadership.

In all student conduct situations, procedural fairness requires that students be informed of the nature of any charges, complaints or allegations brought against them; that students be given a fair opportunity to deny responsibility for those charges, complaints or allegations; that there be an available process of appeal for students; and that all parties respect the authority of the University to complete the student conduct process with a final, non-appealable decision. Procedures for appealing the Student Codes of Conduct can be found in Appendices E and F.

In addition to the Student Codes in the University Student Handbook, students are expected to abide by each Colleges' Handbook (such as the College of Law Handbook) and to the requirements contained in the Ohio Northern University Catalog.

ACADEMIC STUDENT CODE OF CONDUCT

The University has a duty to protect and strengthen its educational purpose by establishing standards of scholarship and conduct for students. The University expects its students to conduct themselves as mature members of the academic community, and it assumes that individually and collectively students will discourage acts of cheating. Academic offenses involving examinations, written work submitted for evaluation, improper knowledge of the contents of an examination, misrepresentation of facts relevant to academic matters, and all forms of improper or unethical conduct are subject to established adjudication procedures. Procedures for appealing an academic conduct decision rendered by an individual college can be found in the University's Student Academic Code of Conduct at Appendix F. Each College has established its own Academic Code of Conduct containing the standards of behavior expected of students enrolled in that College's course(s). These can be found at Appendices I through M.

NON-ACADEMIC STUDENT CODE OF CONDUCT

The University community subscribes to and strongly supports the right of each student to live, study, and work in a quiet, peaceful and respectful atmosphere conducive to the pursuit and acquisition of knowledge. Enrollment at the University obligates all students to conduct themselves as responsible members of the University community, whether on or off campus. Each member of the community is expected to assume responsibility for creating an environment that furthers the goals of the University. Accordingly, each student is expected to be fully acquainted with all published policies, rules and regulations of the University and will be held responsible for compliance with them. Procedures for addressing alleged violations of the non-academic Student Code of Conduct can be found at **Appendix E**.

III. GENERAL ACADEMIC REQUIREMENTS & INFORMATION

ACADEMIC STANDING OF STUDENTS

At the end of each semester or summer term, the academic standing of each student (except transient and special high school students) enrolled in the University is determined according to the following standards:

Good Academic Standing denotes students who meet the minimum standards of a 2.00 accumulative grade point average as calculated on the basis used by their College.

Academic Probation describes students who fall below the minimum standards of a 2.00 accumulative grade point average as calculated on the basis used by their College for the current term.

Continued Academic Probation denotes students who were on Probation during the previous term enrolled.

Undergraduate students currently on Academic Probation or Continued Academic Probation, whose grade point averages for the semester are below 2.00, are reviewed by the appropriate committees in their Colleges. The Committee will determine whether these students are permitted to continue at the University. In the alternative, the Committee may recommend: Academic Suspension during which a student is ineligible to continue in the University for a specified period of time; or,

Academic Dismissal which prohibits the student from continuing to attend the University.

A student may appeal an Academic Suspension or Dismissal in writing to his or her College in accordance with the College's procedures.

CLASS ATTENDANCE

All students are expected to attend all classes, including examinations. Students who must be absent are required to contact the faculty member (preferably before the absence) so that mutual agreement may be reached concerning work to be completed (including laboratory work) or quizzes to be rescheduled.

DIRECTORY INFORMATION (see Appendix A)

The University has designated the following Directory Information which may be released without the student's specific approval: (1) student name; (2) permanent and local address and telephone numbers; (3) major fields of study and college in which enrolled; (4) degrees, honors, awards and dates received; (5) class (year of study); (6) dates of attendance; (7) most recent institution previously attended; (8) previous degrees earned and granting institutions; (9) participation in officially recognized activities and sports; (10) height and weight of members of athletic teams; (11) enrollment status (enrolled, withdrawn, full- or part-time); and (12) student email address.

Students may withhold Directory Information by notifying the Office of the Registrar in writing. Requests to withhold Directory Information are in effect until rescinded in writing by the student.

EDUCATIONAL RECORDS

The University policy on Student Educational Records can be found at Appendix A. Educational records are maintained at the following locations:

Office of the Registrar – Lehr Memorial

1. Registration records
2. Permanent academic record files
3. Computer files of academic records and personal information submitted by the student

Office of Student Affairs – McIntosh Center

1. Student social files
2. Computer files of local addresses, fraternity/sorority membership, and co-curricular activities
3. Student Conduct files for non-academic violations.

Academic Department and College Offices

There is no commonality in files maintained by the various departments and colleges. Educational records may be maintained by the faculty advisor, department chair and/or the college office. Student Conduct files for academic violations are maintained in the Dean's Office of the student's individual college.

Education records do not include records maintained by faculty and staff solely for their own use that are not shared with others.

Office of Student Financial Aid – Weber Hall

- Financial Aid Records

FINAL EXAMINATIONS

Students must be present at final examinations. Absence from any final examination must be the result of documented, unavoidable conditions and approved, in advance, if possible, by the course instructor. Unexcused absence from an examination will result in failure of the examination. An instructor may excuse students from the final examination if they have an A in the course.

FULL-TIME STATUS

Students must carry at least twelve credit hours to have full-time status.

GOOD ACADEMIC STANDING FOR ELIGIBILITY: INTERCOLLEGIATE VARSITY SPORTS, EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES

1. Ohio Northern University is a member of the National Collegiate Athletic Association (N.C.A.A.) and the Ohio Athletic Conference (O.A.C.) and follows the constitutions and by-laws of those organizations in determining eligibility for intercollegiate athletics.
2. Students are in good academic standing for eligibility to participate in extracurricular and cocurricular activities of the University unless restricted from doing so by action of the Dean of the student's college of enrollment for academic reasons or by the Dean of Students or the Director of Athletics for disciplinary reasons.

Good academic standing for eligibility denotes that a student is registered for classes and is making satisfactory academic progress to be eligible to participate in intercollegiate varsity sports, extracurricular and cocurricular activities where the student represents the University in competitive events.

A full-time student is making satisfactory academic progress in a degree program when the student's credit hours earned are at least 67% of the credit hours attempted. The student must have a 2.0 cumulative GPA by the end of each semester of enrollment. Individual colleges may establish higher standards.

See "STANDARDS FOR SATISFACTORY PROGRESS FOR FULL-TIME STUDENTS" for additional information about Satisfactory Academic Progress (SAP), including the process for appeal of a SAP status.

INCOMPLETE GRADES

All Incomplete (“I”) grades must be removed within 12 weeks after the beginning of the next regular semester unless the time is extended by the Dean of the College in which the student is registered. The grade will be converted to a failing grade if this time limit is not observed.

MILITARY DUTY

If a student is drafted or called to military training or duty during an academic semester, a full refund of tuition, fees, and financial aid will be made. No refunds will be made in those cases where the student earns academic credit for the semester.

If a student is drafted or called to military training or duty for service to occur during a future term, the student must decide if the length of training or service will allow for them to remain registered for the subsequent term. If the student decides to withdraw before the term begins, a full refund will be given. If the student decides to begin the term and later decides to withdraw while the term is in session, a prorated refund of tuition, fees and financial aid will be calculated.

In the case of a student being called for military duty due to a national emergency (e.g. natural disaster and war) and the student is unable to meet with a university official in person, the university official on behalf of the student can withdraw the student and complete the necessary paperwork. The student would just need to call or email a university official.

In the case of the student being drafted or receiving military training or duty orders after the tenth week of the semester, the student may at the discretion of the dean of the college in which the subjects are taught make arrangements to take final examinations or otherwise complete the work for the semester.

It is always the responsibility of the student to provide a copy of the military training or duty orders to the VA Certifying Official in the Office of Financial Aid.

If the military training or duty orders are served to the student in advance, the student should make contact with each of the following ONU Offices/Personnel:

Dean of the Student’s College

- Discuss plans upon return including re-registration.
- Discuss timetable for communication.
- Initiate processing for withdrawal from the university.

Financial Aid Office

- Students are not required to make loan payments while deployed.
- Lenders must postpone the student loan payments of these borrowers.
- Students who have not begun the repayment period on their loans continue to receive the benefit of a grace period (generally six months) before repaying their loans.
- Students must be given a reasonable period of time to resume school before lenders request student loan payments.
- A lender may grant a discretionary, administrative forbearance for up to three months to students who are affected by military mobilization.
- If a borrower is in default on a loan, the lender must cease all collection activities for the expected period of the borrower’s military service.

PLACEMENT OR CREDIT BY SPECIAL EXAMINATION

Description: A student seeking a baccalaureate or post baccalaureate degree at the University may be permitted to take a Special Examination in certain undergraduate courses currently in the catalog for which achievement of course goals can be demonstrated by examination. Marks for such examinations will be “S” (satisfactory) or “U” (unsatisfactory). Satisfactory performance on a Special Examination may be used for (1) placement only, to satisfy any course prerequisites, with no credit awarded, or (2) establishing credit.

Application for Approval: Permission to take a Special Examination is obtained through formal application available through the Office of the Registrar. The application requires approval of the student’s advisor, the Academic Dean of the student’s College of registration, and the Department Chair of the department in which the course is offered. Once approved, an examiner will be appointed by the Department Chair to conduct the examination.

Approval **will not** be given for:

1. courses which the student has previously audited or failed at this or other institutions;
2. courses which are prerequisite to any course for which the student has already established credit; or
3. courses for which the student has previously attempted credit by Special Examination unsuccessfully.

Timeframes

Students must:

1. obtain approval to take a Special Examination;
2. pay applicable administration fees;
3. schedule and take the examination;
4. ensure that the examination results are reported to the Office of the Registrar by the examiner; and,
5. pay applicable credit fees

prior to the end of the ninth week of a semester.

Fees

Administration: There are no fees for those Special Examinations required by the University or a specific College for purposes of determining placement in a course or for determining entry level in some sequential courses.

Special Examinations for placement purposes that are not required by the University and Special Examinations for credit require an examination administration fee to be paid at the Controller’s Office when the student applies for Special Examination.

Credit: Full-time, baccalaureate degree-seeking students may receive up to five (5) credit hours by Special Examination for one (1) course only at no charge. Subsequently, full-time students who pass a Special Examination for credit are required to pay full credit hour charges before credit is entered on the student’s permanent record.

Part-time students who pass a Special Examination for credit are required to pay fifty-percent (50%) of the full credit hour charges before credit is entered on the student’s permanent record.

Credit hour charges will be based on fees in effect at the time credit is awarded. The administration fee will be applied to the credit fee.

Documentation in Student's Permanent Record

Upon payment of the applicable credit fee prior to the end of the ninth week of a semester, credits for Special Examinations will be recorded on the student's permanent record. Satisfactory completion of the Special Examination will be recorded as "XM" (credit) or "PL" (placement). These credits will not affect the student's accumulative grade point average.

Unsatisfactory grades on Special Examinations for credit will be reported to the Office of the Registrar, but will not be recorded on the student's permanent record.

Limitations: Not more than a total of 30 semester hours earned by Special Examination or externally administered examinations, such as AP, CLEP and IB, may be applied toward a baccalaureate degree.

STANDARDS FOR SATISFACTORY PROGRESS FOR FULL-TIME STUDENTS

The following policy shall be used to determine a student's satisfactory progress relating to eligibility for participation in a competitive activity of individuals, teams, or other groups officially designated as representing the University or any of its colleges. Students must meet standards for satisfactory progress to be eligible for participation in such activities. This policy effects a student's eligibility to receive federal and state finance aid. It does not affect a student's eligibility to receive institutional or private financial aid.

A full-time student is making satisfactory progress in a degree program when the student's credit hours earned are at least 67% of the credit hours attempted. The student must have at least a 2.0 cumulative GPA by the end of the student's first semester and have maintained that 2.0 cumulative GPA for the duration of the student's degree program. A student may receive financial aid for a maximum of 1.5 times the total credit hours required for the student's degree program. Any credit hours that a student attempts but does not earn shall count toward the maximum credit hours allowed.

- A. Exception to the above requirement may be granted upon written petition by the student to the Office of Financial Aid. Circumstances must exist that have prevented a student from successfully earning the number of hours required and/or achieving the appropriate GPA required. A plan for coursework through the time of graduation may be required to demonstrate the student is taking appropriate steps to achieve graduation in the maximum timeframe allowed.
- B. Credit hours completed during summer session at the University will be counted in the accumulative total and SAP progress will be reviewed after each of these periods.
- C. Satisfactory progress is determined after each semester the student is enrolled in accordance with the standard established above.

Completion of credit hours

- A. Credit hours are earned for purposes of determining satisfactory progress if they are graded "A" through "D" or "S" (Satisfactory).
- B. Credit hours are attempted but not earned for purposes of determining satisfactory progress if they are graded F, NR, IP, I, U and W.
- C. Transfer credit hours shall count toward a student's total attempted and earned credit hours.

A college may use satisfactory academic progress as a criterion in determining academic standing.

A student who failed to maintain satisfactory academic progress shall receive a warning to demonstrate satisfactory academic progress by the end of the subsequent semester in which the student enrolls. If a student fails to demonstrate satisfactory academic progress within a semester, the student will be denied federal and state

financial aid and will be ineligible to compete in student intercollegiate athletics. The student may file an appeal with the Office of Financial Aid to receive probationary status, during which the student may receive federal and state financial aid and will be eligible to compete in student intercollegiate athletics. The appeal must include a plan of coursework from the student's department or college that demonstrates the student is taking appropriate steps to achieve satisfactory academic progress. The Office of Financial Aid may choose to grant or deny probationary status at its own discretion. The Office of Financial Aid will monitor the submitted plan of coursework after each semester until the student achieves satisfactory academic progress. If the student fails to follow the plan of coursework they will lose eligibility for federal and state financial aid, as well as participation in athletics, and must submit a new appeal to re-gain eligibility.

IV. GENERAL NON-ACADEMIC REQUIREMENTS & STANDARDS OF CONDUCT

Ohio Northern University's jurisdiction to enforce these general non-academic requirements and standards of conduct includes behavior that 1) occurs on the University campus; and/or, 2) occurs in University owned or University operated facilities or equipment, no matter where they are located; and/or 3) occurs at University sponsored, University sanctioned or University supervised events no matter where they occur; and/or 4) occurs at any off-campus location while enrolled as an enrolled Ohio Northern student. Discipline procedures for all non-academic violations can be found at Appendix E. Discipline procedures for all academic violations can be found at Appendix F.

All students at ONU are expected to comply with U.S. federal law, the statutes of Ohio, and all Village of Ada ordinances. Arrests or citations for illegal behavior that ONU determines adversely affects the community or the pursuit of its objectives will be considered a violation of the Standards of Conduct and addressed through the student conduct process. Neither the student conduct process nor the University can protect students who violate public laws from action by law enforcement agencies. Some conduct situations may result in a student's simultaneous involvement in both ONU's student conduct process and external legal processes. Law enforcement officers have the authority to pursue legal violations on ONU's campus and ONU will cooperate fully with law enforcement and other agencies in their enforcement of criminal law on campus. ONU will report all felonies to the Ada Police Department. Individual students, faculty and staff members at ONU, acting in their personal capacities, are free to interact with governmental agents as they deem appropriate.

Any student, group, or organization found to have committed or attempted to commit the following improper behavior is in violation of the University's standard of conduct.

ACADEMIC MISCONDUCT (see **Section III** above and **Appendices I through M**)

ALCOHOL ABUSE/PUBLIC INTOXICATION

The University affirms its historic belief that the illegal or inappropriate consumption of alcohol and the illicit use of drugs is not beneficial to an academic environment. ONU supports alcohol-free lifestyles and values a community where students who choose to consume alcohol do so legally and responsibly. All students are expected to abide by federal and Ohio State laws regarding the purchase, use, and distribution of alcohol and other drugs. The University must comply with these laws and is required by the federal *Drug Free Schools and Communities Act* to hold students accountable for their alcohol and drug-related behavior.

Students are expected to follow ONU's *Alcohol and Other Drug Policy* (See **Appendix R**). In summary, ONU expects that students who choose to consume alcohol will do so in legal, safe and responsible ways; it is a violation of the Standards of Conduct to drink alcohol in a manner that impairs one's physical health or safety. Additionally, the University takes seriously its responsibility to respond to student behavior that occurs while that student is under the influence of alcohol or other drugs when that behavior violates the rights of others or leads to disorderly or dangerous conduct. Appendix R, provides fuller definitions and a fuller explanation of expected student behavior.

ALCOHOL CONSUMPTION (see **Appendix R**)

COMPUTERS and UNIVERSITY NETWORK (see Appendix F and Q)

Computing network resources are shared by members of the ONU community. It is very important that all students use these resources with respect for the rights of others. All students are expected to abide by the standards put forward in the Computer Use Policy, which outlines the definitions related to responsible behavior. As noted in the Computer Use Policy, unauthorized or illegitimate use of any University computing and network resource shall constitute a violation and subjects the student to appropriate disciplinary or legal action including possible dismissal from ONU or termination of the student's user access.

CREATING A SAFETY HAZARD

ONU expects that students will make safe choices to protect the general welfare of themselves and others. Students must not be complicit with actions that violate University policy and others' health and safety. To prevent hazards, students are expected to keep access areas such as lobbies, hallways, stairwells, and other common areas free of obstruction. Items like bicycles, furniture, personal effects, or other items should not be positioned where they might block or hinder egress. Items found to impede safety or proper egress may be confiscated or discarded.

Students will not engage in unauthorized activities on or off-campus that are deemed unsafe by the University. These include but are not limited to accessing prohibited spaces in buildings, climbing on buildings, walls or bridges, or swimming in or entering any ponds or lakes on campus without authorization. Further, students may not lean or hang out of or place any part of their body out of residence hall windows. Climbing into or removing items from trash dumpsters also violates this expectation. Items may not be thrown from roofs, balconies, ledges, fire escapes or windows. Additionally, the University specifically prohibits the following other activities on campus: the use of hobby drones; eating contests of any kind, which pose choking and food allergy risks; rollerblading, skateboarding, scooter and bicycle use in any university facility, including residence halls, apartments and academic buildings; golfing about the campus other than at the driving range located on the west end of the campus; and the use or storage of hoverboards.

Making a false/any bomb alarm or threat, by any means including telephone call, electronic communication or written communication is prohibited.

FAILURE TO COMPLY

To help ensure safety and general order on campus, students are expected to comply with the direction of university officials—acting in the performance of their duties and authority, including requests for proper identification—and with law enforcement and life safety personnel. University officials include ONU staff members (including residence life paraprofessionals and other student staff members on the campus), administrators, faculty, and other individuals who are contracted by ONU to act on the University's behalf.

Failing to cooperate with regulations or authorities during a fire alarm or drill, including evacuation from a residence hall or other University building, also violates this expectation.

Students who fail to abide by residence life regulations, particularly directions related to check-in and check-out procedures or other housing administration, may also be found to violate this expectation.

FIREARMS, OTHER WEAPONS, EXPLOSIVES AND DANGEROUS MATERIALS

Consistent with Ohio law, ONU prohibits the presence of handguns on University property and in ONU-owned or leased vehicles. The existence of a student's Ohio-issued concealed carry permit does not exempt them from this expectation. The carrying of weapons of any kind into or the storage of weapons in any University-owned facility is likewise prohibited. While Ohio law allows a student to keep a concealed weapon in a locked non-college vehicle on

ONU's campus, a student violates this policy when they remove the weapon from the vehicle. The University will respond seriously to the possession of handguns or other fire arms on campus property where such possession violates Ohio law. Students may be suspended or dismissed for such violations.

Other dangerous items or devices that shall be construed as weapons and that are strictly prohibited include but are not limited to knives over 3" (other than kitchen knives intended for cooking), switchblades, tasers or stun guns or other similar devices, paint ball guns, pellet/bb guns, sling shots, archery equipment, and martial arts weapons. Further, the brandishing of any object in a threatening manner is prohibited and students doing so may be subject to violation of this expectation. Additionally, fireworks, explosive devices, and the use or storage of dangerous chemicals is also prohibited. Any such items that are observed will be confiscated appropriately.

FIRE SAFETY (FIRE SETTING, FIRE LAWS, REPORTING FIRES, FIRE DRILLS, BONFIRES)

Acts of arson and tampering with any elements of the fire safety system are serious offenses at ONU. Conspiring to, attempting to or willfully setting fire to university property, structures, or personal items is strictly forbidden. A student who engages in arson or creates conditions for a fire to occur or continue may be suspended or dismissed from the University. The University may also suspend students who tamper with fire or other life-safety equipment (e.g. smoke detectors, alarms, fire sprinklers, fire extinguishers, exit signs).

Activating any alarm or safety system without reason or intentionally make a false report, warning or threat of fire or other life safety emergency is a serious violation.

Failure to immediately report any type of fire in any University building or on any University property to a Resident Assistant, Resident Director, Public Safety Officer, Ada Fire Department, and/or to the affected office. Students are permitted to light small charcoal cooking fires in existing fixed outdoor grills. Fires must not be left unattended and they must be extinguished immediately after use. Coals should be appropriately disposed of only after they are completely extinguished by water saturation. Absent appropriate authorization from the Office of Student Affairs, all open burning is prohibited, including ceremonial fires and/or bonfires.

The burning of candles in any residence hall facility violates established residence life policies. Cooking is not permitted in student rooms. The residence halls provide designated areas and kitchenettes to prepare snacks and other light meals. University apartments also include appropriate kitchen areas. To prevent fires and other maintenance concerns, students are responsible for cleaning up cooking spaces when they are done cooking, including microwaves, conventional ovens and refrigerators.

UNAUTHORIZED ENTRY

Most students at ONU are issued appropriate access keys (e.g. residence hall room keys). Students will not possess or use any university keys, including room keys belonging to others, to enter buildings or rooms without authorization from the University and will not duplicate or attempt to duplicate any keys. Students should keep their rooms locked when they are not in their residence. It is a violation of this expectation to tamper with locks, doors or windows.

Students will neither enter other students' living spaces without permission or authorization, nor access or use university spaces (e.g. offices, supply closets, community spaces) without authorization. This includes entering or using public bathrooms designated for a gender different from one's own, exclusive of designated all-gender restrooms.

DAMAGES TO UNIVERSITY PROPERTY

The University expects that all students will contribute to the maintenance of our facilities and grounds. Students will neither misuse nor attempt or cause damage to any personal, University or public property; vandalism will not be tolerated. Costs for repair or replacement of damaged property will be assessed to responsible students for the repair or replacement of damaged items. Charges are assessed by the appropriate office and are billed by the Office of Student Conduct directly to the responsible student's University account.

An unfortunate aspect of community living involves unwanted damage within residence halls. Where a responsible student can be identified and is supported by a preponderance of evidence, restitution shall be levied to that person.

DISHONESTY (see Appendix F)

Students are expected to provide truthful information to University officials. It is a violation to forge, alter, or tamper with any University document, record, ID card, or method of communication.

Further, students will not falsify, distort, or misrepresent information to the University, including during authorized university investigations of alleged misconduct or during a disciplinary proceeding. Attempts to intimidate, harass, discourage or otherwise influence a hearing panel member also violates this expectation.

DISORDERLY CONDUCT (see Appendix R and Appendix C)

ONU students are expected to conduct themselves in a manner that demonstrates respect for the rights of others. Any behavior that materially disrupts or interferes with normal university operations or activities is prohibited. Normal operations and activities include but are not limited to teaching and learning, research, residential living in residence halls, public events, university administration, campus safety and other life-safety emergency services, and other campus activities. Acts that are intimidating, disturbing or irritating, and repeating, such that any student's educational advancement is affected, also violate this expectation. This especially includes excessive noisiness and other disorderly behavior that may interfere with the ability of others, including residents of the Village of Ada, to sleep, study, or enjoy activities connected to the University's educational mission. ONU students will comply with requests by others to reduce volume levels (e.g. music, television) or crowd noise. Students are responsible for understanding the local Ada ordinance regarding noise and other disruptive behaviors and can be cited by law enforcement when behavior may violate these laws. Similarly, behavior that is disorderly and disruptive outside of the University campus community is prohibited.

Students will allow pedestrian and vehicular traffic to flow freely and they will stay clear of fire, police, or other emergency services who are performing their public-service functions, whether on or off-premises.

It is a violation to breach the peace or aid, abet or procure another person to breach the peace on campus or at university functions. Public safety officers are authorized to do that which is reasonably necessary to remove disorderly or disruptive persons from University facilities or events, whether on or off-campus, upon the request of a responsible faculty, staff member, or student.

Behavior that is determined to be lewd or indecent is disruptive to the ONU community and is prohibited. To knowingly expose private body parts to another person or to engage in any sexual activity in public spaces is a violation.

DRUG USE OR POSSESSION

Students are expected to follow ONU's **Alcohol and Other Drug Policy** related to drugs and drug use. In summary, it is a violation of the Standards of Conduct to possess or use illicit drugs, including marijuana. Possession of drug-related paraphernalia also violates this expectation. The manufacture, distribution, or sale of narcotics or other controlled substances, and the receipt of narcotics through the mail, are serious offenses. Quantities of drugs and/or the presence of materials that suggest the possibility of distribution may be interpreted as such. Additionally, the misuse of prescription medication, including distribution and possession without a medical prescription, can have serious medical and legal consequences for a student. At ONU, all students who are prescribed medications are expected to use and store them appropriately. **Article 1 of Appendix R**, ONU's Alcohol and Other Drug Policy, provides students fuller definitions and fuller explanation of expected behavior.

FIGHTING/ASSAULT

Students will not engage in behavior that endangers, threatens or causes physical harm to others or that may cause a person to reasonably fear they may be harmed. Harmful behavior includes but is not limited to fighting and assaultive behavior, including verbal assault, as well as sexual assault, dating violence, domestic violence, and stalking. Definitions of sexual assault, dating violence, domestic violence, and stalking are found in ONU's Sex Discrimination & Sexual Harassment.

Behavior that may constitute violation of the definitions under the sex discrimination policy will be referred to the Title IX Coordinator and investigated and resolved pursuant to the procedures of the sex discrimination policy. Consistent with the sex discrimination policy, complaints that are formally dismissed from that process shall be referred back to the Office of Student Conduct for appropriate investigation and resolution under the University's non-academic disciplinary procedure. In such a case, the procedure will use the same policy terms articulated in Section II of the sex discrimination policy when determining if a violation occurred.

GAMBLING

Gambling for material gain by any student or group of students is forbidden. No gambling of any kind is permitted in University residence halls.

GUESTS

Students are responsible for the actions of their guests and will be held accountable for any illegal behavior and/or violation of University policies on the part of their guests while at Ohio Northern University or at any University function.

HARASSMENT (see Appendix R)

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's status, such as race, religion, age, sex, color, disability, sexual orientation, national or ethnic origin, political affiliation, or veteran status. Harassment is prohibited at Ohio Northern University. The University is committed to maintaining an environment that is free from sexual harassment and harassment based on categories such as race, religion, age, sex, color, disability, sexual orientation, national or ethnic origin, political affiliation, or veteran status. Any prospective, current or former student who believes they have been the victim of harassment on campus, or while involved in any university-related function, should contact the Vice President for Student Affairs & Dean of Students. An investigation of the complaint will be scheduled promptly. All information will be held in confidence within the scope of the investigation to the greatest extent possible. Any student bringing a good faith University harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms and

conditions of attendance or be discriminated against because of the complaint. Complaints of such retaliation will be promptly investigated.

HAZING (see Appendix S)

The University has zero tolerance for any form of hazing within our community. Consistent with Ohio Revised Code, 2903.31 (Collin's Law), all students and recognized student organizations, fraternities and sororities, varsity athletic teams, and all other student groups as well as employees, volunteers, alumni and consultants of the University are prohibited from engaging in hazing behavior. Hazing causes significant and lasting harm to victims, their families and the community. An anti-hazing mindset and the prevention of hazing is therefore a shared responsibility of the entire ONU community, including our students, faculty, staff and alumni. Students should refer to the full **Policy Prohibiting Hazing**, which outlines the scope of the anti-hazing policy, provides key definitions, prohibits specific hazing and related behavior, identifies mechanisms for reporting hazing, describes specified amnesty related to reporting, summarizes the University's procedures for response and the consequences for violations, discusses policy awareness and training and describes the University's reporting and policy review commitments.

MOTOR VEHICLE REGULATIONS

Students who park a vehicle on campus must have their vehicle properly registered with the University. To support traffic order and to protect the safety of pedestrians and property, students and their visitors are expected to abide by all motor vehicle regulations. Students should refer to the Office of Public Safety's Parking and Permits information, which also provides links to all University motor vehicle regulations, including definitions, violations, fines and processes for citation appeals.

SERIOUS MISCONDUCT

Students who engage in conduct that is deemed to negatively impact the health, safety, and well-being shall be considered serious misconduct.

SEX DISCRIMINATION (see Appendix B)

TEMPORARY SUSPENSION

In certain circumstances, the Vice President for Student Affairs and/or Dean of Students, may impose temporary suspension prior to a discipline hearing. Temporary suspension may be imposed: a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses a definite threat of disruption or interference with the normal operations of the University.

During a temporary suspension, the student shall be denied access to the campus to the extent deemed appropriate by the Vice President for Student Affairs and/or Dean of Students. This may include restriction from residence halls, University activities, campus buildings, classes, etc., or may constitute restriction from campus entirely.

THEFT

The theft of property violates the honesty and integrity of our community. Students will neither attempt theft nor steal any property of ONU, a member of the ONU community, or other personal or public property, whether on or off-campus. Students will not embezzle, defraud, or use false pretenses to procure property or services, or knowingly purchase or possess stolen property.

TOBACCO AND SMOKING

ONU is a smoke-free and tobacco-free community. The use of tobacco products is prohibited in all University facilities and vehicles and use is prohibited outdoors on all University property. Students should refer to the full [Tobacco-Free Policy Statement](#), which outlines the scope of the policy and provides a definition and list of items considered to be tobacco products.

VIOLATION OF UNIVERSITY POLICY

The violation of University policy while on campus or while participating in University sponsored events or activities, including off-campus study programs, is prohibited.

V. RESIDENCE HALL POLICIES AND PROCEDURES

INTRODUCTION

The goal of the residential system at Ohio Northern University is to provide students with a positive and healthy living/learning experience. The residence halls serve as a student's home for the duration of their enrollment at the University and should be a place where they can be comfortable. Residence halls are grounded in community living; the environment is intended to help students meet their study needs and provides opportunities for development, independence, responsible behavior, maturation, flexibility, meaningful interaction, acceptance of others and understanding of individual values. Additionally, a residence hall experience can provide students with opportunities to engage in a variety of activities related to other areas of personal interest.

RESIDENT RIGHTS AND RESPONSIBILITIES

At ONU, all resident students have the right

- to sleep during the night without disturbance from undue noise or guests of roommate(s)
- to read and study in one's room free from undue interference
- to freely access one's room and facilities at all times, without restriction, from roommate(s)
- to feel secure from physical or emotional harm, or intimidation
- to expect that a roommate(s) will respect one's personal belongings
- to a clean living environment
- to personal privacy
- to host guests with the expectation that guests respect the rights of the host's roommate(s), other hall residents, and the housing policies and Standards of Conduct of ONU
- to address grievances with the assistance of Residence Life staff
- to expect reasonable cooperation in the use of "room-shared" appliances and a commitment to honor agreed upon procedures

Beyond these rights and responsibilities, residents are expected to live together cooperatively and in mutual consideration.

UNIVERSITY HOUSING POLICY STATEMENT

All full-time (12 semester hours) undergraduate and international students at ONU are required to live on campus for three years (6 semesters). This policy includes all residence halls, on-campus apartments, and all fraternity and sorority houses. All students with fewer than 12 semester hours are not eligible for campus housing and may be asked to leave the residence halls or apartments.

Students who receive a letter of academic suspension at the end of spring semester have until June 30th to apply for appeal to have their suspension lifted or they will forfeit their housing assignment and it will not be held for them. If a student's academic suspension is lifted, it is the student's responsibility to notify the Office of Residence Life and fill out the appropriate forms to obtain a new housing assignment. The student will not be guaranteed receipt of the same housing assignment or a similar assignment; they will receive housing from the room inventory that is available at the time of request.

Students who receive a letter of academic suspension at the end of the fall semester are required to contact the Office of Residence Life and complete a checkout in order to avoid additional housing charges.

Applications to move off-campus or commute for the upcoming academic year must be made in writing and approved by staff in the Office of Residence Life prior to on-campus room selection for the upcoming academic year. Room selection for the next academic year is held during the spring semester after pre-registration for fall classes.

Approval by the Office of Residence Life staff is required before a student may move off-campus or commute to the University. Approval requires that the requesting student meet at least one of the following criteria:

1. the student has resided three years (6 semesters) in the residence halls or apartments;
2. this student is no younger than 23 years-of-age;
3. the student will be commuting daily from their parent or legal guardian's permanent home address that is within a 30-mile driving distance of ONU 525 S. Main St (Note: The Office of Residence Life considers the permanent home address to be the address of record on file with federal, state and local tax agencies and where, at minimum, one of the student's parents or legal guardians resides. Such information would be on file through ONU's Financial Aid and Admissions Offices);
4. the student can provide proof of a previously earned Bachelor's degree;
5. the student can provide proof of having served in the armed forces and is qualified for veterans' benefits; and/or,
6. the student can provide proof of marriage.

If at any time during the academic year, it is found that the application to live off-campus or commute has been falsified, Residence Life will take the following actions:

1. A Student Affairs HOLD will be placed on the student's registration for the upcoming semester.
2. The student must move back into the residence halls for the upcoming semester. Failure to do so will result in the inability to register for the next semester. If the student found in violation is a graduating student, a hold will be placed on all University records including transcripts.

A student's housing commitment is for the entire academic year. Resident students are not permitted to move from residence halls or fraternity housing to other off-campus housing at any time during the academic year without explicit written approval from the Director of Residence Life and, when applicable, the Director of Student Involvement (see Fraternity Housing). Given this restriction, on-campus residents and residents living in fraternity housing should not sign any off-campus housing agreements or leases prior to receiving such approval.

All students are expected to keep their rooms neat and clean. University personnel are authorized to enter any room at any time for the purpose of inspection, repair, or to maintain health and safety.

GENERAL HOUSING INFORMATION and PROCEDURES

Staffing

Undergraduate students known as Resident Assistants (RAs), Senior Resident Assistants (SRAs), and Resident Directors (RDs) serve as peer resources, administrators and community developers in the residential unit. As fellow students, these staff members are invaluable in understanding the needs of a residential community. The Director of Residence Life serves as the overall administrator for the residential community at Ohio Northern University. The Director of Residence Life is supported by the Assistant Director of Residence Life, Housing Coordinator, Area Coordinator East and Area Coordinator West. Please utilize them as resources in your community.

Check-In

When a student arrives just prior to the beginning of a semester, they will check in at the Office of Residence Life located in McIntosh Center.

- The student will receive a room key upon check in.
- A Residence Life staff member will complete a room condition report (RCR) with the student. The RCR notes the condition of each room from the beginning of the school year. It is important that this form is filled out completely and accurately.

- When a student checks out of the room, the condition of the room will be reviewed against the RCR. A student may be assessed damage charges for any room conditions that differ substantially from the initial inspection of the room. A student will be required to complete a new RCR if they change rooms during the academic year.

Check-Out

When checking out of a residence hall room or campus apartment at any time, the resident must be properly checked out by a staff member.

If checking out mid- year:

- Twenty-four (24) hour advance notice of check-out to the Resident Director and appropriate Resident Assistant is required.
- IT IS THE RESIDENT STUDENT'S RESPONSIBILITY to properly check out with the hall staff and leave their room clean or an improper check-out penalty of \$100 shall be assessed to the student.
- An additional lock change penalty of \$100 will also be assessed to the student if the student leaves their room without returning the room key(s).
- Upon check-out, the student must complete their RCR with a staff member and sign-off confirming his/her check-out and recorded damages (if any).

If checking out at break:

- During finals weeks of the academic year, it is the policy of ONU Residence life that students are required to check out of University housing (residence halls, apartments, fraternity/sorority houses) no later than 24 hours after their last exam.
- Requests for exception to this policy are to be made to the Director of Residence Life.
- If checking out temporarily (e.g., fall break, winter break), students are required to turn off any and all electronics (including surge protectors), open blinds (unless they reside on a ground floor) and leave the room clean.
- If checking out permanently (e.g., summer break), students are expected to fully clean the room and remove all personal items.
- Upon check-out, the student must complete their RCR with a staff member and sign-off confirming his/her check-out and recorded damages (if any).

If checking out at the end of the semester:

- All residents must check out of campus housing no later than 24 hours after their last final. It is the responsibility of each student to schedule this check out with a Residence Life staff member.
- Students that may have need to stay beyond the 24-hour time frame must receive approval from the Director of Residence Life. The Office of Residence Life reserves the right to deny a request to stay late based on future housing occupancy needs or scheduled maintenance.
- Students approved to stay may be relocated to temporary housing and subject to an additional fee to reside in housing.

If withdrawing from the University:

- In addition to completing an RCR, the student must complete a Notice of Not Returning (NNR) form with their advisor or college dean.
- Students who have withdrawn must also return their student ID in addition to their room key(s).

Consolidation of Vacancies Policy

When a vacancy occurs in University housing, the Office of Residence Life follows a consolidation policy that will be applied to maintain equity between those losing a roommate from normal resident attrition. The policy requires no resident displacement without consent, unless enrollment numbers dictate administrative resident moves, which are directed by the Office of Residence Life. In rooms where there is a vacancy, the occupying student has a 3-day grace period from the time the vacancy occurs to identify a new roommate, if they so choose, and to notify the Residence Life Office. Beds still vacant following the grace period may be filled by Residence Life as needed.

1. The purchase of a room buy-out is the only total assurance that a resident will have a single room from the time of purchase through the end of the academic year.
2. When a resident is left with a space in his/her room, the resident has the following options:
 - a. Receive a roommate that the resident has selected and new roommate agrees.
 - b. Acknowledge that a roommate may be assigned to the room at any time based on housing needs and preferences of the incoming roommate.
3. When an empty room exists in a residence hall or apartment, the Resident Director may use it to solve existing roommate conflicts.
4. At the beginning of an academic year and when temporary spaces are being used, the priority for moving individuals from temporary spaces into permanent spaces shall be based on each student's date of deposit with the Office of Admissions.
5. A remaining room or apartment occupant will not be displaced without consent.
6. All room changes are under an administrative freeze for the first two and last two weeks of classes during each academic term. Room freeze does not apply to administrative changes.
7. There will be no room changes after the first week of May unless special permission is granted from the Director of Residence Life.

