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## I. INTRODUCTION

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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 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 Code of Conduct 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

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### 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 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 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 Code of Conduct can be found at **Appendix E**.

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## **III. GENERAL ACADEMIC REQUIREMENTS & INFORMATION**

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### **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**

(For additional 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**

1. 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 fourth 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 for a single semester, during which the student may receive federal and state financial aid and will be eligible to compete in student intercollegiate athletics. If the student fails to demonstrate satisfactory academic progress within one semester, the student may file an appeal with the Office of Financial Aid for additional probationary semesters. 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.

## **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**.

As members of the University community, students are expected to comply with U.S federal law, Ohio state law and local Ada law. Ohio Northern University cannot protect students who violate public laws. Law enforcement officers have the authority to pursue legal violations on campus.

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**

(For additional information see **Section III** above and **Appendices I through M**)

## **ALCOHOL ABUSE/PUBLIC INTOXICATION**

(For additional information see **Appendix R**)

Public intoxication and/or abusive consumption of alcohol is prohibited. The abusive consumption of alcohol means consumption which impairs personal health or safety; which violates the rights of others; or, which results in dangerous or disorderly conduct.

## **ALCOHOL CONSUMPTION**

(For additional information see **Appendix R**)

The University affirms its historic belief that the consumption of alcoholic beverages is not beneficial to the academic environment of the University.

Alcoholic beverages are permitted to be possessed or consumed by individuals in *private areas* on campus as long as the laws of the Village of Ada and the State of Ohio are followed. Anyone who possesses or consumes alcoholic beverages must be 21 and must obey all other University rules and regulations and applicable government laws pertaining to the use of alcohol. The sale or dispensing of alcohol in *private areas* is prohibited.

In keeping with the above for purposes of this policy only, the following are defined as *private areas*:

Student rooms in upper class student halls, apartments and fraternity houses where at least one roommate is 21 years of age, with the door to the hallway closed. Unless one of the roommates is 21, alcohol cannot be present in a room in which an underage student resides. If a student resides in an apartment or suite, alcohol must be kept in the bedroom of the student who is 21 rather than in the common area or kitchen.

Alcohol is not permitted in new student rooms (Maglott, Founders, and Park).

Underage students in the presence of alcohol are in violation of the alcohol policy (unless student is a permanent resident of that private area).

Drinking games (both alcohol and non-alcohol) of any type are prohibited on Ohio Northern's Campus and are a violation of the alcohol policy.

Students found in violation of the alcohol policy will be charged \$100 as a portion of their sanction. This fee is used to help fund the alcohol education course at Ohio Northern University.

## **APPROVAL FOR SUPERVISION OF OFF-CAMPUS EVENTS WITH ALCOHOL**

With the exception of events at the University Inn, events with alcohol are not permitted on the campus of Ohio Northern University. Any student organization sponsoring/hosting/co-hosting an off-campus event where alcohol is present is required to have a faculty/staff advisor or representative present throughout the duration of the event.

All travel guidelines for university sponsored student travel (pg. 36-37) must be followed.

## **COMPUTERS and UNIVERSITY NETWORK**

(For additional information see **Appendix F** and **Appendix Q**)

Computers are made available on the campus of Ohio Northern University for the educational betterment of students. Students, faculty and staff are permitted to use the University computer equipment and to access the University network, in accordance with University policies. The theft or abuse of computer time, passwords or computer accounts or use of any computer network for a purpose inconsistent with the University's Computer Use Policy (**Appendix Q**), including improper downloading, will be considered a violation of this standard.

## **CRIMES-PROCEDURES FOR REPORTING**

(For additional information see **Appendix R**)

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 University 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. For those wishing to anonymously report suspected criminal activity can do so by calling the Campus Conduct Hotline at 866-943-5787.

## **CREATING A SAFETY HAZARD**

### **BOMB THREAT**

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

### **FAILURE TO COMPLY**

Failing to comply with the directions of University officials or law enforcement officers acting in the performance of their duties and/or failure to provide proper University identification of oneself when requested to do so is prohibited.

### **FIREARMS, WEAPONS**

(For additional information see **Appendix R**)

Possession of firearms, dangerous devices, weapons, knives over 3", switchblades, paint ball guns, pellet guns, sling shots, mallets, fireworks, explosive devices of any nature, or brandishing any object in a threatening manner is prohibited. The University will confiscate any of the above-mentioned items found and the student will be referred to the Office of Student Conduct. Local and/or Federal authorities will be contacted.

### **FIRE SAFETY (FIRE SETTING, FIRE LAWS, REPORTING FIRES, FIRE DRILLS, BONFIRES, FIREWORKS)**

Conspiring to, attempting to, or willfully setting fire to University property, structures, or personal items is strictly forbidden by the University.

Tampering with a smoke detector, a fire hose or fire extinguisher, or ringing or tampering with a fire alarm, except in the event of a fire, is prohibited.

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.

Failing to cooperate with regulations or authorities during a fire alarm or drill, including evacuation from a residence hall or other University building, is prohibited.

Open burning, including ceremonial fires, or bonfires, without authorization from the Office of Student Affairs, is prohibited.

The possession, sale, discharge or use of any fireworks on any University property on or off campus, including any Greek house, is prohibited.

### **UNAUTHORIZED ENTRY**

The unauthorized possession, duplication or use of keys to any University facility or unauthorized entry into another student's room is prohibited. Tampering with locks, doors, or windows is considered a violation of this standard.

### **VARIOUS PROHIBITED ACTIVITIES**

**Drones** - Hobby drone use by the general public and ONU students are prohibited on ONU's campus.

**Eating Contests** - Eating contests are not permitted as they pose both choking and food allergy hazards. Additionally, food eating contests conflict with other wellness and sustainability initiatives.

**Golfing** - Golf is not permitted on campus other than on the driving range located on the west end of campus. Golfing and putting golf balls in residence halls and Greek houses is prohibited. Disc Golf (Ultimate Frisbee) is permitted to be played on the course available on the west end of campus.

**Hoverboards (self-balancing personal scooters)** - Hoverboards are prohibited on campus.

**Movies** - All public performances of movies are subject to copyright laws regardless of ownership of the DVD or streaming service, age of the movie, size of group, or if admission is charged. Individuals/Organizations/Departments are responsible for collecting this license information.

**Rollerblading** - Rollerblading, skateboarding, use of scooters and/or bicycling in any university facility, including residence halls and apartments, is prohibited.

**Water Activities** - Water activity in the lakes is a safety hazard and is prohibited.

### **DAMAGES TO UNIVERSITY PROPERTY**

Vandalism and/or damage to or misuse of University property is prohibited. Students who violate this standard will pay for damages incurred. A schedule of appropriate charges is shown below. These charges will be payable at the Office of Student Affairs as determined by the Director of Student Conduct. Damages not covered by this schedule will be assessed at the cost of repair.

1. Damages to trees and plantings; cost of replacement, including purchase, planting, and maintenance fees (\$100 minimum charge).

2. Damages to fire equipment (including setting off false alarms, needlessly discharging fire extinguishers, tampering with “exit” signs or lighting equipment); \$25 for unintentional incident; \$100 for intentional misconduct.
3. Cost of cleaning and/or repair or replacement by university staff for cleaning of areas soiled or damaged by student; \$50 minimum charge.
4. Removal of lounge furnishings; \$100 for each offense.
5. Tampering with University phone system or equipment; \$50 for each offense.
6. Tampering with or damage to University television antennas or cables; cost of repair for each offense (\$25 minimum charge), plus any fines from external agencies that apply.
7. Tampering with or damage to vending or game machines; cost of repair and/or for replacement of product for each offense.

## **DISCIPLINARY PROCEDURES**

(For additional information see **Appendix E**)

The University student disciplinary system is facilitated by the Office of Student Conduct which receives all complaints of violations of the University Student Code of Conduct. Should complaints not be resolved by meeting with the Director of Student Conduct, the matter shall be referred to the University Disciplinary Board, a student-faculty board, for a determination of the responsibility of the student and/or any appropriate sanction. A student may appeal this decision under certain circumstances to the University Board of Appeals, whose decision is final.

## **DISHONESTY**

(For additional information see **Appendix F**)

Dishonesty in any form will not be tolerated by the University. This includes the falsification, forgery, alteration or misuse of any University document or record. Furnishing false or misleading information to any University official, faculty member, or office will be considered a violation of this policy.

## **DISORDERLY CONDUCT**

(For additional information see **Appendix R** and **Appendix C**)

Ohio Northern University students should conduct themselves in a manner that demonstrates respect for the rights and property of others.

Behavior which disrupts or interferes with normal University or University-sponsored activities, including, but not limited to, eating, sleeping, studying, learning, teaching, research, officially invited speakers, University administration, public safety, or fire, police or emergency services or other unauthorized activity is prohibited.

Causing or attempting to cause physical or mental harm to oneself or to another is prohibited.

Conduct that is disruptive, lewd, or indecent is prohibited.

University Public Safety personnel are authorized to do that which is reasonably necessary to remove disorderly, disruptive persons from University facilities or events, on or off campus, upon the request of a responsible faculty, staff member, or student.

## **DRUG USE OR POSSESSION**

(For additional information see **Appendix R**)

The unlawful sale, manufacture, distribution, dispensation, possession, or use of a controlled substance or illegal drug and the unlawful use of any prescription medication is prohibited. Possession of drug related paraphernalia is prohibited. Conduct that endangers the student's or another's health or safety that occurs while a student is under the influence of drugs or other controlled substances is prohibited.

An individual who remains in the same location with a person using or abusing a drug will be deemed to be in violation of this policy.

Students receiving financial aid at Ohio Northern University must abide by this policy as a condition of enrollment and are required to report to the Vice President for Student Affairs & Dean of Students any conviction under a criminal drug statute during their enrollment at the University no later than five days after the conviction.

## **FIGHTING/ASSAULT**

Threatening, endangering or causing physical harm to any person or causing reasonable apprehension of such harm is prohibited.

## **FLEEING AND ELUDING**

No person may willfully elude or flee from ONU Public Safety officers, other University officials after receiving a visible or audible signal from the same to stop. This policy applies to persons on foot, bicycles, and rollerblades, as well as in motor vehicles.

