Ursinus College

STUDENT HANDBOOK

as of September 1, 2021

The experience of living and learning with other students at Ursinus provides an educational opportunity that should parallel and enhance each individual's academic work. Students join with the faculty and staff of the College to form a community of learning. This community will only be as meaningful as its members choose it to be. Each community member should use mature reflection in balancing the varied, and sometimes competing, interests of personal rights and advancement with the rights and advancement of the community as a whole. Making the balancing of varied interests even more complex, the governing authorities of the Borough of Collegeville, the Commonwealth of Pennsylvania, and the United States have great influence over some important aspects of the Ursinus community. In addition, the interests of the citizens of Collegeville must be respected. To foster a cooperative and educationally meaningful atmosphere on campus, the President, the Board of Trustees, Faculty, Staff, and the Ursinus Student Government Association have established the procedures and regulations described below. While the College will do its best to adapt to the personal lifestyle of each student, the individual is responsible for adopting these procedures and regulations as a part of the creative task of living with others in the academic environment. It is important for each student to understand that attendance at Ursinus is a privilege, not a right. The ultimate right to determine who should attend Ursinus rests with the College. The College reserves the right to amend all procedures and regulations at any time.

Section I: Student Code of Conduct *2*
Policy on Discriminatory Acts 5
Title IX and Sexual Misconduct 14
Student Code of Conduct 19
Section II: Additional Expectations & Resources *45*
Academic Honesty 45
Academic Policies 46
Athletics 52
Campus Resources 52
Intramural Sports and Recreation 53
Campus Safety 54
Change of Status 60
Dining Services 66
Facilities Services 70
ID Cards 75
Information Technology 76
Myrin Library 80
Residence Life 80
Social Events 92
Student and Community Engagement 96
Student Mail Services 121
UCARE 122
Ursinus Center for Advocacy, Responsibility, and Engagement 122
Wellness Program 123

Section I: Student Code of Conduct

Philosophy and Authority

Ursinus College encourages the intellectual and personal growth of its students as scholars and citizens. The College has both the authority and responsibility to maintain a campus community where the educational programs can flourish for all students and where individual rights, personal and collective safety, and College operations are appropriately protected. It is a choice to attend the College and by making this choice, students assume the obligations (including standards for conduct) imposed by the College.

Ursinus College students and student organizations are expected to act in accordance with the policies, rules, regulations, laws, and requirements of Ursinus College, municipalities and counties, the Commonwealth of Pennsylvania, and the United States. The policies and procedures in this document are designed to provide an educational and developmental process, balancing the interests of individual students with the interests of the Ursinus College community. Students are responsible not only for the *intent* of their conduct, but also for the *impact* of their actions.

Relationship Between Student Conduct & The Violation of The Law

The campus student conduct process is an educational and administrative process. It is not designed to mirror a court of law, but to further the educational mission of the College by maintaining a safe educational environment and furthering student learning and development. The College provides expectations for students that may be higher than those found in criminal law. Participants in the campus conduct process are afforded the procedural protections provided in this document; however, they do not have the same rights afforded to a citizen participating in a criminal court proceeding. Due process, as defined within these procedures, assures written notice and a resolution with an objective decision-maker. The campus student conduct process and possible outcomes are different from those in a criminal or civil court proceeding. For situations where a student's conduct may be a violation of law as well as College policy, the student conduct process may occur simultaneously, prior to, or following any criminal, employment, or other legal action.

Student Guidelines for Living During COVID

The college is establishing policies and guidelines related to COVID-19. Please refer to the College's COVID-19 website for the most up-to-date information. The student is responsible for staying abreast of changes to the existing policy.

https://www.ursinus.edu/offices/wellness-center/covid-19-coronavirus/bears-return/index.php

Anti-Hazing Policy

Section I: Policy Statement

Ursinus College does not tolerate hazing. Any student, student organization, team, or other persons associated with a student organization found responsible of Hazing, Aggravated Hazing, or Organizational Hazing under this Policy, whether occurring on or off campus, may face disciplinary action from the college, and may also face criminal charges under state law including The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.

Section II: Purpose

The purpose of this document is to state Ursinus College's Anti-Hazing Policy; identify how Ursinus will enforce this Policy; and identify resources for reporting violations of this policy.

Section III: Application

This policy applies to students, organizations, and "other persons associated with an organization" as defined below by 18 Pa. C.S. § 2801:

- Students
    - an individual who attends or has applied to attend or has been admitted to an institution or a secondary school.
- Organizations
    - (1) A fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar group, whose members are primarily minors, students or alumni of an organization, an institution or secondary school.
    - (2) A national or international organization with which a fraternity or sorority or other organization as enumerated under paragraph (1) is affiliated.

"Other persons associated with an organization" may include advisors, alumni, coaches, national affiliates or others with some demonstrable association with the organization, as required by The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.

Section IV: Jurisdiction

This Policy applies to any acts of Hazing, Aggravated Hazing, or Organizational Hazing occurring on or off campus

Section V: Prohibited Acts

Ursinus college adheres to The Timothy J. Piazza Antihazing Law which defines hazing to include: Hazing, Aggravated Hazing, and Organizational Hazing, each prohibited by Ursinus

College's Policy. It shall not be a defense that the consent of the minor or student was sought or obtained. It is also not a defense that the conduct was sanctioned or approved by the organization.

- **Hazing:** A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the items listed below in (1) – (6).
    1. Violate Federal or State criminal law:
    2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or students to a risk or emotional or physical harm;
    3. Endure brutality of the physical nature, including whipping, beating, branding, calisthenics or exposure to the elements;
    4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment;
    5. Endure brutality of a sexual nature;
    6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

Hazing shall NOT include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

- **Aggravated Hazing:** A person commits the offense of aggravated hazing if the person commits a violation of Hazing that results in serious bodily injury or death to the minor or student; and
    1. The person acts with reckless indifference to the health and safety of the minor or student; or
    2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the minor or student.
- **Organizational Hazing:** An organization commits the offense of Organizational Hazing if the organization intentionally, knowingly, or recklessly promotes or facilitates a violation of Hazing or Aggravated Hazing.