Damages in Residence Halls – Individual Rooms, University Apartments and Common Areas

The University can neither condone nor absorb the cost of intentional or malicious damages; therefore, residents are held responsible for all damages to the facilities of their living area. Damages in common areas and student rooms that are discovered during or at the end of the school term and that exceed normal wear and tear will be charged in their entirety to the responsible student's account by the Office of Residence Life.

Assessments for damages may be appealed to the Student Fee Appeals Committee (see **APPENDIX O**). The issue before the Committee shall be whether or not the University was reasonable in assessing responsibility for the damage(s), not whether the individual(s) were responsible for the damage(s).

Damages billed to the resident's account are independent of any violations of the University's Standards of Conduct.

Fees and Refunds

If a student's tuition, housing and meal plan payment is submitted late, the student's room reservation may be canceled by the Office of Residence Life. Additionally, the student will be assessed a late fee. The University reserves the right to change or modify its housing and meal plan rates as economic conditions warrant.

Students approved to arrive early to campus will be charged a one-time early-arrival set-up fee of \$50 and then a fee of \$40 per day for each day the student resides on campus before the allotted move-in period. University-sponsored early-arrivals are not subject to the one-time set-up fee. The Director of Residence Life must approve all students arriving early.

If a student's off-campus request form is submitted after the application deadline, a \$50 late fee will be assessed to the student's account.

Students attending Ohio Northern University are entitled to a pro-rated refund calculation through the 60% point of the semester. Tuition, room and board charges will be included in the designated refund percentage. Financial aid adjustments will be calculated based upon mandated Federal refund calculations. 100% refund is granted on or before the first day of class each semester. After that, the percentage is based on the number of days in attendance for the semester. There is no refund after the first 60% of the semester.

Students who request permission to stay in campus housing after the residence halls close each semester may be subject to a \$40 per day fee as determined by the Office of Residence Life. This fee may be waived at the discretion of the Director of Residence Life when the University is requiring the student to stay on campus. The Office of Residence Life reserves the right to deny a student's request to stay late based on future housing occupancy needs or scheduled maintenance.

Reduced Services

At times when University housing is below full occupancy, services and use of facilities may need to be reduced due to economic consideration.

Off-Campus Housing

Married students and/or students who meet off-campus requirements who have completed the off-campus request form and have received approval from the Director of Residence Life to live off-campus are responsible for updating their local addresses and phone numbers within the first two weeks of fall semester. Such updates are completed using Self-Service Banner. This update ensures inclusion in the ONU phone directory and that students can receive correspondence from University offices.

Policy Related to Room Searches and Confiscation of Items

A student's privacy is very important at ONU. The University will not unreasonably search a student's room or apartment or unreasonably remove a student's property. No search or removal of property will occur by appropriate ONU employees without written authorization from the Vice President for Student Affairs & Dean of Students. However, a search and removal of items may occur without written authorization when the occupant consents to the search or where there are exigent circumstances such as a safety concern or legitimate need to secure evidence of a violation of the University's Standards of Conduct or other policy. Reasonable efforts will be made to have the occupant of the room present during any search. The policy does not prohibit residence hall staff from conducting room inspections related to building cleanliness and student health or fire marshal inspections related to fire safety. This policy shall apply to residence halls, fraternity houses, University apartment and houses.

Termination of Occupancy

The University may terminate or suspend a student's housing at any time for reasons of health, safety, conduct, or personal circumstances. Any student who is not registered for at least 12 semester hours of classes is subject to housing termination.

Withdraw from ONU and Removal of Belongings

When a student withdraws in the middle of a term, the student must remove all belongings from the residence hall or apartment and be properly checked out of the space within 72 hours of the withdrawal.

Vacation Periods/Closing of Halls and Food Services.

During all breaks, the residence halls are closed. Student apartments are not closed. All food services are closed during scheduled vacation periods.

At each vacation period, students are expected to do all of the following before leaving the campus: (1) unplug all electrical items, (2) close and lock windows, and (3) leave rooms reasonably clean. To prevent burglary and theft when buildings are closed, students residing on first/ground floors of residence halls are expected to close drapes and mini-blinds. Second and third floor residents should leave drapes and blinds open to support fire safety. Before leaving, residents are responsible for cleaning out all perishable items from their mini-fridge (if they have one) and unplugging it from the wall, leaving the appliance door open to prevent mold and bacteria growth.

Students are expected to leave within 24 hours after completing their last examination or by the official closing time set by the Office of Residence Life, whichever comes first. Students who require residence during vacation closure periods must fill out the Break Housing Form (provided by Residence Life) two weeks in advance of the scheduled closure period so that housing accommodations can be arranged. At the end of spring semester, each resident is responsible for notifying magazine subscriptions and others as to their summer forwarding address. The mail room will forward first class mail only.

Meal Plans

All students living in a residence hall are obligated to purchase a meal plan for the student dining room located in McIntosh Center. However, students living in on-campus apartments are instead credited dining dollars each semester, which is included in their apartment fee; they are not charged for a dining plan. Students in on-campus apartments are able, but are not required, to purchase an additional meal plan. (See [DINING](#) on the University's website for more information.)

Room Changes

All room changes require approval by the Resident Director and appropriate Residence Life professional staff member prior to moving. A \$100 penalty will be assessed for moving from one room/hall to another without completing the necessary forms. A student begins the approval process by talking with a Resident Assistant and submitting the appropriate request form through the Office of Residence Life. At the discretion of the Director of Residence Life, students who are requesting a room change because of a roommate conflict may be asked to participate first in a roommate mediation session with a Residence Life staff member as a potential remedy to the concern. Residents will not engage in conduct toward their roommate(s) in an effort to influence a room change and to secure a "single" room. The Resident Director has authority to deny any room change when the Office of Residence Life determines such a circumstance has been created. The resident determined to be creating conflict will be billed the equivalent of a "room buy-out" cost and the Office will document the behavior, which may be referred to the University's disciplinary process.

Room Inspections

Residence hall and other University staff members are authorized to inspect student rooms for acceptable standards of health, safety, hygiene, observance of campus residence hall policies/procedures, University regulations, requirements of public law, and for the maintenance/repair of equipment. Room inspections will be conducted over break periods. Efforts will be made to have residents present when the room is entered.

Summer Storage of Belongings

The University provides no summer storage of belongings in residence halls or apartments.” Perhaps add, “Residents needing storage will need to seek off-campus storage resources.

HOUSING REGULATIONS and EXPECTATIONS

All resident students are expected to abide by the University’s Non-Academic Requirements and Standards of Conduct. In addition, students residing in the residence halls are responsible to the following Residence Life Regulations and Expectations.

Appliances

The University prohibits the use of non-approved electrical appliances in students’ rooms. However, students living in apartments that include full kitchens are permitted to possess and use reasonable kitchen appliances (e.g. air fryers, electric skillets, toasters, etc.) All electrical devices and extension cords must be UL approved. Appliance that the Office of Residence Life determines may create a potential fire hazard or violate cleanliness standards may be confiscated by appropriate personal.

Bathrooms

Floor/wing bathrooms are not for use by members of the opposite gender. Bathroom facilities for guests of the opposite gender are usually located near the main lounge of each residence hall.

Bicycles

Bicycle racks are provided outside each of the residence halls and apartment buildings. Riding and/or storing bicycles in a residence hall or apartment is prohibited. The Department of Public Safety offers bicycle registration for students who desire this service, which is strongly encouraged. Students should be sure to lock their bikes when not in use.

Candles, Incense, Potpourri and Flammable Materials

Consistent with the University’s Standards of Conduct, fires present real danger, especially to those living in residence halls and while using other campus facilities. As such, the possession and burning of candles, incense, potpourri burners, lanterns and others types of open flame items are strictly prohibited in student rooms and apartments. Additionally, the University’s Standards of Conduct prohibits the possession and storage of fireworks, explosive devices, and the use or storage of dangerous chemical. Any such items that are observed will be confiscated appropriately. Residents who may use flammable art supplies must keep their supplies in lockers provided in the Art Building.” Violations of this residence hall expectation may result in a student’s referral to the University student conduct process.

Ceiling Fans

This installation of ceiling fans is not permitted in University housing units.

Cooking in Residence Hall Rooms

Cooking is not permitted in student rooms. Residence halls provide designated areas and kitchenettes where student can prepare snacks or other light meals. The building residents are responsible for cleaning up these areas after food preparation; this includes wiping down the inside of microwaves, conventional ovens and refrigerators. Food preparation cleanup is not the responsibility of University maintenance personnel.

Dart Boards

Dart boards are not permitted in University-owned housing.

Exterior Doors – Residence Halls and Apartments

The outside doors of each residence hall will be locked at all times. Resident students may gain access to the hall with their ID card. Propping exterior doors without authorization creates a safety risk for the community. Anyone found propping open outside doors or participating in other actions that endanger the safety and security of others may be subject to disciplinary action.

Halogen Lamps

Halogen lamps are not permitted in residence hall or apartment rooms.

Keys and Unauthorized Duplication, Possession or Use

Each resident is issued an apartment or residence hall key. These keys are not to be given to other students/persons for any reason. If locked out, or if a key is lost, contact a residence life staff member for assistance. A lock-out fee is charged each time a residence life staff member is required to unlock a room; proceeds from these fees benefit Dolly Parton's Imagination Library (Hardin County).

The unauthorized duplication, possession or use of keys, including master keys, to any building, laboratory, or room of the University is strictly forbidden. Unauthorized use of duplicating key machine is a violation and also is considered theft. Violators will be subject to disciplinary action and also will be responsible for reimbursement of loss.

Lofts

The construction or installation of personal lofts are not permitted in any residence hall room or apartment. The University will provide two (2) lofts in each room in, Maglott, Park, and Founders Halls.

Lounges and Lounge Furniture

Students are welcome to bring and incorporate additional personal furniture (e.g. couches/futons, club chairs, storage cubes, etc) into their room, but are not permitted to move or relocate lounge furniture for any purpose. Any person who removes or relocates lounge furniture may be referred to the University's disciplinary process. Additionally, students are not permitted to use lounges to provide overnight accommodations for guests.

Mini-Refrigerators

Mini-refrigerators are permitted but must be less than 4.5 cubic feet and must be Energy-Star rated.

Noise

In order to provide an atmosphere conducive for study and sleep, in residence halls, apartments and Greek houses, loud noises and stereos are to be kept to a minimum. Consideration for other residents, as well as occupants of University buildings, is to be observed at all times. Disciplinary action may be taken in cases involving excessive noise. Stereo speakers should be kept inside and facing into the house, apartment or hall. Musical instruments both amplified and not, need to be contained to special areas of academic buildings and are not suitable for residence halls. Practice rooms are available for this purpose in Presser Hall.

Non-Approved Postings

Permission for placing these items in residence halls must be obtained from the Office of Residence Life in McIntosh Center. In all other University buildings, permission must be obtained from the appropriate designated authority in each building. Failure to comply with these rules may result in the removal of signs without warning and disciplinary action.

All posters, fliers, notices and messages to be placed inside campus buildings must be posted on appropriate bulletin boards or space designated for that purpose.

All posters and signs must bear the sponsor's name, the campus organization, University department or office, and must meet criteria of the communications and marketing department.

No more than one copy of each item may be placed on each bulletin board or designated space, and maximum size shall not exceed 24 inches by 24 inches. Signs should be clear and legible.

Painting or Rooms

Students are not permitted to repaint any room.

Pets and Other Animals

Consistent with ONU's Animals on Campus Policy, the residence halls must comply with the University's general no pets policy. With limited exception (See both the Service Animal Policy and ESA Policy), animals are not permitted in the residence halls for sanitary reasons and in consideration of other residents. However, residents may possess and maintain fish. A resident is permitted to have a ten (10) gallon tank or less in individual residence hall/apartment rooms. Any tank larger than ten (10) gallons will not be permitted and the resident student will be asked to take the tank home. Only one tank/aquarium per room is allowed and fish are the only inhabitants permitted in an aquarium. Additionally, the electrical connection from any aquarium pump to the power source must be made with a multi-socket adapter, which has a circuit breaker as an inherent part of its design.

Posters and Wall Hangings

Students may personalize their residence hall or apartment room, but they may not use nails, stickers, or screws, as these items cause damage to the walls. No parachutes, fish nets, or room light coverings are permitted. Residents are financially responsible for damage to walls and doors caused by wall/door decorations. All repairs must be completed by Physical Plant employees.

Quiet Hours

In order to make the atmosphere conducive to study and sleep, quiet hours have been established in all residential areas. Quiet hours will be enforced at these times:

Sunday – Thursday 11:00 p.m. - 10:00 a.m.
 Friday – Saturday 1:00 a.m. - 10:00 a.m.

During these times, the halls are to be kept as quiet as possible so that those who wish to study in the Residence Hall may do so without distractions. Radios, tape recorders, and stereos may be played quietly as long as no one else is being disturbed. Stereo speakers should never be pointed outside residence hall or apartment windows. In the event of misuse of a stereo system, the system will be confiscated and sent home at the direction of the staff.

At all times, there are “24/7 - Courtesy Hours,” meaning that a student has the right to ask others to keep their noise down. Each student in a residential community has the responsibility to respect the rights of others. During Finals week all campus housing will follow the rules for quiet hours 24 hours each day. The “24 hours quiet hours” will begin the Sunday preceding finals week and end when housing closes for the semester.

Roof Areas

For safety reasons and consistent with the University’s Standards of Conduct, students are not permitted on the roofs of the residence halls, apartments, fraternity houses or small living units.

Room and Residential Area Conditions / Damages and Repairs

Occupants of each room and apartment are expected to keep the room and residential area clean and neat. The right is reserved for authorized University personnel to enter rooms/apartments for the purpose of maintenance, or health and safety checks. Notice will be given in non-emergent situations and as soon as possible in emergent situations. Repairs are to be done by the Physical Plant Staff only (see – Damages in Residence Halls – Individual Rooms, University Apartments and Common Areas)

Space Heaters

Space heaters are not permitted in any University-owned residence.

Subletting

The subletting of any University room or apartment or student’s meal contract is prohibited.

Trash & Recyclables

Residents are expected to keep residence hall and apartment rooms clean. All trash is to be placed in the large trash bins outside each hall. Before throwing away boxes (including pizza boxes), residents are asked to fold or break them down. Residents are expected to cooperate with the building maintenance staff and keep hallways and lounges free from trash, shoes, or other personal items. All recyclables are to be placed in recycle bins that are provided in each student room. Large orange recycling bins are provided outside the residential areas.

Utility Closets

Utility closets in on-campus apartments and other residential areas are to remain locked at all times. Use of utility areas for storage is strictly prohibited as it creates a safety hazard and inhibits airflow to HVAC units.

Water Beds

Water beds are not permitted in residence hall or apartment rooms.

Windows and Window Screens

Consistent with ONU's Standards of Conduct, student may not remove screens from residence hall windows and may not egress through, hang out of, or drop items from windows. Removal of screens can result in a maintenance fee for re-installment or replacement. Residents are responsible for any noise or objects coming out of their windows and may be subject to disciplinary referral for reported violations. The University provides flame retardant mini-blinds for all student rooms. Individual students are not permitted to remove or replace these blinds. Students may hang their own curtains in windows with a tension rod only. Any curtain rods that fasten to the wall will result in the appropriate maintenance/repair charge being assessed to the occupants of the room.

VI. UNIVERSITY AFFILIATED GROUPS & ORGANIZATIONS

INTRODUCTION

A list of recognized university student organizations may be found on the Student Organizations [website](#) within the Office of Student Involvement. There is also information on how to become a recognized student organization for those wishing to start a new group.

NOTICE OF NON-DISCRIMINATION

Ohio Northern University (“ONU” or the “University”) does not discriminate or tolerate discrimination on the basis of sex, gender, transgender status, gender identity, or gender expression in its educational, extracurricular, or athletic programs, or in any admission or employment decisions.

RECOGNITION PROCEDURES

Before the student organization is approved by the University Student Activities Committee, the organization may only engage in “organizational” activities (e.g. meetings to write constitution and bylaws, brainstorming ideas for the organization). The student organization may not function, utilize the ONU name, utilize the campus email list serves to advertise, sponsor events, host speakers, reserve rooms, or travel for field trips until approval by the University Student Activities Committee is granted. Student Senate approval does not qualify for official approval; it is merely one step in the process.

A complete listing of the recognition procedures may be found on the Office of Student Involvement website.

CATEGORIES OF STUDENT ORGANIZATIONS

There are four categories of organizations at ONU; each with their own specific rights and responsibilities. The specific classification for each organization is determined by the Office of Student Involvement based on the scope of the organization.

- “A” – Fully Recognized Student Organization; Groups in this category host a variety of events, programs, workshops, speakers, etc. throughout the year. Within this classification, groups are eligible to apply for Student Senate Funding, participate in Welcome Fest, and apply for the Student Organization of the Year Award. In order to receive full recognition, groups must complete the recognition procedure and maintain active status on campus.
- “B” – Honorary Organizations; Groups within this category have a national organization for which they are a member. This classification is only able to select and initiate new members. Other events hosted throughout the year are not permitted. Within this classification, groups are not eligible to apply for Student Senate Funding or solicit for funds through fundraising efforts, participate in Welcome Fest, and apply for the Student Organization of the Year Award. Groups in this category participate in Honors Day. In order to receive Honorary status, a group must petition to the Office of Academic Affairs.
- “C” – University Affiliated/Sponsored Organizations; Groups within this category are supported by the University in all endeavors. This classification is for those groups that are furthering the University’s mission. Within this classification, groups are not eligible to apply for Student Senate funding or solicit for funds through fundraising efforts as the group should be supported by an office or department. In order to receive University Affiliated Status, a group must petition to the Office of Student Involvement.

- “D” – College of Law Organizations; Groups within this category are recognized by the College of Law. Groups must receive approval from the College of Law (in addition to Student Senate and SAC) in order to be recognized in this classification.

RIGHTS AND RESPONSIBILITIES OF STUDENT ORGANIZATIONS

Each student organization is permitted to:

- Use of the Ohio Northern University and ONU name
- Use of the University facilities
- Publicize events on campus and utilize campus publications
- Apply for Student Senate Funding (Classifications A & D only)
- An on-campus account through the Controller’s Office
- Have a presence on the [Northern Network](#) platform

By the 6th week of each semester, organizations must verify and update the roster of all members. The roster must be maintained through the organization page on the Northern Network. Each organization is also responsible for ensuring the president is listed as well as the Primary Faculty/Staff Advisor.

At any point during the academic year when a transition has occurred with the president or advisor of the organization, the organization is responsible for making these changes to the roster within the Northern Network.

Each year, organizations must complete a re-certification process to submit an updated constitution/bylaws for the local organization. The organization is responsible for reviewing/revising the documents on an annual basis. Every two years, organizations must also submit an updated constitution and bylaws for the local organization via email to studentorgs@onu.edu. This requirement does not apply to student organizations in classification B.

SIGNS, POSTERS, BANNERS, AND SIDEWALK CHALKING POLICY

Below is the policy relating to the displaying of all signs, posters, banners and sidewalk chalking throughout the campus. Posters include all advertising done on poster board, boxes, or any other material. Banners include suspended sheets, ribbons and the like, on which advertising is done. All displaying of signs, posters, or banners must also be in keeping with the rules for solicitation on campus.

Signs, Posters, and Banners Outside Buildings

The following expectations apply to outdoor campus advertising and excludes advertising inside buildings (see below).

1. Signs, posters, banners and decorations on University grounds are limited to those which provide general information to the University community. Each must bear the name of the campus organization or University department sponsoring an event and/or communicating information.
2. Posters and banners will not exceed a total of twenty in number throughout the entire campus except with advanced approval of the Vice President for Student Affairs & Dean of Students.
3. Posters or banners may not be attached to trees, fences, or buildings in any damaging way such as staples, nails, or wire, but rather with a string, rope, tape, etc. All posters and banners must be approved in advance by the Vice President for Student Affairs & Dean of Students. Sidewalk chalking may only be done in areas designated through advance approval by the Vice President for Student Affairs & Dean of Students.
4. Posters may not exceed six (6) square feet and banners not more than twenty (20) square feet in size.

5. Posters and banners may not be displayed for more than ten (10) days prior to an event or twenty- four (24) hours following an event. This includes all materials used to secure the posters. The student or organization putting up the material must remove it. Exceptions to this time limit may be granted by the Vice President for Student Affairs & Dean of Students.

Signs and Posters Inside Buildings

The following expectations apply to indoor campus advertising and excludes advertising outside buildings (see above).

1. All posters, fliers, notices and messages to be placed inside campus buildings must be posted on appropriate bulletin boards or space designated for that purpose.
2. All posters and signs must bear the sponsor's name, the campus organization, University department or office.
3. No more than one copy of each item may be placed on each bulletin board or designated space, and maximum size shall not exceed 24 inches by 24 inches. Signs should be clear and legible.
4. Permission for placing these items in residence halls must be obtained from the Office of Residence Life in McIntosh Center or a member of each hall's staff. In all other University buildings, permission must be obtained from the appropriate designated authority in each building. Failure to comply with these rules may result in the removal of signs without warning.

SOLICITATION AND FUNDRAISING POLICY

Many social and professional campus groups are involved in a variety of activities to raise funds for their programs and for outside charities. The number of groups involved in such activities has risen in recent years. Appeals are frequently made to students, faculty, and staff to support one or more of these charities/fundraising activities with direct contributions. To prevent campus community members from receiving excessive requests, the following guidelines have been established.

Definition

Solicitation is: "Any act of urging or persuading an individual, by peaceful means, to accept a product or service for sale, requesting funds for various charitable or other organizations, to pay a gratuity for services rendered." Solicitation involves oral, written, signed communication and includes raffles, contests, and all other activities designed to serve as fundraising activities.

Guidelines

1. Approval for all fundraising activities by all student groups on campus must be obtained in advance of starting the activities. The approval process is coordinated through the Vice President for Student Affairs & Dean of Students. A Request for Permission to Solicit Funds form is required.
2. Collaboration of organizations to sponsor one or two joint charities through mutual cooperation is encouraged. Similarly, the collaboration of campus religious groups for one or two joint charities is encouraged. Collaboration of athletic teams/associations for charitable and other fundraising is to be coordinated through the Office of the Director of Athletics.
3. Use of campus mails and the ONU network for fundraising must be approved by the Vice President for Financial Affairs. The University wide email lists (onu-all-l@onu.edu, onu-faculty-l@onu.edu, onu-staff-l@onu.edu and onu-student-l@onu.edu) will be moderated with the following guidelines:

4. The Sender must have a valid onu.edu email address.
5. No advertising for the selling of items or services with the exception of university approved student groups for fundraising purposes. The advisor of the student group must send the message.
6. Calendar events may only be sent two times and must contain a link to add the event to an individual's calendar. See this document for instructions.
7. Students may not be asked to forego meals more than twice per year. Those instances must be approved by the Director of McIntosh Center.
8. Raffles and games of chance are to be reviewed/approved by the Vice President for Student Affairs & Dean of Students.
9. Destruction of property is not an acceptable format for fundraising events.
10. Individuals and small groups may not conduct fundraising on campus for personal financial gain or for gifts to be presented by the individual or small group.
11. University funds may not be used for charitable contributions to any group or cause.
12. Off-campus businesses and individuals are not to be solicited by individuals or groups associated with the University for charitable or other fundraising without written approval from the Vice President for University Advancement, which may be obtained by following the process of completing a Request for Permission to Solicit Funds form, mentioned previously.
13. Students or groups wishing to solicit in conjunction with "special days" (e.g., Homecoming, Honors Day and Commencement weekend) on campus must gain authorization from the Vice President for Student Affairs & Dean of Students, through the process of completing a Request for Permission to Solicit Funds form, mentioned previously.

Solicitation in McIntosh Center

Recognized campus organizations or groups may obtain authorization to set up displays or sign-up tables, or sell or solicit in the McIntosh Center by completing the following:

1. A Request for Permission to Solicit Funds form completed and approved by the Director of McIntosh Center.
2. No soliciting or selling by off-campus individuals or groups is allowed unless permission is first given by the Vice President for Student Affairs & Dean of Students.
3. Solicitation tables in McIntosh Center must have signs to clearly identify their organization.
4. The sale of items will be allowed during the hours of lunch and dinner.
5. The authorization to sell, solicit, or have a display requires that the individuals conduct themselves in a manner that will not draw undue attention to themselves or place undue pressure on anyone to "buy".
6. The University reserves the right to suspend or deny any group permission to sell, solicit, or set up displays on campus.
7. Other efforts to sell, solicit or set up displays elsewhere on campus require the permission of the Vice President for Student Affairs & Dean of Students. See Solicitation for rules regarding other solicitations.

SPIRIT ROCK POLICY

The ONU Spirit Rock is located in the grassy area between the Heterick Memorial Library and McIntosh Student Center. The ONU Spirit Rock tradition is an opportunity to demonstrate ONU spirit for various campus events, clubs, and student organizations. The ONU Spirit Rock is to be painted for events such as: Homecoming, Greek Week, SPC Events, Career Fairs, etc. Although approval may be given to paint the ONU Spirit Rock, windy or inclement weather conditions may require the cancellation of the event. Requests for painting the ONU Spirit Rock must be made at least 14 days in advance.

1. The ONU Spirit Rock may be painted by only one group or organization per day.
2. The ONU Spirit Rock may be reserved for a maximum of one week.
3. The group or organization painting the ONU Spirit Rock assumes liability for any individual or member of the group/organization who may be injured or may incur clothing damage.
4. Groups/organizations will furnish their own paint and supplies to paint the ONU Spirit Rock.
5. ONLY the ONU Spirit Rock may be painted. Painting on sidewalks, lamp posts, grass, or buildings is not permitted; otherwise, the group/organization will be held financially responsible for cleaning costs and any other violations to the Student Code of Conduct.
6. All things painted on the ONU Spirit Rock must be in good taste. Anything profane or obscene is not permitted. What is painted on the rock reflects on your group/organization.
7. Painting of the ONU Spirit Rock should only take place between dawn to dusk, and by individuals or groups with an approved reservation.

For additional information on the ONU Spirit Rock, please visit the following website:

https://my.onu.edu/sites/default/files/onu_spirit_rock_policy_2017_0.pdf

STUDENT ORGANIZATIONS AND POLITICAL ACTIVITY

Ohio Northern University's status as a tax-exempt organization under Section 501 (c)(3) of the Internal Revenue Code prohibits it from participating or intervening in any political campaign on behalf of (or in opposition to) any candidate for public office.

Notwithstanding these limitations, Ohio Northern University recognizes that students, faculty and staff may wish to participate in the political process and that such participation may, in fact, contain an educational component. Ohio Northern University adheres to the principle enunciated by the American Council on Education (ACE) in 1970 that "every member of the academic community has a right to participate or not, as he (or she) sees fit, in the election process. On the other hand, no member of that community should speak or act in the name of the institution in a political campaign."

University Policy Regarding Politics

It is the policy of Ohio Northern University not to participate in, directly or indirectly, or to intervene in (including by means of publishing or distributing of statements) any political campaign behalf of or in opposition to any candidate for public office.

Recognized student organizations may reserve University facilities and/or any other space available to all recognized student organizations, to conduct organizational meetings or to host, sponsor and/or publicize an event on behalf of a candidate.

The following disclaimer language should be used for all moderated events: “While neither supporting nor opposing our guest and his/her bid for elected office, Ohio Northern University is proud to present this educational opportunity for our campus to participate more fully in the political life of our community”.

However, no organization or individual may:

1. Use the name or seal of the University on letters or other written materials.
2. Use University property to raise funds through admissions, fees, contributions, donations, or sale of materials or services to benefit a political party, campaign or candidate.
3. Use University funds (including student fees) to purchase promotional material, pay for campaign ads or contribute any way to a political campaign.
4. Use University funds (including student fees) to pay honoraria or cover transportation, A/V services, accommodation or meal expenses, for candidates of public office.
5. Use University resources, including but not limited to, mail distribution services, the University seal or other identifying marks, stationery and letterhead, facsimile and duplicating machines, email accounts, telephone lines and voicemail systems for political campaigns or solicitation of endorsement of, or opposition to, candidates for public office.

Voter Education and Registration Activities

A student organization may participate in non-partisan voter registration activities on campus. Voter registration booths/tables should not mention any particular candidate or party.

UNIVERSITY-SPONSORED STUDENT TRAVEL

Guidelines for University Student Travel

Many students, as well as faculty and staff advisors of University organizations, are involved in University group travel. These travel guidelines do not pertain to situations including, but not limited to; internships, rotations/clinicals, study abroad and student teaching. The Dean’s Office will maintain information for these exceptions. These guidelines are provided to ensure that University risk management requirements are fulfilled and appropriate information is available to those individuals who may need to contact travelers in an emergency.

- A. Any group sponsoring/hosting/co-hosting such an event where alcohol is present must also have a faculty/staff advisor or representative present.
- B. Students Onboard
 1. No driving after midnight. Typical driving hours are between 5 am and midnight. If extenuating circumstances occur, approval must be gained by the department chairman or director before proceeding to drive after midnight. Information must also be logged with the Department of Public Safety by calling 419-772-2222.
 2. Drivers must alternate or take a break after every two hours of driving.
 3. Using ONU Fleet Vehicle
 - a. Vehicles traveling more than 100 miles from the University require at least two authorized drivers per vehicle.
 - b. Vehicles traveling more than 250 miles from the University require at least two authorized drivers per vehicle and require the completion of a driver log.

- c. When signing out vehicles, the driver and/or advisor must sign a copy of the [Vehicle Checklist](#) indicating agreement to comply with the ONU Travel Policies.

C. Same Day University Travel Guidelines

1. A same day trip is defined as any travel in which students leave and return to campus on the same day.
2. A faculty/staff advisor or representative is encouraged to attend all
3. University travel. The advisor must only attend if the students are travelling via university rented/owned bus.
4. The Travel Itinerary and Roster form must be submitted one day prior to the trip.

D. Overnight University Travel Guidelines (1-5 Nights)

1. A faculty or staff advisor/representative should attend all University travel on overnight trips.
2. The Travel Itinerary and Roster must be submitted one day prior to the trip.
3. If there are extenuating circumstances, the faculty or staff advisor/representative can select a Trip Supervisor (a member of the University community--faculty, staff or student) to serve as a proxy in his/her absence. The [Travel Itinerary and Roster](#) form must be submitted by the Trip Supervisor one day prior to the trip.

E. Overnight University Travel Guidelines (6+ Nights)

1. A faculty or staff advisor/representative must attend all University travel for trips of 6 or more nights.
2. The Travel Itinerary and Roster for the overnight trip must be submitted one day prior to the trip.
 - a. If there are extenuating circumstances, the faculty or staff advisor/representative can select a Trip Supervisor (a faculty or staff member) to serve as a proxy in his/her absence. The Travel Itinerary and Roster must be submitted by the Trip Supervisor one day prior to the trip.

Campus Communications

- A. The Ohio Northern Switchboard in Business Services will maintain the Travel Itinerary and Roster information for all trips.
- B. If notified at least six weeks prior to departure, the Office of University Advancement may be able to assist with the trip by encouraging alumni and/or friends of the University in the vicinity to host or support planned activities.

Faculty or Staff Advisor/Representative Responsibilities for University Student Travel (before departure)

- A. Collect complete student and faculty/staff names, addresses, and cell phone numbers in a list format.
- B. Designate separate lists by different group destinations (e.g. Habitat scheduled for two different locations) so information about who is traveling to each location will be available in the event of an emergency.
- C. Complete the Travel Itinerary and Roster. Information will include contact information for the attendees (addresses and cell phone numbers), dates and times of events, travel arrangements and accommodations (including phone numbers). This information must be submitted by the required deadline for the trip.
- D. Determine airline baggage and check-in requirements, if applicable, and disseminate information to all travelers.
- E. Request travel advance, if needed, from the Office of the Controller at least two weeks prior to scheduled departure.

- F. Contact the Office of Student Affairs to arrange for on-campus housing related to a University sponsored travel event when the residence halls are closed. Prior to the trip, the Director of Residence Life should be given students' names, halls, room numbers and the date and approximate times access will be needed by the students.
- G. Ensure students are aware and agree to the following statement:
 - 1. As an Ohio Northern University student, I agree to engage in behaviors that are responsible and mature. I will comply with all applicable laws and with the University's Codes of Conduct during the entire travel event. I will also follow any guidelines/procedures set forth by my student group. Failure to comply may result
 - 2. in my removal from the University student group and the travel event. If I fail to comply, I understand that I may be individually responsible for all costs related to the travel event as well as any additional costs for damages or unanticipated expenses.

CONDUCT EXPECTED OF STUDENT ORGANIZATIONS

Organizations are expected to follow all University policies, procedures, guidelines and the Standards of Conduct set forth in the Student Handbook. Behavior involving discrimination, hazing, and alcohol or drug abuse will not be tolerated and may be determined to be cause for suspension or dismissal of the organization's recognition.

Any member of the ONU community, including residents in the Village of Ada, may submit a report to the University that alleges misconduct by a campus organization. Reports should be prepared in writing and can be submitted to ONU's Department of Public Safety, Office of Student Conduct (OSC) or Office of Student Involvement. Concerns and allegations related to a student organization can also be reported anonymously by calling ONU's Campus Conduct Hotline at 866-943-5787. The Campus Conduct Hotline is a confidential, independent, call-in service that provides a simple, anonymous way for you to help preserve the values and reputation of Ohio Northern University. Reports are forwarded to the appropriate office.

Disciplinary Procedures for Student Organizations

The Office of Student Conduct (OSC) is responsible for reviewing reports of alleged misconduct by student organizations and will consult with the Office of Student Involvement as needed and appropriate. Where an organization's behavior may relate specifically to the **Policy Prohibiting Hazing**, investigations occur pursuant to that policy and may include joint response with the organization's national office, where there is one.

At Ohio Northern University, allegations of misconduct by student organizations are always resolved administratively. A student organization that is alleged to have engaged in behavior that violates ONU's policies or Standards of Conduct will normally be invited to attend a conduct meeting with OSC Director who will further investigate the matter. The OSC will provide the student organization with written notification of the meeting time and summary of the allegations. All student organizations are encouraged to participate in the University's student organization disciplinary process when provided notice or request to participate. Where a student organization fails to appear for any meeting with the OSC, the University reserves the right to proceed with its disciplinary process and decision despite the organization's absence and will base its determination on the available information.

Student organizations may send one student representative and one ONU faculty/staff advisor to the conduct meeting; typically, this is the organization's leader who attends on behalf of their organization. The Director of Student Involvement and/or Assistant Director of Student Involvement will also be present during the meeting. In cases where allegations may relate to a fraternity or sorority, the Assistant Director of Student involvement will be present.

At the meeting, if the Directors determines with the student organization that the conduct matter can be resolved informally by mutual consent with the parties involved and in a manner that is acceptable to the OSC, then the matter shall be finally decided and there shall be no subsequent investigation and the responsible student organization will have no opportunity to appeal the sanctions to the Vice President for Student Affairs/Dean of Students. Because of the nature of hazing-related behavior, allegations of hazing will not be resolved by mutual consent.

Where allegations of misconduct by the student organization are not admitted to and/or the matter cannot be resolved informally by mutual consent, the OSC Director and/or their designee will serve as the hearing authority regarding the allegations. In such a case, the hearing authority investigates the matter to determine if there is a preponderance of evidence (i.e. that it is more probably true than not true that a violation occurred) such that the student organization should be found responsible for the alleged violation. If the student organization is found responsible for violating a University policy or the Standards of Conduct, the finding and disciplinary sanctions will be communicated in writing to the student organization.

Organization Sanctions and Educational Obligations

Student organizations that are responsible for violation of the University's Standards of Conduct or other University policy may expect to receive sanctions and/or other educational obligations. Organizations are subject to the list of sanctions described in the **Appendix E: Disciplinary Procedure for Non-Academic Violations** of the Student Handbook.

Student organizations that are sanctioned with **Disciplinary Suspension** shall have their status as an officially recognized organization at ONU suspended for a specified period of time. This sanction removes from the organization, for the duration of the suspension, all rights and privileges of recognized student organizations at ONU, including the right to self-govern, meet or host events, whether formally or informally, or engage in any activity or action that is associated with the group. Where the sanction is **Disciplinary Dismissal**, the student organization's status as an officially recognized student organization at ONU is formally revoked. Such revocation will include loss of all rights and privileges that are afforded to recognized student organizations.

Submitting an Organization Appeal

Appeals by student organizations are limited. A student organization found to be responsible for violation of the Standards of Conduct or other policy may request that the Vice President for Student Affairs & Dean of Students take up their appeal of an adverse sanction decision only. Determinations of responsibility may not be appealed.

An adverse sanction decision is one where the sanction(s) imposed is grossly disproportionate to the severity of the organization's violation.

The student organization shall make their request in writing to the OSC within five (5) business days from the date the University provided its notice of the written decision. The OSC will communicate receipt of the appeal to the Vice President. If an appeal is not submitted within the time frame, then the student organization's appeal opportunity shall be waived and the matter will become finally decided. The submission of an appeal request does not suspend the imposition of any sanction. When necessary and appropriate, the OSC will reasonably adjust sanction completion deadlines.

VII. FRATERNITY/SORORITY LIFE

Fraternities and sororities provide an important opportunity for students to engage in campus life at ONU. All chapters at the University are expected to encourage high standards of leadership, scholarship, character, conduct, service, and social education.

The word *fraternity* is commonly used to denote brotherhoods and sisterhoods. Although the term *sorority* is often used to identify women's Greek-letter organizations, the term *women's fraternity* can also be applied. All these terms will be used interchangeably throughout this policy. In some instances, the term *fraternity* will be used to illustrate common characteristics of both men's and women's Greek-letter groups and in some cases, it will denote differences. It should be assumed that the term fraternity applies to both male and female groups unless it is specifically preceded by the word *men's* or *women's*.

The policy and housing information that follows outlines the expectations and regulations for fraternities and sororities at the University.

POLICY STATEMENT

Any proposal requesting formation of a fraternal association or the affiliation of any association with a national fraternal organization shall be submitted first to the respective Greek Council (Interfraternity Council for the men's fraternities and Panhellenic Council for the women's sororities), the Student Senate and the University Student Activities Committee.

Each fraternity chapter may set its own standards for membership, but such standards may not conflict with the regulations of the Interfraternity or Panhellenic Councils or their national organization. Additionally, each chapter is expected to observe all federal, state, and local laws, and the rules and regulations of the University. Any event an observer would associate with the fraternity in which more than a few members—including active and alumni members or any combination of member statuses—or pledged members are involved in an event, it will be considered a chapter event.