## **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**

(For additional information 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**

(For additional information see [\*\*Appendix R\*\*](#))

Ohio Northern University policy and Ohio law prohibit hazing. Hazing in any form is not beneficial to the academic environment of the University. No organization, team, faculty member, staff person, student or alumni shall conduct or condone hazing activities on or off campus. This policy applies to any University organization and/or its members and/or its alumni; i.e. professional, athletic, musical, general/special interest, religious, honorary, Greek, social, or law. Any member, regardless of length of time in the organization, may be held accountable for “giving” or “receiving” an act of hazing.

The ONU Interfraternity and Panhellenic Councils, along with all national headquarters of the campus Greek organizations, assert unequivocally their opposition to pre-initiation activities and post-initiation activities which do not contribute to the positive development and welfare of new and/or initiated members.

## **IDENTIFICATION**

The identification card is University issued and serves many functions. One of those functions is to allow access of the student to the University Dining Service as well as exterior access to the residence halls. This card is non-transferable.

### **LOSS OF ID**

If an ID card is lost, report it immediately to the Office of the Controller in Lehr Building and to the Public Safety Office in the Business Services Building. There is a \$25 replacement fee for an ID. Anyone who finds an ID belonging to someone else should return it immediately to the owner, or to the Controller’s Office or Public Safety Office.

## **INVOLUNTARY WITHDRAWAL**

(For additional information see [\*\*Appendix C\*\*](#))

## **MEAL PLANS**

The price for the Carte Blanche meal plan is set based upon the assumption that only the holder of the contract will eat in the dining hall. Therefore, meal contract students are not allowed to sell or let others use their ID cards, nor are they permitted to share food with others not on the meal contract. Bonus meals are exceptions and therefore may be shared with others. Violators of this policy are subject to disciplinary action.

## **MOTOR VEHICLE REGULATIONS**

All cars parked on campus must be properly registered with Public Safety and must display a valid parking permit. All students officially enrolled at the University are eligible to operate a motor vehicle in the University community. Students on academic or disciplinary probation may be denied the use of a motor vehicle. Students must register their vehicles (motorcycles included) at the Public Safety Office located in the Business Services Building on Union Street. Complete parking regulations are available from the Public Safety Office.

### **PARKING AND PARKING PERMITS**

1. No student vehicle may be parked anywhere on campus unless the vehicle has been properly registered and a valid parking permit has been obtained. After one warning of parking without a permit, the vehicle may be towed off-campus and stored at the owner's expense.
2. The parking permit fee for each vehicle is \$65 per academic year or \$40 per semester.
3. Temporary parking permits may be obtained for \$1 per day by any eligible student who desires to bring a vehicle on campus for a limited time.
4. Parking of vehicles is limited to those areas specifically designated for that purpose.
5. Students who receive five or more parking tickets during an academic year are subject to disciplinary action.

### **PARKING FOR DISABLED**

Areas designated as parking for disabled must only be used by disabled individuals. Any use by other than disabled students constitutes a violation that will result in a parking fine. In order to park in a parking area for the disabled, a student must have an appropriate parking sticker placed on the car. These can only be obtained through the state of residence.

### **TRAFFIC APPEALS BOARD**

The Student Traffic Appeals Board procedure is listed in Appendix N. To appeal a traffic ticket, a student must file a declaration of appeal within two weeks after receiving a ticket.

### **PERSONAL BELONGINGS**

The safe-keeping of personal property is each student's responsibility and no reimbursement from the University can be expected for loss of such property. The University does not carry insurance to cover the loss of any personal property. Independent arrangements for insurance coverage should be made by students and/or their parent(s)/guardian(s).

### **PRIVACY RIGHTS, STUDENT**

(For additional information see **Appendices A** and **Q**)

University students age eighteen and above, have some privacy rights related to their educational records. Further information regarding these rights and what is contained in educational records can be found in Appendix A. The University may access any information that is transmitted or stored on the University computer network as is more fully discussed in Appendix Q.

### **SEX DISCRIMINATION**



(For Additional information see **Appendix B**)

## **STALKING**

Stalking in any form, by any member of the University community, is prohibited. Stalking involves repeated harassing or threatening behavior by an individual, in person or via electronic communication. Such behavior can include: following a person; using an IP address to find an individual's physical address; appearing at a person's residence or job site; communicating false or derogatory allegations about an individual on websites accessible to others; making harassing phone calls; leaving written messages or objects at an individual's residence or on their vehicle; generating excessive social media activity or text messages to the same individual; or, vandalizing a person's property.

## **STUDENT BEHAVIORAL INTERVENTION TEAM**

(For additional information see **Appendix C**)

## **TELEPHONES**

### **FRAUDULENT & PRANK CALLS**

It is against University policy to place fraudulent or prank phone calls for any reason.

## **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**

Theft is a violation of University standards, as well as a violation of local and state law. The selling of books or other items which do not belong to the seller is a violation of this policy.

## **TOBACCO AND SMOKING**

The University recognizes the need to create and maintain an environmental quality that sustains and enhances the general health and well-being of its students, faculty, staff and visitors. ONU has developed a tobacco & smoke-free policy for all of campus. For the purpose of this policy, "tobacco" is defined to include any lit cigarette, cigar, pipe, bidi, clove cigarette, e-cigarette, other smoking products or any alternative smoking devices; and the use of smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form. Anyone who possesses tobacco must be 21 and must obey all other University rules and regulations and applicable government laws pertaining to the use of tobacco. Evidence of tobacco use on ONU's campus is a violation of this policy.

## **VIOLATION OF LAW**

The violation of local, state or federal law 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**

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### **INTRODUCTION**

The goal of the residential system at Ohio Northern University is to provide students with a positive and healthy living/learning experience. This is a student's home for the time each is enrolled at the University, and it should be a place where students feel comfortable. The residence experience is a community living situation which must meet study needs and provide an opportunity for development, particularly in the areas of independence, responsible behavior, maturation, flexibility, interaction, acceptance of others, and understanding of values that vary among individuals. This out-of-classroom experience will provide students the opportunity for involvement in areas of varying personal interests.

### **STAFFING**

Undergraduate students known as Resident Assistants (RAs), Senior Resident Assistants (SRAs), and Resident Directors (RDs) will 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 & Coordinator of Student Programming. Please utilize them as resources in your community.

### **RESIDENT RIGHTS AND RESPONSIBILITIES**

- The right to sleep during the night without disturbance from undue noise or guests of roommate(s)
- The right to read and study free from undue interference in one's room
- The right to free access to one's room and facilities at all times without restriction from roommate(s)
- The right to feel secure against physical or emotional harm, or intimidation
- The right to expect that a roommate(s) will respect one's personal belongings
- The right to a clean environment in which to live
- The right to personal privacy
- The right to host guests with the expectation that guests are to respect the rights of the host's roommate(s), other hall residents, and the policies of Ohio Northern University
- The right to address grievances (Residence Life staff are available for assistance)

- The right to expect reasonable cooperation in the use of “room shared” appliances (telephone, refrigerator, etc.) 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

All full-time (12 semester hours) University undergraduate and international students 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.

Applications to move off-campus or to 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 spring semester, after pre-registration for fall classes.

Approval by staff at the Office of Residence Life is required before a student may move off campus or commute. To be approved, one of the following criteria must be met:

1. Three years (6 semesters) in the residence halls or apartments
2. 23 years-of-age
3. The Student will be commuting daily from the permanent home address of their parent(s) or legal guardian(s) within a 30-mile driving distance of ONU; Please note that the Office of Residence Life considers the permanent home address of the Student’s parent(s) or legal guardian(s) to be the address of record on file with federal, state and local tax agencies and where a minimum of one of the Student’s parent(s) or legal guardian(s) reside. This is the information that is on file through our Financial Aid, and Admissions Offices.
4. Proof of an undergraduate degree
5. Proof of having served in the armed forces and qualified for veterans' benefits
6. 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, the following sanctions will be imposed:

1. A Student Affairs **HOLD** will be placed on 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.

Housing commitments are for the entire academic year, and residents are not permitted to move from the residence halls to Greek housing, nor to other off-campus housing from residence halls or Greek housing, at any

time during the academic year. Therefore, on-campus or Greek house residents are not to sign a housing agreement or lease for off-campus housing, until explicit written approval to move off-campus has been given by the Director of Residence Life and the Director of Student Involvement (see GREEK HOUSING, item 3).

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

## **GENERAL INFORMATION**

### **APPLIANCES**

The University prohibits the use of non-approved electrical appliances in students' rooms. All electrical devices and extension cords must be UL approved. Any electrical appliances that are determined to be a fire hazard or violate cleanliness standards by the hall staff may be confiscated. Electric skillets, toasters and grills are not permitted.

#### **MINI-REFRIGERATORS IN STUDENTS' ROOMS**

Mini-refrigerators must be under 4.5 cubic feet and Energy-Star required.

### **AQUARIUMS** (See Pets, page 26)

A resident is permitted to have a twenty (20) gallon tank or less in individual residence hall/apartment rooms. Any tank larger than twenty (20) gallons will not be permitted and the student will be asked to take the tank home. Only one tank/aquarium per room is permitted. Fish are the only inhabitants permitted in an aquarium. The electrical connection to the power source must be made with a multi-socket adapter, which has a circuit breaker as an inherent part of its design.

### **BICYCLES**

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

### **CANDLES, INCENSE, POTPOURRI AND FLAMMABLE MATERIALS**

Because of the danger of fire, the possession or burning of candles, incense, potpourri burners, lanterns or any other type of open flame is strictly prohibited in student rooms. In keeping with the need for fire prevention, any possession or use of kerosene, gasoline, naphtha, benzene, or similar flammable material in or around the residence halls, apartments, fraternity or sorority houses, any University building or property, except in laboratory rooms or in other authorized and supervised classroom uses, is strictly forbidden. Flammable art supplies must be kept in lockers provided in the Art Building. Students found in violation of this policy will be subject to disciplinary action.

### **CEILING FANS**

Ceiling fans are not permitted in University housing units.