Section VI: Reporting Violations of this Policy

Ursinus College *requires* all Responsible Employees (i.e., all faculty and staff) who believe that they have witnessed, experienced or are aware of conduct that constitutes Hazing, Aggravated Hazing, or Organizational Hazing in violation of this Policy to report the violation to the College's Dean of Students. Ursinus College further *encourages* all other members of the Ursinus community who believe that they have witnessed, experienced or are aware of conduct that constitutes Hazing, Aggravated Hazing, or Organizational Hazing in violation of this Policy to report the violation to the College's Dean of Students. If any employee, student or community member has any questions about what constitutes hazing under this Policy,

they are encouraged to contact their supervisor, the Executive Director of Compliance and Community Standards/Title IX Coordinator and/or the College's Vice President & General Counsel for guidance.

Section VII: Prohibition against Retaliation

Ursinus College will not in any way retaliate — or tolerate retaliation in any form by any employee, student or community member — against any individual who makes a report pursuant to this Policy or who assists or cooperates in the investigation into a potential violation of this Policy. Any individual who believes there has been an act of retaliation should immediately report such conduct to the College's Dean of Students or person(s) handling the report or investigation.

Section VIII: Enforcement of this Policy

Any violation of this Policy shall be deemed a violation of Ursinus College's Student Code of Conduct, College policies and/or related applicable laws. All allegations of Hazing, Aggravated Hazing, or Organizational Hazing, and any retaliation related thereto, will be investigated by the College.

Section IX: Sanctions

Anyone found responsible for violating the provisions of this Policy may face disciplinary action up to and including dismissal and/or termination from the College consistent with College policies and procedures.

Section X: Institutional Bi-Annual Report

Ursinus College will maintain a report of all violations of this Policy or of Federal or State laws related to hazing that are reported to the College. The report will be updated biennially on January 1 and August 1 and posted on the College website for review.

Consider Location/Distribution of Policy

18 Pa. C.S. § 2808(a)(2) states that "each institution and secondary school shall provide a copy of the policy, including the institution's or secondary school's rules, penalties and program of enforcement to each organization within the institution or secondary school." It also provides that "[e]ach secondary school shall ensure that students are informed of the secondary school's policy, including the secondary school's rules, penalties and program of enforcement."

18 Pa. C.S. § 2808(a)(3) states that "each institution and secondary school shall post the policy on the institution's or the secondary school's publicly accessible Internet website."

Policy on Discriminatory Acts

Terminology

It is common for institutions of higher learning to develop a "Bias Incident Policy" to address discriminatory and racist acts on their campuses. We at Ursinus College have come to acknowledge the many limitations of the term "bias incidents" and have crafted instead a "Policy on Discriminatory Acts." The use of the term "Bias Incidents Policy" as a way to describe and identify material that addresses discriminatory and prejudicial acts makes it easier to locate such documents on the internet. Thus we acknowledge and refer to the term for the sole purpose of giving external audiences an opportunity to find Ursinus "Policy on Discriminatory Acts and Hate Crimes" in the course of conducting an online search for this information.

Introduction

Ursinus College is committed to the continuous development of an environment in which all members of its community are valued as individuals, and are respected, affirmed, welcome, and safe as they pursue their lives on this campus. As one component in the development of an equitable and safe campus climate, this policy aims to clarify and expand procedure in the event of discriminatory acts, including hate crimes. It aims to simplify procedures for those submitting reports of discriminatory acts and to ensure perpetrator responsibility for such acts; in addition, it aspires toward an initial step in healing the community in the aftermath of such acts. The ultimate goal of this policy is to contribute to the formation of a diverse, inclusive and just community that respects the humanity of all of its members and puts them in the position to excel at Ursinus and throughout their lives.

Ursinus recognizes that excellent educational experiences include and must allow for divergent viewpoints and perspectives, some of which may challenge individual beliefs, values, or cultural norms. As a campus community, we value and protect academic freedom and the free and open exchange of ideas. This policy is not intended to undermine or weaken these precepts. Rather, it emphasizes that all members of the College community are responsible for maintaining an environment in which people are free to learn and work without fear of discrimination or harassment. As an institution of higher learning, Ursinus has an obligation to create a safe environment—one in which all members can live, work, and study together. Through providing clear procedures responding to behaviors that harm marginalized members of our community, we aim to take one small, incremental step in improving our environment. These ideals are aspirational and we have not always succeeded in the past at achieving them. However, they are not beyond our grasp.

This Policy sets forth the manner in which the College will respond to reports of

discriminatory acts, including hate crimes. The College will not only seek to hold responsible those who have perpetrated such acts but also endeavor to repair the deleterious impacts of such acts on our community and prevent them from recurring. Discriminatory acts, be they discriminatory harassment or hate crimes, violate college policy and, in many instances, state and federal law; are antithetical to the standards and values of the College; and will be addressed vigorously.

Definitions

A Discriminatory act is a *c*ompleted, attempted or threatened abusive or hostile act against persons, property or an institution, where such acts manifest evidence that the target was intentionally selected on the basis of the target's actual or perceived race, color, national origin, gender, sexual orientation, gender identity or expression, religion, age, creed, ancestry, veteran status, marital status, disability, or other classification protected by applicable law.

Discriminatory acts comprise two sub-categories:

2. **Discriminatory Harassment:** An act that has the purpose or effect of unreasonably interfering with a person's employment or education, or creating a hostile employment or educational environment where the motivation for this act is based substantially on the target's actual or perceived identity as a member of a class protected by the College's non-discrimination policy.
3. **Hate Crime:** A hate crime is defined by federal and state law. It requires an underlying criminal act – e.g., criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property — where such crime manifests evidence that the target was intentionally selected because of the perpetrator's bias related to the target's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and/or disability or other classification protected by applicable law.

How Do I Report a Discriminatory Act?

There are three ways to report an act of discrimination generally:

1. **File a report with Campus Safety** – Campus Safety, located in Wismer Hall, off Olin Plaza is open 24 hours a day. Call 610-409-3333 or go to the office to file a report with a Campus Safety Officer. **If the discriminatory incident presents**

immediate safety concerns, contact Campus Safety (610-409-3333) or call 911.

2. **File a report using this online form:** This form can be used by all members of the campus community.
3. There are other ways to report an act of discrimination. These options depend on whether the person reporting the incident is a student, faculty member or member of the staff:

   For Students: Contact Student Affairs at 484 762-4357 (484-762-HELP). Your call or email will reach Terrence Williams, Assistant Dean of Students/Presidential Advisor for Inclusion and Equity.