No person may be selected as a new member or an active member who is not an enrolled, full-time student at Ohio Northern University with at least a 2.5 cumulative GPA for either high school or college, whichever is most recent. However, students seeking membership who are slightly below this threshold but above a 2.25 cumulative GPA may petition the chapter for reconsideration. Each chapter shall have at least one faculty/staff advisor who is an employee of Ohio Northern University. Advisors are encouraged to attend chapter meetings and advise the membership about chapter activities. Chapters are also encouraged to have an active alumni board or house corporation, whose focus should be chapter operations and proper maintenance of the chapter house.

MEMBERSHIP

Both the Interfraternity Council (IFC) and the Panhellenic Council (PHC) (herein, Councils) govern the rules under which new members are invited to join fraternities at ONU. Eligibility and decisions for membership are made by the individual chapters based on recruitment guidelines prepared by the Councils and the governing national organizations. A calendar of recruitment activities and information about respective chapters is published each year by both IFC and PHC.

NEW MEMBER EDUCATION

To promote good scholarship, the duration of new member education will be no more than eight (8) weeks. The eight-week period will begin on the first full business day after bids are accepted by new members. Full weeks of university recess are not included in the new member period, but partial weeks will be included. No new member activity may take place during any full week of university recess or during finals week or the week preceding the start of final exams.

The chapter's entire new member education plan, including initiation dates, must be communicated to the new member class upon starting new member education. Each fraternity is also required to provide a written copy of the plan to the Office of Student Involvement; the plan must be received no later than one (1) week prior to the distribution of bids.

The plan must include the following information for each event which new members may be in attendance: (1) the name of event, (2) the date of event, including its start time and end time, (3) the event location, (4) a brief description of the event, (5) the names of all individuals who will be present at the event, and (6) the name and contact information (including a phone number) of the responsible party for the event. These events include but are not limited to: bid acceptance ceremonies, study sessions, chapter history presentations, online modules, leadership presentations, retreats, big brother/big sister reveals and family activities/excursions, national ritual ceremonies (noted as such), social events, philanthropic or service projects, or any other meal, event, or gathering in which new members are expected to attend.

The Student Affairs staff may at any time visit new member activities or events with the exception of inter/national ritual activities.

HAZING

As noted in the University's Student Handbook, ONU has zero tolerance for any form of hazing within our community. Consistent with [Ohio Revised Code, 2903.31](#) (Collin's Law), all students and recognized student organizations, fraternities and sororities, varsity athletic teams, and all other student groups as well as employees, volunteers, alumni and consultants of the University are prohibited from engaging in hazing behavior. Hazing causes significant and lasting harm to victims, their families and the community. An anti-hazing mindset and the prevention of hazing is therefore a shared responsibility of the entire ONU community, including our students, faculty, staff and alumni. Students should refer to the full **Policy Prohibiting Hazing** (see Appendix S), which outlines the scope of the anti-hazing policy, provides key definitions, prohibits specific hazing and related behavior, identifies mechanisms for reporting hazing, describes specified amnesty related to reporting, summarizes the University's procedures for response and the consequences for violations, discusses policy awareness and training and describes the University's reporting and policy review commitments.

Following acceptance of a membership bid, each new member must sign an anti-hazing compliance form to be kept on file within the Office of Student Involvement.

FRATERNITY HOUSING

Fraternity houses—both on- and off-campus and portions of the Affinity Village—are part of the University's housing program. Fraternity housing has been designated to cultivate customs that help create positive contexts for student living and support the ideals of the fraternity and sorority community. Students who choose to reside in fraternity housing represent their entire fraternity and the fraternity community by their actions.

The same expectations and requirements for the on-campus housing program also apply to fraternity houses. Housing commitments into fraternity housing are for the entire academic year. Residents are not permitted to move from residence halls to fraternity housing or to off-campus housing, or from fraternity or sorority housing to off-campus housing, at any time during the academic year. Any exceptions to this restriction are determined by both the Director of Residence Life and the Director of Student Involvement and would only be authorized by them in writing.

Ownership and Leases

Fraternity houses located off the campus of ONU are generally owned by house corporations established under guidelines set by the national fraternities' chapters. All University rules and regulations pertaining to maintenance of property and inspections apply to these houses, as they are considered by the University to be part of university housing.

Houses located on campus are generally built on land owned by the University and leased to fraternities or their corporations. Terms of leases vary, but all have some common elements. Fraternities must maintain various types of insurance on their properties. There are restrictions on the use of the houses and on housing guests. Leases contain specific statements on upkeep and repair that require the houses to be properly maintained at all times and there are provisions for inspections of the properties.

It should be noted that these houses, and the land on which they are located, will remain property of Ohio Northern University throughout the leased period. The fraternities generally have various terms of vested interest in the properties.

Capacities

University has approved housing capacities, which may not be changed without University approval. Houses owned by the University are liable to be filled with other students if not full. Capacities are noted below:

Alpha Sigma Phi – 36
Alpha Xi Delta - 32
Delta Sigma Phi - 40
Delta Zeta - 32
Kappa Alpha Theta – 48

Phi Mu Delta - 48
Sigma Phi Epsilon - 22
Sigma Pi - 6
Theta Chi - 32
Zeta Tau Alpha – 18

End-of-Year House Closures

At the end of the academic year, each fraternity is responsible for leaving the house in a clean and orderly condition that meets the satisfaction of the University. If the house will be closed through the summer, the chapter must complete a closing walk-through with a member of the Office of Student Involvement or its designee.

House Operations

The University may enter fraternity premises and buildings at all reasonable times to make facility inspections as it deems necessary and to determine compliance with conditions of University policy and the terms of leases.

It is assumed that fraternity houses will be open with students occupying the houses during fall and spring semesters. It is the responsibility of the fraternity to determine which of its members may, in accordance with established guidelines, be allowed to reside outside the fraternity house. Individual members interested in residence off-campus must still seek approval from the Director of Residence Life before doing so.

1. To be eligible to move into a fraternity house, a member must meet all of the following criteria: (1) be a full-time returning or transfer student at ONU; (2) carry twelve (12) or more academic credits; and (3) be currently enrolled in a program of study toward a degree. It is highly suggested that any student moving into a fraternity house have a cumulative GPA at or above 2.25. Students who fall below this GPA will be flagged for review. All criteria must be satisfied at the time the chapter submits its housing roster for the forthcoming academic year.
2. Only registered students may reside in a fraternity house. If a student withdraws from ONU, is suspended or dismissed for any reason or at any time during the academic year, the student may no longer reside in a fraternity house. Students living in fraternity houses who are suspended or expelled during a term must vacate within 24 hours. In an emergency situation, more time may be requested from the Office of Student Involvement but will not exceed 72 hours.
3. It is desirable that the chapter fill its house with active members. If this is not possible, other qualified students may be housed in the space, but they must agree to abide by all rules for fraternity living and have permission from the Office of Student Involvement. Under no circumstances shall a fraternity advertise for tenants in public or social media or rent rooms within the house.
4. It is suggested that all fraternities place on file in the Office of Student Involvement a copy of their house rules concerning such things as study conditions, quiet hours, moral conduct, maintenance of health conditions, etc. Additionally, copies of these rules should be supplied to all members and pledges, resident and non-resident. Each fraternity shall be responsible for enforcing its rules and generally maintaining good conditions for student living.
5. The University suggests that fraternities have written contracts or leases with all residents that fully specifies the terms of occupancy, services included, etc. Pertinent sections of the house rules, as referred to in #4 above, should be attached and made a covenant of the lease. Security deposits to cover damage to rooms or the house should be used by all chapters.
6. Student rooms are deemed private areas, if the door is closed, while living rooms, dining rooms, kitchens, television rooms, game rooms, hallways or other such common areas therein are considered public areas.
7. It is suggested that each house have laundry facilities available to its members.
8. Students are required to vacate the fraternity house within 24 hours of the last final exam at the end of each semester and by 8:00 p.m. of the last exam prior to break or holiday periods. At the end of spring semester, only graduating students are permitted to remain in the house after 8:00 p.m. on the Friday of Commencement Weekend.
9. Chapters wishing to open their facilities early for some or all of their members must receive permission from the Office of Student Involvement. The application for approval must include names of all members moving in early, reason for early arrival, their move in date, and the name and phone number of the responsible officer moving in early. It is understood that all University rules and regulations for the regular academic year will be strictly adhered to, including but not limited to alcohol consumption and social events.

Living Conditions / Inspections

The Office of Student Affairs is responsible for establishing high standards of cleanliness and safety within ONU residential programs and enforces its regulations. To help meet its standards, fraternity house inspections occur each semester and during the summer. Such inspections involve appropriate fraternity officers as well as the Life Safety Committee members, who may be represented by the Department of Public Safety, ONU Physical Plant, the Office of Residence Life, the Office of Student Conduct and the Office of Student Involvement. Inspections shall be scheduled in advance with chapter presidents.

In the event a chapter fails its inspection, the **first failed inspection** will result in a warning letter to the chapter and the chapter will be expected to submit to the Office of Student Involvement its plan of action for each deficient item. If the repairs needed are extensive, a chapter may submit a request for extension when they submit their plan. Approval of extensions are determined by the Life Safety Committee.

Second successive failed inspections will result in (1) prohibition of all ‘chapter-house social events’ until the identified facility problems are corrected (as determined by the Life Safety Committee), (2) attendance at a Life Safety Program by at least 90% of the chapter, and (3) notification of the concern to the chapter’s national office.

A **third consecutive failed inspection** could result in recommendation to the University Vice Presidents that the facility be closed and/or referral for State Inspection of the facility. If serious violations of cleanliness, health or safety are found during any inspection, the University may close the house until the issues are resolved.

The Physical Plant will assist fraternity members and/or alumni with consultation concerning needed repairs and will be willing to provide repair service if time allows. This could result in substantial savings before outside contracting is arranged.

Meal Provision

All members residing in Greek houses will be expected to provide meals or provide adequate facilities for the preparation of meals (i.e. stove, oven, kitchen sink, etc.). When a fraternity does not provide full-time meal service (minimum 10 meals per week) or adequate kitchen facilities, residents of the house may be required to purchase a meal contract with the University. It is the responsibility of the fraternity to ensure that all local county, state, and federal regulations pertaining to food services are implemented. The County Health Department or the University may terminate the use of the kitchen for failure to comply with those regulations. Residence hall students, including Affinity Village residents, who are also Greek members are subject to meal contract regulations applying to all residence hall students.

Summer Housing

Special provisions are necessary by fraternities for securing University permission to operate during the summer. This permission must be applied for by May 1st of the preceding spring term from the Office of Student Involvement via e-mail at greeklife@onu.edu. Incomplete applications will not be considered. Applications must include:

- A. A list of student members who desire to live in the house. Each must be enrolled in summer school and have resided in the house the preceding school year and/or those working in Ada-area over the summer to earn funds towards attending ONU. In addition, each student must be enrolled in classes for fall semester.
- B. The name and contact information of the officer or member designated by the chapter to be responsible for summer residents.
- C. Signature of the Alumni or faculty/staff Advisor

It is understood that all University rules and regulations for the regular academic year will be strictly adhered to, including but not limited to alcoholic beverages, and social events. A minimum of three (3) members must be in occupancy at all times the house is open during the summer sessions. Students residing there will represent the entire fraternity in their actions. All exceptions must be approved by the Director of Student Involvement.

Fraternity houses, which do not satisfy the preceding criteria, are considered closed for the summer. Members will not reside there, nor will they conduct activities which are construed with residence (watching TV, washing cars, using computers, etc.). Members wishing to pick up or deposit personal belongings at a closed house must do so on scheduled membership work weekends. Notification of all work weekends is to be provided in writing to the Director of Student Involvement at least fourteen (14) days in advance of any member’s arrival to the house.

Written notification must include the following information sent to greeklife@onu.edu: names of all attendees, duration of the stay, contact information for the officer or member responsible throughout the weekend, and confirmation of approval of the work weekend from the chapter advisor.

Use of University Facilities

At times, fraternity and sorority organizations may wish to use other University facilities for meetings or special events. Procedures for securing permission and reserving space are provided in the Student Handbook. The Information Desk in McIntosh Center can also provide information. Similarly, a fraternity or sorority may also seek to use a residence hall lounge for non-alcoholic events or meetings. Permission to use these facilities can be requested with the Director of Residence Life. The group using the space is responsible for appropriate clean-up of the space after use.

FRATERNITY AND SORORITY BEHAVIOR EXPECTATIONS

Fraternities and students residing in fraternity housing are expected to abide by all the general policies and standards of conduct ONU has for its students. The following additional behavior clarifications are provided to fraternities and students residing in fraternity housing.

Alcohol consumption

Consistent with the University's **Alcohol and Other Drug Policy**, alcohol may be possessed and consumed in the private areas of fraternity houses (that is, individual rooms with the door closed) by new and active fraternity members, alumni, and advisors of the house if they are of legal age to do so and where such behavior is in accordance with the specific requirements of the fraternity's national organization. Alcohol is not permitted in any common areas of any fraternity house at any time. Possession of alcohol shall be considered evidence of consumption for the purposes of the policy section. The consumption of alcohol at a fraternity social event, regardless of the location of the event, must be limited to those members or invited guests who are of legal age. Possession of alcohol is considered evidence of consumption.

Candles and Open Flames

Because of the danger of fire, lighted candles and open flames of any kind are generally prohibited. If initiation rituals require the use of candles, great care is to be used in handling them and fire protection equipment should be readily at hand. The use must be for very limited time duration; care should be used in properly extinguishing the flames. Candles should be stored at all times when not in use for ritual purposes.

Social Event Notification Form

Fraternities that are sponsoring, hosting or co-hosting events—including but not limited to social, alumni, and family events—where they expect individuals from outside of the organization to participate must submit a **Social Event Notification Form**. The completed form must be submitted at least one (1) week prior to the event and include all necessary approvals. The Social Event Notification Form does NOT need to be completed for educational sessions (including sessions within the scope of the Standards of Excellence program, such as educational, risk management and academic sessions), recruitment activities, philanthropic projects, or community service events unless the fraternity intends to include alcohol at the event.

The Social Event Notification Form can be completed on Northern Network.

Events Including Alcohol. Fraternities who intend to host an event that includes alcohol must plan for and ensure that a faculty/staff advisor or representative is present for the duration of the event. With the exception of events at the University Inn, alcohol is not permitted at events hosted on the ONU campus. Fraternities and sororities and their guests are responsible for the University's Standards of Conduct and its expectations articulated in the

Alcohol and Other Drug Policy. Chapters, its leaders and members may be held collectively and individually accountable for violations.

Flammable Materials

In keeping with the spirit of fire prevention, draperies and other cloth goods used to decorate rooms must be manufactured and labeled fire-retardant. Consistent with the University's expectations regarding dangerous materials, the use and storage of things like kerosene, gasoline, naphtha, benzene, or any other similar materials in or around the fraternity houses is prohibited. Paint, solvents and cleaning fluids that are flammable must be stored in an approved metal cabinet away from any source of heat.

Hosted Events

Fraternities host a variety of events throughout the year in order to achieve the values and ideals of their organizations. During events, chapters are responsible for the enforcement of University policy for all members and guests. No chapter events, including those for which a Social Event Notification Form is not required, are permitted to occur during the following times of both the fall and spring semesters:

- Move-in Weekend
- Weekend before final exams begin
- Weekend following final exams
- Any University breaks

Noise and Stereos

In order to provide an atmosphere so that fraternity members and others can effectively study and sleep, loud noise and stereo volume should be kept to a minimum. Fraternity members should be considerate of other campus occupants and village residents at all times. Audio speakers should be kept inside the fraternity house and facing inwards. In the event of an audio or other audible disturbance, accountability and sanctions can be imposed upon the equipment owner and chapter.

Roof Use

For safety reasons, students are not permitted on the roofs of any fraternity house.

STANDARDS OF EXCELLENCE

The Standards of Excellence Program will be utilized each year as a system of positive reinforcement for individual members, chapters and the Greek community as a whole. Implemented in the Spring of 2008, the program evaluates chapters in four main areas including: membership development, internal relations, external relations, and risk management. The Standards of Excellence Program will operate on a modified calendar running from spring semester through fall semester the following year. Each chapter is expected to obtain 60% of the standards points that apply to their organization and meet all of the standards designated as recognition standards in order to remain in good standing with the University. A copy of the current Standards of Excellence Program can be obtained through the Office of Student Involvement and on Northern Network.

APPENDIX A: STUDENT RECORDS

POLICY

Ohio Northern University recognizes its responsibility to protect students and former students against the improper disclosure of information. The University will comply with all applicable state and federal laws, including the Family Educational Rights and Privacy Act of 1974 (FERPA), that relate to the retention and disclosure of information about students and former students.

DEFINITIONS

A **student** is an individual enrolled in University courses for credit except when that person is an employee.

Enrolled is defined as the point registration first occurs.

Education records are all records, files, documents and other materials, maintained in any medium, that contain information directly related to a student and are maintained by University faculty, staff and/or its agents.

Education records maintained by the University include:

- Academic records;
- Financial records;
- Computer and network use records;
- Disciplinary records;
- Employment records; and
- Security records.

Education records do not include the following:

- Personal notes made by professors, teachers, staff or agents, solely for his or her use that are not shared with anyone;
- Records created and maintained by the University Public Safety Office for purposes of compliance with the Clery Act;
- Employment records of a student whose employment is not contingent on the fact that he or she is a student;
- Alumni records containing information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student; and,
- Applications for admission until an applicant has been officially accepted to and registers at the University; and
- Medical and counseling records.

Final results include the name of the alleged student perpetrator, the violation(s) committed (policies violated and essential supporting findings), and the sanction imposed (disciplinary action taken, date, and duration).

A **school official** is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including University Public Safety personnel and health and counseling staff); a person or company with whom the University has contracted (such as an attorney, auditor, financial aid processing agent, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as the Disciplinary Board or a grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility for the University.

Personally identifiable information is any information which can be used, by itself or in combination with other information, to identify an individual. Examples include name, address, telephone number, social security number, student identification number, photos, or fingerprints.

DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION IN EDUCATION RECORDS

With Consent

The University will not disclose personally identifiable information contained in a student's education records without prior written consent, except as authorized by applicable state or federal law. Educational records, with the exception of those social disciplinary records involving misconduct under ONU's Student Code of Conduct, will not be disclosed to a parent of a student without that student's consent.

Social disciplinary records may be disclosed to the parent claiming the student as a dependent for tax purposes. Educational records will also be disclosed to persons who have power of attorney for the student.

Without Consent

In addition to directory information, the University will disclose personally identifiable information contained in a student's education records without prior written consent to:

- School officials with a legitimate educational interest;
- Authorized agents of the state or federal government in connection with an audit or evaluation of federally or state supported programs;
- Authorized agents in connection with financial aid for which the student has applied or which the student has received;
- Accrediting organizations in order to carry out their accrediting functions;
- To comply with a lawfully issued court order or subpoena (the University will make reasonable efforts to notify the student prior to compliance with the subpoena) ;
- To appropriate persons in relation to a health and safety emergency, as specifically determined by the University, in accordance with FERPA;
- To an alleged victim, the final results of any disciplinary proceeding conducted by the University, where the behavior alleged constituted a crime of violence, or a non-forcible sexual offense. The disclosure will be made regardless of whether the alleged perpetrator was found to have violated any University policy with respect to the alleged crime or offense;
- To third parties, the final results of any disciplinary proceeding conducted by the University, where the behavior alleged constituted a crime of violence, or a non-forcible sexual offense, only when the alleged perpetrator has been found to have violated any University policy with respect to the alleged crime or offense. No victim or witness names will be disclosed without their prior written consent;
- To comply with a court order obtained under the USA PATRIOT Act for education records considered relevant to a terrorism investigation or prosecution, without advance notice to the student;
- To disclose to a student's parent information regarding any violation of law or of University rule or policy as to alcohol or other drugs' use or possession, if the student is under age 21 at the time of the disclosure and the University determines that such alcohol/drug use or possession constitutes a disciplinary violation;

- To disclose information provided to the University under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) concerning registered sex offenders who are required to register under that section; and,
- To the U.S. Citizenship and Immigration Services (USCIS) / Department of Homeland Security (DHS) concerning an F, J, or M nonimmigrant alien, only to the extent necessary for the University to comply with Student and Exchange Visitor Program (SEVP) reporting requirements, as mandated by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the USA PATRIOT Act, the Enhanced Border Security and Visa Entry Reform Act of 2002, and the regulation at 8 CFR 214.1(h). Consent is not necessary for the University to disclose required information to USCIS or DHS in compliance with SEVP reporting obligations.
- To the National Student Clearinghouse to function as the university's agent in matters including but not limited to: FLEP loan deferment, reporting enrollment to the NSLDS, and other related enrollment and degree verification services.

DIRECTORY INFORMATION

Directory information will be disclosed by the University without prior written consent. Students may direct the University not to disclose their directory information by notifying the Office of the Registrar in writing. Requests to withhold directory information will remain in effect until rescinded in writing by the student.

At Ohio Northern University, directory information includes the following:

- Student name;
- Home and local address and telephone numbers;
- Major fields of study and college of enrollment;
- Degrees, honors, awards, and dates received;
- Class (year of study);
- Dates of attendance;
- Most recent institution previously attended;
- Previous degrees earned and granting institutions;
- Participation in officially recognized activities and sports;
- Height and weight of members of athletic teams;
- Enrollment status (enrolled, withdrawn, full or part-time);
- Name and address of parent(s);
- Student email address; and,
- Student picture.

RECORDS OF DISCLOSURES

The University shall maintain within the student's education records a record for each disclosure request and each disclosure, except for the following:

- Disclosures to the student;
- Disclosures pursuant to student's written consent;
- Disclosures to school officials with a legitimate educational interest;
- Disclosures in order to comply with a lawfully issued court order or subpoena;
- Disclosures to comply with a court order obtained under the USA PATRIOT Act; and,
- Directory information.

DESTRUCTION OF RECORDS

Nothing in this policy requires the continued maintenance of any student record for any particular length of time. If, under the terms of this policy, an individual has requested access to a student's education record, the record will not be destroyed before the custodian has determined whether and to what extent access is permitted.

STUDENT RIGHTS WITH RESPECT TO EDUCATION RECORDS

Inspection

A student has the right, upon written request, to review the materials that are contained in the student's education records, except:

- Financial information submitted by the student's parents;
- Confidential letters and recommendations associated with admission, to which the student has waived the right to inspection and review;
- Employment or job placement records;
- Honors information, to which the student has waived the right to inspection and review; and,
- Education records containing information about more than one student, in which case the University will only permit access to that part of the record pertaining to the inquiring student.

Students wishing to review their records must make a written request to the Office of the Registrar specifying which records they wish to review. The Registrar will make the education records available within forty-five (45) days of receipt of the request. Unless the student has an outstanding financial indebtedness to the University, copies of student education records can be made at the student's expense at prevailing institutional rates.

Amendment

Students who believe their education records contain information that is inaccurate, misleading or otherwise in violation of their privacy or other rights may request an amendment of the records. Students wishing to amend their records should submit a request for the amendment in writing to the Office of the Registrar. The request should clearly identify what records the student wants to amend and the reasons supporting the amendment. Within a reasonable amount of time, the Registrar will notify students of the decision regarding their request. If the education record is not amended pursuant to the student's request, the Registrar will inform the student of the student's right to request a formal hearing.

Formal Hearing

A request for a formal hearing must be made in writing to the Vice President for Academic Affairs or the Vice President for Student Affairs & Dean of Students, who, within a reasonable period will inform the student of the time, date and place of the hearing. A student may present relevant evidence to the issues raised and may be assisted by any person of their choice.

The panel for the hearing will consist of the Vice President for Academic Affairs, the Vice President for Student Affairs & Dean of Students and the Academic Dean of the student's college. In the event that one of these individuals is the party alleged to be responsible for the disputed contents of the record, the President will appoint an alternate member to the panel.

The panel shall base its decision only upon the evidence presented at the hearing. Panel decisions are considered final and will consist of a written statement summarizing the evidence presented, the findings of the panel, and its decision. The written statement will be delivered to all parties concerned.

If the decision is in favor of the student, the education records will be amended according to the decision of the panel. If the panel finds against the student, the student has the right to place a statement commenting on the information in the record and that the student disagrees with the panel. The statement will be maintained as part of the student's education records and released whenever those records are disclosed.

Any student who believes that the adjudication of the student's request for amendment was unfair or not in keeping with the provisions of FERPA may make a written request for the assistance of the President of the University. In addition, students who believe the university is not in compliance with FERPA may file a complaint with the:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5901

Possible Federal and State Data Collection and Use

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

APPENDIX B: SEX DISCRIMINATION POLICY

Sex Discrimination & Sexual Harassment Policy

I. Notice of Nondiscrimination

This Sex Discrimination Policy (“Policy”) addresses all forms of sexual discrimination prohibited under Title IX and sexual harassment. Title IX is a federal law which provides that no person, on the basis of sex, shall be “excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Ohio Northern University (“ONU” or the “University”) does not discriminate or tolerate discrimination on the basis of sex, gender, transgender status, gender identity, or gender expression in its educational, extracurricular, or athletic programs, any activity that it operates, or in any admission or employment decisions, consistent with its obligations under Title IX and its regulations not to discriminate in such a manner.

The University is committed to promptly and equitably responding to all reports and formal complaints of sexual discrimination and sexual harassment, with the goal of eliminating the misconduct, preventing its recurrence, and addressing its effects on any individual or the community.

This Policy applies to allegations of sex discrimination and sexual harassment made against any individual by a member of the ONU community in connection with any ONU education program or activity, as well as allegations of sexual harassment made against any person in the United States by any person participating in or attempting to participate in ONU’s education programs or activities.¹

Any person may report sex discrimination and sexual harassment in accordance with this Policy (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment— *i.e.*, the **complainant**). Any person participating in or attempting to participate in ONU’s education programs or activities may file a formal complaint of sex discrimination or sexual harassment in accordance with this Policy. This Policy applies regardless of sexual orientation, as complainants and **respondents**—*i.e.*, the individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment—may be female, male, straight, gay, lesbian, bisexual or transgender.²

This Policy applies to sexual harassment in ONU’s education programs or activities—*i.e.*, on campus or at locations or events, or under circumstances over which ONU exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by ONU. It applies in face to face encounters, social media, and other forms of electronic communication.³

¹ Any person who alleges sex discrimination by a faculty member, administrator, or staff member (rather than by a student) is strongly encouraged to report complaints as described in this Policy. The Title IX team will partner with the Office of Human Resources to address the matter.

² The terms complainant and respondent apply where a report has been made or formal complaint filed and include situations in which a parent or guardian has the legal right to act on behalf of the individual.

³ This Policy governs allegations of sex discrimination as defined above, and supersedes any related College-specific policy or procedure, including the Pettit College of Law’s Code of Professional Responsibility.

The Policy is published online on the University website and a link to the Policy is emailed annually to all University email addresses. A link to the Policy is also provided in the Staff Handbook, which is electronically distributed to ONU staff. The Policy is also included in the Student Handbook, which is electronically distributed annually to all students. Additional copies are available upon request from the Office of Student Conduct and from the Office of Human Resources.

Inquiries regarding this Policy’s application may be directed to the Title IX Coordinator, the Assistant Secretary of the Office for Civil Rights of the Department of Education, or both.⁴⁴

II. Policy Terms

1. Sexual Harassment

Sexual harassment is a form of sex discrimination and means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of ONU conditioning the provision of an aid, benefit, or service of ONU on an individual’s participation in unwelcome sexual conduct—*i.e.*, *quid pro quo* sexual harassment;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ONU’s education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking.

The “conditioning” or “bargain” proposed in *quid pro quo* harassment may be expressed or implied from the circumstances. The inquiry into whether sexual conduct is unwelcome does not equate to whether an individual consented to the sexual conduct. When a complainant acquiesces to unwelcome conduct to avoid potential negative consequences, such “consent” does not necessarily mean that the sexual conduct was not “unwelcome” or that *quid pro quo* harassment did not occur. Whether conduct is considered to be “unwelcome” is a subjective inquiry (*i.e.*, whether the complainant viewed the conduct as unwelcome).

Sexual harassment encompasses both unwelcome conduct of a sexual nature, as well as other forms of unwelcome conduct on the basis of sex.

Elements of severity, pervasiveness, and objective offensiveness are evaluated in light of the known circumstances and depend upon the facts of each situation and are determined from the perspective of a reasonable person standing in the shoes of the complainant. Whether conduct is so severe, pervasive, and objectively offensive depends upon the surrounding circumstances, expectations, and relationships, including, but not limited to, the ages, number, disability status, and positions of authority of the individuals involved, among other factors.

Sexual assault is defined under the Clery Act as an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (“UCR”).

UCR defines a **forcible sex offense** as a sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent and includes the following:

- **Forcible rape** – the carnal knowledge of a person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving

⁴ See Section III.B below for contact information.

consent because of his/her/their temporary or permanent mental or physical incapacity.

- **Forcible sodomy** – oral or anal sexual intercourse with another person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sexual assault with an object** – to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.
- **Forcible fondling** – the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.

UCR defines a **nonforcible sex offense** as unlawful, nonforcible sexual intercourse and includes the following:

- **Incest** – nonforcible sexual intercourse between two persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** – nonforcible sexual intercourse with a person who is under the statutory age of consent.

Dating Violence is defined under the Violence Against Women Act (“VAWA”) as:

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim/survivor; and
- Where the existence of such a relationship shall be determined based on consideration of the following factors:
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence below.

Domestic violence is defined under VAWA as:

- Felony or misdemeanor crimes of violence committed:
 - by a current or former spouse or intimate partner of the victim/survivor;
 - by a person with whom the victim/survivor shares a child in common;
 - by a person who is cohabitating with or has cohabitated with the victim/survivor as a spouse or intimate partner;
 - by a person similarly situated to a spouse of the victim/survivor under the state’s domestic or family violence laws; or
 - by any other person against an adult or youth victim/survivor who is protected from that person’s acts under the state’s domestic or family violence laws.⁵

⁵ See Ohio Revised Code 2919.25 and Ohio Revised Code 3113.31 for the state law definition of Domestic Violence.

Stalking is defined under VAWA as:

- Engaging in a course of conduct,
- Directed at a specific person,
- That would cause a reasonable person to
 - fear for his or her safety or the safety of others, or
 - to suffer substantial emotional distress.

Stalking may include repetitive and menacing pursuit, following, harassment and/or interference with the peace and/or safety of another.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Examples of stalking include, but are not limited to:

- Unwelcome and repeated visual or physical proximity to a person;
- Repeated oral or written threats;
- Extortion of money or valuables;
- Unwelcome/unsolicited written communication, including letters, cards, emails, instant messages, and messages on online bulletin boards;
- Unwelcome/unsolicited communications about a person, his or her family, friends, or coworkers;
- Sending or posting unwelcome/unsolicited messages with an assumed identity;
- Implicitly threatening physical contact; or
- Any combination of these behaviors directed toward an individual person.

Sexual assault, dating violence, domestic violence, or stalking are inherently serious sex-based offenses. However, stalking may not always be “on the basis of sex”—*e.g.*, when a student stalks an athlete due to celebrity worship rather than sex. When stalking is “on the basis of sex”—*e.g.*, when the stalker desires to date the victim—stalking constitutes sexual harassment. Stalking that does not constitute sexual harassment may still be prohibited under ONU’s student code of conduct.

Sexual harassment may be committed by anyone in the United States, regardless of gender, age, intent, position, relationship, or authority, in an **educational program or activity** of ONU. An educational program or activity includes locations, events, or circumstances over which ONU exercised substantial control over both the respondent and the context in which the sexual harassment occurs, as well as any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.⁶

Sexual harassment also includes harassment based on gender, sexual orientation, transgender status, gender identity, or gender expression, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature.

⁶ This Policy does not have extraterritorial application and does not extend to sexual harassment in study abroad programs or in private, off-campus settings. Other ONU policies may apply in such circumstances.

It is important to the University that individuals feel free to come forward and seek assistance before issues of sexual harassment become severe, pervasive, and objectively offensive. Reports of sexual harassment that do not rise to the level of severe, pervasive, and objectively offensive may still be investigated and addressed by the University under other policies, so as to prevent further incidents from occurring. Also, in appropriate circumstances a formal complaint may be signed by the Title IX Coordinator, e.g. where complainant does not wish to participate in the grievance process.

2. **Consent**

Consent means informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity.

Guidance for determining consent:

- Consent cannot be inferred from silence, passivity, or lack of active resistance.
- A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.
- By definition, there is not consent when there is force or violence or a threat of force or violence or any other form of coercion or intimidation, physical or psychological.
- Either person may withdraw consent at any time. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
- A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; the lack of informed, freely given consent to sexual contact constitutes sexual misconduct.
- Intoxication is not an excuse for failure to obtain consent.
- A person incapacitated by alcohol or drug consumption, or who is unconscious or asleep or otherwise physically or mentally impaired, is incapable of giving consent.
- A person who is below the legal age of consent is incapable of giving consent.

3. **Incapacitation**

Incapacity occurs when a person is temporarily or permanently impaired by mental and/or physical deficiency, disability, illness, sleep, unconsciousness, or by the use of drugs or alcohol to the extent the person cannot make rational, reasonable decisions because he or she lacks the capacity to give knowing/informed consent (*e.g.*, to understand the “who, what, when, where, why or how” of his or her sexual interaction).

Sexual activity with someone the respondent knew to be or should have known to be incapacitated constitutes a violation of this Policy. The question of whether the respondent should have known the complainant was incapacitated is based on what a reasonable person in the place of the respondent, sober and exercising good judgment, would have known about the condition of the complainant.

An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this Policy.

III. Reports and Formal Complaints

All individuals, including students and members of the ONU community, are obligated to promptly report any incidents of sex discrimination or sexual harassment as set forth in this Policy. A formal complaint, as defined in Section III.G below, is not required to make a report of sex discrimination or sexual harassment and initiate a response by ONU, including the offering and providing of supportive measures, as defined in Section III.E below.

The ONU officials who have authority to institute corrective measures on behalf of ONU and who receive notice or actual knowledge of sexual harassment in one of ONU's education programs or activities and are required to act upon notice or knowledge are listed as follows: Title IX Coordinator, Deputy Title IX Coordinators, Human Resources Director, Vice President of Student Affairs, Athletic Director and the Director of Student Conduct. An ONU official who has authority to institute corrective measures on behalf of ONU and who receives notice or actual knowledge of sexual harassment in one of ONU's education programs or activities, is required to promptly report any incidents or allegations of sex discrimination and sexual harassment that they become aware of, directly or indirectly. Reporting allows *complainants*—i.e., alleged victims of conduct that could constitute sexual harassment—to receive supportive measures and helps to maintain a safe campus environment.

A. Reporting Sex Discrimination and Sexual Harassment

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report, including reporting to any member of the Title IX team listed in Section III.B below. A report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

ONU officials who have authority to institute corrective measures on behalf of ONU and who receive notice or actual knowledge of sexual harassment in one of ONU's education programs or activities are required to promptly report incidents or allegations of sex discrimination and sexual harassment to the University's Title IX Coordinator or Deputy Title IX Coordinators listed in Section III.B below.

If you are a student, you may also report to: Adriane Thompson Bradshaw, Vice President for Student Affairs & Dean of Students, at (419) 772-2433, any member of the Residence Life Staff at (419) 772-2401, Public Safety at (419) 772-2222, or to the anonymous Campus Conduct Hotline at (866) 943-5787.

If you are an ONU employee and not an ONU official who has authority to institute corrective measures on behalf of ONU and who receives notice or actual knowledge of sexual harassment in one of ONU's education programs or activities, you may also report to Emily Rosebeck, Director of Human Resources, at (419) 772-2747, or to the anonymous Campus Conduct Hotline at (866) 943-5787.

B. Title IX Coordinator and Team

The Title IX Coordinator is the designated University official with primary responsibility for receiving reports and formal complaints of sex discrimination and sexual harassment, signing formal complaints, and

generally coordinating the University's compliance with Title IX. The Title IX Coordinator oversees the University's response to reports and formal complaints of sex discrimination and sexual harassment, including supportive measures. The Title IX Coordinator will coordinate the provision of educational materials and training for the campus community. Finally, the Title IX Coordinator will ensure a fair and neutral process for all parties and monitor all other aspects of the University's Title IX compliance. If the Title IX Coordinator is unavailable or has a potential conflict of interest or bias, then Deputy Title IX Coordinators are also available to address Title IX issues and are authorized to perform tasks and responsibilities that would normally be performed by the Title IX Coordinator. The following individuals have been designated to handle Title IX issues and questions:

Title IX Coordinator:

Liannie G. Parahoo
 Assistant Director of Legal Clinics and Staff Attorney
 ONU Legal Clinic
 121 W. High St., Ste 700
 Lima, Ohio 45801
 (419) 227-0061
 l-parahoo@onu.edu

Deputy Title IX Coordinator:

Brian Hofman
 Associate Professor of Sport
 Management, Dicke 123
 525 S. Main St.
 Ada, Ohio 45810
 (419) 772-1878
 b-hofman@onu.edu

Deputy Title IX Coordinator:

Linda Young
 Professor of Biological Sciences
 Meyer Hall of Science Office
 172 Ada, Ohio 45810
 (419) 7722438
 l-young@onu.edu

The Title IX team can also be reached at: titleix@onu.edu

C. Confidential Resources

A complainant who wishes to confidentially discuss an incident or allegation of sex discrimination or sexual harassment without formally reporting it to the University may contact the ONU departments listed below. These departments are not subject to the mandatory reporting requirement:

ONU Counseling Center
 (419) 772- 2190
 Josh Lehsten – Interim Director (j-lehsten@onu.edu),
 Rebecca Diller – Assistant Director (r-diller@onu.edu), or
 Marcey Bell – Mental Health Outreach Coordinator (m-bell.5@onu.edu).

ONU Health Center
 Email: health-center@onu.edu
 (419) 772-2086
 Karen Manning – Director (k-manning.2@onu.edu)

ONU Chaplain
 (419) 772-2200
 David MacDonald – University Chaplain (d-macdonald@onu.edu)

The above employees will maintain confidentiality, except in cases of immediate threat or danger, or abuse of a minor. ONU has established a Policy for the Protection of Minors which provides guidelines for those in the University community who may work or interact with individuals under 18 years of age, with the goal of promoting the safety and well-being of minors. ONU will comply with all state mandated reporting laws relating to minors.