## 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 have a room condition report (RCR). The RCR notes the condition of each room from the beginning of the school year.
- When a student checks out of the room, the condition of the room will be checked against the RCR. It is important that this form is filled out completely and accurately; a student may be assigned damage charges for any conditions which differ substantially from the initial inspection of the room. A student will be assigned a new RCR if s/he changes rooms later in the year.

## CHECK-OUT

If checking out of the Residence Hall room or campus apartment at any time, each resident must be 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 RESPONSIBILITY OF THE STUDENT** to properly check out with the hall staff and to leave the room clean, or an improper check-out fee of \$100 will be charged.
- An additional lock change fee of \$100 will also be charged if a student leaves a room without returning his/her 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 damages (if any).

If checking out at break:

- During finals weeks of the academic year, students are required to check out of University housing (residence halls, apartments, fraternity/sorority houses) 24 hours after their last exam (see Damages).
- Requests for an 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 on ground floor), and leave room clean.
- If checking out permanently (e.g., summer break), students must have completely cleaned the room and removed 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 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 want 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 another check-out form.
- Students who have withdrawn must also return their student ID in addition to their room key(s).

### **CONSOLIDATION OF VACANCIES**

When a vacancy occurs in University housing, the consolidation policy will be applied to maintain equity between persons who choose to pay for a “Super Single” and those losing a roommate from normal attrition. The policy requires no resident displacement without consent, unless enrollment numbers dictate administrative moves directed by the Office of Residence Life. A student has a 3-day grace period from the time the vacancy occurs to notify the Office of Residence Life.

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
  - b. At the end of the grace period, either (1) notify Residence Life of your intention to buy-out the room, which guarantees a single room for the remainder of the academic year; or (2) acknowledging that a roommate may be assigned to the room at any time based on housing needs and preferences of the incoming roommate. Once the decision has been made for the buy-out option, this will remain in effect and be billed for the remainder of the academic year. When the decision for the second option is made, a student may not purchase the room as a buy-out for the following term until Friday of the fourteenth week of the semester.
3. Students permitted to remain in a room without a roommate and without the Super Single option, may be asked to house guests of the University and must maintain the furnishings of a double room at all times. When this occurs, the guest is to be treated with courtesy and respect; residents are to follow University regulations.

4. When an empty room exists in a residence hall or apartment, the Resident Director may use it to solve existing roommate conflicts or it may be offered to any resident at the rate of a Buy-out (Buy-out rate is double the regular room rate in all residential buildings).
5. At the beginning of an academic year if temporary spaces are being used, the priority for moving individuals from temporary spaces is as follows:
  - a. Individuals from temporary housing to spaces in rooms based on each student's date of deposit with the Office of Admissions.
  - b. Individuals who have expressed a preference with their Resident Director to purchase a Super Single.
6. A remaining room or apartment occupant will not be displaced without consent.
7. All room changes are under an administrative freeze for the first and last week of classes during each academic term. Fall semester, the freeze at the beginning of the term is for two weeks. Room freeze does not apply to administrative changes.
8. There will be no room changes after the first week of May unless special permission is granted from the Director of Residence Life.

#### **COOKING IN RESIDENCE HALL ROOMS**

Cooking is not permitted in student rooms. There are designated areas and kitchenettes in the residence halls to prepare snacks. The building residents, not the maintenance staff, are responsible for cleaning up afterwards; this includes the inside of microwaves, conventional ovens and refrigerators.

#### **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, as well as in student rooms, which are beyond the normal wear and tear, and discovered during and/or at the end of the school term, will be charged, in entirety, to a student's account by the Office of Residence Life. In the event that individual responsibility cannot be determined for damage in a common area (i.e. lounge, bathroom, hallway, exit signs, etc.) assessment will be divided among all the occupants of the wing, floor, or building who reasonably could have been responsible. The minimum charge, per person, for damages to University property is \$25, regardless of actual cost of repair or replacement.

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 Student Code of Conduct.

#### **DART BOARDS**

Dart boards are not permitted in University-owned housing.

## **EMOTIONAL SUPPORT ANIMALS**

(For additional information see [Appendix D](#))

## **EXTERIOR DOORS - RESIDENCE HALLS AND APARTMENTS**

The outside doors of each Residence Hall will be locked at all times. Residents of halls and apartments may gain access to the hall with their ID cards. 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 and/or a \$50 fine.

## **FEES AND REFUNDS**

If a student's payment for tuition, housing and meal plan is late, his/her room reservation may be canceled. The student will be assessed a late fee. If for any reason a student's housing or meal plan contract should get canceled because of non-payment, s/he may be reassigned to another room or hall. The University reserves the right to change or modify the housing and meal plan rates as economic conditions warrant.

There is a one-time set-up fee of \$50 for the early arrival of any student and an additional \$ 25/day fee for each day 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 early-arrival students.

If a student's off-campus request form is submitted after the application deadline, a \$50 late fee will be assessed to his/her 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 that request permission to stay in campus housing after it closes each semester may be subject to a \$25 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 as 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.

## **HALOGEN LAMPS**

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

## **KEYS**

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).

## **KEYS - UNAUTHORIZED DUPLICATION, POSSESSION OR USE**

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 - RESIDENCE HALLS AND APARTMENTS**

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

### **LOUNGE FURNITURE AND LOUNGES**

Students are welcome to bring furniture (outside of a bed and dresser), but are not to move lounge furniture for any purpose. Any person who removes lounge furniture will be fined \$100. Further, lounges are not to be used to provide overnight accommodations for guests.

### **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. Students living in on-campus apartments are credited dining points each semester included in their room fee; they are not charged dining fees. Students in on-campus apartments are able, but are not required, to purchase an additional meal plan. (See DINING for more information.)

### **NOISE - HOUSING**

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.

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, and must meet criteria of the communications and marketing department.
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.

### **OFF-CAMPUS HOUSING**

(1) Married students and/or (2) students who meet off-campus requirements, have completed the off-campus request form, and have been approved by the Director of Residence Life to live off-campus may view available

housing options via the website of the Office of Residence Life. All students are responsible for notifying the Office of Residence Life of their local addresses and phone numbers within the first two weeks of fall semester. This ensures inclusion in the ONU phone directory and receiving correspondence from University offices.

### **PAINTING OF ROOMS – RESIDENCE HALLS/APARTMENTS**

Students are not permitted to repaint any room.

### **PETS**

For sanitary reasons and out of consideration for other residents and for the welfare of pets, no pets, animals, or lab specimens are permitted in University Housing. Fish are the exception, but aquariums are limited to 20 gallons in size and must be removed from campus over extended University vacations. Illegal pets will result in immediate removal by Hardin County Animal Services (Humane Society/Dog Control). Service dogs are an exception to this policy and are allowed in any University building. Emotional Support Animals are an exception to this policy and must follow the established Emotional Support Animal policy. For additional information see **Appendix D**.

### **POSTERS AND WALL HANGINGS**

Students can personalize a residence hall or apartment room, but not use nails, stickers, or screws, as these will damage 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 (see NOISE - HOUSING). 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. **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.

## **RESTROOMS**

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

## **ROOF AREAS**

For safety reasons, students are not permitted on the roofs of the residence halls, apartments, Greek Houses or small living units.

## **ROOM CHANGES**

All room changes must be approved by the Resident Director and appropriate Resident Assistant prior to moving. A \$100 fine will be assessed for moving from one room/hall to another without completing the necessary forms. The approval process begins by talking with a Resident Assistant and then processed through the office of Residence Life. Upon the discretion of the Director of Residence Life, students requesting a room change may be asked to participate in a roommate mediation session with the present roommate facilitated by a Residence Life staff member. The Resident Director has the ability to disallow any room change if, through the Office of Residence Life, it is deemed that a resident is purposely being difficult to roommates in an attempt to obtain a "single", the problem resident will be billed the equivalent of a room buy-out and be documented by the Office of Residence Life with possible disciplinary action.

## **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 at any time for the purpose of maintenance, or health and safety checks. Repairs are to be done by the Physical Plant Staff only (see - DAMAGES IN RESIDENCE HALLS – INDIVIDUAL ROOMS, UNIVERSITY APARTMENTS AND COMMON AREAS).

## **ROOM INSPECTIONS**

Residence hall and other University staff members are authorized to inspect student rooms at any time 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. The right is reserved for authorized University personnel to enter any room at any time for the purposes of inspection, repair, or to ensure the health and safety of the occupants. Examples of potential problems include rule enforcement, maintenance, illness, hazards, illegal contraband/activities and other emergency situations. Efforts will be made to have residents present when the room is entered. If a search is made by non-University officials, reasonable legal search procedures will be followed.

## **SEARCH AND SEIZURE**

There will be no unreasonable searches of student rooms and apartments or seizures of student property. No search or seizure shall be carried out by University employees unless authorization has been received in writing from the Vice President for Student Affairs & Dean of Students. Exceptions to this include an occupant consenting to a search or seizure or exigent circumstances exist in the form of safety concerns or a legitimate need to secure evidence of violations of University code of conduct. Reasonable efforts will be made to have the occupant of the room present during a search. The above policy does not prohibit the residence hall staff from making inspections which relate to the cleanliness of the room or the health of the student, or the fire marshal from checking for fire

hazards. This policy applies to residence halls, fraternity/sorority houses, University student apartments and houses, and personal property.

### **SPACE HEATERS**

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

### **SUMMER STORAGE – RESIDENCE HALLS**

There is no summer storage provided in the residence halls or apartments.

### **SUBLETTING**

Subletting a room or apartment or meal contract is prohibited.

### **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 not registered for at least 12 semester hours of classes is subject to termination of housing.

### **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. Every resident is 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 these bins, that are placed in each students' room. Large orange recycling bins are provided outside residential areas.

### **UTILITY CLOSETS**

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

### **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, there are several things which students are expected to do before leaving: unplug all electrical items, close and lock windows, leave rooms reasonably clean. Students are to close draperies/mini-blinds if their room is on the first floor to prevent possible theft, but leave draperies/mini-blinds open on the second and third floors as a means of fire protection.

Before leaving for a vacation, residents are responsible for cleaning out and unplugging a mini-fridge; leaving the door open. Students are 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 vacations must contact the Director of Residence Life at least two weeks in advance of the scheduled vacation in order that housing accommodations may 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.