   For Faculty: Contact Academic Affairs at deansoffice@ursinus.edu or 610-409-3790. Your call or email will reach Mark Schneider, VP of Academic Affairs and Dean of the College.

   For Staff: Contact Human Resources at hr@ursinus.edu or 610-409-3589 or 610-409-3073. Your call or email will reach Kelley Williams, Director of Human Resources.

   Privacy: The College strives to protect the privacy of targets, reporters, and the accused; in order to speed investigations, anonymous reporting is discouraged. The privacy of all parties to a report of a discriminatory act will be respected consistent with the College's policies; where privacy cannot be strictly kept, it will be tightly controlled. Witnesses are also expected to maintain the privacy of information shared with them during interviews and/or hearings. Violations of the privacy of the reporting party or the responding party may lead to conduct action by the College. All parties, including witnesses, involved in an allegation are strongly encouraged to maintain the privacy of information and/or written materials.

Is It Ever Too Late to Report a Discriminatory Act?

No. *There is no statute of limitations.* An investigation can be opened at any time based on new evidence that becomes available. The College does not limit the time frame for reporting, although a delay in reporting may impact the College's ability to investigate the incident and take certain actions.

What Happens After I Report a Discriminatory Act?

The College encourages students, faculty, and staff to report discriminatory acts as soon as possible upon experiencing or learning of the details of an incident. Reports will be forwarded to the appropriate College resource for follow-up.

Reports of discriminatory acts related to students will be handled in accordance with the Student Code of Conduct, and/or the Policy Prohibiting Title IX Misconduct and Other Sexual and Gender-Based Discrimination, Harassment, and Related Misconduct.

Reports of discriminatory acts related to faculty, staff, or visitors of the College will be handled in accordance with the appropriate faculty and staff policies and procedures. See, for example, the Non-Discrimination and Equal Employment Opportunity Policy and Policy Prohibiting Title IX Misconduct and Other Sexual and Gender-Based Discrimination, Harassment, and Related Misconduct.

Reports of discriminatory acts that contain information indicating a possible violation of the Policy Prohibiting Title IX Misconduct and Other Sexual and Gender-Based Discrimination, Harassment, and Related Misconduct will be handled in accordance with that policy. See Policy Prohibiting Title IX Misconduct and Other Sexual and Gender-Based Discrimination, Harassment, and Related Misconduct

Reports of discriminatory acts that contain information indicating a possible discrimination based on disability will be handled in accordance with the College's disability discrimination grievance process.

What Is the Investigatory Process?

Consistent with the College's policies, the investigation may include review of the report and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation will be determined by and at the discretion of the appropriate office listed above.

Possible outcomes of an investigation include (1) a finding that a discriminatory act occurred but that the individual responsible cannot be identified, with appropriate remedial measures; (2) a finding that a discriminatory act occurred, and that the responsible party can be identified, with the issuance of an appropriate sanction and/or remedial measures; and (3) a finding that a discriminatory act did not occur.

The investigation, including outcome, is confidential in accordance with College policies and applicable law.

If the alleged perpetrator is a known student, and the investigation identifies sufficient information regarding a discriminatory act, the target may have the following options:

- **Restorative Mediation Process**: If both the target and the alleged perpetrator agree to the Restorative Mediation process, they will participate in facilitated conversation, possibly with representatives of affected communities (for example, members of a specific identity group, a residence hall community, or members of a student organization), to establish a plan for repairing damage to those affected and/or targeted by the discriminatory act. This process requires alleged perpetrators to acknowledge their part in the incident and to accept restorative actions agreed upon by all parties. **Note:** The perceived severity and impact of the discriminatory act will determine whether this option applies to particular cases. The case will be reviewed to determine whether this option For example, restorative mediation would not likely be available for discriminatory acts resulting in significant property damage or any level of physical assault. **See below, "How Will the College Heal from a Discriminatory Act," for further discussion of the restorative mediation process.**

- **Student Code of Conduct Process**: Depending on the nature of the discrimination and the alleged prohibited conduct, the process may include an Administrative Hearing or Conduct Panel Hearing. Details
- **No Disciplinary Action, Discrimination Reported**: Targets may decide to report the incident and request that no further action be taken. Ursinus will evaluate any such request in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all members of its community. In certain situations, the College may need to move forward regardless of the target's wishes.

  It is a violation of College policy to retaliate against any person making a discrimination complaint or against any person cooperating in the investigation of (including testifying as a witness to) an alleged act of discrimination. For these purposes, "retaliation" includes intimidation, threats or harassment against any such complainant or third party. Retaliation should be reported promptly to Campus Safety or the Administrator handling the case and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of discrimination.

Whether or not the College moves forward with a resolution process, the incident will be coded and reported in Ursinus's hate crime or discrimination incident statistics.

If the alleged perpetrator is a known faculty or staff member and the investigation identifies sufficient information of a discriminatory act, disciplinary action and/or restorative mediation will be taken consistent with appropriate faculty and staff policies and procedures, including the college's Non-Discrimination and Equal Employment Opportunity Policy. Whether moving forward with an adjudication process or not, the incident will be coded and reported in Ursinus's discriminatory act or hate crime statistics.

If the alleged perpetrator is unknown, the target may have the following options:

- **Request Further Investigation:** The target can request an investigation, at which point the incident will be turned over to the appropriate College officials for further investigation. If the target is property or the institution, then we encourage campus constituents to report the incident so that the College can commence with an investigation.
- **No Action, Discrimination Reported:** Ursinus is committed to keeping accurate records of all discriminatory incidents, even when the perpetrator is unknown. As such, we encourage reporting of all incidents of discrimination, even if the perpetrator is unknown and unlikely to be known. Depending on the circumstances, the College may need to move forward with further investigation regardless of the target's wishes.

How Will Discriminatory Acts be Reported to the Campus Community?

Discriminatory Acts Reporting: Each year the College will post, via the College website, a summary report of discriminatory acts. To respect the privacy of all those involved and/or consistent with federal/state laws, the report will disclose only the following:

- Type of discrimination (racial, national origin, sexual orientation, religion, etc.);
- Type of incident (assault, vandalism, hazing, etc.);

- General description of location (on or off-campus, residence unit, classroom, etc.);
- Status of the case (perpetrator unknown, referred to student conduct, no action requested, etc.);
- Whether the incident will be listed as a hate crime in the Annual Security & Fire Safety Report.