A complainant who elects to speak with the confidential resources identified above must understand that confidentiality will generally preclude the Title IX Team's and Office of Human Resource's actual knowledge of the incident and, therefore, the ability to implement supportive measures, conduct an investigation, and/or pursue disciplinary action against the respondent. Should a complainant later decide to report or file a formal complaint with the University pursuant to Sections III.A and III.G, ONU would respond in accordance with this Policy, including Sections III.E and IV at that time.

D. Reporting Complaints to Law Enforcement or the Office of Civil Rights

Instances of sex discrimination or sexual harassment may violate both this Policy and the law. As a result, the University encourages complainants to pursue their complaints through both this Policy and through the criminal justice system. Complainants have the option to notify or decline to notify law enforcement authorities, if they so choose.

The Village of Ada, Ohio is served by two local law enforcement agencies: the Village of Ada Police Department and the Hardin County Sheriff's Office. Individuals wishing to make a police report may contact one of those law enforcement agencies at any time.

The Village of Ada Police Department, located at 155 West Buckeye Avenue, Ada, Ohio 45810, has staffed hours of 8:00 am to 4:00 pm, Monday through Friday. An individual may appear at the department during those hours to make a police report in person. No appointment is necessary. The Ada Police Department may also be reached at (419) 634-0010. This number can be used 24 hours a day. If a call is placed outside of the Police Department's hours of operation, the call will be forwarded to the Hardin County Sheriff's Office's dispatch center. For calls forwarded to the Sheriff's Office, a deputy will be dispatched to make a report at the location of the caller.

The Hardin County Sheriff's Office, located at 1025 S. Main Street, Kenton, Ohio 43326, has staffed hours of 8:00 am to 4:00 pm, Monday through Friday. An individual may appear at the department during those hours to make a police report in person. No appointment is necessary. The Hardin County Sheriff's Office may also be reached at (419) 673-1268. This number can be used 24 hours a day.

For emergencies, always dial 911.

Additionally, the U.S. Department of Education's Office of Civil Rights is charged with enforcing Title IX compliance. Inquiries about Title IX issues may be referred to the Office for Civil Rights/Cleveland at U.S. Department of Education, 1350 Euclid Avenue, Suite 325, Cleveland, Ohio 44115 or by calling (216) 522-4970.

E. Offering and Providing Supportive Measures

Where the Title IX Coordinator or Deputy Title IX Coordinators receives a report of an incident or allegation of sex discrimination and sexual harassment from any individual, including an ONU official who has authority to institute corrective measures on behalf of ONU or complainant, the Title IX Coordinator will promptly contact the complainant to discuss the availability of **supportive measures** and inform the complainant of the availability of such supportive measures with or without filing of a formal complaint. The Title IX Coordinator will also explain to the complainant the process for filing a formal complaint, as outlined in Section III.G below.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to ONU's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or ONU's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, the following:

- Assistance finding confidential counseling and support either through the ONU Counseling Center or through referrals to an outside agency.
- Assistance finding confidential medical services.
- Academic accommodations, which may include a change in class schedule, taking an incomplete or dropping a course without penalty, attending a class via electronic or other alternative means, or extending deadlines for assignments.
- Housing accommodations, which may include changes in residential status, changes in room assignment, or temporary accommodations in a residential safe room.
- Employment accommodations, such as change in work assignment or schedule.
- Escort services from ONU Public Safety.
- Making personal information (such as directory information) unavailable through the Registrar's office. Mutual restrictions on contact between parties—*e.g.*, a no-contact order.
- Leave of absence
- Increased security monitoring of certain areas of campus.
- Other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures and will consider the complainant's wishes with respect to supportive measures.

ONU will maintain the confidentiality of any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of ONU to provide the supportive measures. To the extent an individual chooses to report an incident or allegation of sex discrimination or sexual harassment anonymously or without disclosing the identity of the complainant and/or the respondent, ONU will be unable to provide supportive measures to the complainant and/or consider whether to initiate the grievance process against a respondent in response.

F. Emergency Removal & Administrative Leave

In addition to implementing supportive measures set forth in Section D above, in emergency situations that arise out of allegations of conduct that could constitute sexual harassment, ONU may elect to remove the respondent from ONU's education programs or activities. Removal may be made only after ONU conducts an individualized safety and risk analysis and concludes that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. Removal may take place before an investigation into sexual harassment allegations concludes or where no grievance process is pending.

Where ONU elects to remove a respondent from its education programs or activities, it will provide the respondent with notice and an opportunity to challenge the decision immediately following removal.

Where a respondent is a non-student employee, ONU may elect to place the respondent on administrative leave during the pendency of a grievance process under Section IV.

G. Formal Complaints of Sex Discrimination and Sexual Harassment

While ONU will promptly and meaningfully respond to reports of sex discrimination and sexual harassment as outlined in Section III.E above, only a **formal complaint** will prompt an investigation and grievance process outlined in Section IV below. A formal complaint is a **document filed by a complainant** or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that ONU investigate the allegation of sexual harassment. A document filed by a complainant is a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicated that the complainant is the person filing the formal complaint. In the case of a minor or legally incompetent person, parents or legal guardians may also act on behalf of a complainant, respondent, or other party, including with respect to filing a formal complaint.

Third parties are not permitted to file formal complaints and formal complaints cannot be filed anonymously. However, where the complainant's identity is unknown—*e.g.*, where a third party has made a report—the grievance process may proceed if the Title IX Coordinator determines it is necessary to sign a formal complaint.⁷ Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. Where the Title IX Coordinator signs a formal complaint knowing that the complainant did not wish to do so, ONU will respect the complainant's wishes regarding whether to participate or not in the grievance process.

Filing of a formal complaint with the Title IX Coordinator may be accomplished in person, by mail, or by electronic mail, by using the contact information of the Title IX Coordinator listed in Section III.B above.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the educational program or activity of the recipient with which the formal complaint is filed.

⁷ The Title IX Coordinator may sign a formal complaint and a formal complaint may proceed when without the consent of the complainant in order to initiate an investigation and adjudication of sex discrimination or sexual harassment in order to protect the ONU community or otherwise avoid being deliberately indifferent to known sexual harassment.

H. Confidentiality of Reports and Formal Complaints

ONU will keep confidential the identity of any individual who has made a report or formal complaint of sex discrimination or sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination or sexual harassment, any respondent, and any witness, except under the following circumstances:

- As may be permitted by the Family Educational Rights and Privacy Act (“FERPA”), 20 U.S.C.1232g, or FERPA regulations, 34 CFR part 99;
- As required by law; or
- To carry out the purposes of the Title IX regulations, 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

While consent from a complainant is not required, The Title IX Coordinator, Title IX Deputy Coordinators, or designee will seek consent from the complainant before the Title IX Coordinator signs a formal complaint and pursues the grievance process. To the extent possible and consistent with the above exceptions, disclosure of any information relating to a formal complaint will be limited to the individuals conducting the University’s investigation or resolving the complaint.

If the complainant requests confidentiality or asks that the complaint not be pursued or that the University stop the investigation process, the University will inform the complainant that its ability to respond may be limited as a result, but that it will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation. The University will also inform the complainant that Title IX prohibits retaliation and that it will take actions to prevent retaliation and take strong action against anyone who engages in retaliation, as well as the complainant’s right not to participate in the grievance process.

The University must weigh requests for confidentiality and/or requests that no action be taken against the University’s obligation to provide a safe, non-discriminatory environment for all members of the University community, including the complainant. The University may not be deliberately indifferent to known sexual harassment. The University will likely be unable to honor a request for confidentiality or a request that no action be taken in cases indicating pattern, predation, weapons, violence, or if a minor is involved.

If the University determines that it can honor a complainant’s request for confidentiality and/or request that no action can be taken, the University will attempt to pursue other steps to limit the effects of the alleged sex discrimination or sexual harassment and prevent its recurrence.

I. Amnesty for Reporting Sex Discrimination or Participating in an Investigation

The University recognizes that an individual who has been drinking alcohol, using drugs, or engaging in other misconduct at the time a potential act of sex discrimination occurs may be hesitant to make a report, file a formal complaint, or to participate in an investigation because of potential consequences for him/her. It is in the best interests of the ONU community that reporting parties choose to report incidents and allegations of sexual discrimination and sexual harassment, that all parties participate in an investigation, and that witnesses come forward to share what they know.

Students: A student who reports sex discrimination or sexual harassment, either as a complainant or a third-party witness, will not be subject to disciplinary action by the University for his/her/their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not

and do not place the health or safety of any other person at risk. Any student who participates in an investigation and grievance process, either as a complainant, respondent, or a third-party witness, will not be subject to disciplinary action by the University for his/her/their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Faculty/Administrative/Support Staff: Sometimes employees are also hesitant to report or offer assistance to others for fear that they might be disciplined for their conduct, including alcohol and/or drug use. ONU may, at its discretion, offer employee reporting parties' amnesty from such policies related to the incident. Amnesty may also be granted to witnesses on a case-by-case basis.

J. Bystander Intervention

The University encourages all community members to take reasonable actions to prevent, stop, and/or report an act of sex discrimination or sexual harassment under this Policy. Taking action may include direct intervention, calling University Security or law enforcement, or seeking assistance from an appropriate University employee. The University provides annual programming on how to safely take action.

IV. Grievance Process

A. Equity in the Grievance Process

The grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent by following the grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures. Respondents are presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

The Title IX Coordinator (or the Deputy Title IX Coordinator if designated), investigator(s), any decision-maker(s), including any appellate decision maker(s), and any person designated to facilitate an information resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

B. Written Notice of Allegations

Upon receipt of a formal complaint, ONU will provide written notice to known parties that includes the following:

- Notice of this grievance process;
- Notice of the allegations of sex discrimination or sexual harassment with sufficient details known at the time, including,
 - the identities of the parties involved in the incident, if known,
 - the conduct allegedly constituting sexual harassment, and
 - the date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and

that a determination regarding responsibility is made at the conclusion of the grievance process;

- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney consistent with Section IV.G.2 below;
- Notice that the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint consistent with Section IV.G.5 below;
- Notice of that all persons are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process; and
- Notice that making a good faith formal complaint that is not later substantiated does not constitute providing false or misleading information.

Written notice will be provided with sufficient time to prepare a response before any initial interview.

If, in the course of the investigation, ONU decides to investigate allegations about the complainant or respondent that were not included in the written notice provided above, ONU will provide written notice of the additional allegations to known parties.

C. Dismissal of Formal Complaint

While ONU will investigate the allegations in formal complaints of sex discrimination or sexual harassment, it will dismiss a formal complaint where the conduct alleged:

- Would not constitute sex discrimination or sexual harassment, even if proved;
- Did not occur in ONU's education program or activity—*i.e.*, locations or events, or under circumstances over which ONU exercises substantial control over both the respondent and the context in which the sexual harassment occurs, including any building owned or controlled by a student organization that is officially recognized by ONU; or
- Did not occur against a person in the United States.

Such mandatory dismissal, however, does not preclude action under another provision of ONU's code of conduct.

ONU may dismiss a formal complaint or any allegation therein, if at any time during the investigation or hearing:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by ONU; or
- Specific circumstances prevent ONU from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

For example, where the identity of a complainant is not disclosed, ONU may not be able to gather evidence necessary to establish the elements of sexual harassment, such as whether the alleged conduct was unwelcome or without consent. In such instances, ONU, in its discretion, may dismiss the complainant.

ONU will promptly notify the parties in writing of any dismissal and the reasons therefore.

D. Time Frame and Temporary Delays

Upon receipt of a sex discrimination or sexual harassment complaint, ONU will exercise good faith to investigate and conclude the grievance process in a reasonably prompt time frame.

Temporary delay of the grievance process or a limited extension of time frames may be permitted for good cause. Good cause may include, but is not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. ONU will provide written notice to the complainant and the respondent of any temporary delay or limited extension and the reasons for such action.

E. Evidentiary Standard & Evidence

Determinations regarding responsibility for all formal complaints of sex discrimination and sexual harassment, whether against a student or employee, will be made using the preponderance of the evidence standard.

Parties are provided an equal opportunity to participate fully and robustly in the investigation process by gathering and presenting evidence, including fact and expert witnesses and other evidence, reviewing the evidence gathered, responding to the investigative report that summarizes relevant evidence, and asking questions of other parties and witnesses before a decision-maker has reached a determination regarding responsibility.⁸

However, while not a party to the proceedings, ONU bears the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility provided that ONU cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless ONU obtains that party's voluntary, written consent to do so. This Policy also does not require, allow, rely upon or otherwise use questions or evidence that constitute or seek disclosure of information protected under legally recognized privilege, unless the person holding the privilege waives it.

Investigator(s) must objectively and impartially gather and present any relevant evidence to the decision-maker(s) in an investigative report, who, in turn, must objectively and impartially evaluate relevant evidence and reach a determination regarding responsibility.

All relevant evidence discovered during this grievance process, including exculpatory and exculpatory evidence, will be evaluated on an objective basis. All credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

F. Consolidation of Formal Complaints

ONU may consolidate formal complaints as to allegations of sex discrimination or sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sex discrimination or sexual harassment arise out of the same facts or circumstances.

⁸ Nothing in this Policy prohibits or restricts the ability of either party to discuss the allegations under investigation.

Where a grievance process involves more than one complainant or more than one respondent, references in this Policy to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

G. Investigation of a Formal Complaint

1. Investigators

Following the receipt of a formal complaint of sex discrimination or sexual harassment, ONU’s Title IX Coordinator will designate two trained investigators to conduct the investigation. When the complaint is made by a student against an employee or is made by an employee against a student, one of the designated investigators will be a member of the Office of Human Resources. When the complaint is made by an employee against another employee, both investigators will be members of the Office of Human Resources, unless there is a conflict of interest or bias, in which circumstance the Title IX Coordinator may designate another investigator. In complex situations, the Title IX Coordinator, in consultation with the two investigators, may engage additional trained investigators to gather additional information to be considered by the primary investigators in the resolution of the formal complaint.

Investigators are responsible for objectively and impartially gathering evidence and presenting any relevant evidence to the decision-maker(s) in an investigative report as set forth in Section IV.G.6 below.

The investigation shall be conducted promptly and will be conducted in a manner that is thorough and impartial.

2. Choice of Advisor

In any related meeting or grievance proceeding, the parties have an equal opportunity to be accompanied by the advisor of their choice, who may be, but is not required to be, an attorney. An advisor may be a member of the ONU community, an attorney, or another individual not affiliated with ONU. During any related meeting or proceeding, however, an advisor’s role is limited. Except as permitted during hearings as set forth in Section IV.H below, an advisor is not permitted to engage in the grievance process on the party’s behalf or participate directly in any related meeting or proceeding. An advisor may quietly consult with his or her advisee during a related meeting or proceeding in a manner that does not disrupt or interfere with the meeting or proceeding. If an advisor fails to act in accordance with these procedures, he or she may be asked to leave the meeting or proceeding.

3. Gathering of Evidence

For allegations of sex discrimination or sexual harassment, a full investigation will be conducted. During the investigation, both the complainant and the respondent may present written and oral statements, names of witnesses, and other evidence to the investigators. The complainant, respondent, and witnesses may be interviewed as part of the investigation. Neither complainant, respondent, witnesses, and/or anyone acting on their behalf may record interviews or any other proceeding during the investigatory process. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. Follow-up interviews will be conducted by the investigators as needed.

All parties and witnesses are expected to provide truthful information. Knowingly providing false or misleading information is a violation of ONU’s policy and can subject a student or employee to disciplinary

action. Making a good faith report to ONU that is not later substantiated does not constitute providing false or misleading information.

All parties are expected to participate and cooperate in the investigation, including submitting to any requested interview by the investigators. If any party refuses to participate or cooperate in the investigation, that person will be subject to discipline, up to and including termination or removal. The investigation will still go forward if a respondent refuses to participate or cooperate.

4. *Notice of Interviews and Hearings*

ONU will provide written notice of the date, time, location, participants, and purposes of all investigative interviews, hearings, or other meetings, to a party whose participation is invited or expected. Such notice will be provided with sufficient time for the party to prepare to participate.

5. *Inspection and Review of Evidence*

All parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Prior to completion of the investigative report set forth in Section IV.G.6 below, ONU will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, with any redactions required by the Family Educational Rights and Privacy Act ("FERPA"). The parties will have at least 14 days after receipt of the investigative report to submit a written response, which the investigators will consider prior to completion of the investigative report.

ONU shall make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

6. *Investigative Report*

ONU will create an investigative report that fairly summarizes relevant evidence and, 14 days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, with any redactions required by FERPA, for their review and written response.

The Title IX Coordinator or designee will review the draft initial investigative report and may request additional investigation or revisions to the draft initial investigative report to ensure the investigation and initial investigative report are adequate, reliable and impartial.

The final investigative report will include all the written responses provided by the parties involved, with any redactions required by FERPA.

H. Live Hearings

1. Cross Examination

Both parties have an equal opportunity to cross examine the other party and any witnesses—*i.e.*, to ask relevant questions and follow-up questions, including those challenging credibility— through the party’s advisor.

Cross examination must be conducted directly, orally, and in real time by the party’s advisor. A party may never personally cross examine another party or witnesses.

If a party does not have an advisor present at the live hearing, ONU will provide an advisor of ONU’s choice, who may or may not be an attorney, without fee or charge, to conduct cross examination on behalf of the party.

Only relevant cross examination and other questions may be asked of a party or witness. As such, before a party or witness answers a cross examination or other question, the decision maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

Where a party or witness does not submit to cross examination at the live hearing, the decision maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, decision maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross examination or other questions.

Cross-examination that may reveal faulty memory, mistaken beliefs, or inaccurate facts about allegations does not mean that the party answering questions is necessarily lying or making intentionally false statements. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the decision maker, after having the opportunity to ask questions of parties and witnesses, and to observe how parties and witnesses answer the questions posed by the other party.

2. Virtual and Remote Hearings

Live hearings may be conducted with all parties physically present in the same geographic location or, at ONU’s discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

At the request of either party, ONU will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

3. Record of Hearing

All live hearings, whether they occur in person or virtually, will be recorded via audio or audiovisual recording or transcribed. Such recording or transcript will be made available to the parties for inspection and review.

I. Informal Resolution

1. Use of Informal Resolution

Where a formal complaint is filed, and at any time prior to reaching a determination regarding responsibility, ONU may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. An informal resolution process may not be utilized unless:

- The parties are provided written notice that discloses the following:
 - the allegations,
 - the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- The parties provide voluntary, written consent to the informal resolution process; and
- An informal resolution process may not be utilized to resolve allegations that an employee sexually harassed a student.

2. Informal Resolution Process

Where an informal resolution process may be utilized in accordance with Section IV.I.1 above, such process will be overseen by one or more members of the Title IX team or its designee. The parties to any such informal process will not be required to deal directly with one another.

At any time prior to agreeing to a resolution under this process, any party may withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. In addition, any party can resume the grievance process where the party is dissatisfied with a proposed informal resolution. Finally, as described above, the University may elect to pursue a formal resolution process even if the complainant does not wish a formal resolution.

The complainant and respondent have the right to an advisor as set forth in Section IV.G.2 above.

If either party has a disability that necessitates assistance in the informal resolution process, he or she may seek guidance and request accommodation through the Title IX Coordinator.

J. Determination Regarding Responsibility

1. Decision Makers

The final investigative report will include all the written responses provided by the parties involved, with any redactions required by FERPA, and will then be provided to one or more trained Decision Maker(s) designated by the Title IX Coordinator for decision as described below. The Decision Maker may not be the same person as the Title IX Coordinator or the investigator(s).

If the respondent is a faculty member, the Decision Maker will be a member of the Administration, as the Administration has the right to discipline faculty members for just cause pursuant to Section 2.10 Discipline of Faculty Members of the Faculty Handbook. A violation of this Policy constitutes just cause for discipline.

Decision Makers are responsible for reviewing the investigative report, conducting the live hearings set forth in Section IV.H above, making a determination regarding responsibility, and determining remedies and sanctions. In reaching a determination, the decision maker(s) will apply the preponderance of the evidence standard as set forth in Section IV.E above. The Decision Maker will determine, based on the complete record and applying a preponderance of the evidence standard, whether or not the evidence is sufficient to support a conclusion that the conduct occurred and that there was a violation of this Policy. If the Decision Maker determines that there was a violation, the Decision Maker will also determine the appropriate remedies and sanctions that should be imposed.

If the complainant and/or respondent has a disability that necessitates assistance in the grievance process, he or she may seek guidance and request accommodation through the Title IX Coordinator.

2. Written Determination Regarding Responsibility

The Decision Maker must issue a written determination regarding responsibility simultaneously to the parties that must include the following:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of ONU's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the respondent, and whether remedies designed to restore or preserve equal access to ONU's education program or activity will be provided to the complainant; and
- ONU's procedures and permissible bases for the complainant and respondent to appeal.

The Title IX Coordinator is responsible for effective implementation of any remedies herein.

The determination regarding responsibility becomes final either on the date that ONU provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

K. Appeals

Either the complainant or the respondent may appeal any determination and/or sanction of the decision maker or any dismissal of a formal complaint or any allegations therein to the Appeal Panel only on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The Appeal Panel consists of three members, composed of University administrator(s), faculty member(s), and/or staff, appointed by the President of the University provided that no member of the Appeal Panel is an investigator, the Title IX Coordinator, or the decision maker that reached a determination regarding responsibility or dismissal. The members of the Appeal Panel shall select from among its number a Chair who shall keep a record of the proceedings. The Appeal Panel shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The procedures for an appeal are as follows:

1. Filing the Appeal

The appeal must be made in writing to the Title IX Department.

The appeal must be made within five (5) university business days from when the parties receive the written decision of the Decision Maker, including the day on which the party receives the written decision. If an appeal is not filed within this time frame, the right to appeal is waived and the determination and/or sanction of the Decision Maker or any dismissal of a formal complaint or any allegations therein becomes final.

ONU will promptly notify the other party in writing when an appeal is filed.

2. Review and Approval of the Appeal

The appeal will be reviewed by the Chair of the Appeal Panel for scope. The scope of the appeal, as identified by the appellant, will be limited to bases outlined above.

The Chair of the Appeal Panel will have five (5) university business days to determine the permissibility of the appeal.

If an appeal is denied by the Chair of the Appeal Panel, the parties will be notified in writing within five (5) university business days and the Title IX Department will retain a record of the denial. Denial of the appeal means the disposition of the formal complaint by the decision maker is upheld.

If an appeal is permitted by the Chair of the Appeal Panel, the parties will be notified in writing within five (5) university business days.

3. Appeal Procedure

The parties shall prepare written statements in support of, or challenging the outcome, including all relevant information and arguments, and deliver them to the chair.

The written statements must be delivered within five (5) university business days of receipt of the notice that permission to appeal was granted, including the date of receipt.

After review of the record and the statements of the parties, the Appeal Panel shall decide the matter by upholding the determination of the Decision Maker, reversing the determination of the Decision Maker, upholding and/or modifying the sanction(s), or remanding the matter for further investigation/analysis.

The Appeal Panel shall render its decision by a simple majority vote of the members. The decision of the Appeal Panel to uphold the determination, reverse the determination, or uphold and/or modify sanction(s)

is final, except as provided in section IV.M. If the matter is remanded, the process will repeat, generally beginning at the appropriate stage of the investigation or adjudication as indicated by the Appeal Panel's remand.

The written decision of the Appeal Panel describing the result of the appeal and the rationale for the result will be sent simultaneously to both parties, typically within seven (7) university business days following the Appeal Panel's determination. If there is a delay in issuing the decision, both the complainant and respondent will receive written notification of the delay and the reasons for the delay. Complainant will be informed of any specific sanctions imposed on respondent directly relating to the complainant in a manner consistent with the requirements of FERPA.

L. Remedies and Disciplinary Sanctions

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process prior to the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

ONU is committed to taking action to eliminate all sex discrimination and sexual harassment. Where a determination of responsibility for sex discrimination or sexual harassment has been made against the respondent, remedies are designed to restore or preserve equal access to ONU's education programs or activities, to stop the conduct, prevent its recurrence, and address its effects. Such remedies may include the same individualized services that constitute supportive measures in Section III.E above, but may also be disciplinary or punitive and need not avoid burdening the respondent. To that end, when determining the appropriate remedies or sanctions to be imposed, consideration shall be given to the principle that the sanctions should be proportionate to the offense and seek to provide a remedy to the complainant and to prevent recurrence of the offense for the protection of the campus community. Any student or employee determined to be responsible for violation of this Policy should expect the imposition of remedies and/or sanctions.

Any sanction imposed by the Decision Maker will be paused during a subsequent appeal process.

Remedies and sanctions for students may include dismissal, withheld suspension, social probation, a no contact order, restrictions, restitution, and notification to other members of the University community as appropriate, educational requirements, and other remedies and sanctions determined by ONU to be appropriate.

Remedies and sanctions for employees may include termination, suspension, removal from campus, cancellation of contract, written reprimand, oral reprimand, and other remedies and sanctions determined by ONU to be appropriate.

M. Sanctions of Faculty Members

If the respondent is a tenured faculty member or a non-tenured or renewable appointment-track faculty member, and the Appeal Panel upholds a sanction of dismissal, such faculty member shall be accorded all rights provided by section 2.7 of the Faculty Handbook. In such case, the entire record of the hearing and appeal shall be provided to the faculty hearing committee. If the Appeal Panel upholds a lesser sanction, or there is no appeal, such result shall constitute just cause for discipline under section 2.10 of the Faculty Handbook, and the findings of the Decision Maker or Appeal Panel are final.

N. Retaliation

ONU prohibits retaliation—*i.e.*, intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy, constitutes retaliation. Retaliation does not include the exercise of First Amendments rights or a code of conduct violation charge for making a materially false statement in bad faith in the course of a grievance proceeding.⁹

Retaliation should be reported immediately to a member of the Title IX team and will be promptly investigated. Retaliation may be treated as an independent instance of discrimination and is considered a serious violation of ONU policy. ONU is prepared to take appropriate steps to protect individuals who believe they have been subjected to retaliation. Individuals found to have engaged in retaliation may face disciplinary action, up to and including dismissal or termination.

O. Documentation and Recordkeeping

Where the Title IX Coordinator or a Deputy Title IX Coordinator receives a report of an incident or allegation of sex discrimination and sexual harassment or a formal complaint is filed, ONU will create records of any actions, including any supportive measures, taken in response to a report or formal complaint. In each instance, ONU will document the basis for its conclusion that its response was not ***deliberately indifferent***, and document that it has taken measures designed to restore or preserve equal access to ONU's education program or activity. Deliberate indifference occurs only where a response to sexual harassment is clearly unreasonable in light of the known circumstances. Where supportive measures are not provided to a complainant, ONU will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The foregoing documentation, as well as the following, will be maintained by ONU for a period of seven years:

- Each sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript;
- Any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to ONU's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- All materials used to train Title IX Coordinators, investigators, decision makers, any person who facilitates an informal resolution process, and members of the Appeal. ONU will make these training materials publicly available on its website.

P. Education and Training

Education and training on this Policy is provided annually to the University community.

⁹ A determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

All new students are required to complete the mandatory training, which covers sex discrimination, sexual harassment, alcohol and drug policies. This information is also covered with all incoming students during their orientation via a presentation by the Office of Student Conduct and the Title IX Office. Ongoing prevention and awareness programming on issues involved in sex discrimination and sexual harassment is offered to all students and employees throughout the year.

Training for University employees on this Policy is a requirement of each and every employee on campus and must be renewed on an ongoing basis.

Title IX Coordinators, investigators, decision makers, any person who facilitates an informal resolution process, and members of the Appeal Panel will receive annual training focused on this Policy and the proper handling cases of sex discrimination and sexual harassment, including but not limited to the following:

- The definition of sexual harassment;
- The scope of the recipient's education program or activity;
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes; and
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Title IX Coordinators, investigators, decision makers, any person who facilitates an informal resolution process, and Appeal Panel members will receive training on the definition of sexual harassment, the scope of ONU's education programs and activities, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Decision makers will also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in Section IV.H.1 above.

Investigators will also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth Section IV.G.6 above.

First responders, such as ONU Security and Office of Student Conduct staff receive regular, ongoing training focused on working with complainants of sex discrimination and sexual harassment.

Training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

Q. Victim/Survivor Support Information

The University is committed to providing support for students and employees who have been victims/survivors of sex discrimination. Below is a brief description of resources available.

Supportive measures as detailed in Section III.E of this policy.

Additionally, a victim/survivor may seek advocacy or counseling support from one of the outside agencies listed below:

- Crime Victim Services
Lima, OH
Pamela Silver, Crime Victim Services Office: 419-222-8666
Direct Line: 567-940-8271
Email: pamelas@crimevictimservices.org
- Open Arms Domestic Violence and Rape Crisis Services
Findlay, OH
24 Hour Crisis Hotline: (419) 422-4766

A victim/survivor may seek legal assistance from the outside agency listed below:

- Legal Aid of Western Ohio, Inc.
545 West Market Street, Suite 301
Lima, OH 45801-4565
Phone: (877) 894-4599

A victim/survivor may seek visa or immigration assistance from one of the outside agencies listed below:

- Legal Aid of Western Ohio, Inc.
545 West Market Street, Suite 301
Lima, OH 45801-4565
Phone: (877) 894-4599
- St. Wendelin Parish – En Camino (Fostoria Office)
323 North Wood Street Fostoria, OH 44830
Phone: (419) 619-3625

A victim/survivor may receive financial aid assistance from the University Financial Aid office, located at Weber Hall – 2nd Floor, (419) 772-2272.

R. Preservation of Evidence

If you are a victim of sexual assault, dating violence, domestic violence, for your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible by a medical professional is important for preserving evidence, which may be necessary to assist in proving sexual assault, dating violence and domestic violence.

APPENDIX C: CARE TEAM POLICY

MISSION OF THE CARE TEAM

The Care Team is committed to maintaining a safe campus community and, as such, seeks to assist students who are precipitously moving towards or are actively in crisis. To that end, the Care Team works to identify, respond to, work through, and where possible prevent crisis situations. The ultimate goal of the Care Team is to implement intervention and support mechanisms designed to maintain the health, safety, and well-being of the involved student and other campus community members.

STUDENT BEHAVIOR OF CONCERN

Student behavior that may require the response and support of the Care Team includes, but is not limited to:

1. Instances where a student engages, or threatens to engage in behavior which poses a danger of causing physical harm to self or others;
2. Instances where a student's behavior is perceived as erratic, not appropriate, or is sufficiently disturbed or disturbing so as to interfere with the educational process and the orderly operation of the University;
3. Instances where a student engages in non-lethal self-injurious behavior;
4. Instances where a student is hospitalized or evaluated for hospitalization as the apparent result of alcohol use, drug use, severe depression or suicide attempt;
5. Noticeable and dramatic changes in day-to-day behavior (e.g., suddenly begins missing classes, grades significantly drop, declining personal care);
6. Life changing events such as a death of a loved one, break-up, divorce; and/or
7. Writings, including online postings, that communicate dangerous intentions to self or others.

STRUCTURE OF THE CARE TEAM

The Care Team consists of a core team, general team, and consulting members. The core team coordinates the reaching out to students, collecting information, connecting students to resources and follow up. The general team meets weekly to review all concerns submitted, give additional advice needed to best meet the needs of the student and determine when the concern has been adequately addressed. The core Care Team consists of:

- Director of Residence Life
- Mental Health Case Manager and Outreach Coordinator
- Assistant Director of Residence Life

The general Care Team consistent of the core members in addition to:

- Vice President for Student Affairs & Dean of Students
- Director of Counseling Center
- Director of Student Conduct
- Director of Public Safety and/or their designated representative
- Director of Student Health Services
- Student Disability Coordinator
- Vice President for Academic Affairs and/or their designated representative

In addition, consulting member may participate *as needed* depending on the situation and may include, but are not limited to:

- Director of Multicultural Development
- University Chaplain

- Director of McIntosh Center
- Director of Student Involvement
- Assistant Director of Student Involvement and Coordinator of Student Activities
- Area Coordinators of Residence Life
- Student Affairs Coordinator
- Assistant Director of Financial Aid
- International Services Coordinator
- Human Resources designated representative

The Director of Residence Life and Mental Health Case Manager & Outreach Coordinator will serve as the chairs of the Care Team. In the absence of the chair members, a designee will be selected from the permanent team to serve as interim chair.

A quorum of Care Team members is not required to engage in discussions regarding any matter before the Care Team or to make recommendations regarding a Care Team matter. The Vice President for Student Affairs & Dean of Students or their designee will make the final determination concerning Care Team procedures and outcomes.

SHARING INFORMATION WITH THE CARE TEAM

The Care Team is able to operate optimally when the Ohio Northern University community shares information through the Student Well-Being Form or to the Care Team email (careteam@onu.edu). Any University employee, student, or community member who becomes aware of a situation stated in the above instances or has similar concerns should complete the concern for Student Well-Being Form.

https://cm.maxient.com/reportingform.php?OhioNorthernUniv&layout_id=2

Reports are received by the Care Team. If a student or University member is in immediate danger of harm to self or others, please call 911 or ONU Public Safety at 419-772-2222.

At the beginning of each Fall and Spring semester, the Vice President for Student Affairs & Dean of Students will send a notice to faculty, staff, and students through university email communication channels to notify them that the team is available for consultation when they are concerned about the potentially harmful, threatening, or disruptive behavior of a student or students. Information can also be found on the university website at <https://my.onu.edu/concern>. The Care Team does not replace faculty classroom management, student conduct processes, and/or Office of Public Safety responses to incidents. The Care Team provides an additional opportunity to report individuals exhibiting distressed, threatening, or dangerous behaviors.

REVIEW OF INFORMATION AND INDIVIDUALIZED ASSESSMENT

Upon being made aware of a student issue, the core members of the Care Team will gather all relevant, available information and/or documentation, including information and/or documentation from the student, regarding the student's behavior for review and consideration by the Care Team. Additionally, the core members of the Care Team may designate qualified professionals (physician, psychiatrist, psychologist, nurse or counselor, etc.) to provide an assessment of the student's condition. The evaluator may be the Director of the Counseling Center or an appropriate external evaluator chosen by the Care Team. The evaluator will share general information and the outcome of the evaluation with the Care Team through the core team members with the student's written consent. If the student fails to provide written consent, the Care Team process will move forward using the best information then available.

WITHDRAWAL OF A STUDENT

Separation of a student from the University and its facilities may be necessary if there is sufficient evidence that the student is engaging in, or is likely to engage in, behavior that either poses a danger or disrupts the learning or living environment of themselves or others.

This policy is meant to be invoked in cases where students experience needs that exceed the University's services or resources. This procedure is not intended to be disciplinary or punitive in any manner and will be applied equally and consistently to all students.

If, based on the information reviewed by the Care Team and/or the results of the individualized assessment, a separation from the community is warranted, the core team members will first strive to work with a student to resolve the situation through a voluntary leave of absence or voluntary withdrawal. However, if no voluntary resolution can be reached or if emergency circumstances exist may recommend that the student be placed on involuntary withdrawal. The recommendation will then go to review by the General Care Team before final conversation with the student to place them on involuntary withdrawal. It is the right of the University to withdraw a student for behavioral reasons both temporarily or permanently.

The work of the Care Team does not preclude a student's removal from the University, or any unit, class, or program, for conduct reasons in accordance with the Student Code of Conduct. The chairs of the Care Team may consult with the Vice President of Student Affairs & Dean of Students, appropriate Academic Dean, the Counseling Center, Health Center, and/or Office of Student Conduct to determine whether a student accused of violating the Student Code of Conduct should be diverted from the student conduct process and be considered for involuntary withdrawal in accordance with this policy. Conversely, the chairs of the Care Team may consult these departments to determine whether a student referred for consideration for an involuntary withdrawal might be more appropriately handled through the student conduct process.

Care Team Withdrawal Procedure

1. The idea of voluntary withdrawal will be discussed with the student (and family if appropriate). If a student does not wish to voluntary withdrawal, the recommendation for involuntary withdrawal will be provided to the student with notice that it is going for review.
2. The recommendation of involuntary withdrawal will go for review by the General Care Team.
3. Withdrawal determinations should proceed as quickly as possible to allow a student experiencing difficulties to receive the support the student needs. The final decision will be provided to the student in writing including actions that need to be taken before re-enrollment and re-enrollment instructions.
4. The date of withdrawal for tuition and refund purposes is the last date of class attendance or other related academic activity. Charges for other services provided by the University are incurred as they are used or as otherwise required by policy.
5. The Office of Student Affairs will maintain all documentation related to involuntary withdrawal determinations but may share documentation with others within the University with whom the office consults, on a need-to-know bases and consistent with applicable privacy laws.
6. A partial and/or temporary withdrawal may be appropriate, depending on a student's specific circumstances.

Facilitating the Withdrawal

1. The core team is responsible for facilitating the withdrawal process after receiving the Care Team's determination. The date of withdrawal should truly reflect the student's last date of attendance or other related academic activity.
2. The process does not dismiss or waive any legal, disciplinary, housing, meal plan, or other student responsibilities to the University. The student should notify and settle all outstanding accounts with the Controller's Office, Financial Aid, and Residence Life.

RE-ENROLLMENT FOLLOWING AN INVOLUNTARY WITHDRAWAL

Students wishing to re-enroll following an involuntary withdrawal must satisfy the re-enrollment conditions, if any were established at the time of the withdrawal. These conditions will be specific to each student's case. In extraordinary circumstances, the University may require the student to undergo an additional individualized assessment so the University can determine the student's readiness for return. The University may also impose ongoing conditions on the student as part of the student's return, based on the particular student's individual situation.

Care Team Re-enrollment Procedure

1. The student should notify the core members of the Care Team (wellbeing@onu.edu) of the student's intent to re-enroll. The student must submit a written plan that responds to the condition that gave rise to the need for the student's involuntary withdrawal and the conditions for return.
2. Following the student's notification of intent to return, the Care Team will review the initial withdrawal documentation and any re-enrollment conditions at the time of the withdrawal. The Care Team will consult with the Dean's Office for the school in which the student was enrolled at the time of the withdrawal and also with other campus units as appropriate.
3. The Care team will determine on an individualized, case-by-case basis whether the student's request to re-enroll at that time shall be granted. Approval of re-enrollment will only be granted if the Care team determines that, in its judgment, the issues that caused the resulting involuntary withdrawal or restriction are no longer present or that they have been or can be safely mitigated or managed.
4. If the student's request for re-enrollment is granted, the student should notify the appropriate Dean's Office, Office of Financial Aid, Registrar, and Residence Life of their return. The student is encouraged to contact the Counseling Center, the Health Center, and/or Disability Services as appropriate to discuss possible accommodations and support.
5. If the student's request for re-enrollment is denied, the student can appeal the decision to the Vice President for Student Affairs & Dean of Students. The decision will be final.