### **WATER BEDS**

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

### **WINDOWS AND WINDOW SCREENS**

Residents are responsible for any noise or objects coming out of their windows. It is against University policy to remove screens from windows, yell, play music loudly, or drop things out of windows. Removal of screens can result in a maintenance fee for re-installment or replacement.

### **WINDOW TREATMENTS**

The University provides flame retardant mini-blinds for all student rooms. Individual students are not permitted to remove or replace these. Students may hang their own curtains in windows with a tension rod only. Any curtain rods fasten to the wall will result in the appropriate maintenance charge bill to the occupants of the room.

### **WITHDRAWAL**

When a student withdraws in the middle of a term, she/he must remove all belongings from the residence hall or apartment and be properly checked out of the space within 24 hours of the withdrawal.

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## **VI. UNIVERSITY AFFILIATED GROUPS & ORGANIZATIONS**

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### **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 NONDISCRIMINATION**

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 website through Ohio Northern University

By the 6<sup>th</sup> week of each semester, organizations must verify and update a roster of all members. The roster must include first name, last name and ONU email address. At this time, the name and contact information for the president and advisor must also be verified.

At any point during the academic year when a transition has occurred with the president or advisor of the organization, the updated name and contact information should be submitted via [google form](#) .

Every two years, organizations must also submit an updated constitution and bylaws for the local organization via email to [studentorgs@onu.edu](mailto:studentorgs@onu.edu). This requirement only applies to student organizations in classification A and D.

## **SIGNS, POSTERS, BANNERS, AND SIDEWALK CHALKING**

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**

These rules apply to outdoor campus advertising and exclude inside buildings.

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**

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**

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](mailto:onu-all-l@onu.edu), [onu-faculty-l@onu.edu](mailto:onu-faculty-l@onu.edu), [onu-staff-l@onu.edu](mailto:onu-staff-l@onu.edu) and [onu-student-l@onu.edu](mailto:onu-student-l@onu.edu)) will be moderated with the following guidelines:
  - a. The Sender must have a valid onu.edu email address.
  - b. No advertising for the selling of items of services with the exception of university approved student groups for fundraising purposes. The advisor of the student group must send the message.
  - c. 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.
4. Students may not be asked to forego meals more than twice per year. Those instances must be approved by the Director of McIntosh Center.
5. Raffles and games of chance are to be reviewed/approved by the Vice President for Student Affairs & Dean of Students.
6. Destruction of property is not an acceptable format for fundraising events.
7. 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.



8. University funds may not be used for charitable contributions to any group or cause.
9. 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.
10. 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](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."

### **POLITICAL POLICY**

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**

#### **a. Guidelines for University Student Travel**

- i. 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.
- ii. Any group sponsoring/hosting/co-hosting such an event where alcohol is present must also have a faculty/staff advisor or representative present
- iii. 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.
- iv. 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 University travel. The advisor must only attend if the students are travelling via university rented/owned bus.
3. The [Travel Itinerary and Roster form](#) must be submitted one day prior to the trip.
- v. 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.
    - a. 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 must be submitted by the Trip Supervisor one day prior to the trip.
- vi. 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.
- b. **Campus Communications**
  - i. The Ohio Northern Switchboard in Business Services will maintain the Travel Itinerary and Roster information for all trips.
  - ii. 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.
- c. **Faculty or Staff Advisor/Representative Responsibilities for University Student Travel (before departure)**
  - i. Collect complete student and faculty/staff names, addresses, and cell phone numbers in a list format.
  - ii. 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.
  - iii. 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.
  - iv. Determine airline baggage and check-in requirements, if applicable, and disseminate information to all travelers.
  - v. Request travel advance, if needed, from the Office of the Controller at least two weeks prior to scheduled departure.
  - vi. 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.
  - vii. 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

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 OF STUDENT ORGANIZATIONS**

Organizations must adhere to all University policies and guidelines as set forth in the Student Code of Conduct found in the Student Handbook. Acts involving discrimination, hazing, and alcohol or drug abuse will not be tolerated, and may be considered grounds for suspension or dismissal of the organization's recognition.

Any student organization reported to be in violation of the Student Code of Conduct is subject to investigation and possible sanctions. Alleged violations can be reported by any member of the University Community or the Village of Ada to the Ohio Northern Department of Public Safety, the Office of Student Conduct or the Office of Student Involvement.

To anonymously report a violation against a University student organization, any University Community or Village of Ada member may call the Campus Conduct Hotline at 866-943-5787. 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.

## **DISCIPLINARY PROCEDURES FOR STUDENT ORGANIZATIONS**

Any student organization involved in an alleged Student Code of Conduct violation will meet with the Director of Student Conduct, or designee, to discuss the details of the incident. The Director of Student Involvement will also be present in the meeting. In the case of a conduct meeting for Greek Organizations, the Assistant Director of Student Involvement will be present for the meeting. Student organizations may send one student representative and one ONU faculty/staff advisor to the meeting. After the discussion of the incident, the Director of Student Conduct, or designee, will determine if there is enough information to find the organization responsible for the alleged violation. If the organization is found responsible for violating the student code of conduct, sanctions will be conveyed in a second meeting with the student organization representative. Sanctions may include but are not limited to any one or more of the following:

1. **Warning:** Oral or written notice to the organization that it is violating or has violated the Student Code of Conduct and that continuation or repetition of misconduct may result in a more severe sanction.
2. **Fines:** Payment of charges for violation of Student Code of Conduct.
3. **Restitution:** Compensation for loss, damage or injury.
4. **Educational Sanctions:** Community service, essay writing assignment, attendance to a seminar, action plan, drug or alcohol programs/assessments, or other discretionary sanctions as deemed appropriate.
5. **Probation:** A status indicating that the organization's relationship with Ohio Northern University is tenuous. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the organization is found with another violation of the Student Code of Conduct.
6. **Loss of Privileges:** Such loss may include, but is not limited to, funding, eligibility to hold on or off-campus events, membership recruitment, advertising, use of University facilities and services, etc.

7. Suspension: Short-term revocation of a student organization's status as an officially recognized organization. Any organization that is placed on suspension will be given a trial period in which it must demonstrate a compelling reason for its organizational status to be reinstated by the University. Failure to do so will result in the deactivation of an organization at the end of a suspension period. If an organization is placed on suspension, all rights and privileges of the group to self-govern are removed, and any activity or action that is associated with the group including meetings and events, whether formal or informal, must be approved by the Office of Student Involvement in advance.
8. Dismissal: Formal revocation of a student organization's status as an officially recognized student organization. This will include loss of all rights and privileges, which pertain to recognized student organizations. A specified dismissal period may or may not be designated, depending on the nature of the violation.

The organization will be given the opportunity to "accept" or "deny" the sanctions. If an organization chooses to "deny" the sanctions, a meeting will be scheduled with the Vice President for Student Affairs & Dean of Students to review the sanctions only, not the determination of responsibility. The Vice President for Student Affairs & Dean of Students may affirm, reverse or modify the sanctions.

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## **VII. FRATERNITY/SORORITY LIFE**

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### **INTRODUCTION**

This section of the Student Handbook serves as a supplemental addition to sections of this publication. Below are features of fraternity/sorority life that are of interest to current Greek members and others who are considering joining a fraternity or sorority.

### **USE OF THE TERM "FRATERNITY"**

The word "fraternity" is commonly used to denote brotherhoods and sisterhoods. Although the term "sorority" is commonly used for women's organizations, the term "women's fraternity" or "fraternity" is commonly applied as well. Throughout this section the terms will be used interchangeably. In some cases the term will show common characteristics of men's and women's groups, and in some cases it will denote differences.

It should be assumed that "fraternity" applies to both male and female groups unless preceded by the term "men's" or "women's".

### **THE HISTORY OF FRATERNITY/SORORITY CHAPTERS AT OHIO NORTHERN**

In May of 1886, Henry Solomon Lehr was approached by a committee of male students seeking permission to organize a fraternity on campus. Lehr knew little about fraternities; there had been none at Mt. Union when he was a student there, and he was uncertain about just what a fraternity was and the implications of the Greek system. The men assured him that a fraternity was an organization "similar to the Masons" and other secret orders. Without consulting his associates, Lehr somewhat casually gave consent to the men students . . . a decision he later regretted. His associates did not approve of the fraternity idea, and Lehr received much criticism from those associates and the anti-fraternity students on campus, especially the literary societies.

The literary societies had fought hotly among themselves, but at last they found common ground in their opposition to fraternities. The fraternity was a chapter of Kappa Sigma, and when the chapter made a mass

appearance at chapel one day a riotous demonstration occurred. Unaware of the hornets he had stirred up, Lehr was unprepared for the reaction of the anti-fraternity element on campus. As he later wrote, "You may well imagine my surprise when one Monday morning, 18 students marched into chapel wearing the insignia of the order, and to hear them hissed, hooted and insulted in various ways."

The "antis" contended that the fraternity was undemocratic and would injure the literary societies; the Greeks retorted that their opponents were just a bunch of sore heads, jealous because they were not asked to join the fraternity. "The fight waxed hot, exceedingly hot," Lehr said sadly. Temporarily forgetting their animosities to combat a common enemy, the literary societies promptly met in joint sessions and added an amendment to their by-laws forever prohibiting a fraternity man from becoming a member of any literary group. The fraternity was disbanded, and it was 1903, 17 years later, before another fraternity surfaced at Ohio Northern.

The honeymoon was short-lived. When Dr. Albert E. Smith became president in 1905, he again outlawed fraternities, making membership grounds for expulsion from the University. The Greeks were hard to remove, however, and managed to survive official hostility and economic travail. Over the years, the administration's frown gradually became a smile, and fraternities today are more often praised than criticized.

In 1959 three local sororities affiliated with national organizations, and in 1966 one additional sorority became national. In 1994, a fifth sorority was chosen through the expansion process. At the present time, the University's four sororities and six fraternities are nationwide in membership.

#### **OHIO NORTHERN UNIVERSITY'S STATEMENT OF POLICY FOR FRATERNITY/ SORORITY CHAPTER RESPONSIBILITIES**

Fraternities/Sororities are expected to encourage high standards of leadership, scholarship, character, conduct, service, and social education. The proposal for the formation of any 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), Student Senate and the University Student Activities Committee.