Hate Crimes Reporting: In addition, in accordance with the Clery Act, the College will disclose statistics for hate crimes in its Annual Security & Fire Safety Report released by October 1 each year. Clery crime definitions are available on the College's website.

Timely Warnings and Emergency Notifications: When the College identifies or receives a report of an incident, occurring either on or off campus, that constitutes a serious or continuing threat, the campus community will be notified according to **College Emergency Notification Procedures.**

Other Reporting: The Discriminatory Act Response Team, discussed further below, will be charged, in conjunction with other relevant offices on campus, with communication to faculty, students, and staff both in the immediate and longer-term aftermath of discriminatory incidents. The primary mode of communication to the campus will be email.

How Will the College Community Heal from Acts of Discrimination and Work to Prevent Future Incidents?

By their very nature, discriminatory acts reinforce and perpetuate inequalities in our community. These actions create an unsafe environment, increasing the isolation and discomfort of those individuals and groups that are often the targets of discriminatory acts. We aim to respond to these actions by collectively affirming our principles of inclusion and access for all. Discriminatory actions may cause physical damage, bodily harm, and serious wounds to our community, so it is essential that we seek to heal these wounds through actions that disavow discrimination. To this end, the Discriminatory Act Response Team will initiate actions that attempt to heal the injuries to both the targets of discrimination and the campus as a whole. For example, in cases of discriminatory graffiti, the response team may witness and remove graffiti violating this policy, including, if appropriate, open participation from the entire campus community. For instances in which interpersonal behavior (e.g., use of discriminatory language violative of this policy) is salient, the group may

provide opportunities for a restorative justice process alternative to other sanctions, in collaboration with the appropriate individuals and offices.

Depending on the nature of an incident, the larger community may gather for town halls, teach-ins, candlelight vigils, facilitated dialogues, rallies, or other programming involving external speakers and trainers. In its role of helping articulate community values, the Discriminatory Act Response Team may develop communications for the purpose of notifying the community of the discriminatory act, and may assist in the gathering of individuals and groups for a communal response to an incident, as appropriate, while also ensuring that conventional mechanisms of adjudication are in motion.

We urge that all cases be reported and referred to the Discriminatory Act Response Team for their review. Even if the College determines that a discriminatory act did not occur, the sentiments expressed in such situations may be evidence of community tensions or conflict that call for further discussion. The Discriminatory Act Response Team aims to stand by those marginalized or injured by such situations and to set the stage for communal reparations.

Core members of the Discriminatory Act Response Team will be drawn from representatives of the faculty, students, Dean's Office, Student Affairs, and staff and will remain in place throughout the year. A larger team, depending on the nature of the incident, will be drawn from the entire community, and members may vary based on the nature of the act and the needs of the community in its aftermath. Best efforts will be made to avoid conflict of interest, especially with members who may be involved in adjudication procedures; for example, team members will not overlap with members of the Student Conduct Committee.

What If I Have Questions?

For questions related to acts of discrimination involving students, please contact:

Institute for Inclusion & Equity
610-409-3653
Wismer Center – Lower Level
Ashley Henderson, Director, Institute for Inclusion and Equity

For questions or concerns related to acts of discrimination involving faculty and staff of the College, please contact:

Human Resources
610-409-358 or 610-409-3073
Corson Hall – Lower Level
Kelley Williams, Director of Human Resources

For questions or concerns related to acts of discrimination involving visitors of the College, please contact:

Campus Safety
610-409-3333
Wismer Hall-Olin Plaza

How will this policy be reviewed and revised?

This is a living document as well as a policy statement, and it will be subject to improvement and revision as the college moves forward in the future. The policy will be reviewed on a regular basis by a team including members of the Dean's Office, Diversity Committee, Student Affairs, and Office of the President, as well as members of the Discriminatory Act Response Team, in light of incidents, reporting, adjudication, and mediation.

Title IX and Sexual Misconduct

Policy Prohibiting Title IX Misconduct And Other Sexual And Gender-based Discrimination, Harassment, And Related Misconduct

Ursinus College ("Ursinus" or "the College") seeks to foster a diverse community in which all members are respected, included, supported, and treated equitably. Community members are expected to act ethically and responsibly. The Ursinus College Values Statement articulates these principles:
Our values, which guide the policies and practices of our institution, include a commitment to cultivating a healthy and safe campus community free from sexual and gender-based discrimination, harassment, and related misconduct. Sexual and

gender-based discrimination, harassment, and related misconduct are an affront to one's very personhood.



The College's Policy Prohibiting Title IX Misconduct and Other Sex and Gender-Based Discrimination, Harassment, and Related Misconduct (the "Policy") is informed and guided by this Values Statement consistent with Title IX and related state and federal laws.
Full Title IX Policy Located in the back of print Student Handbook (following Page 125)

Campus Training

The Student Conduct Institute provides our campus community with training and materials complying with Federal and State law related to Title IX.

Lauren Stroud

Executive Director of Compliance and Community Standards/Title IX Coordinator
610-409-4300
lstroud@ursinus.edu

Title IX

"No person in the United States shall, on the basis of sex, 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…"

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is an all-encompassing federal law that prohibits discrimination based on the gender of students and employees of educational institutions which receive federal financial assistance.

Ursinus College does not discriminate on grounds of race, color, national origin, gender, sexual orientation, gender identity or expression, religion, age, creed, ancestry, veteran status, marital status, disability, or other classification protected by applicable law in the administration of any of its educational programs or activities or with respect to employment.

Inquiries regarding Title IX should be directed to the College's Title IX Coordinator:

Lauren Stroud

Executive Director of Compliance and Community Standards/Title IX Coordinator
610-409-4300
lstroud@ursinus.edu

Policy

Policy Prohibiting Title Ix Misconduct And Other Sexual And Gender-based Discrimination, Harassment, And Related Misconduct

If You Have Experienced Sexual Misconduct

1. **Get to a safe place immediately.**
   Get to a safe place as quickly as you can. If you think you are in imminent danger, call the Police by dialing 9-1-1 or call Campus Safety at 610-409-3333.
2. **Contact someone for help and support.**
   Ursinus offers support services and resources to Complainants, including the Crisis Response Team ("CRT"), Peer Advocates, and the Wellness Staff. Complainants will be treated with sensitivity, dignity, and respect. Depending

on the nature of the offense and the status of the accused, there may be instances when Ursinus must take action to protect the Complainant and/or members of the College Community by use of a Campus Crime Alert, Warning, or other type of protective or remedial measures.