PARENTAL/GUARDIAN/EMERGENCY CONTACT NOTIFICATION

Ohio Northern University may inform parents/guardians/emergency contacts if the Care Team is concerned about observed behavior of the student or if the student poses a serious threat to self or others.

APPENDIX D: EMOTIONAL SUPPORT ANIMAL POLICY

revised spring 2023

I. Policy Statement and Purpose

Ohio Northern University (“ONU” or “University”) has a general policy that pets are not permitted in any campus building. However, the University recognizes the importance of emotional support animals (“ESA”) to individuals with disabilities and it is committed to providing reasonable accommodations. The **Emotional Support Animal Policy** (“ESA Policy”) provides notice to students of the specific requirements and guidelines that shall govern the presence of ESAs on campus and in university housing. In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, and the federal Fair Housing Amendments Act of 1988 (FHAA), ONU allows individuals with disabilities to house an ESA while living on campus to facilitate their full participation and equal access to the University’s programs and activities.

II. Scope and Applicability

The ESA Policy shall apply to all ONU students. It is applicable on all University-owned property or areas, including but not limited to: buildings, classrooms, residence halls, athletic facilities, performance areas, dining spaces, common areas, parking areas, walkways, and lawn and garden areas.

The Disability Services Office follows guidance provided by the US. Department of Housing and Urban Development, as well as ADA (specifically for service animals). Students needing additional guidance about making a request for an ESA in housing can visit the U.S. Department of Housing and Urban Development’s FHEO Notice 2020-01 issued on January 28, 2020 located at: HUDAsstAnimalNC1-28-2020.pdf

ONU reserves the right to amend this ESA Policy at any time as circumstances may require.

III. Emotional Support Animal (ESA) Procedures

Applicable Definitions. The ADA (http://www.ada.gov/service_animals_2010.htm) defines a **Service Animal** as “a dog that has been trained to perform an active task that mitigates or partially mitigates the impact of the handler’s disability.” While the ADA also recognizes similarly trained miniature horses as service animals, the University’s facilities are not appropriately suited for their use. If a student uses a miniature horse as a service animal, they should contact the Disability Services Office to discuss options.

Different from service animals, **Emotional Support Animals** are companion animals that provide passive therapeutic benefit to an individual impacted by their disability. Animals whose sole function is to provide this kind of support are not service animals under the ADA, but instead have recognition under the FHAA. A student’s housing of an ESA on campus may be a reasonable accommodation. ONU requires registration of ESAs prior to housing them and may ask a student to provide appropriate information regarding the student’s need for such accommodation.

At ONU, **Pets** include all other privately-owned animals and are generally restricted from all campus facilities by students, faculty and staff.

Locations. The University may consider allowing a student to house an ESA in University housing, but ESAs are restricted from other indoor areas of University property. ESAs are only permitted to be housed in the ESA owner’s

privately assigned individual living space. Additionally, because of the space limitations of University residence halls, ESA animals larger than 25 pounds cannot be housed in the residence halls.

Registration Requests for ESAs. Reasonable accommodation requests to house an ESA are made to the Disability Services Office. To support appropriate housing assignment and coordination, ESA registration requests should generally be submitted at least thirty (30) days prior to the student's anticipated arrival of the ESA into the residence halls. The presence and housing of an ESA in the residence halls is prohibited until the owner receives registration approval from the Disability Services Office. If an unregistered ESA has to be removed, a minimum of 48 hours and a maximum of 72 hours will be provided to the owner to rehome the ESA.

A student's ESA must have received all vaccinations in order to be approved for ESA registration.

The species of ESA allowed will be determined by the Disability Services Office on a case-by-case basis. Neither dangerous or poisonous animals nor any animal that poses a direct threat to the health or safety of the campus community are permissible ESAs. No student will be approved to register more than one ESA.

ESA registrations are active only for the current academic year (summer/fall/spring semester). ESA owners are required to renew their registration each academic year. In the event an owner acquires a new ESA or replacement animal, a new registration request is required prior to the animal's arrival.

Requests to register the ESA must include appropriate information from the student's qualified clinician. This information should include the qualified clinician's finding of a disability and their explanation as to how the ESA helps the student cope and/or improve the symptoms of their disability. The Disability Services Coordinator has discretion to verify provider credentials, as needed and appropriate.

Requests for registration also require the student to submit information related to the ESA's updated vaccination records, county licensing requirements, a statement of the animal's non-violence, and a picture of the animal.

Should the Disability Services Office determine that the eligible student's request **does not** meet the requirements for ESA registration, the Office may request additional or clarifying information before making a final determination. If the requesting student fails to provide additional or clarifying information within five (5) working days of the request or if Disability Services Office determines any such additional or clarifying supporting information does not meet the requirements specified above in this Policy, the request to register the ESA will be denied.

An eligible student dissatisfied with Disability Services Office determination that ESA accommodation registration request does not meet the requirements may make a written request for reconsideration to the Associate Vice President for Academic Affairs/Director of Student Success within five (5) working days of the date of the letter of denial from the Disability Services Office. The Associate Vice President's response will be the final decision.

Animal Control and ESA Owner Responsibilities. ESA owners approved for ESA registration on campus are expected to comply with all applicable University policies, including:

- All ESAs must be housebroken.
- Owners are required to maintain full control of their ESA at all times.
- ESAs should be not be disruptive to other individuals or to the learning, living, and working environment.
- ESAs must be contained within the owner's privately assigned individual living space (i.e., room, suite, or apartment) except to the extent the owner is taking the animal outside for relief. The ESA must be properly housed/kenned when the Owner is away from the residence. When transporting the animal outside, the ESA must be on lead or transported inside an animal carrier.

- The care and feeding of the ESA are the sole responsibility of the owner. ESAs may not become the responsibility of another student living with the owner or anyone else living in a University residence hall. Owners leaving campus for a prolonged period of time must take their ESA with them.
- Waste removal and cleanup is the responsibility of the ESA's owner, whether in the University residence hall or on exterior areas of University property.
- ESA owners are financially responsible for the actions of the ESA, including behavior resulting in bodily injury or property damage. Owners may be assessed appropriate fees by Residence Life for any property damage determined to be caused by the owner's ESA.
- The University may inspect an ESA space for fleas, ticks or other pests as part of its health and safety standards. If fleas, ticks or other pests are identified on inspection, the University will treat the space and infected areas using university-approved pest control service. In such a case, the ESA owner will be billed for the expense of any pest treatment.
- Failure to follow these expectations may be required to remove the ESA from the residence hall and/or may receive sanctions for violating this policy.

Removal of an ESA. ESA owners believed to be in violation of any of the above-listed Animal Control and ESA Owner Responsibilities shall be managed by the Disability Services Office. The Disability Services Office will use a two-tiered response in resolving reported violations. Generally, the Disability Services Coordinator or their designee will communicate with the ESA owner, via the owner's ONU-issued email account, regarding the initial violation. The Coordinator or designee may require a meeting to resolve the concern and discuss corrective measures. If the ESA owner engages in a subsequent violation, the owner will be required to meet with the Coordinator or their designee to again discuss and resolve the concern. After a second violation, an ESA owner may be asked to remove the animal from the residence halls for the remainder of the current academic term, if deemed necessary. If an owner is directed to remove their ESA, a minimum of 48 hours and a maximum of 72 hours will be provided to rehome the ESA.

If an ESA is removed, its owner may request permission to return the ESA back to the residence halls for the following term. Requests shall be made to the Disability Services Office. If an ESA owner is asked to remove their ESA from the residence halls a second time due to repeated behavior concerns, the student will lose the opportunity to have an ESA in the residence halls for the duration of the student's housing in the residence halls.

APPENDIX E: DISCIPLINARY PROCEDURE FOR NON-ACADEMIC VIOLATIONS

Preamble

Ohio Northern University has adopted the following disciplinary rules and procedures to govern all non-academic violations of the Student Code of Conduct. The disciplinary rules and procedures that govern academic violations of the Student Code of Conduct are contained in Appendix F. This procedure is non-exclusive and not intended to impair the right of the University, any member of the University community, student organization, or any other person to seek redress in the public judicial system. The University may modify these rules and procedures at any time.

Article I. Reporting Violations of the Student Code of Conduct

Section 1: Student Conduct Coordinator

The Student Conduct Coordinator (SCC) receives and processes all complaints alleging a non-academic violation of the Student Code of Conduct. The SCC is appointed by and serves at the discretion of the Vice President for Student Affairs / Dean of Students.

Section 2: Filing a Complaint

A Complaint alleging a non-academic violation of the Student Code of Conduct must be filed with the SCC. Any member of the University Community or the Village of Ada may file a Complaint with the SCC for a non-academic violation of the Student Code of Conduct. The SCC shall record the following information in the Complaint:

1. Name and address of the alleged violator;
2. Date and time of the alleged violation;
3. Name and contact information of the complainant;
4. Details of the alleged violation;
5. Names and contact information of any witnesses to the alleged violation; and,
6. Any other information offered by the complainant.

Section 3: Referral to Director of Student Conduct

- A. Once a Complaint is filed, the SCC shall prepare a summary of the alleged violation(s), including the University rule(s) allegedly violated and the range of sanctions provided by those rules. The SCC shall maintain a Complaint Register of all Complaints, indicating the source and nature of each Complaint.
- B. The SCC shall forward the summary of alleged violation(s) to the alleged violator by registered mail or other suitable means that will assure delivery.
- C. The SCC shall prepare a file containing the summary of alleged violation(s) along with all of the information received about the alleged violation, including the Complaint, and forward the file to the Director of Student Conduct.
- D. Upon receipt of the file, the Director of Student Conduct may further inquire into the facts and circumstances of the alleged violation, including interviewing the complainant.
- E. The Director of Student Conduct may refer Complaints involving Level III offenses to the Resident Director of the appropriate residence hall. Level III offenses are explained on pages 88 and 89 of this Appendix. Agreements entered into by the violator with a Resident Director pursuant to this section must be approved by the Director of Student Conduct and the Office of Student Affairs.
- F. Alleged violations involving students enrolled in the Pettit College of Law will be processed by the Director of Student Conduct. The investigation will include a conference with the Pettit College of Law

administration to determine if a violation of the Code of Professional Responsibility has occurred (see Appendix M).

- G. In certain circumstances, the Vice President for Student Affairs and/or Dean of Students, may impose temporary suspension prior to a discipline hearing. Temporary suspension may be imposed: a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses a definite threat of disruption or interference with the normal operations of the University.

During a temporary suspension, the student shall be denied access to the campus to the extent deemed appropriate by the Vice President for Student Affairs and/or Dean of Students. This may include restriction from residence halls, University activities, campus buildings, classes, etc., or may constitute restriction from campus entirely.

Section 4: Conferences with the Director of Student Conduct

- A. Students accused of non-academic violations of the Student Code of Conduct during academic terms shall meet with the Director of Student Conduct within fifteen (15) days of receiving the summary of violation(s) to resolve the matter.
- B. Students, campus advisors, and/or anyone acting on their behalf are not permitted to record any proceedings within the Office of Student Conduct.
- C. The objective of the meeting is to resolve the question of the student's responsibility for the alleged violation and agree to an appropriate remedy or sanction. The Director of Student Conduct shall have the authority to:
 - 1. Dismiss the Complaint for insufficient support of the alleged violation(s);
 - 2. Discuss with the student his or her acceptance or denial of responsibility for the violation(s) and establish a remedy/sanction;
 - 3. Refer the matter to the University Disciplinary Board to adjudicate the student's liability for a violation(s) and/or to determine the remedy or sanction for the violation(s).
- D. In circumstances where the alleged violation(s) mandates suspension or dismissal, or where the Director of Student Conduct believes that suspension or dismissal is the most appropriate sanction, the matter shall be referred directly to the University Disciplinary Board for adjudication.

Section 5: Referral to the University Disciplinary Board

If the matter is not resolved after meeting with the Director of Student Conduct, the matter shall be referred to the University Disciplinary Board and:

- A. The file, including any comments by the Director of Student Conduct, shall be returned to the SCC for referral to the Chair of the University Disciplinary Board.
- B. The SCC shall inform the Vice President for Student Affairs that the matter should be scheduled for a hearing as quickly as possible, no later than 30 days when classes are in session.
- C. The SCC shall promptly notify the alleged violator, the complainant, and all necessary parties to the matter of the times and places of any hearings before the Disciplinary Board.

ARTICLE II: THE UNIVERSITY DISCIPLINARY BOARD

Section 1: Organization

- A. The University Disciplinary Board consists of five members, appointed by the Vice President of Student Affairs. The Vice President for Student Affairs shall appoint members to the Disciplinary Board based on their availability, the nature of the alleged violations, and the college in which the student charged is enrolled.
- B. Three of the Disciplinary Board members shall be students appointed from a list of qualified student members. Two of the Disciplinary Board members shall be faculty members appointed from a list of elected faculty members. The members of each Disciplinary Board shall select from among their number one faculty member to serve as Chair and Presiding Officer of the Disciplinary Board, one student to serve as Vice Chair, and one student to serve as Secretary who shall keep the minutes of the proceeding.
- C. Appointments to the Disciplinary Board may only be challenged by the alleged violator on the basis of pre-existing personal bias by the appointee based on prior personal knowledge of the alleged violator or of the facts of the alleged violation. Such challenge shall be made to the Vice President for Student Affairs who shall determine the merits of the challenge and, if in agreement, replace the challenged member of the Board with another from the qualified and elected lists.

Section 2: Membership

- A. The list of qualified student members shall consist of fifteen students selected and placed on the list annually by the Student Senate. The list shall include a minimum of two students from each of the five colleges. Students may be reappointed for up to three years. Students must complete the training requirements specified by the Vice President for Student Affairs & Dean of Students before being appointed to a Disciplinary Board.
- B. The list of faculty members shall consist of eight members. The faculty of each of the five colleges shall elect one member to the University Disciplinary Board for terms of two years at a regular Spring term or other meeting of the college faculty. The faculty of the university shall elect three at-large members of the University Disciplinary Board for terms of two years at a regular Spring term or other meeting of the college faculty. Faculty members may be re-elected to the list. Faculty must complete the training requirements specified by the Vice President for Student Affairs & Dean of Students before being appointed to a Disciplinary Board.
- C. In the event that no qualified student or elected faculty member is available to serve on a particular Disciplinary Board, the Vice President for Student Affairs & Dean of Students may designate student(s) and/or faculty member(s) for service for that specific hearing. The appointed need not complete the formal training requirements specified by the Vice President for Student Affairs & Dean of Students, provided the Vice President for Student Affairs & Dean of Students determines that they are fit to serve for a particular hearing.

Section 3: Disciplinary Board General Procedures

- A. **Objective:** It is the objective of the Disciplinary Board to ensure the disclosure of all relevant facts, provide the opportunity for all parties to present their views of the facts and circumstances in issue, and impose an appropriate remedy or sanction for violation(s) of the Code of Conduct. The formal judicial rules of procedure and evidence are not applicable. Failure to strictly adhere to these procedures shall not invalidate a decision. However, material deviation from written procedures that impact the fairness of the hearing constitute grounds for appeal under Article II.2.A. of these Procedures.

- B. ***Due Process:*** Students have the right to fundamental due process and procedural fairness. Students may only be found liable if a majority of the Disciplinary Board finds it is more likely than not that the accused violated the Code of Conduct.
- C. ***Parties:*** The complainant and accused may appear and take an active role in the presentation of the matter to the Disciplinary Board.
- D. ***Open/Tape Recorded Hearings:*** Proceedings of the Disciplinary Board will be tape recorded. Disciplinary hearings are held in private unless both the accused and the complainant(s) agree in writing to an open hearing. The chair of the Disciplinary Board may limit attendance at a hearing to ensure fair and orderly proceedings. If a hearing is opened in accord with this procedure, the chair may, when necessary to maintain order or to protect the rights of participants, declare the hearing closed to the public. In a case involving important privacy interests, the chair may close a hearing or part of a hearing that has been opened upon determining that the privacy rights of a participant may be jeopardized.
- E. ***Separate Hearings:*** In hearings involving more than one accused student, the student(s) may request that the hearings be separated. If the accused students have not already requested separation, the Chair of the Disciplinary Board may decide to conduct the hearings separately.
- F. ***Advisors:*** The complainant and the accused student may have one advisor present at the hearing. The SCC must be informed of the name of the advisor at least one (1) University business day prior to the hearing date. The advisor must be a member of the University Community. The advisor and advisee may exchange notes in the hearing, and talk outside the hearing during a break. The advisor is not permitted to speak or to participate directly in any hearing. At any time should the advisor step outside of his/her role, he/she may be requested to leave the hearing at the discretion of the Chair.
- G. ***Witnesses Testimony:*** The complainant, the accused student, and the Disciplinary Board Chair may present witnesses, all of whom may be questioned by the Disciplinary Board and the parties. It is the responsibility of the complainant and the accused to contact their own witnesses, request their attendance at the hearing, and notify the SCC of the witnesses' names at least one (1) university business day prior to the hearing date. The hearing may proceed if all witnesses are not present. The hearing Chair may limit the number of witnesses permitted to attend the hearing if it is clear they will only offer redundant, repetitive, or otherwise unessential testimony. The Disciplinary Board may request certain witnesses attend the hearing to provide testimony.
- H. ***Other Evidence:*** The complainant, the accused student, and the Disciplinary Board Chair may present relevant records, exhibits and written statements for consideration by the Disciplinary Board. The Chair shall determine the relevancy of the evidence, but shall broadly interpret relevancy for the purpose of the hearing. The complainant and the accused must provide the SCC with exhibits at least one (1) university business day prior to the hearing date. The hearing may proceed if all exhibits are not present. The Chair may limit the number of exhibits permitted if it is clear they are redundant, repetitive, or otherwise unessential to the fair adjudication of the matter.
- I. ***Failure to Attend Scheduled Hearing:*** If the party charged in a Complaint has been properly served according to Article I, Section 3:B, and fails to attend the hearing, the Disciplinary Board may, in its discretion, continue the matter for a reasonable time or adjudicate the matter without the presence of the accused.
- J. ***Procedure:*** All procedural questions are subject to the final decision of the Disciplinary Board Chair.

Section 4: Conduct of the Hearing

- A. Where the student has denied responsibility for the alleged violation, the hearing shall take place in two parts: (1) the determination of responsibility; and if the Disciplinary Board finds the student responsible for the alleged violation, (2) the assessment of the penalty. At the discretion of the Disciplinary Board, the two parts may take place on the same day, or may be separated by not more than three University business days.
- B. All hearings to determine responsibility will be conducted by the Disciplinary Board according to the following procedure:
 1. **Complaint:** The Chair will read the complaint(s) to the accused student(s).
 2. **Response:** The accused student(s) will accept or reject each accusation of the complaint(s).
 3. **Presentation by the Complainant:** The complainant may present evidence, including witnesses, related to the offense.
 4. **Presentation by the Accused:** The accused may comment upon the evidence and may present additional evidence, including witnesses.
 5. **Questioning:** Each party may question the witnesses of the other. The members of the Disciplinary Board may also question witnesses and the parties.
 6. **Clarification of the Evidence:** After each party has concluded presenting their evidence and witnesses, the complainant and members of the Disciplinary Board may re-examine the evidence against the accused student.
 7. **Closing Statements:** The complainant and the accused may each make a brief summary statement at the close of the hearing. The accused shall make a summary statement after the complainant has been afforded the opportunity to make a summary statement.
 8. **Adjournment and Deliberation:** The parties shall be dismissed after completion of the summary statements and the Disciplinary Board shall deliberate upon the question of responsibility of the accused and/or appropriate penalty depending on the nature of the proceedings.
 9. **Determination:** The Disciplinary Board will promptly determine (by majority vote) whether or not the accused is responsible for each allegation.
 10. **Sanctions:** Promptly following the announcement of the determination of responsibility, and not more than three university business days, the Disciplinary Board shall continue the hearing to determine the appropriate sanction.
 11. If there is a determination of responsibility as it relates to serious misconduct related to the health and welfare of students, faculty, or staff, any determination as to appropriate sanction by the Disciplinary Board shall be subject to review and final approval by the Vice President of Student Affairs in consultation with the University's President.
- C. All hearings to determine appropriate sanctions will be conducted by the Disciplinary Board according to the following procedure:
 1. **Presentations:** The accused and the complainant may make presentations to the Disciplinary Board regarding the nature of the sanctions to be imposed, and both may, at the discretion of the Chair, call witnesses on their behalf. The parties and the Disciplinary Board shall have the right to question the witnesses.

2. ***Sanctions Determination:*** Upon completion of the sanctions hearing, the Disciplinary Board shall promptly determine the sanctions to be imposed, and may orally communicate the sanctions to the parties.
 - a. The Disciplinary Board shall promptly communicate the sanctions in writing to the parties if the allegation(s) relate to anything but serious misconduct that could impact the health and welfare of students, faculty or staff.
 - b. If the allegation(s) at issue relate to serious misconduct, however, the Disciplinary Board shall promptly communicate in writing the sanctions to the Vice-President of Student Affairs/Dean of Students who shall then review and consider final approval of the sanctions of the Disciplinary Board.
- D. ***Secretary's Report:*** The secretary will prepare a written deliberation report to be included in the student's conduct file detailing the finding, the evidence cited by the body in support of its finding, and any evidence that the body excluded from its consideration, and why. This report should conclude with the recommended sanctions and must be submitted to the Director of Student Conduct within 48 hours after the end of deliberations.
- E. ***Notice of Decision:*** Within five (5) university business days of receiving the report, the SCC will mail the results to the accused student. With that notice, the OSC shall provide the accused student with notice of the accused student's right to appeal.
- F. ***Administration of Sanctions:*** Sanctions shall be administered by the Director of Student Conduct under the supervision of the Dean of Students, and shall be imposed immediately upon receipt of the notice of determination by the accused, but shall be suspended pending the resolution of an appeal by the accused. A student who appeals a decision that includes a sanction of suspension or dismissal shall have his/her diploma withheld pending resolution of the appeal.
- G. ***Records Retention:*** A record, including the complaint, resolution (and tape recording in complaints resulting in suspension or expulsion), will be kept for all hearings before the Disciplinary Board. The record is the property of Ohio Northern University. The SCC will retain all records for a period of six years from the time the incident was first reported, at which time the SCC shall destroy all paper and electronic records of the proceeding.

Section 5: Discretionary Procedures

ONU recognizes that from time to time complaints of a sensitive nature may come before the Disciplinary Board. In such cases, discretionary procedures may be used during the adjudication of a complaint. Such matters will be determined on a case by case basis by the Disciplinary Board Chair and may include allowing witnesses to testify behind a privacy screen or via closed circuit television. The past sexual history or sexual character of a party will not be admissible by the other party in hearings unless such evidence is determined to be highly relevant by the Chair of the Disciplinary Board. All such evidence sought to be admitted will be presumed irrelevant. Any request to overcome this presumption by the parties must be in writing and directed to the Chair of the Disciplinary Board.

ARTICLE III: APPEALS

Section 1: Filing the Appeal

- A. A student found to be responsible for violation of the Standards of Conduct or University policy may request that the University Appeals Board (UAB) take up their appeal of an adverse decision from the UDB or other hearing authority. The student shall make their request in writing to the OSC within five (5) business days from the date the University provided its notice of the written decision. If an appeal is not

submitted within the time frame, then the student's appeal opportunity shall be waived and the matter will become finally decided. A student's submission of an appeal request does not suspend the imposition of any sanction. When necessary and appropriate, the OSC will reasonably adjust sanction completion deadlines.

- B. Complainants have the right to request an appeal of an adverse decision only in situations involving allegations of serious misconduct.
- C. If an appeal is not filed within this timeframe the right to request an appeal is waived and the original resolution becomes final.

Section 2: Review and Approval of the Appeal

- A. A student's appeal request should be full and complete upon submission; the request will normally include a letter from the student explaining the basis for their request and any and all additional documentation the student believes is relevant to the UAB's consideration of the request and possible review.
- B. A student may request an appeal of a disciplinary outcome for one or more of the following issues:
 - 1. New evidence, unavailable during the original hearing, that could be outcome determinative;
 - 2. Material deviation from written procedures that impacted the fairness of the hearing;
 - 3. Sanction(s) grossly disproportionate to the severity of the offense; and/or,
 - 4. Bias on the part of a conduct board member that deprived the process of impartiality.
- C. Upon receipt of the appeal request, the OSC will promptly communicate it to the UAB along with all case documents and any other documentation the student provided. The UAB will normally determine the permissibility of the appeal request and/or its overall decision with the appealing student within five (5) business days following their receipt of materials from the OSC.

Section 3: University Board of Appeals Membership

The appeal request will be reviewed by a panel of no fewer than three UAB members. The fuller UAB body consists of six (6) members: two (2) university administrators; two (2) ONU faculty members elected by the faculty; and, two (2) student members selected by member of Student Senate. During its regular session, the selected panel will always include a student member. Appeals that may require consideration outside of ONU's regular session will be reviewed by faculty and administrator members. The selected UAB members will choose from among its number a person to serve as the Presiding Officer, as well as a member who shall serve as Secretary.

Section 4: University Appeals Board Procedure

- A. If the UAB, by majority vote, denies the request, the disciplinary decision will be upheld and record of the UAB's decision will be included with the case record and retained by the OSC.
- B. If the UAB, by majority vote, finds on the basis of the student's request that there may have been an error in resolving the matter, the UAB will proceed with a fuller case review, including the materials provided by the requesting student. In cases that include a complainant witness, and where the witness fits the definition of a victim of a crime of violence as identified under the federal Family Educational Rights and Privacy Act, the UAB will provide the witness appropriate time to submit a response to the student's appeal request as part of the full review.
- C. The purpose of the appeals process is to provide a check and balance on the original process and decision. It is not the UAB's role to substitute its judgement for that of the UDB or hearing authority. However, where error has been identified, the UAB has a range of authority. It may:
 - 1. uphold or reverse a decision;
 - 2. return a case to the original board or administrator so that new information can be considered; or,

3. modify a sanction the UAB determined was grossly disproportionate, which can include increasing or decreasing the original sanction.
- D. In rare cases where prejudicial procedural error or substantive issues have been determined, the UAB may also decide the case should be reheard and may conduct a proceeding themselves, before making any modifications. Findings of responsibility may only be reversed in cases where the accused student did not admit to the behavior determined to be a violation. Should a remanded matter subsequently be appealed again, the original UAB panel will retain jurisdiction over the appeal.
- E. When the UAB has concluded its review, it shall notify the student who appealed, in writing, of its decision. At that time, the conduct matter will have been finally decided and shall not be subject to further review or appeal. If no appeal is made or if the UAB concludes the appeal process with no reconsideration or decision modification, the original outcome shall then become final and will not be subject to further review or appeal. If the case involves any crime of violence as defined under FERPA, the complainant or victim will also be notified of the final determination and sanctions.

ARTICLE IV: PUBLIC INFORMATION

The names and identities of those who are party to a University Disciplinary Board proceeding or who are party to a University Board of Appeals proceeding shall be confidential except where both the accused and the complainant(s) agree in writing to an open hearing. Descriptions of violations found to have been committed and the sanctions imposed may be posted in a prominent place or published periodically in the NORTHERN REVIEW or other publication, without the names or identities of the parties except where both the accused and the complainant(s) agree in writing to an open hearing. The SCC shall maintain and make accessible to any member of the public a public register of such decisions. This register shall not include the names or identities of the parties except where both the accused and the complainant(s) agree in writing to an open hearing.

ARTICLE V: DISCIPLINARY OFFENSES

The following are general sanctions that may be taken by the Office of Student Conduct, or the University Disciplinary Board. Sanctions may include, but are not limited to, the following:

- A. **Social Probation.** Social Probation indicates a specific time period where any further violation of any University policy may cause more severe action to be taken by the University, including withheld suspension or dismissal. Social Probation may limit participation in extra-curricular activities, intramurals, and/or affiliation with certain groups. Additional sanctions and/or activities may be imposed as a requirement for successfully completing the social probationary period.
- B. **No Contact Order.** A No Contact Order may be imposed in instances where it is determined that a student poses a potential threat or the escalation of disruption to another person. It may be used as an immediate sanction in some cases. This means no contact in person, via phone, cell phone, text message, instant message, communication via friends or other third parties, etc. In the event that the individual meets by chance/other reasons with the student in question, they are instructed to refrain from making any contact. A violation of the No Contact Order could result in further disciplinary action, including suspension from the university.
- C. **Withheld Suspension.** Withheld Suspension is the most severe disciplinary action taken that allows a student to remain on campus and in classes. Any further violation of University regulations may cause suspension from the University. Withheld Suspension may limit participation in extra - curricular activities, intramurals, and/or affiliation with certain groups. Additional sanctions and/or activities may be imposed as a requirement for successfully completing the period of withheld suspension.

- D. ***Suspension.*** Suspension requires a student to leave campus and not return until readmitted. The length of suspension is determined by the offense, and re-enrollment at the University is contingent upon fulfilling additional sanctions.
- E. ***Dismissal.*** Dismissal requires the student to leave campus and he/she may not re-enroll at the University.

ARTICLE VI: SANCTION GUIDELINES

A. Sanctions may be imposed according to the level of the offense. Each offense is associated with a level and each level recommends application of the sanctions detailed below:

- Level I Offenses– Severe; may include a sanction of Suspension or Dismissal
- Level II Offenses– More serious; may include a sanction of Probation or restriction
- Level III Offenses – Less severe; may include a Warning and/or Educational Component

B. Offenses Levels:

Level I Offenses and Sanction Recommendations: Includes but is not limited to: Alcohol Abuse/Public Intoxication Alcohol Policy Violation; Conduct that Creates a Safety Hazard Damages to University property; Dishonesty; Disorderly Conduct; Drug Use or Possession Fighting/Assault; Fleeing and Eluding; Harassment; Hazing; violation of the Sex Discrimination Policy; Theft; University Affiliated Group & Organization policies; Violation of Law; participating as an accessory to a Level I offense; engaging in a second Level II offense.

Sanction Recommendations: Dismissal, Suspension, Withheld Suspension, Social Probation, No Contact Order, Restriction, Restitution, Notification to Others, Educational and Other Sanctions.

Level II Offenses and Sanction Recommendations: Includes but is not limited to: Alcohol Policy Violation; Computers/Technology (including violation of University internet agreement); Conduct that Creates a Safety Hazard; Damages to University Property; Disorderly Conduct; Gambling; Guest violations; Motor Vehicle Regulations; Pet Policy; Theft; Tobacco and Smoking; University Affiliated Group & Organization policies; participating as an accessory to a Level II offense; engaging in a third Level III offense.

Sanction Recommendations: Social Probation, No Contact Order, Restriction, Restitution, Notification to Others, Educational and Other Sanctions

Level III Offenses and Sanction Recommendations: Includes but is not limited to: Computers/Technology (including violation of University internet agreement); Misuse of Phones (fraudulent and prank calls); University Affiliated Group & Organization policies; violation of Residence Life Policies – (courtesy/quiet hours, door propping, candles, solicitation, windows screens, non- approved postings, etc.); Violations of the University Housing Policy; Failure to Complete Sanctions; participating as an accessory to a Level III offense; engaging in a second Level III offense.

Sanction Recommendations: Verbal Warning, Letter of Warning, Notification to Others, Educational and Other Sanctions

APPENDIX F: CODE OF STUDENT ACADEMIC CONDUCT

PREAMBLE

January 31, 2007

Ohio Northern University, a United Methodist-related institution of higher learning, seeks to graduate students imbued with Christian ideals, accomplished in scholastic achievement, inspired with a desire to contribute to the good of mankind, and committed to a way of life that will result in a maximum of personal and social growth.

Ohio Northern University students have an obligation to maintain the highest standards of ethical conduct. The University expects its students to conduct themselves in a dignified and honorable manner as mature members of the academic community and assumes that individually and collectively they will discourage acts of academic dishonesty. The University also expects cooperation among administrators, faculty, staff, and students in preventing acts of academic dishonesty, in detecting such acts, reporting them, and identifying those who commit them, and in providing appropriate punishment for offenders.

A major objective in maintaining minimum standards of academic conduct is to ensure fairness, honesty and integrity in the evaluation of student performance. Instructors should be confident that their evaluation methods will not be willfully invalidated by students intending or attempting to misrepresent the skill, achievement, or ability either of themselves or of others. Students, on the other hand, should be confident that a fair comparison of their work with that of other students has not been subverted by unethical conduct. Nevertheless, academic offenses may occur in connection with written examinations or other written work submitted for evaluation or in the performance of laboratory work and use of university computers. A listing of specific offenses covered by this Code is provided in Section I below.

Handling of alleged breaches of this Code begins in the college, usually with the faculty member in whose course of study the alleged offense occurred. Each college has its own procedures for deciding the validity of an allegation and for appealing a decision in connection with that allegation. The final college decision will be by the dean or a body to which the dean has delegated responsibility and authority.

Either the charged student or the complainant may not wish to accept the decision on the validity of the allegation; or the student may accept the decision but not the sanction imposed. In the first instance, an appeal of the decision on the validity of the allegation may be carried to the University Committee on Academic Conduct. The Committee on Academic Conduct will be composed of five full-time faculty members, no more than two from any one college, who shall be elected for two-year terms at the regular May faculty meeting. In the second instance, an appeal of the sanction may be filed with the Vice President for Academic Affairs.

The University Committee on Academic Conduct will consider appeals in accord with procedures detailed in Section II, Part B, below. A decision of the University Committee on Academic Conduct may be appealed to the Vice President for Academic Affairs. The Vice President for Academic Affairs may sustain the Committee decision, making it final, or may return a recommendation to the Committee. The Committee's subsequent decision is final.

Several degrees of sanction may be imposed, ranging from written warning to dismissal from the University. If an offense involves a violation of law, the University may take additional actions as appropriate.

This Code of Student Academic Conduct sets forth the following: (1) the minimum standards of academic conduct for the various offenses that are expressly prohibited; (2) the procedures for adjudicating any alleged breach of this Code; and (3) both the sanctions and the policies relating to those sanctions that may be imposed for any breach of this Code.

Section I - ACADEMIC OFFENSES

No student shall engage in any form of improper or unethical conduct, as expressly set forth in this Section.

Furthermore, in any particular course, no student shall engage in any form of improper or unethical conduct designated as such by the faculty member in charge of that course even though it is not specifically included in the listing below. Faculty members are encouraged to enumerate matters of this kind and to clarify them for their students.

- A. Examination offenses include, but are not limited to, the following:
 1. Taking unauthorized materials into or out of the examination room.
 2. Leaving the examination room without authorization before completing an examination.
 3. Talking in the examination room without authorization.
 4. Discussing the examination outside the examination room during the course of the examination.
 5. Attempting to observe the work of another student.
 6. Taking an examination for another person, or permitting someone else to do so.
 7. Collaborating improperly by discussion, joint research, or joint effort in any way expressly prohibited by the instructor.
- B. Written work offenses include, but are not limited to, the following, which are expressly prohibited in the absence of prior written approval of the instructor or instructors involved:
 1. Resubmission of work - Submitting work which has been previously submitted for credit.
 2. Plagiarism - Submitting work done wholly or partly by another, including the un-attributed copying of all or parts of a published work.
 3. Prohibited sources - Consulting material or persons contrary to the directions of the instructor.
 4. Improper collaboration - Engaging in any discussion, joint research, or joint effort of a kind expressly prohibited by the instructor.
 5. Deception - Misrepresenting the authenticity of sources, citations, or principles in any written work.
 6. Other misconduct - Engaging in any other improper conduct as specified by the instructor.
- C. Improper Knowledge of Contents of an Examination - No student shall knowingly acquire unauthorized knowledge of an examination or any part of an examination, or solicit, offer, or give information about any part of an examination.
- D. Improper Laboratory Work or Computer Use - Offenses involving improper work in a laboratory or improper use of a computer may include those offenses listed above as examination offenses and written work offenses and will also include all instructions and rules specified by either the course instructor or the Director of Computer Users Services.
- E. Misrepresentation - No student shall make any deliberate misstatement of a material fact relevant to academic matters, such as misrepresenting the inability to take an examination because of illness.

Section II - RESOLUTION AND ADJUDICATION PROCEDURES

A. College Procedures

1. The initial responsibility for dealing with violations of the Code of Student Academic Conduct lies with the individual faculty member in whose classroom or course of study the offense occurred unless college policy requires otherwise. Each college shall establish and promulgate processes for resolving and adjudicating alleged breaches of the Code.

- a. It is desirable that any violation of the Code receive prompt action by the faculty member through immediate imposition of sanctions or referral to an appropriate college committee. No charges may be brought later than thirty days from the time of reasonable opportunity for knowledge that the alleged offense occurred.
 - b. If the college procedure provides for an initial decision on the validity of the allegation and a determination of the sanction by a committee or other body or person, a process for appeal and preliminary review of the decision and sanction must be provided.
 - c. If the college procedure provides for an initial decision on the validity of the allegation and a determination of the sanction by the faculty member, the procedure must further provide for both (1) a process for appeal and preliminary review and (2) a final college decision by the dean of the college or by a body to which the dean has delegated responsibility and authority for such final college decision.
 - d. The faculty member in whose classroom or course of study the alleged offense occurred shall provide notice of the charges to the dean of the college in which the alleged offense occurred (and the dean of the student's college of registration, if different). The faculty member may review a student's file for previous record of Code violations in the dean's office and may consult with the dean of the student's college of registration. The faculty member may use the existence or nonexistence of previous charges in consideration of charges to be recommended.
 - e. The faculty member, or other body as set forth in college policy, shall prepare a letter stating sanctions to be, applied sanctions (1), (2), or (3), or recommended, sanctions (4) or (5) or (6), (see C.1. below), one copy to the student, one copy to the dean of the college in which the course is offered, and one copy to the dean of the student's college of registration (if different).
2. Appeal from college action
 - a. If either the charged student or the complainant is not satisfied with the decision reached through the college procedures, an appeal from the decision may be filed with the University Committee on Academic Conduct. Appeal must be filed within ten class days following the decision.
 - b. If either the charged student or the complainant is not satisfied with the sanction established through the college procedures, an appeal may be filed with the Vice President for Academic Affairs within ten class days following establishment of the sanction. The authority of the Vice President for Academic Affairs shall be to (1) sustain the college decision or (2) remand the matter, with recommendation, to the person or body within the college which made the decision. Following review of the Vice President's recommendation, a final and binding establishment of sanction shall be made by the person or body to which the matter was remanded.