Each Fraternity chapter may set its own standards of membership except that they may not conflict with University, Interfraternity or Panhellenic Councils, or their national organization's regulations. No one 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 2.25 cumulative GPA for either high school or college, whichever is most recent. Each chapter shall have at least one faculty/staff advisor, who is an employee of Ohio Northern University, who attends chapter meetings and advises the membership about chapter activities. Each chapter is encouraged to have an active alumni board or house corporation, which is concerned with the operation of the chapter and with proper maintenance of the chapter house.

Each chapter shall be expected to observe all federal, state, and local laws, Fraternal Information and Purchasing Group (FIPG) guidelines, and the rules and regulations of the University. Any event an observer would associate with the fraternity in which more than a few members—active, alumni, pledged or any combination of member statuses--or pledged members are involved in an event, it will be considered a chapter event.

#### **ALCOHOL - GREEK HOUSE POLICIES**

Alcohol may be possessed or consumed in the private areas (individual rooms with the door closed) of Fraternity houses by active fraternity members, new members, alumni, and advisors of the house if they are of legal age, in accordance with the specific requirements of each fraternity's national organization. Alcohol is not permitted in

the common areas of any Fraternity house at any time. 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.

### **CAPACITIES OF GREEK HOUSES**

University approved capacity; capacities may not be changed without University approval. Greek houses are expected to be at full capacity during fall and spring semesters.

Alpha Sigma Phi – 36

Alpha Xi Delta - 32

Delta Sigma Phi - 40

Delta Zeta - 32

Kappa Alpha Theta – 48

Phi Gamma Delta - 32

Phi Mu Delta - 48

Sigma Phi Epsilon - 22

Theta Chi - 32

Zeta Tau Alpha - 18

### **END OF THE YEAR CLOSING OF HOUSES**

At the end of the academic year, each fraternity is responsible for leaving the house in a clean and orderly condition which 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 other designee.

### **EVENT POLICY**

Fraternities host a variety of events throughout the year in order to achieve the values and ideals of their organizations. For each event, chapters are responsible for the enforcement of University policy for chapter members, new members, alumni and guests. No chapter events, including those for which an Event Notification Form is not required, are permitted for the following times:

- Move-in Weekend (both semesters)
- Weekend before final exams begin (both semesters)



- Weekend following final exams (both semesters)
- University breaks

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.

### **Event Notification Form**

Each group sponsoring/hosting/co-hosting an event in which individuals from outside of the organization are expected to be present must turn in an Event Notification Form with all necessary signatures and information to the Office of Student Involvement one (1) week prior to the event. This includes, but is not limited to, social events, alumni/alumnae events, and family events.

In addition to filling out an Event Notification Form for events sponsored/hosted/co-hosted by a chapter in which individuals from outside of the organization are expected to be present, any chapter sponsoring/hosting/co-hosting such an event where alcohol is present must also have a faculty/staff advisor or representative present. (Reminder: With the exception of events at the University Inn, events with alcohol are not permitted on the campus of Ohio Northern University). A faculty/staff advisor or University representative must be present throughout the duration of the event when alcohol is present.

The Event Notification Form does **NOT** need to be completed for educational sessions (including sessions for the Standards of Excellence such as educational, risk management and academic sessions), recruitment activities, philanthropic projects, or community service events unless alcohol will be present at the event.

A copy of the Event Notification Form can be obtained from the Office of Student Involvement [website](#).

### **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. Any possession or use of kerosene, gasoline, naphtha, benzene, or any other similar materials in or around the Greek houses is forbidden. Paints, solvents, and cleaning fluids which are flammable must be stored in an approved metal cabinet away from any source of heat.

### **FRATERNITY HOUSE OWNERSHIP AND LEASES**

Fraternity houses located off the campus of Ohio Northern University 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.

## **FRATERNITY MEMBERSHIP**

Both the Interfraternity Council (IFC) and the Panhellenic Council (PHC) govern the rules under which new members are invited to join fraternities at Ohio Northern University. Eligibility and decisions for membership are made by the individual chapters based on recruitment guidelines prepared by the Interfraternity and Panhellenic Councils and the governing national organizations. A calendar of recruitment activities and information about respective chapters are published each year in pamphlets prepared by both the Interfraternity and Panhellenic Councils. These pamphlets are available from any Greek chapter, Greek council, or from the Office of Student Involvement.

## **GREEK HOUSING POLICY AND ELIGIBILITY**

Greek Houses, both on and off campus, and portions of the Affinity Village are considered University housing. Students residing in Greek houses will represent the entire fraternity in their actions. Greek housing exists to cultivate customs which will create the best possible context for student living and strive to attain the ideal of the fraternal community in its finest sense.

Thus, the same requirements for on-campus housing apply to Greek houses. Sorority floor housing in Lima Complex (Brookhart Hall) is considered Greek housing for purposes of this housing policy. Housing commitments are for the entire school year. Residents are not permitted to move from residence halls to Fraternity/Sorority housing, or to off-campus housing, nor from Fraternity/Sorority housing to off-campus housing at any time during the academic year. Exceptions to this policy must be given in writing by both the Director of Residence Life and the Director of Student Involvement.

The University recognizes an interrelated obligation in the operation of a fraternity house which must be fulfilled if fraternities, which house members, are to provide a meaningful and satisfying house experience. The University may enter fraternity premises and buildings at all reasonable times to make such inspections as it deems necessary and to determine compliance by each fraternity with conditions of University policy and terms of leases.

It is assumed that fraternity houses will be open with students occupying the houses during fall and spring semesters.

1. To be eligible to move into a fraternity house, a member must be a full-time returning/transfer student at Ohio Northern University; be carrying 12 credits or more; be currently enrolled in a program of study leading to a degree; and have a 2.25 cumulative GPA. All of these requirements must be fulfilled at the time the chapter submits housing rosters for the following academic year. No person who is under suspension, or who has been dismissed from the University for academic or disciplinary reasons, may live in a Greek house. If a student withdraws from the University at any point during the academic year, the student may no longer reside in a Greek house. Only registered students may reside in a Greek house. Students living in Greek houses that are suspended or expelled during a term must vacate within 24 hours. No exceptions will be made to this regulation.
2. It is most desirable that the fraternity fill its house with active members. If this is not possible, other qualified students may be housed, but they must agree to abide by all rules for fraternity living and have permission of the Office of Student Involvement. Under no circumstances shall a fraternity advertise for tenants in public media or rent rooms indiscriminately to all comers.

3. 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. An individual must still seek approval from the Director of Residence Life if interested in residing off-campus.
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 healthful 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. It is suggested that fraternities have written contracts or leases with all residents fully specifying the terms of occupancy, services included, etc. Pertinent sections of the house rules, as referred to in #4, 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. 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.
8. 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 alcoholic beverages, and social events.

## **HAZING POLICY**

Ohio Northern University, all national Greek organizations, the State of Ohio, the Panhellenic Council, the Interfraternity Council, and the Office of Student Involvement prohibit hazing. 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. For additional information, refer to HAZING, Appendix R, Article 3.

## **ICE MACHINES**

Although it is intended that the ice machines in the residence halls are for hall residents only, efforts will be made to assist fraternities in obtaining ice when needed. If a fraternity wishes to obtain ice from one of the hall machines, a request must be made to the Resident Director of the hall directly. Under no circumstances should a machine be totally cleaned of all its ice nor should ice be taken without permission.

## **INSPECTIONS – LIVING CONDITIONS**

The University Board of Trustees has taken action to ensure that the Office of Student Affairs establishes high standards of cleanliness and safety for all residence units, plus develops and enforces whatever regulations are necessary to ensure that high standards are maintained in all Residence Halls and Greek houses.

In keeping with this action, an inspection system is in effect that calls for semester inspections of all Greek facilities. The Greek house inspections occur each semester and during the summer, and involve appropriate fraternity officers, as well as the Life Safety Committee members which may be represented by the Department of Public Safety, the Physical Plant, the Office of Residence Life, Office of Student Conduct and the Office of Student Involvement. The inspections are scheduled in advance with chapter presidents.

The first failed inspection will result in a warning letter that will be issued to the chapter and a plan-of-action must be submitted by the chapter for each deficient item. If the repairs needed are extensive, a chapter may submit a request for a time extension to the Office of Student Involvement. The time extension will be reviewed by the Life Safety Committee for approval.

The second successive failure will result in the following actions: prohibition of all 'chapter-house social events' until the identified facility problems are corrected (as determined by the Life Safety Committee), 90% of the membership must attend a Life Safety Program, and the chapter's national office will be notified.

The third consecutive failed inspection could result in the following actions: recommendation to close the facility to the University Vice Presidents and/or a State Inspection of the facility. If serious violations of cleanliness, health and/or safety are found during any inspection, the University may close the house until the problems are repaired.

## **LAUNDRY**

It is suggested that each house has laundry facilities available to the members.

## **MEALS**

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.

## **NEW MEMBER EDUCATION/PLEDGING**

To promote good scholarship, the term of new member education will be no more than 8 weeks. The 8 weeks of the new member education period will begin counting down the first full business day after bids are accepted by new members. (i.e. If bids are handed out on Thursday and accepted Friday or throughout the weekend, the 8 week countdown will start on the following Monday). Full weeks of university recess will not be included in the new member process; however partial weeks will be included. No new member education or pledging activity may take place during a full week of university recess, finals week, or the week prior to finals week.

The entire new member education plan, including initiation dates, must be told to the new member/pledge class upon starting New Member Education. Each fraternity is also required to provide a written copy of the chapter's new member education plan to the Office of Student Involvement. The plan must be received 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: name of event, date of event, start time and end time of the event, location of the event,

individuals to be present, a brief description of the event, and the name and contact number of the responsible party for the event. These events include but are not limited to, pledging and 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.

## **NOISE AND STEREOS**

In order to provide a good atmosphere for study and sleep, loud noises and stereos should be kept to a minimum. Consideration for fraternity and village residents, as well as for the occupants of University buildings, should be observed at all times. Stereo speakers should be kept inside and facing into the house.

In the event of a stereo, other sound system, or creation of other audible disturbances, sanctions will be imposed on the owner/s of the stereo and chapter.