3. **Seek medical attention as soon as possible.**
   Even if you do not want to report to the police, or if it has been a while since the assault, you can still benefit from medical attention. Local hospitals have Sexual Assault Nurse Examiners to administer care and collect evidence. Health concerns such as sexually transmitted disease (STD), pregnancy, and treatment of injuries will be addressed.
   A hospital or medical facility can aid in the collection of evidence of a sexual assault, which can only be collected for a short time after a sexual assault occurs. Evidence is best preserved if you do not change your clothes, shower, bathe, douche, wash your hands, brush your teeth, or comb your hair prior to seeking medical attention.
   The Wellness Center also provides pregnancy testing, STD prevention, emergency contraception, and evaluation services. To schedule an appointment, call 610-409-3100 or email wellness@ursinus.edu. You may also visit the Wellness Center without an appointment.
4. **Get Emotional Support.**
   Tell someone you trust. There are resources available both on and off campus to provide you with guidance and support after a sexual assault. The following resources are available to all Ursinus College students:
   - Crisis Response Team: 610-409-3344. CRT members will meet with you to provide support and immediate interventions. A member of the Crisis Response Team is available to respond to calls 24 hours a day.
   - Wellness Center: 610-409-3100. Campus counselors are available to provide confidential support during business hours.
   - Montgomery County Victim Services Center 24 hour hotline: 610-277-5200. In addition to the 24-hour crisis hotline, Victim Services offers free legal advocacy, individual and group therapy, and other resources for reporting parties.

Sexual Violence Risk Reduction Tips

Risk reduction tips can often take a tone of blaming a reporting party, even unintentionally. Only those who commit sexual violence are responsible for those actions. We offer the tips below solely to help you reduce your risk of experiencing a non-consensual sexual act.

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor "NO" clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Give thought to sharing your intimate content, pictures, images and videos with others, even those you may trust. If you do choose to share, clarify your expectations as to how or if those images may be used, shared or disseminated.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- Do not make assumptions about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. Your partner's consent should be affirmative and continuous. If there are any questions or ambiguity, then you do not have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet.

You must respect the timeline for sexual behaviors with which they are comfortable.

- Do not take advantage of someone's drunkenness or altered state, even if they willingly consumed alcohol or substances.
- Realize that your potential partner could feel intimidated or coerced by you. You may have a power advantage simply because of your gender or physical presence. Do not abuse that power.
- Do not share intimate content, pictures, images and videos that are shared with you.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence, passivity, or non-responsiveness cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Student Code of Conduct

College Authority & Jurisdiction

Authority

The Dean of Students has the ultimate authority for interpretation of this Code, including the determination of a person's status with the institution in a particular situation. The Student Affairs staff serves as the primary investigators and hearing officers for reports of code of conduct violations. The Dean of Students may also serve and designate additional College officials to serve the College in one or more roles in the student conduct process, including investigator, hearing officer, appeals officer, and/or advisor.

Jurisdiction

A student's action may be subject to the student conduct procedures whenever the student commits or attempts to commit a violation of the Student Code of Conduct on property belonging to, or under control of the College, or at an activity, function

or event sponsored, or supervised by the College. If a student commits a violation of this Code while off-campus (including through technology or social media), the student's behavior may be subject to the student conduct process if the behavior adversely affects:

- the College community;
- the mission or reputation of the College;
- the ability of an individual member of the campus community to pursue an Ursinus College education and/or employment (including the creation of a hostile environment); or
- a function or operation of the College.

When students engage in misconduct as members of a student organization, both the student(s) and organization may be held accountable.

A student charged with violating the Code of Conduct may not avoid the conduct process by withdrawing from the College. Student conduct proceedings may continue without the student's participation, and/or a hold prohibiting further registration and/or release of transcripts may be placed on the student's record at the discretion of the Dean of Students until the matter is resolved.

Important Terms

Academic Days: Weekdays (Monday through Friday) when class is in session during an academic semester.

Advisor: Any person who supports a complainant or respondent as the student participates in the conduct process. The advisor's supporting role is limited to conferring with and advising the student directly. The advisor may not participate in the conduct process as a representative or advocate for the student. The College also reserves the right to have an advisor present to advise the College officials during the student conduct process.

College: Ursinus College, also known as College

College Official: Any person employed or designated by the College to perform a specific function on its behalf.

Complainant: A person who initiates a complaint in the student conduct process.

Faculty: Any person employed by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its Faculty.

Hearing Body/Officer: The person(s) who review the information in a case, make a determination of responsibility, and/or issue sanctions. Hearing bodies include panels as well as individual hearing officers, such as administrators, Student Affairs staff, and other employees appointed by the Dean of Students.

Member of the College Community: Any person who is a student, College official, Faculty member, or any other person employed by the College. A person's status in a particular situation shall be determined by the person designated to have authority to interpret this Code.

Outcome(s): The determination that a respondent is responsible or not responsible for each alleged violation, as well as any sanction(s) imposed.

Respondent: A student who is accused of violating the Code of Conduct and provided with the opportunity to respond to the complaint.

Sanction: A consequence imposed as a result of a finding of responsibility.

Standard of Proof: The standard of proof used in all student conduct proceedings to determine whether a violation occurred is the "preponderance of the evidence" standard, also known as "more likely than not." A fact is established by a "preponderance of the evidence" if it is found, after considering all the evidence, that there is more than a 50% chance that the fact is true.

Student: Any individual who applies for admission, who is accepted to register for courses (as indicated by being assigned an Ursinus ID number), and who is attending classes at Ursinus.

Student Organization: Any group of students voluntarily organized for the purpose of furthering their common interests in a particular subject or issue. This includes, but is not limited to student clubs and club sports; Greek organizations and NCAA affiliated athletic teams.

Community Expectations & College Policies

Students are expected to uphold College policies in the pursuit of their educational objectives. The College reserves the right to set and communicate reasonable expectations as needed. The following are prohibited. Examples are provided to illustrate the specific prohibition and are not intended to be all-inclusive. Some incidents will result in multiple policy violations.