B. Appeal to University Committee on Academic Conduct

1. The University Committee on Academic Conduct shall consider appeals based upon a study of all relevant documents and materials considered in the college adjudication procedures and upon a hearing conducted in accord with the following:
 - a. The hearing shall be convened within ten class days following receipt of appeal, provided, however, that upon timely application by one of the parties the Committee may, by majority vote, grant such extensions as it deems desirable and are accepted by both parties.
 - b. The hearing should be conducted so as to best ascertain the truth and carry out the spirit of the Code. The hearing shall be conducted in a fair and impartial manner but shall not be bound by rules of evidence or formal rules of procedure other than those set forth in this Code.

- c. The hearing shall be open unless the charged student requests it be closed.
 - d. Each party, charged student and complainant may have one member of the University community speaking in the individual's behalf. Each party is allowed to have another person present at the hearing to provide advice and consultation but not to address the Committee except at its request.
 - e. Witnesses may be presented by either party for direct examination and cross examination.
 - f. The hearing shall be tape recorded, and the recording shall be made available to either party upon request.
 - g. If either party fails to appear when the case is called for hearing, the Committee in its sole discretion may discuss the appeal with or without prejudice to either party, bring the matter before the Committee again, or sustain the appealed decision if the charged student does not appear.
 - h. After completion of all presentations and receipt of all relevant documents and materials, the Committee shall deliberate privately and reach a decision.
 - i. An appealed decision shall be sustained when three-fifths of the members find, beyond a reasonable doubt, that the charged student has violated the Code.
2. The Committee shall prepare a written opinion ten class days after receipt of relevant documents and materials from the college or after adjournment of the hearing. One copy of the opinion shall be provided for each of the following: (1) the University Committee on Academic Conduct file, (2) the charged student, (3) the dean of the college in which the alleged breach of the Code occurred, (4) the dean of the college of the student's registration, (5) the Vice President for Academic Affairs, (6) the faculty member in charge of the course or other complainant, and (7) the University Registrar, if the sanction imposed affects the student's academic record or eligibility to continue as a student.
 3. The Committee shall have the opportunity to overturn the decision arrived at in a college and the resulting sanction, but it may not alter sanctions imposed if it upholds the decision of the college.
 4. If either the charged student or the complainant is not satisfied with the decision of the Committee, an appeal may be filed with the Vice President for Academic Affairs within ten class days. The authority of the Vice President shall be to (1) sustain the Committee decision, thus making the decision final and binding, or (2) remand the matter to the Committee with recommendation. Following review of the Vice President's recommendation, a final and binding decision shall be made by the Committee.

C. Sanctions

1. Sanctions may include, but are not limited to, the following: (1) warning--a written notice that continuation or repetition of conduct found wrongful may be cause for more disciplinary action; (2) censure--a written reprimand for breach of the Code, including the possibility of more severe disciplinary sanctions if there is further violation of any part of the Code; (3) repeating of relevant course requirements or lowering of grade on relevant course requirements by discounting the examination paper or other evaluation instruments in which the violation occurred in part or in its entirety in the determination of the final grade for the course; (4) administrative withdrawal from the course without claim for financial recompense; (5) suspension--ineligibility to continue in the University for a specified period of time not to exceed one calendar year; and (6) dismissal--ineligibility to continue in the University, normally with no opportunity for readmission. Sanctions of suspensions and dismissal imposed in accordance with this Code are academic sanctions.
 - Sanctions at the level of (4), or (5), or (6) as identified in C.1. are to be recommended to the student's college, if different from the college in which the conduct occurred, for its action.

2. If discounting the evaluation instrument is the chosen sanction (see C.1.(3), above) either the charged student or any appeal body in these procedures may cause a letter to be placed in the University Registrar's files or attached by the Registrar to the student's transcript, such letter to provide explanatory information relative to the grade.
3. Sanctions will be imposed while the appeal is pending, unless the University Committee on Academic Conduct, upon considering a request for stay of sanction, rules that sanction is to be deferred until final decision has been reached.

D. Secondary Sanctions

If the offense determined through the procedures above involves a violation of any local, state, or national law, a full report of all evidence and actions taken shall be communicated to the Vice President for Academic Affairs for possible additional action. In such cases, additional sanctions may be imposed, including expulsion of the student from the University, remanding the subject to proper law enforcement officials for legal action, or other such steps as may seem appropriate and reasonable.

Section III - ENFORCEMENT

In all cases where there has been a finding of a violation by the student, the student's college dean, or other appropriate University official, shall administer the recommended sanction.

Section IV - THE RELATION OF COLLEGE STANDARDS TO THE OHIO NORTHERN UNIVERSITY CODE OF STUDENT ACADEMIC CONDUCT

In all respects, this Code shall be taken as stating the minimum requirements applicable in all colleges of the University. College standards may supersede this Code only insofar as they are more rigorous than this Code.

APPENDIX G: GRADE APPEALS PROCEDURE

1. A student has the right to appeal a final course grade which the student feels is unfairly or erroneously assigned. The student must first contact the faculty member(s) via email to discuss the assigned grade no later than the class day specified in the following chart:

For final course grades assigned in:	Contact the faculty member(s) no later than:
Fall semester	5 th class day of Spring semester
J-term	15 th class day of Spring semester
Spring semester	5 th class day of Fall semester
Summer semester	5 th class day of Fall semester

While J-term is reported as a Spring semester course on a student's transcript, for purposes of the Student Grade Appeals Procedure, Spring semester is the 17-week term of classes that starts after J-term has ended. Class day refers to days the University is open for class instruction. For module courses in the College of Pharmacy that end in the middle of the semester, students must contact their faculty member(s) no later than two (2) class days after the module grades were posted.

While a student may discuss their grades with the faculty member(s) during the J-term or Summer term, during these periods the student must also copy the dean's office in which the course was offered to facilitate alerting the faculty member(s) of the request.

- | | |
|-----------------------------|---------------------|
| a. Arts & Sciences: | a-and-s@onu.edu |
| b. Business Administration: | business@onu.edu |
| c. Engineering: | engineering@onu.edu |
| d. Pharmacy: | pharmacy@onu.edu |

The faculty member(s) shall respond to such student's requests within three (3) University business days. If the student is still convinced that the grade is an unfair evaluation of the student's performance in the course, the student may appeal the grade.

2. The appeal must be made in writing within two (2) University business days to the department chair or school director (in consultation with the program lead/director), or to the dean of the college offering the course where no departments or schools exist. A response will be provided to the student within two (2) University business days. Matters resolved at this level are not recorded by the dean's office.
3. If the matter has not been resolved in Step 2 to the student's satisfaction, the student must appeal within two (2) class days to the Grade Appeals Committee of the college in which the course is offered. This is done by sending an email to the dean's office in which the course is offered.

a. Arts & Sciences:	a-and-s@onu.edu
b. Business Administration:	business@onu.edu
c. Engineering:	engineering@onu.edu
d. Pharmacy:	pharmacy@onu.edu

Upon receipt of the written appeal, the dean's office will inform the Grade Appeals Committee that the grade appeal procedure has been initiated. The Grade Appeals Committee only meets in Fall or Spring semester. If the

appeal is received outside of the Fall or Spring semesters, the grade appeal procedure will not be initiated until the start of the next Fall or Spring semester.

4. The Grade Appeals Committee shall be elected in each college at the beginning of each academic year and shall be composed of the following members: Four faculty members of the College and one Student Senate member of the College or Student Advisory Board member for the College of Arts and Sciences. The proceedings for the appealing process will include the following non-voting advocates: the student who is appealing the grade or one person selected from the faculty or student body by the appealing student and the faculty member who assigned the grade or one faculty member selected from the department or program involved by the faculty member that issued the disputed grade.
5. Grade appeals shall be handled only by the college in which the course is offered. The committee will review the written statements of the student and information supplied by the faculty member, the department chair or school director, and the dean's office in determining whether the grade was assigned unfairly or erroneously. The committee chair will make a recommendation to the faculty member within four (4)/two (2)* class days after the Grade Appeals Committee was initiated. When the committee makes a recommendation, the recommendation is to the faculty member, not the student. All discussions and written statements concerning the circumstances of the grade appeal are to be kept confidential by all of the persons involved in the appeals process. Notice of the appeal and the action taken need not be treated confidentially. A record of the grade appeal and the action taken are to be retained by the dean's office following review by the committee.
6. The faculty member has the sole responsibility to determine the final grade for the course. The department chair, program lead/director, school director, members of the dean's office, or members of the Grade Appeals Committee may only make recommendations to the faculty member. The faculty member must inform the student of his/her decision relative to the recommendation of the Grade Appeals Committee within two (2) class days. In the event that the faculty member does not follow the recommendation of the Grade Appeals Committee, the committee chair shall issue a letter to the student giving the findings of the Grade Appeals Committee. When the committee chair notifies the student, they also notify the Registrar and Associate or Assistant Dean of the college involved. The Registrar shall place the letter issued by the Committee in the student's permanent records file, and make publicly available at the written request of the affected student. The Grade Appeals Committee does not share the decision made by the committee with the student unless the faculty member does not follow the recommendation of the committee.
7. The student has the responsibility to promptly initiate the appeals procedure at each step so that any appeal requested be completed within the timeframe set forth above.
8. This procedure does not apply to the College of Law.

*time periods apply to the College of Pharmacy module courses

APPENDIX H : ONU DISABILITIES POLICY

Admissions

No qualified student with a disability shall, on the disability, be denied admission to Ohio Northern University or be subjected to discrimination in recruitment or admission by Ohio Northern University; or be excluded from participation in or denied the benefits of program or activity of Ohio Northern University. A qualified student with a disability who meets the academic and technical (i.e., non-academic admissions criteria essential to participation in a program or activity) standards requisite to admission to Ohio Northern University or participation in its programs and activities.

Ohio Northern University does not make pre-admission inquiries as to whether an applicant for admissions has a disability. However, Ohio Northern University may, in connection with its voluntary efforts to overcome the effects of limited participation in the University's programs by students with disabilities, invite applicants, on a voluntary basis, to indicate whether a student has a disability and the nature of the disability.

After admission, Ohio Northern University may take inquiries on a confidential basis as to disabilities that may require accommodation. A student with a disability admitted to Ohio Northern University who require accommodation of a disability should request such accommodation in writing from the Student Disability Coordinator. Requests for reasonable accommodation will be honored unless they impose an undue hardship on Ohio Northern University.

Access to facilities

No individual shall be discriminated against on the basis of a disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or any place of public accommodation owned or leased by Ohio Northern University.

Procedure for Obtaining Reasonable Accommodation

1. Federal regulations require the University to modify its academic requirements to insure those requirements do not discriminate or have the effect of discriminating against students with a qualified disability on the basis of the disability. At the same time, academic requirements that are demonstrably essential to the program of instruction being pursued or directly relate to a licensing requirement are not regarded as discriminatory. The regulations require faculty members, in their course examinations or other student evaluation procedures, to use evaluation methods that best insure the results of the evaluation will represent the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors the test purports to measure).
2. The following are the procedures to be followed when a student requests accommodation for a disability:
3. A student with a disability requests accommodation in writing from the Student Disability Coordinator. Request must be accompanied by a written diagnosis from an appropriate professional. The diagnosis must include a clear recommendation describing what services or accommodations are appropriate for the student.
4. The Student Disability Coordinator reviews written diagnosis and recommendations and establishes accommodations plan for student.
5. Student is informed of accommodation plan. Student who believes plan is inadequate is entitled to appeal.
6. Student signs statement prior to each academic term permitting University officials to supply accommodation plan to appropriate faculty members (teachers of student) and staff (deans, advisors).

7. College of registration provides appropriate faculty members with accommodation plan before each academic term.

Notice and Appeal

1. A student who has completed these procedures has the right to appeal an accommodations plan established by the office of the dean which the student feels is inadequate for his/her needs. The student should first discuss the accommodation plan with the Student Disability Coordinator who determined the plan during, or before, the first week of the academic term. If the student still believes the plan is inadequate, the student may appeal the plan. A written appeal must be submitted by the end of the second week of the term to the Accommodations Appeals Committee of the college of the student's registration established as provided below in paragraph 3. A student who provides documentation of new or changed circumstances of his/her disability which arise after an academic term has begun may request a new or different accommodation plan after the first two weeks of that term. The procedures of this section will then be followed. No appeal can be brought in the final two weeks of the academic term.
2. Accommodation appeals shall be handled only by the college of the student's registration. The Committee will review the written statements of the student and information supplied by the faculty member(s) and dean. The Committee shall, within five days of receipt of the written appeal, either affirm the accommodation plan provided by the Student Disability Coordinator or specify in writing to the faculty member(s), student, dean, and Student Disability Coordinator, an alternative accommodation plan for the student. All discussions and written statements concerning the circumstances of the accommodations appeal are to be kept confidential by all persons involved in the appeals process.
3. The Accommodations Appeals Committee shall be composed of the following members: (1) one faculty member designated from the student's college of registration; (2) one faculty member designated from each department/college offering a course for which the student has requested an accommodation plan; and (3) one faculty member or student selected by the appealing student. Each department/college shall elect a faculty member and an alternate at the beginning of each academic year to serve as its department/college representative(s) for accommodations appeals. A faculty member involved in an appeal procedure shall not serve on the Committee. In that event, the faculty member will be replaced on the Committee for this appeal by the alternate faculty member selected by the department/college.
4. The student has the responsibility to initiate the appeals procedure promptly at each step so that any appeal requested can be completed in a timely manner.

APPENDIX I: GETTY COLLEGE OF ARTS AND SCIENCES

ACADEMIC STANDING

A grade point average of 2.00 is required for graduation. If a student's cumulative grade point average falls below 2.00, the student is placed on academic probation. The student can return to good academic standing by raising his/her cumulative grade point average to 2.00 or above.

Any student on probation whose semester grade point average for the following semester is below a 2.00 will have his/her record reviewed by the Committee on Academic Qualifications of the college and may be recommended to the dean for academic actions which may include suspension or dismissal. Students on probation are expected to comply with all special requirements established by the dean's office. Failure to do so may result in administrative cancellation of the student's registration. Any student with a term gpa of 1.00 or lower may be placed on probation or suspended. A complete list of CAQ Academic Action Guidelines is available for review in the dean's office of the College of Arts and Sciences.

If action is taken to suspend a student, the suspension will be for a definite period of time, after which the student may apply for readmission. If readmission is granted, the Committee on Academic Qualifications may establish certain conditions of academic performance for the student to remain enrolled in the College of Arts and Sciences. Continued poor performance by a readmitted student will lead to dismissal.

If action is taken to dismiss a student, it is to be regarded as a terminal action and the student is not eligible to apply for readmission to the College of Arts and Sciences at any time thereafter.

CODE OF ACADEMIC STUDENT CONDUCT

In conformance with Section II of the University Code of Student Academic Conduct, the College of Arts and Sciences establishes the following procedures for resolving and adjudicating alleged breaches of the Code.

Violations of the Code of Student Academic Conduct are described in Section I (Academic Offenses). When a faculty member believes there is sufficient evidence that a breach of the Code of Student Academic Conduct has occurred, the faculty member will clearly state the charge to the student, and the student will either acknowledge the validity of the charge or deny the charge. If the student acknowledges the validity of the charge, the faculty member shall recommend the sanction to be imposed as described in Section II (Sanctions for Academic Misconduct). If the student holds the recommended sanction is excessive, or if the student denies the charge, the student may implement the procedure outlined in Section III (Resolution and Adjudication Procedures).

I. Academic Offenses

No student shall engage in any form of improper or unethical conduct, as expressly set forth in this document. Furthermore, in any particular course, no student shall engage in any form of improper or unethical conduct designated as such by the faculty member in charge of that course even though it is not specifically included in the listing below.

- Examination offenses include, but are not limited to, the following:
- Taking unauthorized materials into or out of the examination room.
- Leaving the examination room without authorization before completing an examination.
- Talking in the examination room without authorization.
- Discussing the examination outside the examination room during the course of the examination.
Attempting to observe the work of another student.
- Taking an examination for another person, or permitting someone else to do so.

- Collaborating improperly by discussion, joint research, or joint effort in any way expressly prohibited by the instructor.

Written work offenses include, but are not limited to, the following, which are expressly prohibited in the absence of prior written approval by the instructor or instructors involved.

- Resubmission of work – submitting work which has been previously submitted for credit.
- Plagiarism – submitting work done wholly or partly by another, including the unattributed copying of all or parts of a published work.
- Prohibited sources – consulting material or persons contrary to the directions of the instructor.
- Improper collaboration – engaging in any discussion, joint research, or joint effort of any kind expressly prohibited by the instructor.
- Deception – misrepresenting the authenticity of sources, citations, or principles in any written work.
- Other misconduct – engaging in any other improper conduct as specified by the instructor.
- Improper knowledge of contents of an examination – no student shall knowingly acquire unauthorized knowledge of an examination or any part of an examination, or solicit, offer, or give information about any part of an examination.
- Improper laboratory work or computer use – offenses involving improper work in a laboratory or improper use of a computer may include those offenses listed above as examination offenses and written work offenses and will also include all instructions and rules specified by either the course instructor or the Director of Academic Computer Users Services.
- Misrepresentation – no student shall make any deliberate misstatement of a material fact relevant to academic matters, such as misrepresenting the inability to take an examination because of illness.

II. Sanctions for Academic Offenses

If a faculty member determines that a student has committed an academic offense as described above, s/he may sanction the student as outlined in the “Academic Misconduct Policy” stated in the instructor’s course syllabus. Sanctions may include, but are not limited to, the following:

- Warning – a written notice that continuation or repetition of conduct found wrongful may be cause for more disciplinary action.
- Censure – a written reprimand for breach of the Code, including the possibility of more severe disciplinary sanctions if there is further violation of any part of the Code.
- Repeating of relevant course requirements or lowering of a grade on relevant course requirements by deducting the value of the examination paper or other evaluation instruments in which the violation occurred in part or in its entirety in the determination of the final grade for the course.
- Administrative withdrawal from the course without claim for financial recompense (requires permission of the Dean’s Office).
- Suspension – ineligibility to continue in the University for a specified period of time not to exceed one calendar year (requires permission of the Dean’s Office).*
- Dismissal – ineligibility to continue in the University, normally with no opportunity for readmission (requires permission of the Dean’s Office).*

* When an instructor determines that academic misconduct has occurred and plans to recommend suspension/dismissal or assigning a lowered course grade, s/he should immediately contact the appropriate Dean's Office and request that a "conditions hold" be placed on the student's BANNER file. After the hold is in place, the instructor should meet with the student to discuss the academic offense and their recommended sanction. By putting a hold in effect first, the student is unable to withdraw from the course or university without permission of the Dean's Office, thereby ensuring the recommended sanction is imposed.

Sanctions of suspension and dismissal imposed in accordance with this Code are academic sanctions.

Sanctions will be imposed while the appeal is pending, unless the Committee on Academic Conduct, upon considering a request for stay of sanction, rules that a sanction is to be deferred until the final decision has been reached. When a student has been sanctioned for academic misconduct, s/he will not be permitted to evaluate the instructor of the course in which the offense occurred.

If the offense determined through the procedures outlined in this document involves a violation of any local, state, or national law, a full report of all evidence and actions taken shall be communicated to the Vice President for Academic Affairs for possible additional action. In such cases, additional sanctions may be imposed, including expulsion of the student from the University, remanding the subject to proper law enforcement officials for legal action, or other such steps as may seem appropriate and reasonable.

III. Resolution and Adjudication Procedures

Should the student feel they were inappropriately accused of an academic offense or excessively sanctioned for an offense, s/he must attempt to resolve the situation by meeting with their instructor within 10 working days of the alleged incident.

If the student and faculty member fail to agree on the validity of the allegations, the student may submit a written statement outlining the incident to the appropriate department chairman. The instructor will be required to submit copies of all relevant documents to his/her chairman. These actions must be accomplished within 10 working days of the student/instructor meeting.

Failure to satisfactorily resolve the issue at the department level will require the department chairman to forward all materials to the Dean of the College of Arts and Sciences who will convene a special meeting of the Committee on Academic Qualifications (CAQ). Materials must be received within 10 working days of the department decision. CAQ will review all relevant documents and render its written decision to the student, instructor, department chairman, the Dean of Students, the Dean of the student's college, the Dean of the instructor's college, the Vice President for Academic Affairs and the University Registrar within 10 working days of the date materials were received by the CAQ.

If the charged student is not satisfied with the decision reached through these college procedures, an appeal from the decision may be filed with the Committee on Academic Conduct. An appeal must be filed within 10 working days following the college decision made by the CAQ. This procedure is outlined in Section II B of Appendix 3 of the ONU Faculty Handbook.

If a student, faculty member or member(s) of CAQ feels that a case under review presents a conflict of interest for them, the committee member(s) will be excused from deliberations and an alternate member(s) will be appointed before proceeding.

APPENDIX J: SMULL COLLEGE OF ENGINEERING

CODE OF STUDENT ACADEMIC CONDUCT

Intellectual honesty is a vital part of each student's preparation for a full and rewarding life. Engineering is a profession of high calling in life. Traditionally, the professional person is one who follows the pursuits of a learned vocation and devotes his life to the betterment of mankind. The true professional person does not allow the thoughts of rewards, compensation, honors, recognition, personal gain, etc., to influence the desire to serve mankind. Service before the self is the motto of the Professional Engineer.

In keeping with the objectives of the University, the college provides the opportunity for the developing of each student as a whole individual who will be successful and creative in their professional life as well as in their personal life. One of the traditions of the college is to treat each student as an individual.

The T.J. Smull College of Engineering has a very simple procedure for handling cases of violation of student academic conduct. First, it is the responsibility of the faculty member involved to handle the manner on a one-to-one basis with the student. When either the faculty member or the student involved feels that the case needs further review, it is submitted to the appropriate department chairman. If the problem is not resolved at the department level, the case may be appealed to the Dean of the college. The final decision for an appealed case in the college is the responsibility of the Dean. Each program in the College of Engineering addresses professional ethics. Students are required to read and understand the "code of ethics" of the appropriate professional organization.

APPENDIX K: RAABE COLLEGE OF PHARMACY

CODE OF ETHICAL AND PROFESSIONAL CONDUCT

OHIO NORTHERN UNIVERSITY

Revised May 2018

1.00 PREAMBLE

- 1.01** A pharmacy student holds the health and safety of patients to be of primary importance. The student renders to each patient the full measure of his/her ability as an essential health care practitioner.
- 1.02** A pharmacy student strives to gain professional knowledge and to render the best professional judgment.
- 1.03** A pharmacy student is expected to be a law abiding citizen, to uphold the dignity and honor of the profession, and to accept its ethical principles. The student shall not engage in any activity that will discredit the profession. The student shall expose illegal and unethical conduct in the profession.
- 1.04** The principles of professional conduct for students of the College of Pharmacy have been established to guide the student in his/her relationship with fellow students, faculty, staff, practitioners, other health care professionals, and the public. Toward this end, the students and faculty of the College of Pharmacy have adopted this Code of Ethical and Professional Conduct, hereafter referred to as the "Code."

2.00 PLEDGE

- 2.01** At the beginning of each academic year, students shall be required to sign a pledge that shall read as follows:
- This is to certify that I have read and understand the Code of Ethical and Professional Conduct of the Ohio Northern University Raabe College of Pharmacy and further, I agree to uphold and abide by the provisions contained therein, effective immediately and throughout my enrollment in the College of Pharmacy.***
- 2.02** A student who refuses to sign the affirmation/reaffirmation (Section 2.01) will not be allowed to continue in the College of Pharmacy.
- 2.03** The Office of the Dean will administer and maintain all records pertaining to the pledge (Section 2.01).

3.00 VIOLATIONS

- 3.01** Violations of the College of Pharmacy Code of Ethical and Professional Conduct pertaining to academic honesty include but are not limited to:
- 3.01.1** Knowingly providing assistance not authorized by the instructor to another before, during, or after an examination, quiz, or any other graded/assessed activity.
- 3.01.2** Obtaining, possessing, or using test or quiz, or other graded/assessed activity material prior to the administration of these activities/assessments.
- 3.01.3** Using and/or possessing any unauthorized materials, information, or any electronic device not previously approved by the instructor during an exam, quiz, or any other graded/assessed activity.

- 3.01.4 The submission of papers, reports, projects or similar course requirements, or parts thereof that are not the work of the student submitting them. Also, the use of direct quotations or ideas of another in materials to be submitted for credit without appropriate acknowledgment.
- 3.01.5 Knowingly resubmitting a paper, report, examination, or any class assignment that has been altered or corrected, after initial grading in an attempt to deceive, for reevaluation or regarding.
- 3.01.6 Altering or attempting to alter an assigned grade on any official College of Pharmacy or University record.
- 3.01.7 Intentionally sharing electronic examination information (including but not limited to examination start codes and passwords) with any persons.
- 3.01.8 The instructor may delineate in advance other actions he/she considers to be a violation of the Code.
- 3.02** Violations of the College of Pharmacy Code of Ethical Professional Conduct pertaining to professional conduct include:
- 3.02.1 Purposely falsifying applications, forms, or records prior to admission to the College of Pharmacy, or while enrolled in the College.
- 3.02.2 Knowingly producing false evidence (or rumors) against another or providing false statements or charges in bad faith against another. Knowingly publishing or circulating false information (including but not limited to social media, written notes and voicemail) concerning any member of the University faculty, student body, staff or community.
- 3.02.3 Contributing to, or engaging in, any activity which disrupts or obstructs the teaching, research or extension programs of the College of Pharmacy or University, either on the campus or at affiliated training sites.
- 3.02.4 Threatening or purposely committing physical violence and/or verbal abuse against any member of the University faculty, student body, or staff.
- 3.02.5 Misusing or misrepresenting one's status as a Pharmacy student for the right to use any University property and facilities.
- 3.02.6 Stealing, damaging, defacing, or unauthorized use of any property of the College of Pharmacy or University. Diversion of any College of Pharmacy or University property for one's own use.
- 3.02.7 Engaging in any facet of Pharmacy practice prior to graduation that is not under the direct supervision of a licensed practitioner or otherwise allowed by law.
- 3.02.8 Intentionally revealing the names of the charging party, the student charged, witnesses or the facts involved in an alleged violation except in accordance with the provisions of this Code, or revealing the confidential proceedings of any board hearing.
- 3.02.9 Failure to report known violations of the College of Pharmacy Code of Ethical and Professional Conduct.
- 3.02.10 Use, possession, or participation in the trafficking of illegal drugs or controlled substances, or the misuse/abuse of alcohol and other chemical substances (including underage consumption).
- 3.02.11 Unauthorized access, disclosure or sharing of information about faculty, staff, or students of the College of Pharmacy, or patients/clients, that is private or confidential.
- 3.02.12 Failing to complete stated sanctions from previous violation of the College of Pharmacy Code of Ethical and Professional Conduct for which student took responsibility and accepted stated sanctions.

4.00 SANCTIONS AND RECORDS

The following sanctions, alone or in combination, may be imposed for violation of the Code by the Dean of the College of Pharmacy upon recommendation by the Board of Ethical and Professional Conduct:

- 4.01** Reprimand with inclusion of a letter of reprimand in the student's file that is maintained in the Dean's Office.
- 4.01.1** Students found in violation may be subject to college proposed sanctions including but not limited to: community service, counseling, educational and rehabilitative measures or academic action including probation, suspension, and dismissal.
- 4.02** A recommendation of assignment of a grade of "F" in the course in which the violation(s) occurred.
- 4.03** A notation of "assigned for academic dishonesty" placed on the student's transcript.
- 4.04** Disciplinary probation for a stated period of time which will include loss of privilege to represent the College of Pharmacy, hold an elected office or appointment to any College committee, or participation in the College's extracurricular activities. A notation of the conditions of probation will be included in the student's record. A student who fails to abide by the conditions of his or her probation will be subject to further disciplinary action, including suspension or dismissal.
- 4.04.1** It will be the responsibility of the student to request removal of the notation of probation after the sanction has expired. Such requests must be submitted in writing to the Dean of the College of Pharmacy.
- 4.05** Suspension from the University for a stated period of time during which the student will not be allowed to take any courses in the College of Pharmacy. Furthermore, the College of Pharmacy will not accept credit for any coursework that was completed by the student at Ohio Northern University while he/she was suspended from the College. The appropriate notation of "suspension for academic dishonesty" or "suspension for violation of the Code of Ethical and Professional Conduct" will be placed on the student's transcript.
- 4.05.1** It will be the responsibility of the student to request removal of the notation of suspension after the sanction has expired. Such requests must be submitted in writing to the Dean of the College of Pharmacy.
- 4.06** Dismissal from the College of Pharmacy. Dismissal for violation of the Code will be noted permanently on the student's transcript.
- 4.07** If a student has been subjected to sanctions for violation of the Code previously, the minimum sanction for an additional violation will be suspension.
- 4.08** Sanctions including probation, suspension and dismissal will apply only to the College of Pharmacy and its required coursework.

5.00 THE BOARD OF ETHICAL AND PROFESSIONAL CONDUCT

- 5.01** Composition of the Board of Ethical and Professional Conduct hereafter referred to as the "Board."
- 5.01.1** The Board will consist of four pharmacy student members and three faculty members. The Pharmacy Council representatives for the respective classes (P2-P5) will make up the Board as specified in Section 5.01.2. The three faculty members on the Board shall consist of one faculty member and an alternate represent each of the academic departments in the College of Pharmacy, as well as a Dean's Office Representative as specified in 5.01.3 and 5.01.4.

- 5.01.2 The student members and student alternates will be elected each year in the elections that determine the Pharmacy Council. The student receiving the highest number of votes in each class will serve as the student representative of their class (P2-P5) on the Board, and the student receiving the second highest number of votes in each class will serve as the alternative. The President or Vice-President of the Pharmacy Council will forward the results of the elections to the Dean within one week. Each student member and alternate elected will serve a one-year term beginning immediately following the election. Student members will be elected according to the rules governing the election of the Pharmacy Council.
- 5.01.3 The faculty members and faculty alternates representing each academic department will be appointed to three-year, staggered terms by the Dean. All necessary faculty appointments will be made by the Dean at a spring faculty meeting. The Dean's Office Representative is appointed by the Dean at the time it is determined a Board Hearing is necessary.
- 5.01.4 The Dean's Office Representative will not be the charging party or the member of the Office of the Dean who works with the charging party to in stating the charging party's case in the hearing. The Dean's Office Representative may be alternatively chosen from the College Executive Committee faculty if necessary.
- 5.01.5 The Chairperson will be the P5 member with the most votes from the Pharmacy Council Election, and the Vice-Chairperson will be the Dean's Office Representative.
- 5.02** The duties of the Board Chairperson:
 - 5.02.1 To call all meetings of the Board and to preside at all meetings.
 - 5.02.2 To receive and review, with the Vice-Chairperson, all notifications of alleged violations of the Code, and to notify all parties involved in the alleged violation as described in Section 11.00 and 12.00.
 - 5.02.3 To submit to the Dean within 48 hours or two (2) working days, a written report of all findings and recommendations of the Board.
 - 5.02.4 To assist the Office of the Dean in the dissemination of information concerning the provisions of the Code.
- 5.03** The duties of the Vice-Chairperson will include:
 - 5.03.1 To receive and review, with the Chairperson, all notifications of alleged violations of the Code, and to assist the Chairperson in the notification of all parties involved in the alleged violation as described in Sections 11.00 and 12.00.
 - 5.03.2 To assist the Chairperson of the Board and the Office of the Dean in the notification of witnesses who are to be present at a hearing.
- 5.04** The functions and responsibilities of the Board:
 - 5.04.1 All members and alternates may assist the Chairperson, Vice-Chairperson and Office of the Dean with dissemination of information concerning the provisions of the Code.
 - 5.04.2 All members and alternates may attend and participate in all called meetings of the Board, excluding hearings (Section 5.04.3).
 - 5.04.3 To hear cases of alleged violations of the Code:
 - 5.04.3.1 Hearings requested by students charged with violation of the Code will be heard by a Board, which will consist of the Chairperson, Vice-Chairperson, and the other student and faculty members of the Board.
 - 5.04.3.2 In the event that a student or faculty Board member is excused or cannot be present to hear a case, the Chairperson may appoint the alternate to represent the appropriate pharmacy class as a member of the

in place of the excused or absent member. A member should excuse him/herself for perceived conflict of interest.

- 5.04.3.3 In the event that a member of the Board Hearing Committee is involved as a charging party, witness, or the student charged in the violation to be heard by the committee, the Chairperson will excuse that member and may appoint the alternate to represent the appropriate pharmacy class as a member in place of the excused member.
- 5.04.3.4 In the event the Chairperson is involved as a charging party or witness, or is the student charged in the violation to be heard by the committee, the Vice-Chairperson will excuse the Chairperson and will appoint the alternate P5 representative as the new Chairperson. If both the Chairperson, and the alternate P5 representative are excused, an elected Pharmacy Council officer will take the place as the Chairperson.
- 5.04.3.5 In the event the Vice-Chairperson is involved as a charging party or witness, or is the student charged in the violation to be heard by the committee, the Chairperson will excuse the Vice-Chairperson. In this case, the Dean will appoint a temporary Vice-Chairperson.
- 5.04.3.6 If neither a member nor alternate can be present to hear a case, the Board Hearing Committee may proceed provided the Chairperson, Vice-Chairperson and three other members, or duly appointed alternates, are present.
- 5.04.3.7 Board Hearing Committee members or duly appointed alternates must be present during the entire hearing process to participate in subsequent deliberations.
- 5.04.3.8 All recommendations of the Board Hearing Committee will be determined by simple majority vote. Each member present will cast a vote of guilty or not guilty. The Chairperson will vote only in the event of a tie.
- 5.04.3.9 All recommendations and findings of the Board Hearing Committee will be forwarded to the Office of the Dean within two (2) working days by the Chairperson.

6.00 RESPONSIBILITIES OF THE OFFICE OF THE DEAN

- 6.01** To administer the pledge (Section 2.01) and the reaffirmation of the pledge (Section 2.02) to student pharmacists at the beginning of the academic year.
- 6.02** To provide information concerning the provisions of the Code and modifications of the Code to faculty, students and staff of the College of Pharmacy.
- 6.03** In consultation with the charging party, determine appropriate sanctions based on presented violations in situations described in 7.02.
- 6.04** Notification of Board members of all regular and special meetings called.
- 6.05** To assist the Board Hearing Committee and any party involved in cases of alleged violation of the Code if such assistance is requested at a reasonable time prior to the scheduled hearing (Section 12.02).
- 6.06** To notify the accused student and the charging party of the Board Hearing Committee recommendations and to implement sanctions as described in Section 15.00.
- 6.07** To implement all sanctions.
- 6.08** To maintain confidential files regarding violations of the Code and all records concerning the findings and recommendations of the Board Hearing Committee.

- 6.08.1 All records concerning violations of the Code will be filed for a period of seven (7) years following hearing the case. Access to these records will be limited as indicated by applicable law, University policy concerning student records, and the provisions of the Code.

7.00 PROCEDURES FOR FILING CHARGES

- 7.01** When a College of Pharmacy instructor detects or witnesses a violation of the Academic Honesty Code, he/she shall provide a written notice of the alleged violation and any recommended sanctions to the Office of the Dean within two (2) working days of the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.
- 7.02** A student, or person other than a course instructor, who detects or witnesses a violation of the Code pertaining to academic honesty is advised to consult with the instructor in charge of the course in which the alleged violation occurred. Under these circumstances the instructor will then prepare a written notice and file the notice as described in Section 7.01 if he/she determines that the facts warrant such action. A student or person other than a College of Pharmacy instructor who detects or witnesses a violation of the Code pertaining to academic honesty may file a written notice of the alleged violation directly to the Office of the Dean within two (2) working days of the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.
- 7.03** Any person who detects or witnesses a violation of the Code pertaining to professional conduct shall provide written notice of the alleged violation to the Office of the Dean within two (2) working days following the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.

8.00 HEARING

A student has the right to a hearing for any charge of violations of the Code. The student must file a written request with the Office of the Dean.

9.00 RIGHTS OF THE ACCUSED PARTY

The student charged of a violation of the Code has the following rights:

- 9.01** To be informed in writing of the specific charge or charges made against him/her and of any sanctions recommended by the charging party.
- 9.02** To a hearing for any charge of violations of the Code. The student must file a written request with the Office of the Dean.
- 9.03** To be informed in writing of the right of hearing, procedures involved in the hearing and the names of the known witnesses.
- 9.04** To receive written notice of the time and place of the hearing regarding the charges or charges if a hearing is requested by the student.
- 9.05** To present witnesses and evidence and to be present throughout the presentation of all witnesses and evidence at the hearing, if a hearing is requested by the student.

10.00 RIGHTS OF THE CHARGING PARTY

A member of the faculty, staff or student body who has submitted a written notice of an alleged violation (Section 11.00) is the charging party and as such has all the rights guaranteed the student charged, including the right of appeal (Section 9.00).

11.00 PROCEDURES FOR PROCESSING CHARGES

11.01 The Chairperson and/or Vice-Chairperson of the Board Hearing Committee will receive all written notices of alleged violations of the Code, and the recommended sanctions, they shall prepare a written notice of charges which includes a specific listing of the charge or charges, the names of any known witnesses and a statement of the student's right to a hearing as well as the procedures involved in the hearing. Copies of this written notice are to be provided to the student charged with the violation, the charging party and the instructor in charge of the course in which the alleged violation occurred within two (2) working days. Written notice shall be sent via electronic mail and "Certified Mail Return Receipt Requested Deliver to Addressee only."

11.02 If the student charged with violation of the Code desires a hearing before the Board Hearing Committee, he/she must file a written request for a hearing to the Office of the Dean within two (2) working days after receipt of notice of the charge(s) (Section 11.01). This request should include any reply or response the student charged wishes to make to the charges and the names of witnesses willing to testify on his/her behalf. The Office of the Dean will then send a copy of the request for hearing to all parties who received a copy of the written notice described in Section 11.01.

11.03 If the student charged with a violation of the Code does not request a hearing or fails to request a hearing within two (2) working days, the student defacto accepts the responsibility for the violations and the submitted sanctions will be enforced.