## **PETS**

For sanitary reasons and out of consideration for other residents and for the welfare of pets, no pets, animals, or lab specimens are permitted in University Housing. Fish are the exception, but aquariums are limited to 20 gallons in size and must be removed from campus over extended University vacations. Illegal pets will result in immediate removal by Hardin County Animal Services (Humane Society/Dog Control). Service dogs are an exception to this policy and are allowed in any University building. Emotional Support Animals are an exception to this policy and must follow the established Emotional Support Animal policy. For additional information see **Appendix D**.

## **PHYSICAL PLANT**

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.

## **ROOF USE POLICY**

For safety reasons, students are not permitted on the roofs of the Greek houses (see ROOF AREAS).

## **ROOM SELECTION – SORORITY FLOORS**

A designated area is set aside in Lima Complex (Brookhart Hall) for a sorority wing. On this floor, members are allowed to block-book the number of rooms necessary to house members. The assignment of rooms within this area, and decisions relative to which sisters live in the house/wing, are developed by each chapter. Approval by the Director of Residence Life is necessary and contingent on University policies being properly followed.

Living on a sorority floor is considered the same as Greek housing for purposes of the priority system described in the University housing policy.

## **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 [website](#).

## **SUMMER FRATERNITY/SORORITY HOUSING**

Special provisions are necessary by fraternities for securing University permission to operate during the summer. This permission must be applied for by May 1<sup>st</sup> of the preceding spring term from the Office of Student Involvement via e-mail at [greeklife@onu.edu](mailto:greeklife@onu.edu).

Application must include:

1. 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.
2. The name and contact information of the officer or member designated by the chapter to be responsible for summer residents.
3. Signature of the Alumni or faculty/staff Advisor

### **Incomplete applications will not be considered.**

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](mailto: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.

## **TOBACCO AND SMOKING POLICY**

In accordance with the laws of the State of Ohio and Ohio Northern University, the use of tobacco products is not permitted within any of the Greek houses (see TOBACCO AND SMOKING POLICY).

## **USE OF UNIVERSITY FACILITIES**

At times, Greek 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, or information may be acquired by contacting the Information Desk in McIntosh Center. Greeks may occasionally wish to use residence hall lounges for non-alcoholic events or meetings. Permission to use these facilities should be requested from the Director of Residence Life. Responsibility for proper clean-up will rest with the group using the space.

## APPENDIX A: STUDENT RECORDS

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### **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;
- Security records; and,
- Medical and counseling 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.



*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. Written consent must be obtained from students who are at least eighteen years old or from the students' parent or legal custodian, if the student is under eighteen years old. Educational records, with the exception of those social disciplinary records involving misconduct under ONU's Student Code of Conduct, will not be disclosed to either parent of a student who is at least eighteen years old 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:
  - FELP 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, within two weeks of the first day of the fall term. 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.

## **Students' 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

## APPENDIX B: SEX DISCRIMINATION POLICY

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### 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.<sup>1</sup> 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 transgendered.<sup>2</sup>

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.<sup>3</sup>

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<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.<sup>4</sup>

## 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 express 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:

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<sup>4</sup> See Section III.B below for contact information.

- **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 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.<sup>5</sup>

**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.<sup>6</sup>

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,

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

<sup>6</sup> 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.

intimidation, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature.

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 Tonya Paul, Director of Human Resources, at (419) 772-3106, 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

**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  
Anthony Rivera – Director (a-rivera@onu.edu),  
Rebecca Diller – Assistant Director (r-diller@onu.edu),

Marcia Kostoff – Mental Health Counselor (m-kostoff@onu.edu), or  
Marcey Bell – Mental Health Outreach Coordinator (m-bell.5@onu.edu).

ONU Health Center  
(419) 772-2086  
Karen Schroeder – Director (k-schroeder.5@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.<sup>7</sup> 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.

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<sup>7</sup> 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.<sup>8</sup>

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.

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.

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

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 10 days 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, at least 10 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:

##### ***A. 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.

***B. 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.

***C. 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 five (5) 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.<sup>9</sup>

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.

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.

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

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.

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## **A. Mission of the SBI Team**

The Student Behavioral Intervention (SBI) 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 SBI Team works to identify, respond to, work through, and where possible prevent crisis situations. The ultimate goal of the SBI 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.

## **B. Student Behavior of Concern**

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

- a) Instances where a student engages, or threatens to engage in behavior which poses a danger of causing physical harm to self or others;
- b) 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;
- c) Instances where a student engages in non-lethal self-injurious behavior;
- d) Instances where a student is hospitalized or evaluated for hospitalization as the apparent result of alcohol use, drug use, severe depression or suicide attempt;
- e) Noticeable and dramatic changes in day-to-day behavior (e.g., suddenly begins missing classes, grades significantly drop, declining personal care);
- f) Life changing events such as a death of a loved one, break-up, divorce; and/or
- g) Writings, including online postings, that communicate dangerous intentions to self or others.

## **C. Structure of the SBI Team**

The SBI Team consists of:

- a) Vice President for Student Affairs & Dean of Students
- b) Director of Residence Life and/or designated representative
- c) Director of Student Conduct
- d) Director of Multicultural Affairs
- e) Director of Counseling and/or designated representative
- f) Director of Public Safety and/or designated representative
- g) Director of Student Health Services
- h) University Chaplain
- i) Vice President for Academic Affairs and/or designated representative

In addition, consulting members may participate on an “as needed” basis depending on the individual situation and may include, but not limited to:

- Assistant Director of Financial Aid
- Director of Student Involvement
- International Services Coordinator
- Human Resources designated representative

The Vice President for Student Affairs & Dean of Students chairs the SBI Team. In the absence of the Vice President for Student Affairs & Dean of Students, a designee will be selected from the permanent team to serve as interim chair.

A quorum of SBI Team members is not required to engage in discussions regarding any matter before the SBI Team, or to make recommendations to the Vice President for Student Affairs & Dean of Students regarding an SBI Team matter.

The Vice President for Student Affairs & Dean of Students or designee will make the final determination concerning SBI Team procedures and outcomes.

#### **D. Sharing Information with the SBI Team**

The SBI Team is able to operate optimally when the Ohio Northern University community shares information appropriately. Any University employee or student who becomes aware of a situation stated in the above instances or has similar concerns should complete a Student of Concern Referral. The Student of Concern Referral to the SBI Team is available at the following link:

[https://my.onu.edu/office\\_of\\_student\\_conduct/student\\_of\\_concern\\_referral\\_form](https://my.onu.edu/office_of_student_conduct/student_of_concern_referral_form)

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 semester, the Vice President for Student Affairs & Dean of Students will send a notice to faculty, staff, and students through appropriate 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. The SBI Team does not replace faculty classroom management, student conduct processes, and/or Office of Public Safety responses to incidents. The SBI Team provides an additional opportunity to report individuals exhibiting distressed, threatening, or dangerous behaviors.

#### **E. Review of Information and Individualized Assessment**

Upon being made aware of a student issue, the Vice President for Student Affairs & Dean of Students or designee 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 SBI Team. Additionally, the Vice President for Student Affairs & Dean of Students or designee 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 Counseling or an appropriate external evaluator chosen by the SBI Team. The evaluator will share general information and the outcome of the evaluation with the SBI Team through the Vice President for Student Affairs & Dean of Students with the student's written consent. If the student fails to provide written consent, the SBI Team process will move forward using the best information then available.

#### **F. Withdrawal of a Student**

If, based on the information reviewed by the SBI Team and/or the results of the individualized assessment, a separation from the community is warranted, the Vice President for Student Affairs & Dean of Students or designee 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, the Vice President for Student Affairs & Dean of Students or designee may need to place the student 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 SBI 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 Vice President for Student



Affairs & Dean of Students may consult with the appropriate Academic Dean, the Counseling Center, Health Services, and/or the 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 Vice President for Student Affairs & Dean of Students 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.

#### **G. Parental Notification**

Ohio Northern University believes that family plays an essential role in the educational process, and may, at its discretion, inform parents/guardians if the SBI Team is concerned about the personal safety or well-being of their dependent student.

## **APPENDIX D: EMOTIONAL SUPPORT ANIMALS**

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### **EMOTIONAL SUPPORT ANIMAL POLICY AND AGREEMENT**

Ohio Northern University (“ONU” or the “University”) recognizes the importance of providing reasonable accommodations in its housing policies and practices where necessary for individuals with disabilities to fully participate in the University housing program. This Policy explains the specific requirements and guidelines which govern requests for reasonable accommodations in University housing. ONU reserves the right to amend this policy at any time as circumstances require.

Although it is the policy of ONU that individuals are generally prohibited from having animals of any type in University housing, ONU will consider a request by an individual with a disability for reasonable accommodation from this prohibition to allow an Emotional Support Animal (“ESA”) that is necessary because of a disability and reasonable. However, no ESA may be kept in University housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this policy. In addition, no more than one ESA will be approved to live in University housing.

#### **I. Definitions**

##### **A. Emotional Support Animals**

Emotional Support Animals are a category of animals that provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual’s disability, but which are not considered Service Animals under the ADA and ONU’s Service Animal Policy. Some ESAs are professionally trained, but in other cases ESAs provide the necessary support to individuals with disabilities without any formal training or certification. Dogs are commonly used ESAs, but any requested animal may be considered. However, even if the individual with a disability establishes necessity for an ESA and it is allowed in University housing, an ESA is not permitted in other areas of the University (e.g. dining facilities, libraries, academic buildings, athletic building and facilities, classrooms, labs, individual centers, etc.).

##### **B. Owner**

The “Owner” is the individual who has requested the accommodation and has received approval to bring an ESA into University Housing.

##### **C. Student Disability Coordinator**

The Student Disability Coordinator collaborates with individuals, faculty, and staff to ensure that individuals with disabilities have equal access to all ONU programs and activities.

#### **II. Procedures for Requesting Emotional Support Animals in University Housing**

The procedure for requesting an ESA follows the general procedures set forth in the Reasonable Accommodation Policy for University housing (“Reasonable Accommodation Policy”) and the requirements set forth below. However, to the extent the requirements and procedures in this Policy conflict with the Reasonable Accommodation Policy, this Policy shall control.