1. **Threat to another's personal safety or conduct that intentionally or recklessly causes physical harm or that otherwise threatens or endangers the health or safety of any person.**
   Examples include, but are not limited to:
   - Physical violence
   - Threats
   - Bullying
   - Stalking
   - Hazing
   - Retaliation
2. **Risk of the safety of the campus community.**
   Examples include, but are not limited to:
   - Possession or use of unlawful or unauthorized weapons
   - Use of items (including authorized items) aggressively or for violent purposes
   - Making a threat of violence (including verbal, written, or virtual communication).
   - Behavior that puts physical safety at risk, including but not limited to:
     - Possessing flammable chemicals or fireworks
     - Ignition or detonation of anything which could cause damage to persons or property or disruption by fire, smoke, explosion, noxious odors, stain, corrosion or similar means
     - Knowingly putting others at risk of a contagious disease
3. **Conduct that threatens the services of the College or the property of the College or others.**
   Examples include, but are not limited to:
   - Misuse, theft, or unauthorized use of College services or property or the property of another.
   - Trespassing or unauthorized access to physical or virtual/cyber property or services of the College. Areas that are not considered public include rooftops, college infrastructure areas (including but not limited to utility

tunnels, equipment rooms, maintenance shops, and storage areas), laboratories, and private offices.
    - Intentional destruction of property
    - Use of recreational or outdoor equipment indoors or reckless use of such equipment outdoors.
    - Having an animal in a campus building, other than in accordance with College policy and ADA laws.
4. **Disruption of any operation of the College, including but not limited to teaching, research, administration, technology, meetings or proceedings, or any other College activity.**
   Examples include, but are not limited to:
    - Prohibiting or interfering with classroom instruction or College sponsored events.
    - Leading or inciting others to interrupt scheduled or normal activities within any campus building or area.
    - Obstructing the free flow of pedestrian or vehicular traffic on College property or at a College sponsored or supervised event.
5. **Illegal, unauthorized or irresponsible substance use.**
   Examples include, but are not limited to:
    - Unlawful or unauthorized possession, manufacturing, use, purchase, and/or distribution of alcohol. No person under 21 years of age may possess or consume alcoholic beverages, under any circumstances.
    - Alcohol is not permitted in the First Year Centers at any time. Alcohol is not permitted in non-residence hall buildings, except for events approved by the College. For more information, refer to Guidelines for Social Events.
    - Possessing or being in the presence of:
        - Alcohol, including beer, wine, liquor, or mixed drinks being consumed in a container larger than 16 ounces.
        - Grain alcohol
        - Alcohol transported or stored in a container larger than 1 gallon.
        - Binge drinking paraphernalia including but not limited to:
            - Kegs
            - Beer Balls
            - Beer Bongs
            - Trash cans
            - Common Source Containers such as a punch bowl
    - Irresponsible use of alcohol, including purposeful binge drinking (ie. “Shotgunning” a beer) and public intoxication.

- Operating a vehicle while under the influence of alcohol or illicit drugs/controlled substances
- Unlawful or unauthorized possession, manufacturing (or attempted manufacturing), use, purchase and/or distribution of illicit drugs, controlled substances (including stimulants, depressants, narcotics, or hallucinogenic drugs) or paraphernalia. In accordance with Pennsylvania Law and the Drug Free School Zone Act, this includes all forms of marijuana (including medical marijuana)
- Being in the presence of illicit drugs, controlled substances (including stimulants, depressants, narcotics, or hallucinogenic drugs) or paraphernalia.
- Illegal possession or use of prescription medications.
- Public intoxication
- Smoking tobacco products, hookahs or vaporizing devices (including e-cigarettes) inside any College building or within 20 feet of any building exit.

6. **Dishonesty.**
   Examples include, but are not limited to:
   - Providing false information in any form to any College official or office.
   - Forgery, alteration, or misuse of any College record, document, or form.
   - Unauthorized distribution of copyrighted material.
   - Misrepresentation of one's identity or misuse of the College's copyrighted content and trademark.
   - Plagiarism - More information available on the Academic Dishonesty page.
7. **Unauthorized or irresponsible use of College computer, network, or other technology system resources.**
   Examples include, but are not limited to:
   - Unauthorized access or misuse of equipment, files, labs, or any other technological resource.
   - Violation of any College computing or technology policy, including but not limited to use of College technology resources to violate a law.
8. **Unauthorized use of personal electronic devices.**
   Examples include, but are not limited to:
   - Audio, photograph, or video recording of any person without person's prior knowledge or consent. This includes recording in locker rooms or restrooms.
   - Audio, photograph, or video recording of any person when it is not permitted by law or College policy.
   - Use of a cell phone or other electronic device in a manner that disrupts

educational activities, classrooms, offices, or other usual College operations.

9. **Failure to comply**

   Examples include, but are not limited to:

   - Failure to comply with the directions of an authorized College official or representative who is performing College duties, or law enforcement officers acting in the performance of their duties.
   - Failure to comply with a communicated College policy or procedure.
   - Conduct that constitutes a violation of the student conduct process or any sanction imposed in accordance with this procedure.
   - Conduct that constitutes a violation of any College handbooks, program guidelines, rules, or regulations.
   - Violation of the social event policy.
   - Refusing to evacuate a building or area under the direction of a college official or while a life safety device is alarming.
   - Failure to comply with federal, state, and local law

10. **Tampering with a life safety device**

    Examples include, but are not limited to:

    - Pulling the fire alarm in a building when no such cause for the alarm exists.
    - Discharging a fire extinguisher without a fire present.
    - Removing or covering a smoke detector, heat detector, or carbon monoxide detector.
    - Damaging a fire extinguisher box or fire alarm pull station.

11. **Discriminatory Harassment***

    Verbal, emotional, or physical conduct related to a person's protected class that unreasonably interferes with an individual's work or academic performance or creates an intimidating or hostile work or educational environment.

    Ursinus College does not discriminate on grounds of race, color, national origin, sex, gender, sexual orientation, gender identity or expression, religion, age, creed, ancestry, veteran status, marital status, disability, or other classification protected by applicable law in the administration of any of its educational programs or activities or with respect to employment.

12. **Sexual Misconduct/Sexual Harassment and Title IX Misconduct* (pdf)**

Violation Definitions

Bullying - Any intentional written, electronic, verbal, or physical act or series of actions directed at another member of the College Community, which is severe and pervasive enough that a reasonable person under the circumstances should know his or her actions will:

1. Place a member or members of the College Community in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damages to his or her property; or
2. Substantially interfere with a student's educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or
3. Substantially disrupt the efficient and orderly operation of the College and its programs, activities, and events; or
4. Perpetuate bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another member or members of the College Community.