11.04 If the student charged with a violation of the Code requests a hearing, a date shall be set for a hearing and all parties involved notified by the Board Hearing Committee as to the date, time and place. The hearing shall be scheduled within five (5) working days from the date of the request for hearing (Section 11.02). If a student fails to attend a scheduled hearing the hearing will be conducted in their absence.

12.00 PROVISION OF EVIDENCE AND WITNESSES

12.01 Each party shall have the right to provide evidence and witnesses at the hearing and to be present throughout the presentation of all witnesses and evidence.

12.02 Each party shall provide a list of witnesses to the Board Hearing Committee. The Vice-Chairperson of the Board will then issue summons to the witnesses requiring their presence at the hearing. Witnesses with an unexcused absence will be held in contempt of the Code and will be subject to appropriate sanctions within reason. If either party requests, for just cause, as determined by the Vice-Chairperson of the Board Hearing Committee or the Office of the Dean, that additional witnesses be present, the Board Hearing Committee may defer the hearing until such time that the witnesses may appear and be questioned.

12.03 The Board Hearing Committee may request the appearance of additional witnesses if the Board determines that such witnesses could present relevant information.

12.04 Any witness who wishes or needs to be excused should, in advance of the hearing, confer with the Office of the Dean. The decision reached during this conference will be communicated immediately by

the Dean, to the Chairperson or to the Vice-Chairperson of the Board who will then promptly relay any such information to all parties.

- 12.05** If a witness fails or refuses to appear, the Board Hearing Committee shall first determine whether or not to proceed on the basis of other evidence or witnesses available. If it is the decision of the Board Hearing Committee to proceed, the challenged portions of any written statements that may have been made by the absent witness shall be disregarded.

13.00 HEARING PROCEDURES

- 13.01** The Board Hearing Committee will conduct the hearing and all of its deliberations in closed and confidential session within the committee.
- 13.02** The hearing will be called to order by the Chairperson who will then identify by name members of the Board Hearing Committee who are present for the record.
- 13.03** The Chairperson will then identify by name the student charged with the alleged violation of the Code and his/her witnesses and the charging party and his/her witnesses.
- 13.03.1** In the event the student charged with the alleged violation of the Code or any of his/her witnesses or the charging party or any of his/her witnesses fail to appear, the Board Hearing Committee shall determine whether or not to proceed based on the witnesses and evidence available.
- 13.04** The presentation of all evidence and witnesses and questioning by the members of the Board Hearing Committee will proceed generally as described by the following:
- 13.04.1** The charging party will have approximately 10-15 minutes present his/her evidence and witnesses.
- 13.04.2** The student charged with an alleged violation of the Code will have approximately 10-15 minutes to present his/her evidence and witnesses.
- 13.04.3** The members of the Board Hearing Committee will ask questions of all parties to the Board's satisfaction.
- 13.04.4** The Chairperson may recognize others present to speak if the Chairperson believes that the information provided is required for the Board Hearing Committee to discharge their duties.
- 13.04.5** Following presentation of all evidence and witnesses and questioning by the members of the Board Hearing Committee, all parties will be excused while the Board Hearing Committee deliberates.
- 13.04.5.1** The parties will remain available in the event that they are recalled as described in Section 13.04.6.
- 13.04.6** The Chairperson may recall the parties for further questioning if it is deemed necessary for the Board Hearing Committee to discharge their duty. All parties have the right to be present during further questioning.
- 13.05** The Chairperson may grant a recess at the request of members of the Board Hearing committee or the parties involved to allow time for further preparation.
- 13.06** The Chairperson and members of the Board Hearing Committee shall not discuss the evidence or testimony in the presence of the parties. All parties present shall hold all proceedings of the Board Hearing Committee as confidential information.

14.00 BOARD HEARING COMMITTEE DELIBERATIONS

- 14.01** The burden of proof rests with the charging party and will be satisfied by any clear and convincing evidence in the record when considered as a whole.
- 14.02** If the student charged with an alleged violation of the Code fails to make a statement or to answer any or all questions, this shall not be considered in the determination of guilt or innocence by the Board Hearing Committee.
- 14.03** The Board Hearing Committee will begin deliberation immediately following the hearing and continue their deliberations until the verdict of guilty or not guilty is reached. The verdict will be determined by a simple majority vote as stipulated in Section 5.04.3.8
- 14.04** A student's prior record or sanctions and/or prior accusations shall be inadmissible as evidence to provide/or prove innocence or guilt. However, Board Hearing Committee in the determination of the appropriate sanctions must consider the student's prior record of sanctions if the student is judged guilty of the present violation.
- 14.05** In the event a verdict of guilty is reached, the Board Hearing Committee will consider recommended sanctions as stipulated in Section 4.00.
- 14.05.1 The deliberation and determination of sanctions to be recommended may be postponed until previous cases can be reviewed. Deliberations concerning sanctions must be completed within two (2) working days after the determination of the guilty verdict.
- 14.05.2 The Chairperson of the Board will provide recommended sanctions to the Dean in writing within two (2) working days as stipulated in Section 5.02.3.

15.00 ACTIONS IN RESPONSE TO BOARD HEARING COMMITTEE'S FINDINGS

- 15.01** The Dean will amend or accept the findings and recommendations of the Board Hearing Committee, and notify the student charged and the charging party involved of the action to be taken by the College of Pharmacy.
- 15.01.1 The Dean will notify the student charged, in writing, of the findings and, in the case of a guilty verdict, any sanctions to be imposed. Copies of this notification of action shall be sent to the charging party(ies), to the student, and be placed in the student's permanent file and the appropriate offices as determined by the Dean.
- 15.02** The Office of the Dean shall monitor probation.
- 15.03** A student may not graduate during the appeal process.
- 15.04** A student will abide by the sanctions during the appeal process.
- 15.05** A student returning after completion of a suspension will follow the same procedure to register as any other returning student.

16.00 APPEAL PROCEDURES

- 16.01** Academic Honesty Violations (3.01; specifics found in Appendix F in the Student Handbook)
- 16.01.1 If either the charged student or the complainant is not satisfied with the decision reached through the college procedures, an appeal from the decision may be filed with the University Committee on Academic Conduct. Appeal must be filed within ten (10) class days following the decision.

16.01.2 If either the charged student or the complainant is not satisfied with the sanction established through the college procedures, an appeal may be filed with the Vice President for Academic Affairs within ten (10) class days following the establishment of the sanction. The authority of the Vice President for Academic Affairs shall be to (1) sustain the college decision or (2) remand the matter, with recommendation, to the person or body within the college which made the decision. Following review of the Vice President's recommendation, a final and binding establishment of sanction shall be made by the person or body to which the matter was remanded.

16.02 Professional Conduct Violations (3.02)

16.02.1 Upon notification of action, either party may appeal to an appeals committee consisting of a panel of faculty and student members of the College Executive Committee (hereafter referred to as the Appeals Committee), not present at the Board hearing, as stipulated below.

16.02.2 The appeal must be filed in writing within five (5) working days after receipt of notification of the action described in Section 15.01. The appeal must include a statement of the asserted facts and the argument concerning appeal.

16.02.3 The Office of the Dean shall immediately send a copy of the appeal to all parties who received the notification of action described in Section 15.01.

16.02.4 The other parties may submit a written response to the appeal within five (5) working days of receipt of the appeal described in section 15.02.1.

16.02.5 The Appeals Committee shall accept or amend the appeal and any response by the other parties. The Appeals Committee's decision will constitute the final action of the College of Pharmacy.

16.02.6 The Office of the Dean shall notify all parties of the decision(s) regarding the appeal. This notification shall represent the College of Pharmacy's final action.

17.00 AMENDMENTS AND REVISIONS

17.01 Proposed amendments and revisions shall be submitted to the faculty of the College of Pharmacy through the Board of Ethical and Professional Conduct. A majority vote of the faculty is necessary for the adoption of amendments, with a majority defined as greater than 50% of those voting. Amendments and revisions so adopted are then subject to the approval of the Dean of the College of Pharmacy and the Academic Vice President of Ohio Northern University, who may accept or veto said amendments and revisions. If vetoed, the revisions and/or amendments may be re-voted upon by the faculty and will be added to the Code of Conduct if greater than two-thirds of the popular vote indicates approval on a given revision.

APPENDIX L: DICKE COLLEGE OF BUSINESS ADMINISTRATION

CODE OF STUDENT ACADEMIC CONDUCT

Pursuant to the Ohio Northern University Code of Student Academic Conduct adopted April 6, 1982, the College of Business Administration hereby establishes the Committee on Student Academic Conduct to satisfy the College Procedures requirement of the Code.

The College of Business Administration Committee on Student Academic Conduct shall be composed of three elected full-time teaching faculty members and one alternate member for instances in which a regular member is a directly-involved party.

The Committee's role specifically shall be to fulfill the requirements that the resolution and adjudication procedures of the college provide a process for appeal and preliminary review; i.e., the Committee shall meet subsequent to initial decision-making by the faculty member involved in an alleged code violation incident.

The Committee's findings and decision shall be reduced to writing and then be transmitted to the charged student, the faculty member involved, and the Dean of the College. The Committee shall have the authority to overturn the decision of the faculty member and the resulting sanction, but it may not alter sanctions imposed if it upholds the decision of the faculty member.

Either the faculty member or the student may appeal the Committee decision to the Dean of the College of Business Administration. Following the Dean's analysis of all pertinent data, a final college decision will be made by the Dean.

To provide for continuity from one year to the next, the initial election shall provide for members to serve a one-year term, a two-year term, and a three-year term. Elections are to be held at the first regular meeting of the academic year.

APPENDIX M: PETTIT COLLEGE OF LAW – Student Code of Conduct

STUDENT CODE OF CONDUCT

Adopted May 14, 1986

Revised March 22, 1988, May 15, 1990, May 10, 2005, November 18, 2013

PREAMBLE

Law students have a responsibility to the academic community in which they receive their education and to the profession they are seeking to join. The Claude W. Pettit College of Law of Ohio Northern University thereby has enacted the following Student Code of Conduct to which its students must conform.

PART ONE: CODE OF CONDUCT

Article 1.0 Terminology

The following terms used in this Code shall have the indicated meanings:

- (A) The term COLLEGE OF LAW means the Pettit College of Law of Ohio Northern University;
- (B) The word DEAN means the dean (or interim dean) of the College of Law; (References in this Article and in subsequent articles to the dean shall be construed as references to the associate dean or to the assistant dean where the dean has, either on a temporary or permanent basis, delegated his or her duties under this Code to either the associate dean or the assistant dean);
- (C) The word KNOWINGLY means being aware, regardless of one's purpose, that one's conduct will probably cause a certain result or will probably be of a certain nature; a person has KNOWLEDGE of circumstances when he or she is aware that such circumstances probably exist;
- (D) The term LAW STUDENT means a student who has matriculated at the College of Law;
- (E) The word MATERIAL means having a substantial bearing on an academic or administrative matter;
- (F) The word MISAPPROPRIATE means to take, keep, conceal, or use the property (or anything of value) of another, without authorization, for any period of time;
- (G) The word MISSTATEMENT means a false statement or misrepresentation which is made orally, in writing, or by any other means;
- (H) The word PLAGIARIZE means the taking of the literary property of another, passing it off as one's own without appropriate attribution, and reaping from its use any benefit from an academic institution;
- (I) The word UNIVERSITY means Ohio Northern University, or any of the constituent schools and colleges of Ohio Northern University, including the College of Law;
- (J) The term UNIVERSITY OFFICIAL means an employee of the University, including a member of the faculty, who is authorized to obtain information from a law student regarding academic or administrative matters or regarding the law student's educational or employment history or other aspects of the student's background; the term also means any organizational subdivision of the University with employees who are University officials, as defined in the preceding sentence.
- (K) The term SEX DISCRIMINATION means making decisions regarding the administration of student organizations on the basis of gender or sexual orientation.
- (L) The term SEXUAL HARASSMENT means unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

(M) The term SEXUAL ASSAULT means any type of nonconsensual sexual activity, including inappropriate touching; vaginal, anal, or oral penetration; rape; or attempted rape.

(N) The term GENDER-BASED HARASSMENT means acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex, sexual orientation, or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Article 1.1 Student-School Relationship

(A) A law student shall act with reasonable diligence and promptness in all educational matters.

(B) A law student shall comply with all course requirements, including attendance, preparation, discussion and submission of written assignments, and other matters identified in the course syllabus or by the instructor of the class in writing or orally.

Article 1.2 Responsibilities to the College of Law

(A) A law student shall obey or comply with the rules and regulations established by the College of Law.

(B) A law student participating in an outside program sponsored by the College of Law shall act in accordance with the standards set by the College of Law, the relevant codes of professional responsibility and applicable laws, ordinances and rules. The law student shall allocate sufficient time to satisfy the responsibilities of participants in the program.

(C) A law student shall act at all times in a manner consistent with the highest ideals of the legal profession.

Article 1.3 Candor and Honesty

(A) A law student shall not plagiarize.

(B) A law student shall not knowingly:

(1) make a misstatement of material fact or law in a class discussion, oral argument, written research assignment or in any other academic matter;

(2) in any academic exercise or examination

(a) take any unauthorized materials into the examination room or remove any exam materials from the examination room, except as permitted by the instructor;

(b) attempt to observe the paper of another student;

(c) copy the work of another student;

(d) violate specific instructions on class assignments or examinations; or

(e) review any unauthorized materials while the student is completing the exercise or taking the examination.

(3) misrepresent his or her status as an agent of the University, or the scope of his or her authority as an agent of the University;

(4) without authorization, submit work in a course for which credit has been received in a prior course;

(5) collaborate improperly, i.e., take part in any discussion, joint research, or joint effort of any kind expressly prohibited by the instructor;

- (6) misrepresent the authenticity of sources, citations or principles in any written work;
- (7) acquire unauthorized knowledge of an examination or any part thereof, or solicit, offer or give unauthorized information about any part of an examination;
- (8) discuss, in the law school building, an examination while the examination is in progress; or
- (9) without authorization, leave the examination room or law school building while taking an examination.

Article 1.4 Misstatements to University Officials

- (A) A law student shall not knowingly make, or cause to be made, an intentional misstatement of material fact to a University official. A law student shall be under a continuing obligation to correct any such misstatement (including those made during the application period).
- (B) A law student who has made, or caused to be made, an unintentional misstatement of material fact to a University official (including any such misstatement made during the application period) shall, upon obtaining knowledge of the error, promptly correct the misstatement.
- (C) The duty of a law student to correct unintentional misstatements, as set forth in section (B), shall extend to misstatements of material fact which are made to a University official by someone other than the student, regardless of whether the student caused the misstatement to be made, if (1) the material fact is one which relates to the student, and (2) the student obtains knowledge that the misstatement was made.
- (D) The proscriptions and duties contained in this Article shall apply only to the misstatement of a fact which, in addition to being material, is relevant to matters that are within the scope of authority of the University official to whom the misstatement is made.
- (E) The provisions of this Article shall apply to an applicant for admission to the College of Law (and, for this purpose, the term “law student” in Article 1.4, in Article 2.0, and in section (D) of Article 2.1, shall be construed to include an applicant for admission). Each applicant for admission shall receive notice (e.g., by means of a statement printed on the application form) that a misstatement of a material fact made during the admissions process could lead to disciplinary action or dismissal. (Nothing in this Code shall preclude the Admissions Committee from exercising its discretion and taking any appropriate action during the application period to deal with an applicant’s violation of the requirements of this Article).
- (F) The term “application period” means the period of time which begins on the day the student applies for admission to the College of Law and ends on the day the student attends his or her first class at the College of Law.

Article 1.5 Demeanor

A law student shall not knowingly

- (A) interfere with the orderly conduct of the educational or administrative functions of the University; or
- (B) engage in sexual discrimination, sexual harassment, sexual assault, or gender-based harassment against a student or employee of the University: or against any other person on the University premises or at a University approved, sponsored, or supervised function; or
- (C) threaten to or actually cause physical harm to an employee of the University, to another student, or to any other person on the University premises or at a University approved, sponsored or supervised function.

Article 1.6 Offenses Affecting Property, Etc.

A law student shall not knowingly

- (A) misappropriate or damage the property (or anything of value) of the University or of any of the University's students or employees;
- (B) misappropriate or damage the property (or anything of value) of another on the University premises or at a University approved, sponsored or supervised function;
- (C) alter or conceal any library or resource material;
- (D) obtain unauthorized access to any computer, computer system, computer networking facility, telephone system, computer file, data base or other data maintained or provided by or through the University or any of the University's students or employees;
- (E) alter or damage, any computer, computer system, computer networking facility, telephone system, computer file, data base or other data maintained or provided by or through the University or any of the University's students or employees;
- (F) utilize University computer hardware or software (or any other University equipment) to engage in any conduct that is unlawful or that violates any section of this Code; or
- (G) engage in unlawful or unauthorized copying of computer software belonging to the University or any of the University's students or employees.

Article 1.7 Other Misconduct

- (A) A law student shall report within fifteen days any arrest or conviction of crime to the Dean, and provide copies of pertinent court documents (complaint, judgment entries, etc.) to the Dean. Crime, for purposes of this article, shall not include offenses for which no jail sentence may be imposed.
- (B) A law student shall cooperate with any investigation under this Code.
- (C) A law student shall not knowingly engage in conduct which is of such an egregious nature that it clearly manifests the student's lack of fitness to be a member of the legal profession.

Article 1.8 Encouraging Prohibited Conduct

A law student shall not knowingly aid or encourage another to engage in conduct prohibited by this Code.

PART TWO: ADJUDICATION PROCEDURES

Article 2.0 Matters Subject to Adjudication

For the purposes of Part Two of this Code, relating to the adjudication process, a law student shall have violated this Code only if the student engages in conduct which is proscribed by, or fails to meet an obligation which is imposed by the following provisions of Part One: Article 1.3 (Candor and Honesty); Article 1.4 (Misstatements to University Officials); Article 1.5 (Demeanor); Article 1.6 (Offenses Affecting Property, Etc); Article 1.7 (Other Misconduct); or Article 1.8 (Encouraging Prohibited Conduct). A violation of this Code shall be adjudicated only in the manner set forth in Part Two of this Code.

Article 2.1 Complaint

- (A) Each adjudication under this Code shall begin with the filing of a complaint. A complaint may be filed only when there is a good faith belief that there has been a violation of this Code within the contemplation of Article 2.0.
- (B) The complaint shall be filed only by a university official, faculty member, staff or student. (The individual filing the complaint is referred to herein as the complainant.)
- (C) The complaint shall be filed as promptly following the date of the alleged violation as is reasonable under the circumstances.
- (D) The complainant shall include in the complaint (1) the facts alleged to constitute a violation of the Code, (2) the provision(s) of the Code believed to have been violated and (3) the name of the law student alleged to have committed the violation. (The law student so named is referred to herein as the “respondent”). The complainant may submit attachments and exhibits with the complaint. All attachments and exhibits submitted with the complaint are deemed, for the purposes of this Code, to be a part of the complaint.
- (E) The complaint, dated and signed by the complainant, shall be filed with the Adjudication Counsel.
- (F) Prior to the making of a probable cause determination, the Adjudication Counsel shall keep confidential the identity of the complainant and the contents of the complaint, except to the extent that disclosure of this information is required under Article 2.4.

Article 2.2 Adjudication Counsel

- (A) The Adjudication Counsel shall serve in the role of a prosecutor. The Adjudication Counsel shall conduct any necessary investigation. Subject to the provisions of Article 2.6, the Adjudication Counsel shall appear before the Adjudication Committee to present evidence and to take other appropriate steps to establish that the respondent is guilty of the violation(s) set out in the Determination Document.
- (B) The Adjudication Counsel shall be a member of the tenured faculty.
 - (1) The dean shall appoint the Adjudication Counsel from among those members of the faculty who are not members of the Adjudication Committee. The appointment shall be made at the first regularly scheduled faculty meeting of the academic year and shall extend for a one-year period ending on the date of the first regularly scheduled faculty meeting of the next academic year.
 - (2) In the event of a temporary or permanent vacancy in the position of Adjudication Counsel, the dean shall appoint a faculty member to serve as Adjudication Counsel for (a) the duration of the vacancy, if the vacancy is temporary, or (b) the balance of the unexpired term, if the vacancy is permanent. For the purposes of this provision, the term “temporary vacancy” shall encompass situations where the Adjudication Counsel is unable to serve because of illness, absence, prior professional or academic commitments or potential conflict of interest. (No conflict of interest shall be created by the mere fact that the Adjudication Counsel is also the complainant).

Article 2.3 [Reserved]

Article 2.4 Probable Cause Determination

- (A) *Procedures:* Upon receipt of a complaint, the Adjudication Counsel shall promptly make a determination as to whether there is probable cause to believe that the respondent has violated the provisions of the Code within the contemplation of Article 2.0. This determination shall be made pursuant to the following procedure:

(1) within 5 days of the receipt of the complaint by the Adjudication Counsel, the Adjudication Counsel shall make an initial determination as to whether the complaint, on its face, is groundless or frivolous. If it is, the complaint shall be promptly dismissed. In cases where the complaint concerns allegations of a violation of Article 1.5 (B) or otherwise implicates the University's obligations under Title IX, notice shall be provided to the University Title IX Compliance Officer of the identities of complainant and respondent, the substance of the allegations and the reasons for dismissal. If the complaint is not dismissed, the Adjudication Counsel shall immediately notify the respondent of the nature of the complaint against him or her and shall give the respondent a copy of the complaint with the name of the complainant obliterated;

(2) within 10 days of the receipt of the complaint by the Adjudication Counsel, the respondent shall advise the Adjudication Counsel if he or she is entering a plea of guilty, nolo contendere, or the like. If the respondent enters such a plea, the Adjudication Counsel shall immediately forward the matter to the Adjudication Committee for a determination of the sanction pursuant to Article 2.8, and the balance of this Article shall not apply;

(3) within 10 days of the receipt of the complaint by the Adjudication Counsel, the respondent (if no plea is entered pursuant to the preceding paragraph) shall be afforded the opportunity to meet with the Adjudication Counsel to discuss the facts and circumstances pertinent to the complaint;

(4) the Adjudication Counsel may discuss the pertinent facts and circumstances with the complainant and with any other person having relevant information. The respondent shall have no right to be present during these discussions or to know the identity of the individuals involved;

(5) within 15 days of the receipt of the complaint by the Adjudication Counsel, the Adjudication Counsel, after considering the relevant evidence and the provision of this Code, shall (a) determine whether there is probable cause to believe that the respondent has violated the provisions of this Code, (b) prepare either the Determination Document described in Section (B) of this Article, or the Dismissal Document described in Section (C) of this Article and (c) deliver the document in accordance with the requirements of Section (D) of this Article;

(6) for good cause, the Adjudication Counsel may extend the deadlines referred to in this Article.

(B) *Determination Document:* If the Adjudication Counsel determines that there is probable cause to believe that the respondent has violated this Code, the Adjudication Counsel shall prepare a signed and dated Determination Document, stating his or her conclusion in a concise manner.

(1) The document shall contain (a) the name of the respondent, the name of the complainant and (b) the specific provisions of this Code which the Adjudication Counsel has probable cause to believe the respondent has violated. (The Adjudication Counsel shall not be bound by the facts alleged or the Code sections cited in the complaint.)

(2) The document shall contain enough additional information to alert the Adjudication Committee and the respondent to the basic nature of the charges and the document shall include the names of persons on whose statements the Adjudication Counsel relied in making his or her determination. The document shall contain no argument to support the correctness of the Adjudication Counsel's determination.

(C) *Dismissal Document:* If the Adjudication Counsel determines that there is no probable cause to believe that the respondent has violated this Code, the Adjudication Counsel shall prepare a signed and dated document, setting forth his or her conclusions.

(D) *Delivery:*

(1) The Determination Document shall be delivered as follows:

- (a) the original, signed copy of the Determination Document shall be delivered to the chair of the Adjudication Committee;
 - (b) one copy of the Determination Document shall be delivered to the respondent; the Adjudication Counsel shall advise the chair of the Adjudication Committee of the date of this delivery (or, in the event that the respondent should refuse delivery, of the date on which the document was tendered to the respondent);
 - (2) The Dismissal Document shall be delivered as follows:
 - (a) the original, signed copy of the Dismissal Document shall be delivered to the respondent;
 - (b) one copy of the Dismissal Document shall be delivered to the complainant.
 - (c) in cases where the complaint concerns allegations of a violation of Article 1.5 (B) or otherwise implicates the University's obligations under Title IX, one copy of the Dismissal Document shall be delivered to the University Title IX Compliance Officer.
- (E) *Action By Adjudication Counsel Upon Dismissal:* In the event that the charges against the respondent are dismissed by the Adjudication Counsel, the Adjudication Counsel
- (1) shall promptly take all necessary action to delete from the respondent's official records any and all references to the charges and proceedings under this Code; and
 - (2) may suggest to the respondent, where appropriate, improvements in the conduct of his or her affairs that will aid the respondent in avoiding either an actual or apparent violation of the Code in the future and will assist the respondent in the development of professional standards of behavior.

Article 2.5 Adjudication Committee

- (A) As set out in Article 2.6 through Article 2.8, the Adjudication Committee shall have the responsibility of determining whether the respondent has violated the provisions of this Code and, if so, whether (and to what extent) sanctions should be imposed.
- (B) The Adjudication Committee shall be comprised of five members: three faculty members and two law student members.
- (1) The three faculty members shall be appointed by the dean at the first regularly scheduled faculty meeting of the academic year. The appointments shall extend for a one-year period, ending on the date of the first regularly scheduled faculty meeting of the next academic year. The dean shall designate which of the three appointed faculty members shall serve as chair.
 - (2) The two law student members shall be designated by the Student Bar Association for a one-year term, pursuant to procedures established by the Student Bar Association.
- (C) In the event of a temporary or permanent vacancy on the Adjudication Committee, the vacancy shall be filled in the following manner:
- (1) if there is a vacancy in a faculty position, the dean shall promptly appoint a member of the faculty to serve on the committee;
 - (2) if there is a vacancy in a law student position, the Student Bar Association shall promptly appoint a law student to serve on the committee.
 - (3) the individual named to fill the vacancy shall serve on the committee for (a) the duration of the vacancy, if the vacancy is temporary or (b) the balance of the unexpired term, if the vacancy is permanent. For the purposes of this section, the term "temporary vacancy" shall encompass situations

where the committee member is unable to serve because of illness, absence, prior professional or academic commitments, or potential conflict of interest.

Article 2.6 Hearing

(A) The Adjudication Committee shall conduct a hearing to determine whether the respondent is guilty of the violation(s) set out in the Determination Document. The hearing shall begin on a date which is no more than ten days following the date on which the respondent received a copy of the Determination Document (or, if the respondent refused to accept delivery, following the date on which the respondent was tendered a copy of the Determination Document). The chair of the Adjudication Committee shall set the date and time of the hearing, and he or she shall notify the respondent and the Adjudication Counsel. The chair may grant an extension of time for good cause.

(B) No later than 48 hours prior to the commencement of the hearing, the respondent shall (1) file with the chair of the Adjudication Committee all motions, briefs and similar documents intended for the consideration of the Adjudication Committee, and (2) deliver copies of all of these documents to the Adjudication Counsel. Similarly, no later than 48 hours prior to the commencement of the hearing, the Adjudication Counsel shall (1) file with the chair of the Adjudication Committee all motions, briefs and similar documents intended for the consideration of the Adjudication Committee and (2) deliver copies of all of these documents to the respondent.

(C) No later than 48 hours prior to the commencement of the hearing, the respondent shall (1) file with the chair of the Adjudication Committee a listing of all exhibits intended to be introduced at the hearing for the consideration of the Adjudication Committee; (2) deliver a copy of this listing to the Adjudication Counsel; and (3) make all exhibits appearing on the listing available for review by the Adjudication Counsel. Similarly, no later than 48 hours prior to the commencement of the hearing, the Adjudication Counsel shall (1) file with the chair of the Adjudication Committee, a listing of all exhibits intended to be introduced at the hearing for the consideration of the Adjudication Committee; (2) deliver a copy of this listing to the respondent; and (3) make all exhibits appearing on the listing available for review by the respondent.

(D) Unless the requirements of sections (B) and (C) have been complied with in all respects, the Adjudication Committee shall not take into consideration, for any purpose, non-complying exhibits, motions, briefs or other documents. For good cause, the chair may waive or modify the 48-hour deadline set forth in sections (B) and (C).

(E) If, prior to or during the hearing, the Adjudication Counsel should conclude that he or she is unable to establish that the respondent is guilty of a particular violation set out in the Determination Document, the Adjudication Counsel may prepare a signed writing in which he or she states his or her conclusion that the respondent is not guilty of that violation. This writing shall be delivered by the Adjudication Counsel to the chair of the Adjudication Committee and to the respondent, and the writing shall have the same effect as a verdict of not guilty as to the specified violation. No further action shall be taken by the Adjudication Committee regarding that particular violation. If the Adjudication Counsel's writing states that the Adjudication Counsel has concluded that the respondent is not guilty of all violations referred to in the Determination Document, he or she shall treat the matter as a dismissal to which Section (E) of Article 2.4 applies.

(F) Except as provided in Section (E), the Adjudication Counsel shall call witnesses, present evidence, make arguments, and take all reasonable steps at the hearing to prove that the respondent is guilty of the violation(s) set out in the Determination Document. Under no circumstances shall the Adjudication Counsel (1) present evidence or make arguments that raise issues or tend to prove violations which are beyond the scope of the determination made in the Determination Document or (2) make arguments or recommendations concerning the imposition of a sanction.

- (G) At the hearing, the respondent may be represented, may call witnesses on his or her behalf and may cross examine those witnesses who testify against him or her. The respondent shall not be required to participate in the hearing or to make any statement at the hearing.
- (H) The hearing shall be conducted by the Adjudication Committee in a fair and impartial manner, but the committee shall not be bound to follow the usual rules of evidence or formal rules of procedure (other than those set forth in this Code). The hearing shall be conducted so as to best ascertain the truth and to carry out the spirit of this Code.
- (I) The hearing shall be open to members of the faculty and to law students unless the Adjudication Committee, at the request of the respondent, shall direct that the hearing, or any portion of the hearing, be closed.
- (J) The hearing shall be recorded, with such recording made available to the respondent, if requested, at the respondent's expense.
- (K) Unless the Adjudication Committee shall provide instructions to the contrary, the hearing recording and all briefs, motions, exhibits, and other materials pertaining to the adjudication shall be preserved by the dean for a period of three years from the date of the hearing.

Article 2.7 Verdict

- (A) At the conclusion of the hearing, the Adjudication Committee shall deliberate in private, and a guilty verdict shall be returned where three-fifths of the members find, beyond a reasonable doubt, that the respondent has violated this Code within the contemplation of Article 2.0. If three-fifths of the members of the committee are unable to make such a finding, a verdict of not guilty shall be returned.
- (B) Upon a determination that the respondent is guilty, the Adjudication Committee shall establish the sanction, if any, which is to be imposed upon the respondent.
- (C) The Adjudication Committee shall promptly prepare a written opinion (signed by the members of the committee, with dissenters identified), in the following manner:
 - (1) the opinion shall contain (a) the name of the respondent; (b) a statement of the facts; (c) a citation of the specific provisions of this Code which Adjudication Counsel had probable cause to believe that the respondent violated; (d) the decision of the committee; and (e) a discussion of the committee's rationale for its holding;
 - (2) where the committee concludes that the respondent is not guilty, the opinion shall include a direction to Adjudication Counsel to expunge the record; the Adjudication Counsel shall promptly take all necessary action to delete from the respondent's records any and all references to the charges and proceedings under this Code;
 - (3) where the committee concludes that the respondent is guilty, the opinion shall include the sanction imposed by the committee;
 - (4) where the committee concludes that, because of the time and attention devoted by the respondent to the adjudication process, the respondent's academic standing could be adversely affected, the opinion may include, if requested by the respondent, a recommendation that the respondent be accorded lenient treatment should it become necessary for him or her to reapply for admission to the College of Law;
 - (5) if desired by the dissenters, a dissenting opinion shall be attached to and shall become a permanent part of the committee's opinion.

(D) The opinion of the Adjudication Committee shall be delivered promptly to (1) the dean, (2) the respondent and (3) the Adjudication Counsel. In cases where the complaint concerns allegations of a violation of Article 1.5 (B) or otherwise implicates the University's obligations under Title IX, the opinion of the Adjudication Committee shall be delivered promptly to the University Title IX Compliance Officer.

(E) Except in the case of a private reprimand, a copy of the opinion of the Adjudication Committee shall be posted for two weeks in a conspicuous place in the College of Law. Such posting shall commence on a date which is no earlier than the latest of the following dates:

- (1) the eleventh day following the final determination date described in Article 2.9(A)(1);
- (2) the date described in Article 2.9(A)(2); or
- (3) the date described in Article 2.9(A)(3).

(F) The Adjudication Committee shall prepare and maintain, as a public record, a syllabus of each opinion. The syllabus shall contain a written summary of all information contained in the opinion, as set forth in section (C), except that the identity of the respondent shall not be disclosed.

(G) The respondent shall have the right to file a motion for reconsideration of the determination of the Adjudication Committee. The motion shall be filed with the chair of the Adjudication Committee within ten days following the date on which the respondent received a copy of the committee's opinion (or, if the respondent refuses to accept delivery, following the date on which the respondent is tendered a copy of the opinion). The committee shall promptly consider any motion for reconsideration and shall announce its decision in a writing delivered in the manner set forth in section (D).

Article 2.8 Sanctions

(A) The sanction imposed upon a law student who has been found guilty of violating this Code, in addition to notification to licensing authorities, may include one or more of the following:

- (1) withdrawal of degree;
- (2) restitution;
- (3) permanent expulsion from the College of Law;
- (4) suspension from the College of Law for a temporary, specified period of time not to exceed one academic year for each violation;
- (5) loss of credit hours for any course with which the violation was directly related;
- (6) official reprimand, prepared by the dean, to be posted conspicuously in the College of Law for a period of two weeks;
- (7) imposition of non-academic probation for a temporary, specified period (including denial of eligibility for any or all offices or positions held in the Student Bar Association, University Student Government, Law Review, Moot Court teams, student law fraternities or other University or student organizations and activities);
- (8) private reprimand.

(B) In imposing sanctions, the Adjudication Committee shall consider all factors the committee determines to be relevant. The committee shall take into account (1) the time expired between the date of the violation and the date on which the complaint was filed and (2) where appropriate, the extent to which respondent has made restitution. In all instances, the sanction shall be commensurate with the nature of the violation.

Article 2.9 Review

(A) Except for the sanction described in section (A)(8) of Article 2.8, the respondent shall have the right to appeal the sanction imposed by the Adjudication Committee to the faculty. The respondent shall file a written notice of appeal with the dean within ten days following the latest of the following dates:

- (1) the date on which the respondent received (or was tendered) a copy of the opinion of the Adjudication Committee;
- (2) the date on which the respondent received (or was tendered) a copy of the decision of the Adjudication Committee respecting respondent's motion for reconsideration; or
- (3) the date on which the respondent received (or was tendered) a copy of any revised opinion of the Adjudication Committee issued as a result of the committee's decision respecting respondent's motion for reconsideration.

(B) The respondent shall have the right to appear before the faculty at a regularly scheduled or specially called faculty meeting in order to present his or her contentions on appeal. The respondent may be represented. A quorum of two-thirds of the faculty shall be required to hear any appeal. Upon completion of the respondent's appellate presentation, the faculty shall deliberate in private and reach a decision.

(C) A vote of two-thirds of qualified members of the faculty shall be required to modify the sanction imposed by the Adjudication Committee. For the purposes of this section, the term "qualified members of the faculty" means those faculty members who are (1) present at the meeting and (2) not precluded from voting under the provisions of section (D). In cases where the complaint concerns allegations of a violation of Article 1.5 (B) or otherwise implicates the University's obligations under Title IX, the dean shall promptly notify the University Title IX Compliance Officer of any modification of the sanction imposed.

(D) While all faculty members may participate in the review process and in the deliberations, the following members of the faculty shall not participate in the vote (although they shall be counted for the purposes of determining the presence of a quorum under section (B));

- (1) faculty members serving on the Adjudication Committee in the case under review;
- (2) faculty members serving as the Adjudication Counsel in the case under review;
- (3) faculty members who (a) represented the respondent in any phase of the case under review, or (b) served as a witness before the Adjudication Committee to provide testimony as to the substance of the violation (and not merely to provide testimony as to the respondent's character); (4) Faculty members who filed the complaint in the case under review.

(E) The faculty shall have no power to reconsider the adjudication of guilt.

Article 2.10 Enforcement

In all cases where the Adjudication Committee determines that the respondent is guilty of a Code violation, the dean shall administer the sanction imposed by the Adjudication Committee (or by the faculty, if the sanction is modified pursuant to the provisions of Article 2.9).

PART THREE: OTHER PROVISIONS

Article 3.0 Academic Action by Faculty

Nothing in this Code shall preclude a faculty member from assigning any grade he or she deems appropriate.

Article 3.1 Computing Time Periods

- (A) In computing any period of time which is prescribed or allowed by this Code and which is expressed in terms of a number of days, the count shall begin on the first day and shall end at 4:30 p.m. on the final day.
- (B) The term “first day” means the day following the day of the act, event or default from which the designated period of time begins to run.
- (C) The term “final day” means the last day of the designated time period, determined by counting consecutive days on the calendar. However, if the last day is a Saturday, a Sunday or a day on which classes are not in session, the term “final day” means the next succeeding day which is not a Saturday, a Sunday or a day on which classes are not in session.

Article 3.2 Amendments

- (A) Subject to the provisions of this Article, amendments to this Code shall be made by the faculty of the College of Law at a regular or specially called faculty meeting. A quorum of two-thirds of the faculty shall be required to vote on an amendment. A favorable vote of a majority of the quorum shall be required to adopt an amendment.
- (B) Amendments to this Code may be proposed by any member of the College of Law administration, by any member of the faculty or by any law student. All proposed amendments shall be filed in writing with the dean. Except where a proposed amendment relates to a mere technical or stylistic correction and does not involve a substantive change to the Code, the following procedures shall be followed:
 - (1) the dean shall promptly (a) post the proposal in a conspicuous place in the College of Law, and (b) submit the proposal to an ad hoc committee for its recommendation respecting the proposal;
 - (2) the ad hoc committee shall be comprised of (a) three faculty members appointed by the dean and (b) four law students designated by the Student Bar Association pursuant to procedures established by the Student Bar Association; the dean shall designate which of the three faculty members shall serve as chair of the ad hoc committee;
 - (3) the ad hoc committee shall promptly consider the proposed amendment, conducting such meetings and public forums as it deems necessary; the committee shall prepare a written statement setting forth the committee’s recommendation with respect to the proposal (i.e., adoption, rejection or modification); if desired by the dissenters, a dissenting opinion may be attached to and shall become a permanent part of the committee’s written statement;
 - (4) the chair of the committee shall promptly deliver the committee’s written statement to the dean and to the members of the faculty;
 - (5) the faculty vote on whether to adopt the proposed amendment and/or to accept the recommendation of the ad hoc committee shall take place at a faculty meeting held on a date which is no earlier than the later of the following dates:
 - (a) the day on which the chair of the ad hoc committee made the delivery referred to in section (B)(4) or
 - (b) the thirtieth day following the date on which the dean made the posting referred to in section (B)(1).