### **III. Criteria for Determining if Presence of the Emotional Support Animal is Reasonable**

A. For all ESA requests, the Student Disability Services office shall consult with the Department of Residence Life in making a determination on a case-by-case basis of whether the presence of an ESA is reasonable. A request for an ESA may be denied as unreasonable if the presence of the ESA: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University housing policies; and/or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property.

B. ONU will ask for documentation to show the need for an ESA from either a licensed Mental Health Professional or attending physician.

C. ONU may consider the following factors, among others, as evidence in determining whether the presence of an ESA is reasonable or in the making of housing assignments for individuals with ESAs:

- 1) The size of the ESA versus the size of the assigned housing space;
- 2) Whether the ESA's presence would force another individual from individual housing (e.g. serious allergies);
- 3) The effect of the ESA's presence on other individuals' right to peace and quiet enjoyment of their assigned housing space;
- 4) Whether the ESA is housebroken and/or able to live with others in a reasonable manner;
- 5) The age, maturity, and training of the ESA;
- 6) The ESA's vaccination status;
- 7) Whether the ESA could pose or has posed in the past a direct threat to the Owner or others, including by exhibiting aggressive/threatening behavior towards or injuring the Owner or others;
- 8) Whether the ESA could cause or has caused excessive damage to housing beyond reasonable wear and tear; or
- 9) Whether the Owner or ESA violates current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals.

D. ONU will not limit room assignments for individuals with ESAs to any particular building or buildings because the individual needs an ESA because of a disability.

### **IV. Access to University Facilities by Emotional Support Animals**

#### **A. Emotional Support Animals (ESA)**

An ESA must be contained within the privately assigned individual living accommodations (e.g., room, suite, apartment) except to the extent the Owner is taking the animal out for natural relief. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESAs are not allowed in any University facilities other than University residence halls (e.g. residence halls, suites, apartments, etc.) to which the Owner is assigned.

#### **B. Dominion and Control**

Notwithstanding the restrictions set forth herein, the ESA must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the ESA to go loose or run at large. If an ESA is found running at large, the ESA is subject to capture and confinement and immediate removal from University housing.

## **V. Individual's Responsibilities for Assistance Animal**

If the University grants an individual's request to live with an ESA, the Owner is solely responsible for the custody and care of the ESA and must meet the following requirements:

### **A. General Responsibilities**

- 1) The Owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the ESA has been licensed.
- 2) The Owner is required to clean up after and properly dispose of the ESA's waste in a safe and sanitary manner.
- 3) The Owner is required to ensure the ESA is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the ESA and/or discipline for the Owner.
- 4) The ESA must be properly housed/caged when the Owner is away from his/her residence. The ESA must be removed from campus during all break periods in which the Owner is away from campus. Any ESA found on campus not in compliance with this provision may be subject to removal or impounding by Hardin County Animal Services. The Owner and/or anyone found to be in violation of this provision may be subject to disciplinary action from the University.
- 5) ONU will not ask for or require an Owner to pay a fee or surcharge for an approved ESA.
- 6) An Owner may be charged for any damage caused by his or her ESA beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the University's standard by the University's Physical Plant. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a university-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
- 7) The Owner must fully cooperate with University personnel with regard to meeting the terms of this Policy and developing procedures for care of the ESA (e.g., cleaning the ESA, feeding/watering the ESA, designating an outdoor relief area, disposing of feces, etc.).
- 8) The Owner is not permitted to bathe ESAs in University owned facilities including, but not limited to, bathrooms or kitchens.
- 9) ESAs may not be left overnight in University housing to be cared for by any individual other than the Owner. If the Owner is to be absent from his/her residence hall overnight or longer, the ESA must accompany the Owner. The Owner is responsible for ensuring that the ESA is contained, as appropriate, when the Owner is not present during the day while attending classes or other activities.
- 10) The Owner agrees to abide by all equally applicable residential policies that are unrelated to the Owner's disability such as assuring that the ESA does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there. 11) The ESA is allowed in University housing only as long as it is necessary because of the Owner's disability. The Owner must notify the Student Disability Coordinator in writing if the ESA is no longer needed or is no longer in residence. To

replace an ESA, the new ESA must be necessary because of the Owner's disability and the Owner must follow the procedures in this Policy and the Reasonable Accommodation Policy when requesting a different ESA.

12) ONU personnel shall not be required to provide care or food for any ESA including, but not limited to, removing the ESA during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the ESA and may not be held responsible for the care, damage to, or loss of the ESA.

13) The Owner must provide written consent for the Student Disability Coordinator to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the ESA including, but not limited to, the Office of Residence Life, The Office of Student Conduct, Physical Plant, and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the ESA and shall not include information related to the Owner's disability.

14) The Owner must provide in writing the name of an emergency contact to care for the ESA in case of an emergency. This individual cannot be another resident in the dorm. Should the ESA be removed from the premises for any reason, the Owner is expected to fulfill her/his housing obligations for the remainder of the housing contract.

15) The University's Office of Residence Life has the authority to relocate the Owner and the ESA as necessary per current contractual agreements.

## **VI. Removal of Emotional Support Animal**

The University may require the Owner to remove the ESA from University housing if:

- 1) The ESA poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
- 2) The ESA's presence results in a fundamental alteration of a University program;
- 3) The Owner does not comply with the Owner's Responsibilities set forth above;
- 4) The ESA or its presence creates an unmanageable disturbance or interference with the University community; or
- 5) ESAs that are being removed must be out of the residence within thirty-six (36) hours of written notification from the Student Disability Coordinator and/or Director of Residence Life. Failure to remove the ESA within the allotted time frame may result in University officials removing the ESA.

The University will base such determinations upon the consideration of the behavior of the particular ESA at issue, and not on speculation or fear about the harm or damages an ESA may cause. Any removal of the ESA will be done in consultation with the Student Disability Coordinator and the University's Office of Residence Life and may be appealed to the Vice President for Student Affairs & Dean of Students. All appeals must be completed in writing and turned in to the Student Disability Coordinator who will turn the appeal over to the Vice President for Student Affairs & Dean of Students for a final decision.

## **VII. Non-Retaliation Provision**

ONU will not retaliate against any person because that individual has requested or received a reasonable accommodation in University housing, including a request for an Emotional Support Animal.

My signature below verifies that I have read, understand, and will abide by the requirements outlined here and I agree to provide the additional information required to complete my Request for a Reasonable Accommodation under the University's Emotional Support Animal Policy for University Housing.

**VIII. Policy and Updates**

This ONU policy supersedes any previous policies prior to January 2019. ONU also reserves the right to amend or change the policy at any time, but will notify students of any such changes.

**Acknowledgement and Release of Information Consent Form**

I have read and understand the Emotional Support Animal Policy and Agreement and I agree to abide by the requirements applicable to Emotional Support Animals. I understand that if I fail to meet the requirements set forth in the Policy, ONU has the right to remove the Emotional Support Animal.

I furthermore give permission to the Student Disability Coordinator to disclose to others impacted by the presence of my Emotional Support Animal (e.g., the Office of Residence Life, Physical Plant, Office of Student Conduct, potential and/or actual roommate(s)/neighbor(s)) that I will be living with an Emotional Support Animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the Emotional Support Animal and/or resolving any potential issues associated with the presence of the Emotional Support Animal.

I further recognize that the presence of the Emotional Support Animal may be noticed by others visiting or residing in University Housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances Emotional Support Animals are permitted for persons with disabilities.

\_\_\_\_\_  
Individual Printed Name

\_\_\_\_\_  
Student ID Number

\_\_\_\_\_  
Individual Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Disability Coordinator

\_\_\_\_\_  
Date

## APPENDIX E: DISCIPLINARY PROCEDURE FOR NON-ACADEMIC VIOLATIONS

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### 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.

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### ARTICLE I: REPORTING VIOLATIONS OF THE STUDENT CODE OF CONDUCT

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#### Section 1: Student Conduct Coordinator

- A. 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. 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**

- A. 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:
  - 1. 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.
  - 2. 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.
  - 3. 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.

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**ARTICLE II: THE UNIVERSITY DISCIPLINARY BOARD**

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**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.
- 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.
  3. 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.
  4. Notice of Decision: Within five (5) university business days of receiving the report, the SCC will mail the results to the accused student. Where the complaint involves

sexual misconduct, the victim is entitled to receive the decision and sanction imposed by the Disciplinary Board in writing and has a right to appeal any decision and be notified of the status of any appeal.

5. Administration of Sanctions: Sanctions shall be administered by the SCC 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.
6. 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**

- A. 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.
- B. 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.

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**ARTICLE III: APPEALS**

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**Section 1: Filing the Appeal**

- A. A student may appeal an adverse decision of the Disciplinary Board or the Student Affairs Administrator to the University Board of Appeals.
- B. Complainants have the right to request an appeal of an adverse decision only in situations involving allegations of harassment and discrimination.
- C. The appeal must be made in writing to the SCC within five (5) university business days from when the student receives the written decision of the Disciplinary Board, including the day on which the student receives the written decision.
- D. If an appeal is not filed within this timeframe the right to appeal is waived and the original resolution becomes final.

**Section 2: Review and Approval of the Appeal**

- A. The appeal will be reviewed by the Chair of University Board of Appeals for scope. The scope of the appeal, as identified by the Appellant, will be limited to the following:
  - 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.
- B. The Chair of the University Board of Appeals will have five (5) university business days to determine the permissibility of the appeal.
- C. If an appeal is denied by the Chair of the University Appeals Board, the Appellant will be notified in writing within five (5) university business days and the SCC will retain a record of the denial. Denial of the appeal means the disposition of the complaint by the hearing body is upheld.
- D. If an appeal is permitted by the Chair of the University Board of Appeals, the appellant will be notified in writing within five (5) university business days. An appeal finding will be promptly scheduled by the SCC with the University Board of Appeals.

**Section 3: University Board of Appeals Membership**

- A. The University Board of Appeals consists of eight members. The President of the University shall appoint two members of the Board of Trustees and two university administrators; the university faculty shall elect two members of the faculty; and the Student Senate shall select two students to serve on the Board of Appeals. The members of the Board of Appeals shall select from among its number a Chair/Presiding Officer and a Secretary who shall keep a record of the appeal finding discussion.