Hazing – **See definition in Section V of the Anti-Hazing Policy.**. Ursinus College does not tolerate hazing. Any student, student organization, team, or other persons associated with a student organization found responsible of Hazing, Aggravated Hazing, or Organizational Hazing under this Policy, whether occurring on or off campus, may face disciplinary action from the college, and may also face criminal charges under state law including **The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.**

Physical violence – hitting, pushing, or other such activity resulting in or intended to cause physical harm. Physical violence may or may not include use of a weapon.

Retaliation – intimidation, threats or harassments against a complainant or any participant in an investigation or conduct process.

Stalking - engaging in conduct or repeatedly committing acts toward another person, including following the person without proper authority, under circumstances that demonstrate either of the following:

- place the person in reasonable fear of bodily injury; or
- reasonably cause substantial emotional distress to the person.

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.

Stalking is also addressed in the College's Policy Prohibiting Title IX Misconduct and Other Sexual and Gender-Based Discrimination, Harassment, and Related Misconduct.

Theft - the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Threats - making a threat(s) of violence (including verbal, written, or virtual communication) that does or could cause(s) a reasonable expectation of harm to the health or safety of a specific person.

Weapons & Explosives – firearms, including rifles, shotguns, handguns, air guns, and gas-powered guns and all ammunition or hand-loading equipment and supplies for the same; knives with a fixed blade over 2.5 inches (other than kitchen knives); fireworks, chemicals, explosive devices, or any other object used to threaten or cause harm.

Reporting Student Misconduct

The College encourages students, faculty, and staff to resolve conflicts informally and at the lowest level. When that is not possible or appropriate, any member of the campus community may report alleged student misconduct to Student Affairs. The report should describe the misconduct and identify the person(s) involved in the incident. Designated Student Affairs Staff will review reports, and will initiate the student conduct process if there appears to be reliable information indicating that a violation may have occurred (i.e. complaint). The College may also initiate a case without a formal complaint. When appropriate, reports may be addressed through the Ursinus Crisis Response Team with non-conduct procedures. A call to appear before the President, College Deans, a Hearing Panel, Campus Safety, or Faculty takes precedence over all other duties. Students must respond promptly to such a call.

Culture of Reporting

As the College is concerned about threats to personal or collective safety, all reports will be taken seriously and reviewed promptly. If a student may have violated another aspect of the Student Code of Conduct (such as consuming alcohol underage) and is concerned about consequences when reporting a more egregious incident (such as a threat of violence), the reporting student should be assured that the College's interest is in maintaining the safety of individuals and the campus. Pending no threat to safety or other compelling reasons, other behaviors may be addressed through alternative means (such as informal discussions or referrals to counseling).

Preliminary Investigation & Review

A preliminary investigation may be necessary in order to determine if there is credible information that warrants charging a student with violating the Code. Preliminary meetings with involved parties or witnesses may occur prior to initiating the student conduct process.

The preliminary investigation and review may result in any of the following:

- **Case Not Pursued:** If there does not appear to be credible information to indicate that a violation occurred, the case will not be pursued through the formal student conduct process. To document that the situation was reviewed, the College will retain the information.
- **Informal Response**: If the situation is concerning but does not appear to be a violation, there may still be an institutional response without formal conduct charges. For example, the student may be asked to meet with a staff member to discuss the situation prior to registering for courses, may be requested to participate in a mediated conversation, or may receive a follow-up letter outlining the concerns.
- **Initiation of Conduct Process:** If it appears that a student may have violated the Code, and that this occurred within the College's jurisdiction, as defined in this Code, the student conduct process will be initiated.

Interim Action

In some cases, interim action prior to the resolution of the case may be necessary. This may be imposed upon initial receipt of a report, when the College becomes aware of a concern, or at a later time in the student conduct process. Reasons interim action may be issued include but are not limited to:

- to protect the health, welfare, or safety of a student or of the community,
- if the student poses a threat of significant disruption to the educational process and/or the normal operations of the College,
- to provide legally mandated interim remedies.
- if the student cannot be located and/or does not participate in the conduct process.

In the event that interim action will be taken, the student will be notified in writing.

Examples of interim action include but are not limited to:

- Suspension from residence halls
- Suspension from the College
- Restricted access to campus, limiting time or location
- Class section reassignment
- No-contact orders

Procedural Guidelines

The standard of proof for decision-making in student conduct matters, including in all findings of responsibility, is the "preponderance of the evidence" or "more likely than not" standard. This means that when all available information is considered, the College official or hearing body determines whether it is more likely than not that a violation occurred, based on what a reasonable person would consider.

Investigators and hearing bodies do not have the authority to issue a subpoena but may receive information without regard to the legal rules of evidence if the information is related to the questions of the case. Character witnesses are not permitted since decisions about responsibility relate to behaviors, not to character. The hearing body may consider anonymous information (such as reports or statements) but the unknown identity of the source will be taken into account in evaluating the credibility of such information. The College will communicate with participants in the student conduct process mainly via email using an online case management system and the student's Ursinus email address. Communication may occur through other means, such as through phone, U.S mail, or delivered in person.

Students are responsible to review pertinent provisions, including updates, in conjunction with any proceeding.

Role of Advisors

Any participating complainant or respondent may bring an advisor to student conduct meetings to serve as a support person. The advisor may be a friend, mentor, family member, attorney or any other supporter who is both eligible and available. People who will be called as witnesses may not serve as advisors. Students may be accompanied by their advisor in all meetings and interviews, including intake, hearings, and appeals. Advisors should help their advisees prepare for each meeting and are expected to advise ethically, with integrity and in good faith. The College cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide one.

All advisors are subject to the same campus rules. Advisors may not present on behalf of their advisee in a meeting, interview, or hearing and should request or wait for a break in the proceeding if they wish to interact with campus officials. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given a timely opportunity to meet in advance of any interview or hearing with the College officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the College an opportunity to clarify the role the advisor is expected to take.