APPENDIX N: STUDENT TRAFFIC APPEALS PROCEDURE

Student Motor Vehicle Regulations provide for the appointment of a Traffic Violation Appeals Committee, composed of two (2) students, and one (1) faculty member. The students on the committee are appointed by the Student Senate. The faculty member is appointed by the Vice President for Financial Affairs. This committee is charged with the responsibility of considering all traffic appeals.

1. Procedures for handling traffic appeals will be as follows:
2. A Declaration of Appeal must be filed with the Department of Public Safety within two weeks of the date the ticket was issued. Failure to file an appeal within the prescribed time limit will result in forfeiture of the student's right to appeal.
3. The Department of Public Safety will notify the students who have filed an appeal when the next meeting of the Traffic Appeals Committee will be held.
4. The Traffic Appeals Committee will meet on a regular basis at intervals determined appropriate by the Committee.
5. Students must appear in person at the scheduled meeting of the Traffic Appeals Committee following the issuance of the ticket.
6. A written or verbal appeal must be presented at the meeting. Failure to appear or to present an appeal will result in the dismissal of the appeal.
7. The Traffic Appeals Committee will notify the student of its decision. The decision of the Appeals Committee is final and a violation may not be re-appealed unless significant new evidence or proof is submitted. If the Appeals Committee acts favorably on an appeal, the student will be reimbursed for any fine already paid.
8. The Department of Public Safety will maintain all records and will notify proper offices of the action of the Committee.

APPENDIX O: STUDENT FEE APPEALS PROCEDURE

The Student Fee Appeals Committee will be composed of three students nominated by the Judicial Commission of Student Senate and approved by Student Senate. This nomination and approval will be made during spring semester. Members will take office the first day of school in the succeeding school year and serve until newly elected officers are installed. Preferred membership for the Committee will be two (2) undergraduates and one (1) law student, all at least third year students in good standing. At the first meeting of the Committee the members shall elect a chairperson. A faculty/staff member will be appointed by the Vice President for Student Affairs & Dean of Students to meet ex-officio with the Committee. The Committee is charged with the responsibility of considering all fee appeals.

Fees than can be appealed

- Library Fines
- Late Registration
- Late Payment
- Placement Service Fee
- Improper Check-Out
- Charges for Damages to University Property
- Miscellaneous – Not Otherwise Classified
- Traffic Fines (may be appealed only to Traffic Appeal Board)

Procedures for handling fee appeals will be as follows

1. A Declaration of Appeal must be filed with the Vice President for Student Affairs & Dean of Students Office within two weeks of the issue date of the fine. Failure to file an appeal within the prescribed time limit will result in forfeiture of the student's right to appeal. Actions on appeals properly made during the summer will be taken during the fall semester.
2. The Chairperson will notify those students who have filed an appeal when the next meeting of the Committee will be held.
3. The Committee will meet on a regular basis at intervals determined by the Chairperson.
4. Students must appear in person at one of the next two (2) scheduled meetings of the Committee following the issuance of the bill for said fee. Circumstances may allow the student to be excused from personal appearance upon advance written request.
5. A written or verbal appeal must be presented at the meeting. Failure to appear or to present an appeal will result in the dismissal of the appeal.
6. The Committee will notify the student of its decision. The decision of the Committee is final and a fee may not be re-appealed unless significant new evidence or proof is submitted. If the Committee acts favorably on an appeal, the student will be reimbursed for any fine already paid.
7. The Vice President for Student Affairs and/or Dean of Students will maintain a log of all appeals filed and actions taken by the Committee.

APPENDIX P: POLICIES REGARDING A DRUG VIOLATION BY A STUDENT ATHLETE

DEFINITION OF DRUG VIOLATION

To be determined a “drug violation” a student athlete must be found in violation of National, State, or other civil or criminal drug laws, or policies and regulations of Ohio Northern University, the Ohio Athletic Conference, or the National Collegiate Athletic Association.

Upon the Athletic Director’s determination of reason to believe a violation has occurred, the Athletic Director shall immediately notify the Vice President for Academic Affairs, the Head Coach of the Sport(s), and the student athlete involved.

The Athletic Director will further oversee all procedures for investigation, enforcement of policies and sanctions, and appeals, as specified by the NCAA and Ohio Northern University.

If the violation is identified through NCAA post-season drug testing, the Athletic Director shall contact the faculty Representatives as well as the Commissioner of the Ohio Athletic Conference. If necessary, written confirmation will come from the Athletic Director with a copy to the Faculty Representative.

Any public statement will be made by, or authorized by, the Athletic Director and will occur only if an inquiry is made. At no time will the student athlete in question be referred to by name, unless authorized by the Vice President for Academic Affairs.

If deemed appropriate, the athletic team involved will be notified by the Head Coach in cooperation with the Athletic Director.

The appropriate sanction for said violation will normally be removal of the student athlete’s letter/certification of participation for that season, and further that such removal will render the student athlete ineligible for any additional awards of recognition by Ohio Northern University. In addition, the student athlete will be ruled ineligible for further participation in any sport(s) for a minimum of 90 days (not to include May 31st through September 1st). In addition, the Athletic Department reserves the right to require verification of compliance with all drug laws, policies, or regulations. Any costs for such verification (ex. Drug tests) will be at the student’s expense.

The Athletic Director shall notify, in writing, the Vice President for Academic Affairs and the Vice President for Student Affairs & Dean of Students about all actions taken or sanctions imposed.

If the student athlete believes he/she was dealt with unfairly, the student athlete may file a formal grievance.

FORMAL GRIEVANCE PROCEDURE FOR DISCIPLINARY ACTIONS FOR VIOLATIONS OF THE STUDENT ATHLETE CODE OF CONDUCT

Any person who believes he or she has been improperly denied a benefit or right, or excluded improperly from participation in any departmental (Human Performance and Sport Sciences) or athletic program or activity may seek resolution of the grievance by following the procedures below:

1. Within the week of the action which caused the grievance, confer with the Head Coach or Director of the activity in question, in an attempt to resolve the grievance informally. (In the case of a drug violation, the grievant proceeds directly to step 2.)
2. If the matter is not resolved in step 1, submit to the Athletic Director within three (3) days (or in the case of a drug violation, within one (1) week of notice of sanction), a written grievance specifying in detail the circumstances giving rise to the grievance or the basis for the decision rendered. The Athletic Director shall respond in writing within one (1) week with a proposed resolution or decision.

3. If the matter is not satisfactorily resolved in step 2, within three (3) days of the completion of step 2, submit all materials, in writing, to the Committee on Athletics. The Committee shall consider the written materials and request a hearing in closed session for determination of facts of the matter. The Faculty Representative to the Ohio Athletic Conference shall serve as acting chair during these deliberations. The committee will provide a written report of its determination to the grievant, the Athletic Director, and the Vice President for Academic Affairs. Following review by the Vice President for Academic Affairs, the report will be either returned for review or the determination will be confirmed as the final determination.
4. All materials dealing with specific cases shall be confidential, and committee discussion of the matter shall be restricted to meetings of the Committee.

For purposes of this procedure, one (1) week shall be interpreted as five class days. If the time period runs into a holiday or vacation period, count of class days shall resume with the first subsequent class day.

APPENDIX Q: COMPUTER USE POLICY

Policy

All users of University computing resources must comply with all federal, Ohio, and other applicable law; all general applicable University rules and policies; and, all applicable contracts and licenses.

This policy applies to all users of University computing resources and to all uses of those resources, whether on campus or from remote locations.

Shared Resource

Since many students, faculty, and staff share the University computing and network resources it is very important that all users respect the rights of others. Most users of shared and limited resources use them with respect for one another; however, those who misuse them have the potential for seriously disrupting the work of others. It is therefore necessary for all users to exercise responsible behavior when using these resources.

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

1. Users may only use computer system(s) and account(s) to which they have been granted access. The unauthorized use of any account(s), as well as presenting false or misleading information for the purpose of obtaining access to computing facilities or accounts is prohibited and may be regarded as a criminal act by the University.
2. Users may not grant to another the use of an account for any reason. Each user is totally and absolutely responsible for anything done by his/her account or any file residing in his/her account.
3. Users must take all reasonable precautions, including responsible password maintenance and file access protection measures to prevent use by unauthorized persons.
4. Users must use accounts for only the purposes for which they have been authorized. Commercial use for personal gain beyond the educational mission of the University and unlawful use including but not limited to installation and use of fraudulently or illegally obtained software will not be tolerated.
5. Users may not make available copyrighted material without prior written authorization from the owner or owner's designated representative.
6. Users may not access, copy, or move any proprietary file(s) without prior written authorization from the owner.
7. Users may not attempt to intercept, alter, or misrepresent their identity in network communications or electronic messages.
8. Users may not use computing resources irresponsibly or in a manner that needlessly affects others. This includes transmitting or making accessible offensive, annoying, or harassing material; intentional damaging information not belonging to them; or intentional misusing computing resources or allowing misuse by others.
9. Users may not violate the acceptable use policies of the networks and providers accessible from ONUnet groups. Generally these policies forbid sending large amounts of unsolicited electronic mail and excessive cross-posting in USENET groups.
10. Users are expected to report any violations of these policies as well as any flaw in, or the potential to bypass computer or network security to the Director of Information Technology.

Failure to comply with the above, or the unauthorized or illegitimate use of the University computing and network resources, shall constitute a violation of University policy and will subject the violator to disciplinary or legal action by the University.

Questions about this document or about computing services available to the University community should be directed to the Director of Information Technology.

Computer Account Agreement Terms

The Computer Account Agreement is required to be signed by any individual seeking permission to use the University computing and network resources. This Agreement, the Computing Ethics Statement, and Web Policies and Guidelines which can be found in the student, faculty, and administrative handbooks, set forth the conditions of use for all University computing and network resources which include but are not limited to the computing and network hardware, network interconnections, and all software owned and provided by the University.

As a user, I understand that:

- I am the only person authorized to use the account(s) granted to me by the University.
- I am ultimately responsible for all use of the account(s) granted to me.
- I am responsible for selecting passwords known only to me and maintaining access controls to prevent access by unauthorized persons.
- I will abide by copyright and trademark law in regard to intellectual property.
- The computer and network security officer or his designate reserves the right, in order to protect the integrity of the University computing facilities against unauthorized or improper use and to protect users from the effects of unauthorized or improper use, to:
 1. limit or restrict account access with or without prior notice to any user;
 2. inspect, copy, remove, or alter any data, file, or device interfering with service to any other user or University computing and network resource;
 3. periodically check and perform any administrative functions necessary to protect and maintain the integrity and security of the University computing and network resources.
 4. share information where appropriate with other entities being inappropriately accessed from University computing and network resources.
- The University is not responsible for loss of data or interference with files resulting from its efforts to maintain acceptable privacy and security of the computer and network systems.
- Any attempt to intercept, alter, misrepresent one's identity in network communications or electronic messages will subject the violator to disciplinary or legal action.
- Electronic communications via University computing and network resources are neither private nor secure. The University cannot be held liable for the release of data contained in these communications. The University further reserves the right to access communications if:
 1. resolution of a technical problem requires it;
 2. the user has left the University;
 3. the user is irresponsible in his/her use.
- Unauthorized or illegitimate use of any University computing and network resource provided to the signer of this agreement shall constitute a violation of University policy and will subject the violator to

disciplinary or legal action by the University including the possible dismissal of students or termination of employees.

Email Access

The Email Access Policy applies to all users with mailboxes in the university mail system. Ohio Northern University utilizes tools that permit the university to retain, archive and search user mailboxes within the ONU Email system for e-discovery and recovery purposes. Access to the archive will be restricted to legal reasons, internal investigations and to retrieve lost mail. You must be a search administrator to access these tools. Administrator access to these tools must be approved by the Director of Information Technology.

Utilization of this tool will only be permitted when requested by the President, Provost or directly requested by the user whose mailbox is being accessed. A formal memo from the individual requesting access to the mail must be submitted to the Director of Information Technology. All access to user mailboxes must be approved by the Director of Information Technology prior to the access and logged in the Email Archive Access Log Sheet.

The Email Archive Logs and Email Archive Access Log Sheet will be reviewed monthly by the Infrastructure Manager and the Operations Manager and a report will be submitted for review to the Director of Information Technology.

APPENDIX R: UNIVERSITY COMMUNITY SAFETY POLICIES

Article 1. ALCOHOL AND OTHER DRUG USE POLICY

The University affirms its historic belief that the illegal or inappropriate consumption of alcohol and the illicit use of drugs is not beneficial to an academic environment. ONU supports alcohol-free lifestyles and values a community where students who choose to consume alcohol do so legally and responsibly. All students are expected to abide by federal and Ohio State laws regarding the purchase, use, and distribution of alcohol and other drugs. The University must comply with these laws and is required by the federal *Drug Free Schools and Communities Act* to hold students accountable for their alcohol and drug-related behavior.

Students determined to be in violation of the Alcohol or Other Drug Use Policy will be assessed a \$100 penalty as a portion of any overall sanction obligations. Collected funds are specifically used to supplement overall costs associated with the University's general alcohol education responsibilities and its sanction course and other programs and education related to alcohol and drugs.

Students and their visitors may possess and consume alcohol on campus but only where the student and their visitor are of legal drinking age (21) and only in designated spaces. Designated spaces include residence hall rooms where the assigned room occupant is 21 and other social spaces that are identified and approved by the University. All first-year student living environments at ONU are designated alcohol-free; alcohol may neither be possessed nor consumed there by residents or their visitors regardless of a person's age. Residence hall staff assigned to work and reside in first-year buildings and who are of legal drinking age are exempt from this prohibition and may possess and consume alcohol in their assigned living space in accordance with this policy.

Where alcohol consumption is permitted and occurring, room doors into hallways must be kept closed. Where a student who is 21 resides in an apartment or suite, alcohol must be kept in the student's bedroom rather than in the common area or kitchen. However, where all occupants of an apartment or suite are 21, alcohol may be stored in the common area or kitchen. It is irresponsible and illegal and a violation of the Student Code to provide alcohol to a person(s) under age 21. Underage students who are present when alcohol is being consumed may be found in violation of the alcohol policy.

ONU expects that students who choose to consume alcohol will do so in safe and responsible ways; it is a violation of the Student Code to drink alcohol in a manner that impairs one's physical health or safety. The University prohibits engagement in activities and drinking games such as "pong" that contribute to and promote environments of high-risk consumption, even where water or other beverages may be substituted for alcohol. The use of bulk-source containers (e.g. kegs, other common source containers) is strictly prohibited, whether on or off-campus, as is the distribution of common-source alcohol. The possession or use of alcohol-related paraphernalia (e.g. beer funnels) is also prohibited and such items will be confiscated by residence life staff or public safety personnel.

Students should expect they will be required to dispose of their alcohol when university staff, most often residence life staff or public safety personnel, observe that alcohol is being possessed, consumed, made available or distributed in violation of this policy. Public safety personnel will immediately confiscate for appropriate disposal any drug-related materials that are in violation of university policy.

The University takes seriously its responsibility to respond to student behavior that occurs while that student is under the influence of alcohol or other drugs when that behavior violates the rights of others or leads to disorderly or dangerous conduct. Behaviors such as driving a vehicle while impaired, damaging university or other public or

personal property, engaging in threatening or violent behavior and failing to comply with directions are severe violations of the Student Code and may result in suspension or expulsion from Ohio Northern University.

Students who possess or use illicit drugs, including marijuana, narcotics and other controlled substances are in violation of the Student Code. Possession of drug-related paraphernalia (including pipes, bongs, vaporizers, grinders, scales, packaging materials, etc., whether used or not) also violates this policy. The manufacture, distribution, or sale of narcotics or other controlled substances, and the receipt of narcotics through the mail, are serious offenses. Quantities of drugs and/or the presence of materials that suggest the possibility of distribution may be interpreted as such. These violations are severe and may result in suspension or expulsion from ONU.

The misuse of prescription medication, including distribution and possession without a medical prescription, can have serious medical and legal consequences for a student. Prescription drug misuse and abuse is the intentional or unintentional use of medication without a prescription or in a manner or dose other than prescribed. At ONU, all students who are prescribed medications are expected to use and store them appropriately. Any student misusing prescribed medication shall be in violation of the Student Code.

Article 2: DISCRIMINATION AND HARASSMENT POLICY

Students at Ohio Northern University are not discriminated against on the basis of race, color, creed, religion, gender, sex, sexual orientation, age, marital status, veteran's status, military status, disability, national origin, ethnicity, citizenship, height, or weight. The University is committed to maintaining an environment that is free from sexual harassment and harassment based on categories such as race, religion, age, sex, color, disability, sexual orientation, national or ethnic origin, political affiliation, or veteran status.

No University organization, team, faculty member, staff person, student or alumni shall conduct or condone behavior that includes but not limited to:

Has the purpose or effect of creating an intimidating, hostile, or offensive environment;

Has the purpose or effect of unreasonably interfering with an individual's ability to meet his or her responsibilities or to participate in university activities; or

Otherwise adversely affects an individual's opportunities at Ohio Northern University.

Definitions:

Discrimination is an action based on prejudice resulting in unfair treatment of people. Discriminatory behavior makes a distinction between people on the basis of class or category without regard to individual merit.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as race, religion, age, sex, color, disability, sexual orientation, national or ethnic origin, political affiliation, or veteran status. Harassment may be directed at a person of either gender and includes, but is not limited to:

- Verbal harassment, such as derogatory or vulgar comments regarding a person's protected status including race, sex, religion, ethnic heritage, physical appearance, or age. Any verbal comment such as sexually suggestive or obscene comments, threats, slurs, epithets, and jokes about gender-specific traits.
- Written harassment, such as sexually suggestive or obscene letters, notes or invitations, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines, or any other written or graphic material regarding a person's protected status including race, sex, religion, ethnic heritage, physical appearance, or age.
- Visual contact, such as leering, staring at another person's body or any type of obscene gestures.

- Physical harassment, such as hitting, pushing, aggressive physical contact, or threats to take such action.
- Sexual harassment, unwelcome or unsolicited sexual advances, demands for sexual favors, or other physical contact of a sexual nature.

ARTICLE 3: SAFETY AND SECURITY POLICY

Ohio Northern University promotes a safe and secure campus that respects the rights of all persons utilizing its facilities and programs. The University campus includes all buildings and property owned by the institution and buildings owned or occupied by recognized Ohio Northern University student organizations.

The University prohibits the possession or discharge of any firearm or other dangerous weapon on campus even if the person in possession has obtained a concealed carry permit in accordance with Ohio law.

The University prohibits the possession of any knife or sword with a blade longer than three inches on campus. Switchblades are considered contraband and it is illegal to possess them in any form.

Security in General

The University's security authority is comprised of the University Department of Public Safety and employees in the Office of Student Affairs. The University Department of Public Safety operates twenty-four hours a day throughout the year and is responsible for law enforcement, security and emergency response. The Office of Student Affairs is responsible for residence halls and other living facilities, student organizations, student counseling, and facilitation of the student conduct process. All University Public Safety authority employees are responsible for ensuring the confidentiality of victims and witnesses within the bounds of applicable state and federal laws.

Access to Campus Facilities

With the exception of certain holidays, University buildings, including Residence Halls, are opened and locked daily according to a regular published schedule. Hours will vary according to the University's calendar and scheduled events. The Department of Public Safety is responsible for maintaining the schedule of building openings and closings.

All buildings, including Residence Halls and Residence Hall rooms, academic and administrative areas are equipped with locks and/or locking devices to assist in assuring personal safety and the security of University assets. These locks and/or locking devices will be maintained in good working condition. Locks and/or locking devices that are suspected of not functioning properly should be reported immediately to the Department of Public Safety or to Residence Life personnel if appropriate.

Crime Alerts

As soon as is reasonably possible after reliable information has been gathered, the Office of Student Affairs or the Office of Communications and Marketing will alert the University community about crimes that may be a continued threat. The purpose of these alerts is to prevent similar occurrences and to encourage the reporting of any information in connection with these crimes.

Missing Student Policy and Procedure

This policy, with its accompanying procedures, establishes a framework for cooperation among members of the University community aimed at locating and assisting students who are reported missing. A student shall be

deemed missing when he or she is absent from the University for more than 24 hours without any known reason. All reports of missing students shall be directed to University Security which shall investigate each report and make a determination whether the student is missing in accordance with this policy. All students shall have the opportunity to identify an individual to be contacted by the University in the event he/she is determined to be missing. If a missing student is under 18 years of age, the Department of Public Safety is required to notify the parent or guardian of the missing student not later than 24 hours after the determination by the Department of Public Safety that the student is missing. The Department of Public Safety will also notify the Village of Ada Police not later than 24 hours after it determines that the student is missing. The Vice President for Student Affairs shall have the responsibility to make the provisions of this policy and the procedures set forth below available to students.

Procedure:

Any report of a missing student, from whatever source, should immediately be directed to the Department of Public Safety and an investigation is to be conducted.

1. When a student is reported missing, the Department of Public Safety shall:
 - Initiate an investigation to determine the validity of the missing person report;
 - Contact the Vice President for Student Affairs;
 - Make a determination as to the status of the missing student;
 - Notify the individual identified by the missing student as the emergency contact within 24 hours of making the determination that the student is missing;
 - If the missing student is under the age of 18 and not emancipated, Public Safety will notify the student's custodial parent or guardian as contained in the records of the University within 24 hours of the determination that the student is missing;
 - Notify the Ada Police Dept. within 24 hours after determining that the student is missing.
2. The Vice President for Student Affairs notifies the Director of Residence Life and the Student Affairs Response Team (SART) on-call duty person.
3. The Vice President for Student Affairs shall initiate whatever action he or she deems appropriate under the circumstances in the best interest of the missing student.

Student Contact Information

Students shall be given the opportunity to designate emergency contact information on the University website.

Student Notification:

- Included on the ONU website;
- Discussed during beginning semester's mandatory housing, floor or wing meetings;
- Included in the annual Campus Public Safety Report;
- Sent to students by University e-mail.

Reporting Crimes

All persons are encouraged to promptly report suspected criminal activity. Incidents may be reported to the Department of Public Safety at (419) 772-2222 or to local law enforcement. If requested, Student Affairs staff and

Public Safety Officers will assist in reporting crimes to law enforcement agencies. Each incident reported to the Department of Public Safety will be appropriately investigated.

Reports Compiled on University Crimes

In compliance with the Clery Act, the University will compile and report annual crime statistics for certain crimes that have occurred on campus, immediately adjacent to campus, and at off-campus facilities such as Greek housing or remote educational sites. Crimes are defined and compiled in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program (UCR). Reports are available from the Department of Public Safety.

Safety of University Facilities

Facilities on the Ohio Northern University campus shall be maintained in accordance with applicable state and local standards. All groups occupying university facilities are responsible for compliance with applicable building, fire and health codes. Additionally, occupying groups shall procure insurance as directed by the University and must comply with all insurance requirements.

Sexual Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Act. The federal law requires state law enforcement agencies in Ohio to provide Ohio Northern University with a list of registered sex offenders who have indicated that they are either enrolled, employed or carry on a vocation at Ohio Northern University.

Ohio Northern University is required to inform the campus community that a registration list of sex offenders will be maintained and available from the Ohio Bureau of Criminal Identification and Investigation at:

<https://ohio.gov/wps/portal/gov/site/residents/resources/sex-offender-search>

Ohio Northern University is located in Hardin County and the zip code is 45810.

The CSCPA further amends the Family Educational Right and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and the Ohio's Sex Offender Registration and Notification (SORN) Act. Oh

APPENDIX S: Policy Prohibiting Hazing

Policy Statement and Purpose

In support of its mission to prepare students for lives of success, service and growth, Ohio Northern University seeks to provide and maintain a learning environment that is both positive and safe. Our [Core Values](#) call upon each member of the ONU family to live in community with one another and to act with integrity. To live into these values requires our being purposeful, open, just, disciplined, and caring. We must conduct ourselves with honesty and trustworthiness and we must respect one another.

Toward this end, the University has zero tolerance for any form of hazing within our community. All students and recognized student organizations, fraternities and sororities, varsity athletic teams, and all other student groups as well as employees, volunteers, alumni and consultants of the University are prohibited from engaging in hazing behavior. Hazing causes significant and lasting harm to victims, their families and the community. An anti-hazing mindset and the prevention of hazing is therefore a shared responsibility of the entire ONU community, including our students, faculty, staff and alumni.

The **Policy Prohibiting Hazing** (“Policy”) that follows outlines the scope of the Policy, provides key definitions, prohibits specific hazing and related behavior, identifies mechanisms for reporting hazing, describes specified amnesty related to reporting, summarizes the University’s procedures for response and the consequences for violations, discusses policy awareness and training and describes the University’s reporting and policy review commitments.

Scope of the Policy

Hazing is a crime under the [Ohio Revised Code, 2903.31](#) (Collin’s Law) and it may be investigated and prosecuted by law enforcement regardless of whether or not an individual or organization is found responsible for hazing in accordance with ONU’s policies and procedures. The Policy shall apply to all ONU students, student organizations, student groups as well as employees, volunteers, alumni and consultants of the University who are acting in an official capacity and who advise or coach student organizations and student groups and who have direct contact with students. The Policy shall apply when hazing takes place between two or more people who are affiliated with ONU.

As is noted in ONU’s Student Code of Conduct, the University has jurisdiction to pursue violations whether they occur on or off campus. This Policy shall apply to all University locations, including at University-sponsored or approved activities, at non-University activities and where the University is extended to distance education, such as study abroad, service trips, experiential learning opportunities as well as athletic, club sport and other group travel. Additionally, the Policy shall also be applied to behavior occurring online, via e-mail or through other electronic media. While the University does not routinely search for online information, it may act if information is brought to the attention of University officials.

While a hazing matter is pending or in process, the University may proceed with resolution based on available information. If allegations of a violation are made against a student and cannot be resolved prior to a student’s intended graduation date, ONU reserves the right to withhold a student’s degree until after the matter has been finally resolved if the student has been deemed eligible to receive a ONU degree.

The Policy shall apply regardless of an individual’s willingness to participate in an activity, the activity’s actual bearing on a student’s membership status or whether the organization event was or was not officially approved by the organization or ONU. Lastly, the Policy shall also apply to behavior that is knowing and intentional as well as to reckless behavior. Under this Policy, to behave recklessly means to act with conscious disregard of a substantial and unjustifiable risk that an action or inaction will result in harm or substantial risk of harm.

In addition to this Policy, NCAA student athletes shall follow the policies and guidelines set forth by the NCAA, ONU's affiliated athletic conference and ONU Athletics.

Definitions

Hazing. Ohio Northern University defines "Hazing" to mean doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate or enhance membership in or affiliation with any student or other organization or any act to further a tradition or ritual of any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse.

The following illustrative list includes behaviors that shall be considered hazing and behaviors that may be construed as hazing depending on the circumstances. This list is not intended to be exhaustive as behaviors beyond those listed could still be determined to meet the definition above.

- Causing, coercing or forcing a person to violate Federal or State criminal law
- Forcing, coercing or endorsing alcohol or other drug of abuse consumption
- Forcing, coercing or endorsing ingestion of any liquid or substance
- Physical assault, including paddling, beating, burning or branding, spraying with hoses, buckets or sprinklers, or covering with food, dirt, oil or other substances
- Creating excessive fatigue or requiring calisthenics such as sit-ups, push-ups, runs or any form of physical abusive exercise
- Sexual violation of any kind including morally degrading or humiliating games and activities involving nudity, lewd or indecent behavior
- Verbal assault, including yelling or screaming at new members
- Individual interrogations (e.g. line-ups) not consistent with legitimate testing for information about the history, purpose or direction of the organization
- Acts of deprivation, including sleep, blindfolding members, limiting physical movement, or conducting activities that do not allow adequate time for study
- Abductions and kidnaps or abandonment
- Scavenger hunts, treasure hunts, road trips, or any other such activities when not done for information gathering purposes consistent with the education purposes of the organization
- Assigning or endorsing pranks such as borrowing or stealing items, panty raids, composite picture or banner raids, painting property and objects, or harassing other groups
- Any type of personal servitude such as running errands, cleaning or other chores
- Requiring participants to wear specific articles of clothing, an outfit, or any item in a way that could bring excessive attention to the wearer
- Requiring the carrying of items such as rocks, helmets, shields, bricks, paddles, etc.
- Any other activities requested of new or current members that are not consistent with the regulations and policies of Ohio Northern University or applicable State law.

This definition shall not include reasonable and customary organization training, contests or other activities that are explicitly relevant to the mission of the student organization or group.

Student. Under this Policy, a “student” includes any person who is admitted to Ohio Northern University for the duration through their graduation or official withdrawal from the University. This shall include newly admitted students who have participated in orientation and all currently enrolled students.

Student organization. “Student organization” means a group of people who are associated with each other and who have registered with the University as a recognized student organization as outlined in the ONU Student Handbook. Under this Policy, “student organization” is intended to include all four categories of designation at ONU: (A) Fully recognized student organization, (B) honorary organization, (C) University affiliated/sponsored organization and (D) College of Law organization.

Student group. “Student group” means a number of persons who are associated with the University and each other, but who have not registered or are not required to register as a student organization (e.g., athletic teams, military organizations, musical or theatrical ensembles, bands).

Substantial risk. ONU defines “substantial risk” consistent with [Ohio Revised Code 2901.01\(A\)\(8\)](#), meaning “a strong possibility, as contrasted with a remote or significant possibility, that a certain result may occur or that certain circumstances may exist.”

Serious physical harm. ONU defines “serious physical harm” consistent with [Ohio Revised Code 2901.01\(A\)\(5\)](#), meaning to include any physical harm that: carries a substantial risk of death, involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity, involves some permanent disfigurement or that involves some temporary, serious disfigurement or that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.

Prohibited Conduct

The following behavior shall constitute violation of the Policy:

- Hazing any person
- Involvement with planning hazing and/or being present while hazing is occurring
- Failing to intervene to stop hazing when it is occurring and where the individual had prior knowledge of a planned hazing activity
- Failing to assist or seek assistance if the person knows or should know that a person is in danger from the effects of hazing
- Failing to report any information about suspected conduct under this Policy
- Knowingly making a false report or allegation of hazing
- Failing to cooperate with a hazing investigation, including tampering with evidence
- Retaliation against a person reporting hazing or a person participating in the University’s investigation or adjudication processes

Mandated Reporters

[Ohio Revised Code 2903.311\(B\)](#) mandates that no employee, volunteer, alumnus or consultant of an organization who is acting in an official capacity shall recklessly fail to report their knowledge of hazing to law enforcement. Under this Policy, “mandated reporters” must immediately report knowledge of hazing activity to Ada Police and to

the University through one of the appropriate reporting options noted in the following section. At ONU, “mandated reporters” include any full- or part-time employees acting in an official capacity (including graduate and student employees), and any alumni, volunteers or consultants acting in an official capacity, who advise or coach a student organization or student group and who have direct contact with students. Staff members such as counselors, medical personnel and clergy who are required by law or licensure to protect the confidentiality of information are exempt from this reporting requirement except where breach may be necessary to protect the client/person from imminent threat of harm to self or others.

University employees or volunteers who may have questions about their reporting obligations under Ohio law may contact ONU’s Vice President and General Counsel at (419)772-1022. Students who may have questions about their reporting obligations may contact the Office of Student Conduct or the Office of Student Involvement, both at (419)772-2434.

Duty to Report

Ohio Northern University requires anyone who is experiencing hazing or has information about hazing behavior occurring to make a report with the University. A prompt report aids the University in communicating with appropriate law enforcement agencies as required by law, preserving evidence and engaging its investigation in a timely way. ONU is committed to reviewing all reports regarding hazing. Reports regarding hazing can be made in the following ways:

Hazing emergencies. Reporters should dial 911 to report any emergency situations related to hazing. Reporters should also officially report the matter immediately to the Office of Student Conduct or to Public Safety.

University contacts to report hazing. Any of the following agencies can receive a report regarding hazing:

- Office of Student Conduct – Student Affairs Suite, 1st, McIntosh Center; (419)772-2434
- Department of Public Safety – 211 S. Union St., Business Services Building; (419)772-2222
- [Hazing Report Form](#)
- Office of Human Resources – 154 Lehr Memorial Building, (419)772-2013 (Note: Hazing violations by ONU employees should be reported to this office.)

Anonymous reporting. Persons may report prohibited conduct anonymously using the toll-free Campus Conduct Hotline® at (866)943-5787. Additional information about the hotline can be found [HERE](#).

Amnesty

The University recognizes that an individual who has been drinking alcohol or using drugs at the time of a hazing incident may be hesitant to make a report or participate in an investigation because of fear they themselves may be accused of those policy violations. To encourage students to report hazing, the University may at its discretion extend amnesty for minor violations of alcohol and other drug policies. If amnesty is granted, an educational discussion or other informal resolution may be considered, but no University student conduct proceeding will be initiated.

Procedures for Response

Upon receipt of a report of hazing, the University will notify appropriate law enforcement agencies regarding the report and the communication will be documented in the Student Affairs Office. Upon appropriate communication of the alleged incident and behavior to Student Affairs, the Vice President for Student Affairs or designee will determine if any interim measures may be needed to protect the safety and well-being of others. Such interim

action could include temporary suspension of organization or group activities, temporary suspension of individual students, restriction of specific privileges, no contact directives, or other actions needed to ensure student and community safety.

The Office of Student Conduct and the Office of Student Involvement or their designee will immediately begin investigation of all reports of hazing involving ONU students, student organizations and groups. In circumstances where the allegation may include hazing-related behavior by an employee of ONU, investigators and the Student Affairs Office will collaborate appropriately with Human Resources. Where an allegation of hazing may involve a fraternity or sorority, the Office of Student Involvement will communicate with the organization's national office to advise them about the University's receipt of the report and allegation. In instances where an allegation may allege hazing behavior by a student group (e.g., athletic team, music ensemble), Student Affairs will notify the associated Vice President of the report and allegation.

Persons or organizations or groups being investigated may request that specific information or evidence be included in the record and may request that investigators speak with specific witnesses. The relevance of specific information or witnesses shall be determined by the investigators and noted within the investigative report. Investigators shall have authority to request an interview with any individual or select group of organization or group members who may have information regarding the allegation. Investigators may also request relevant documentary evidence from participants including text messages, email, screen shots, pictures, video, etc. During an investigation, investigators may explicitly restrict communication between student organization and group members during the interview process. While students shall be required to appear at appropriate investigation and student conduct meetings, the University cannot compel a student to answer questions or provide specific information. However, where a student, organization or group fails to cooperate in answering questions or providing information, the University has the authority to proceed to a determination based on the information available. It is a violation of the Student Code of Conduct to furnish false or misleading information to any University official, faculty member, or office; this shall also include distortion or intentional omission of information.

Investigators will provide their completed report to the Office of Student Conduct. Allegations of hazing against individual students, student organizations and groups will be adjudicated in accordance with Ohio Northern University's student conduct procedures specified in its Student Code of Conduct.

Sanctions for Violation of the Policy

Hazing is a serious breach of the University's behavior expectations. Violations of the Policy by individual students or student organizations or groups shall be sanctioned under the Student Code of Conduct and other related policies and are subject to the full range of sanctions (warning, social probation, withheld suspension, suspension, dismissal) as well as other educational sanctions. Additionally, an individual, student organization or group responsible for hazing may also be subject to other outcomes or penalties in accordance with the rules and policies of applicable outside constituents or groups in which the student is involved, or their governing bodies. The University has the right to act regardless of the actions of the governing body.

Dismissal from ONU or a recommendation to ONU's President to revoke a conferred degree shall be the minimum student conduct sanction assigned to any student for any violation of this Policy that causes death, serious physical harm, or substantial risk of serious physical harm. This includes coerced consumption of alcohol or drugs of abuse that causes death, serious physical harm, or substantial risk of serious physical harm.

For student organizations, sanctions include, but are not limited to, revocation of registration or denial of application for registration, loss of University privileges such as the ability to formally meet on campus and to use

campus facilities or to represent the University and, in the case of fraternities and sororities, the right to be recognized or operate at the University.

Violations of the Policy by employees may result in corrective employment action or discipline (including termination) in accordance with applicable University policies and procedures as determined by Human Resources.

Individuals who participate in hazing or recklessly permit the hazing of another may also face criminal penalties in accordance with [Ohio Revised Code sections 2903.31](#) and [2903.311](#). These penalties are independent and in addition to sanctions that may be imposed by the University under this Policy.

Reporting and Transparency

The University will publish public summaries of all allegations and violations of the Policy Prohibiting Hazing by student organizations and student groups. These reports will be available on the University's public website. In compliance with the State of Ohio Collin's Law, these reports will be posted beginning January 2023 and updated on the first day of January and first day of August of each year. Reports will include the name of the organization or group involved, the date when the student organization or group was charged with violation of the Policy, a summary description of the alleged misconduct, the findings and outcomes of any investigation, the corrective actions imposed in response to violations and the date on which the matter was resolved. The reports will include at least the past 5 years of reported hazing related incidents.

Policy Awareness and Training

The Policy will be shared with the University community annually by email and it will also be available for review and download from the Ohio Northern University public website.

All students and employees of ONU will be required to complete appropriate hazing awareness and prevention training. Completion will be verified by the University and no student shall be permitted to participate in any student organization or group until such time as they have completed required training. Training will be delivered electronically. New students will be provided an initial opportunity to access the training during orientation. Students failing to complete required training by communicated deadlines may be subject to student conduct action under the Student Code of Conduct and/or suspension of other privileges, as appropriate. Employees shall complete required training in accordance with Human Resources policy.

Policy Review

The Policy will be reviewed each year by the Office of Student Conduct and updated as needed and appropriate. ONU's Vice President and General Counsel will evaluate the Policy for changes in legal and compliance requirements.