**Section 4: University Appeals Board Procedure**

- A. The Appellant shall prepare a written statement of the appeal, including all relevant information and arguments, not to exceed five (5) pages, and deliver it to the SCC within five (5) university business days of receipt of the notice that permission to appeal was granted, including the date of receipt.
- B. The SCC shall see that the statement is promptly delivered to the Board of Appeals, the Appellee, and the Chair of the Disciplinary Board.
- C. The Appellee shall have five (5) university business days, including the date of receipt, to respond in a writing of no more than five (5) pages to the statement of the Appellant. This statement shall be delivered to the SCC, who shall provide copies to the Appeals Board, the appellant and the Chair of the Disciplinary Board.
- D. Following the appeal finding discussion, the Board of Appeals shall decide the matter by upholding the decision of the Disciplinary Board, reversing the decision with regard to responsibility, and/or modifying the sanction. The Board of Appeals shall render its

decisions by a simple majority vote of the members present and voting so long as at least five members of the Board are present. The decision of the Board of Appeals is final.

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#### **ARTICLE IV: PUBLIC INFORMATION**

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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**

- A. 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:
1. 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.
  2. 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.
  3. 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.
  4. 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.
  5. Dismissal. Dismissal requires the student to leave campus and he/she may not re-enroll at the University.

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#### **ARTICLE VI: SANCTION GUIDELINES**

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A. Sanctions are imposed according to the level of the offense. Each offense is assigned a level, and each level recommends the sanctions detailed below:

Level I Offense– Suspension or Dismissal

Level II Offense– Probation or Restriction

Level III Offense – Warning or Education Component

B. Offenses are divided into the following 3 levels:

**Level I**

**Dismissal, Suspension, Withheld Suspension, Social Probation, No Contact Order, Restriction, Restitution, Notification to Others, Educational and Other Sanctions**

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

Sex Discrimination Policy

Theft

University Affiliated Group & Organization policies

Violation of Law

Participating as an accessory to a Level I offense

Second Level II offense

Other



## **Level II**

### **Social Probation, No Contact Order, Restriction, Restitution, Notification to Others, Educational and Other Sanctions**

Alcohol Policy Violation

Computers/Technology (including violation of University internet agreement)

Conduct that Creates a Safety Hazard

Damages to University Property

Disorderly Conduct

Gambling

Guests

Motor Vehicle Regulations

Pet Policy

Theft

Tobacco and Smoking

University Affiliated Group & Organization policies

Participating as an accessory to a Level II offense

Third Level III offense

Other

## **Level III**

### **Verbal Warning, Letter of Warning, Notification to Others, Educational and Other Sanctions**

Computers/Technology (including violation of University internet agreement)

Misuse of Phones (fraudulent and prank calls)

University Affiliated Group & Organization policies

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

Second Level III Offense

Other

## ARTICLE VII – STUDENT CONDUCT PROCEDURES FLOW CHART

Board of Appeals  
Members are elected and selected by faculty, students and the President of the University. Officers are elected by the membership.

**University  
Board of Appeals**

Chair of Board of Appeals determines if appeal request meets criteria, otherwise UDB decision is final.

**Chair of  
Board of Appeals**

Student may appeal Board decision.

Student/faculty Board decides responsibility and/or sanctions.

**University Discipline Board**  
Decides responsibility and/or sanctions

**Director of Student Conduct**

Meeting to resolve matter without a hearing.

All Students

**Student Conduct  
Coordinator**

**Complaints**

Students

Faculty/Staff

Public Safety

Community

## APPENDIX F: CODE OF STUDENT ACADEMIC CONDUCT

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### 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.
  - a. 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

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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 discuss the grade with the faculty member(s) who assigned the grade no later than the fifth (5<sup>th</sup>)/second (2<sup>nd</sup>) \*\*class day after the final grade for the course was assigned/posted. 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. The appeal must be made in writing within two (2) class days to the department chair or dean where no departments exist. A response will be provided to the student within two (2) class days. If the matter has not been resolved by the department chair to the student's satisfaction, the student must appeal within two (2) days to the dean of the college in which the course is offered. Upon receipt of the written appeal, the dean will inform the Grade Appeals Committee that a grade appeal procedure has been initiated.
2. 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 involved by the faculty member that issued the disputed grade.
3. 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, chair and dean, determine if the grade was assigned unfairly or erroneously and make a recommendations to the faculty member within four(4)/two (2) class\*\*days. 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.
4. The faculty member has the sole responsibility to determine the final grade for the course. The department chair, dean or 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 Grade Appeals Committee shall issue a letter to the student giving the findings of the Grade Appeals Committee. 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.
5. 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.
6. 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

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### **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**

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).

The following are the procedures to be followed when a student requests accommodation for a disability:

1. 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.
3. The Student Disability Coordinator reviews written diagnosis and recommendations and establishes accommodations plan for student.

4. Student is informed of accommodation plan. Student who believes plan is inadequate is entitled to appeal.
5. 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

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### 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**

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### **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

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### 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**

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### **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**

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### ***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:

(b) the day on which the chair of the ad hoc committee made the delivery referred to in section (B)(4) or

(c) 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**

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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.

Procedures for handling traffic appeals will be as follows:

1. 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.
2. 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.
3. The Traffic Appeals Committee will meet on a regular basis at intervals determined appropriate by the Committee.
4. Students must appear in person at the scheduled meeting of the Traffic Appeals Committee following the issuance of the ticket.
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 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.
7. 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

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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 to 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**

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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 31<sup>st</sup> through September 1<sup>st</sup>). 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.
5. 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

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### **Policy:**

All users of University computing resources must comply with all federal, Ohio, and other applicable law; all general applicable University rules and polices; 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:

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.

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.

Users must take all reasonable precautions, including responsible password maintenance and file access protection measures to prevent use by unauthorized persons.

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.

Users may not make available copyrighted material without prior written authorization from the owner or owner's designated representative.

Users may not access, copy, or move any proprietary file(s) without prior written authorization from the owner.

Users may not attempt to intercept, alter, or misrepresent their identity in network communications or electronic messages.

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.

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 crossposting in USENET groups.

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

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### PREAMBLE

Students, faculty and staff comprise the Ohio Northern University community. In order to provide a safe and healthy learning community for all, community members must respect each others' rights, health, property, and participation.

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### Article 1: ALCOHOL AND OTHER DRUGS

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#### **Policy:**

The unlawful use, manufacture, possession, consumption, sale or distribution of alcohol is prohibited on University property or at any functions associated, officially or unofficially, with the University. Alcohol that is possessed, available, distributed or consumed in violation of University policy or state or local laws will be immediately confiscated. Alcohol containers that are possessed, available, distributed or consumed during gatherings will be confiscated. University or organizational funds may be expended for the purchase of alcoholic beverages only when following specific guidelines established by the Controller's Office.

The possession or furnishing of common sources of alcohol, which include but are not limited to kegs, beer balls or alcohol mixtures in large common containers, are prohibited on University premises or in University housing, including fraternity or sorority houses. Drinking devices such as "bongs" are not permitted. Students are not permitted to use kegs at any on-campus or off-campus gathering. Empty alcohol containers (unless they are rinsed, dried and part of a permanent display), kegs and empty beer bongs are prohibited in all areas of campus including fraternity and sorority housing. Drinking games are not permitted on Ohio Northern's campus.

Alcoholic beverages may only be distributed and consumed, in compliance with University policy and state and local laws, during approved off-campus social events. Alcoholic beverages may be possessed and consumed by individuals of legal age in private resident's rooms, apartments on campus and at The Inn in accordance with University policy and state and local laws. Violations will result in charges brought through the Student Conduct process.

The illegal sale, manufacture, distribution, dispensation, or possession of drugs on University property, at any functions associated, officially or unofficially, with the University is prohibited and will result in charges brought through the Student Conduct process.

Improper or illegal use of drugs is prohibited on University property or at any functions associated, officially or unofficially, with the University. Violations will result in charges brought through the Student Conduct process.

The sanctions imposed under this policy do not replace other penalties that may apply under federal, state or local laws.

Programs on alcohol and other drug use and prevention are offered to the entire University community by the Division of Student Affairs.

#### **Definitions:**

A controlled substance is a drug or chemical whose manufacture, possession and use are regulated by government.

A drug is any chemical that changes the mental state and that is used for that effect by a person. Drugs include, but are not limited to, alcohol, tobacco, prescription medication, controlled substances, other legal drugs, illicit drugs, such as cannabis, cocaine, heroin or methamphetamines, and other substances such as gasoline, fluorocarbons and anabolic steroids.

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## **ARTICLE 2: DISCRIMINATION AND HARASSMENT**

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### **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:

- 1) Has the purpose or effect of creating an intimidating, hostile, or offensive environment;
- 2) 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
- 3) 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.

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### **ARTICLE 3: HAZING**

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#### **Policy:**

Ohio Northern University does not permit hazing. No organization, team, faculty member, staff person, student or alumni shall conduct or condone hazing activities on or off campus.

#### **Definition:**

Hazing means compelled or coerced participation in physical or mental activities designed to cause discomfort or pain, or to humiliate, degrade or embarrass the participants.

Hazing includes, but is not limited to, the following:

- A. Forcing consumption of alcohol, food or any other substance;
- B. Forcing consumption of any substance or object in an unsanitary or humiliating manner;
- C. Paddling or spanking in any form;
- D. Spraying with hoses, buckets or sprinklers;
- E. Covering with food, dirt, oil, or other substances;
- F. Limiting physical movement;
- G. Abandonment in unfamiliar locations;
- H. Creating excessive fatigue;
- I. Physical and/or psychological shocks;
- J. Requiring participants to wear an article of clothing, an outfit, or any item in a way that could bring excessive attention to the wearer;
- K. Morally degrading or humiliating games and activities, including those involving nudity;
- L. Any other activities requested of participants that are not consistent with the regulations and policies of Ohio Northern University or applicable state law.

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### **ARTICLE 4: SAFETY AND SECURITY**

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#### **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**

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.

**Notification:**

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.

The Vice President for Student Affairs notifies the Director of Residence Life and the Student Affairs Response Team (SART) on-call duty person.

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. Ohio Revised Code Chapter 2950.