Advisors are expected to refrain from interference with the College investigation and resolution. Any advisor who steps out of their role in any meeting under the Code of Conduct resolution process will be warned that further disruption or failure to respect the limits of the advisor role may result in removal from the meeting or hearing. An advisor whose presence is deemed by the Hearing Officer to be improperly interfering with the proceeding will be required to leave and may be prohibited from participating in further meetings or proceedings under this policy. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the hearing officer will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

The College expects that the parties will want the College to release information and documentation related to the allegations with the parties' advisors and will provide a consent form that authorizes the release of such information. The parties must complete this form before the College is able to release information to an advisor. The parties are not otherwise restricted from discussing and sharing information relating to allegations with others who may support them or assist them in preparing and presenting. Advisors are expected to maintain the privacy of the records disclosed to them by the College and are prohibited from releasing the information to third parties, disclosing the information publicly, or using the information for purposes not explicitly authorized by the College. This Policy does not create a privileged or confidential relationship between a Complainant or Respondent and an Advisor. If the Advisor for a Complainant is a member of the College community, the Advisor is obligated under this Policy to inform the Dean of Students' Office of information that contradicts the report or charges. Likewise, if the Advisor for the Respondent is a member of the College community, the Advisor is obligated to similarly disclose information that supports the allegations. The College may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

The College expects an advisor to adjust their schedule to allow them to attend College meetings when scheduled. The College does not typically change scheduled meetings to accommodate an advisor's inability to attend. The College will, however make provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, and/or electronic meeting technologies as may be convenient and available.

A student may elect to change advisors during the student conduct process, and is not required to use the same advisor throughout. Students may be required to provide notice that an advisor will be attending a meeting or hearing. Students who qualify for an accommodation under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973 and who require a person to provide the accommodation or who may require a language translator to effectively understand the English language may also have such a person present in addition to an advisor. If a student requires accommodations under ADA/504, a written notification must be submitted to the College at least 2 academic days prior to the hearing.

Postponement of Resolution

A student who files a report or who is charged with a violation of the Code may request in writing to have a resolution postponed because 1) there is pending or possible civil or criminal litigation which may be jeopardized by the outcome of campus resolution process, or 2) the student is unavailable for communications due to being incarcerated or hospitalized. The College may grant this only when *both* of the following circumstances have been met:

- Interim action as determined by the Dean of Students or designee is imposed to prevent further or additional incidents during the resolution process.
- The College does not have any compelling reason why the resolution process should proceed. Examples of compelling reasons include but are not limited to:
    - Concerns for the safety of the campus or its members if the situation is not resolved.
    - The need to provide a timely response
    - The quality of the investigation or ability to hear from witnesses who have critical case information may be compromised.

The College reserves the right to postpone resolution indefinitely or for a finite period of time. The College may also independently decide to postpone resolution without a request from a student when the above conditions are met or when due to legal requirements.

Resolution Options

There are several forms of resolution available, depending on the nature of the incident and the time of the academic year:

- Informal Resolution
- Administrative Hearing
- Panel Hearing
- Investigative Resolution

Other than as described below, the Dean of Students or designee will determine the most appropriate resolution option to be used in a given case. The Dean of Students

or designee will ensure that all investigators, hearing officials, and hearing bodies are appropriately trained to conduct proceedings in a fair, impartial, and timely manner, as set forth in this policy.

Additional Considerations

Student Organization Misconduct

Student organizations alleged of misconduct may proceed through one of the resolution methods outlined in this Code, and they may also be referred to the Office of Leadership Development and Student Activities for administrative review and response in lieu of or in addition to the student conduct process.

Incidents Involving Multiple Students

In incidents where multiple students have been alleged of misconduct, the Dean of Students or designee will determine the best form of resolution that balances the protection of privacy of students' records as well as the institutional resources available to provide a timely and fair resolution.

Students with Special Relationships to the College

Students who are athletes, student leaders, student workers, or hold other unique relationships with the college whose behaviors violate the Student Code of Conduct may also face consequences outside of the student conduct process if their behaviors violate NCAA guidelines, Office of Leadership Development and Student Activities processes, employment expectations, or other such standards. Employees who enter into a relationship with the College as students and whose alleged misconduct occurs in the context of the relationship as a student may also be held accountable through the student conduct process. In those cases, Human Resources may be consulted to ensure there are no conflicts with employee contracts or Human Resources procedures.

Informal Resolution

Before pursuing the Formal Resolution Process, every reasonable effort should be made to constructively resolve conflict with students, faculty, staff, or administrators. The person impacted should keep a written log that can aid in later investigation and resolution. Whenever possible and safe, the problematic behavior, conflict or misconduct should first be discussed by the impacted person and the person engaged in the problematic behavior, conflict, or misconduct. Members of

the College Community are encouraged to consult with Faculty, Staff, Deans, or Human Resources staff to discuss concerns and seek resolution through mediation. However, mediation is not used when violent behavior is involved, or if the parties are reluctant to participate in good faith. College officials will facilitate such conversations, upon request, and monitor them for safety. If informal efforts are unsuccessful, the formal resolution process may be initiated. Either party has the right to end the informal process and begin the formal process at any time prior to resolution.

Administrative Hearing

Through this method, a designated College official reviews the information related to a complaint, determines whether or not a respondent is responsible for each alleged violation, and issues appropriate sanction(s) for any findings of responsibility. This is the most common form of complaint resolution, and a Student Affairs Staff member will serve as the administrative hearing officer for most cases. The Dean of Students may also designate additional hearing officers and may serve as a hearing officer.

In this method, a student is informed of the opportunity and deadline to meet with the hearing officer to:

- Ask questions about the student conduct process.
- Review the complaint of misconduct and other relevant case information, such as the substance of information received from witnesses.
- Respond to the complaint by providing information about the incident and alleged conduct.
- Bring forth witnesses to be interviewed.
- Acknowledge or deny responsibility for the charged violation(s).
- Provide any information related to sanctions (if applicable), including what was learned from the incident or any factors to be considered at sanctioning.

In some cases, a campus investigation may be done prior to the case proceeding to an administrative hearing. If the respondent chooses not to meet with the hearing officer by the given deadline, the hearing officer may proceed with the determination of responsibility and impose any sanctions. Depending on the nature of the case, the hearing officer may place a hold on the student's account until the student has met with the hearing officer.

Panel Hearing

Through this process, a hearing panel reviews the case information and issues a determination of the Respondent's responsibility for each alleged violation and determines what sanctions, if any will be imposed. Hearing panels are composed of five members: three faculty members and two students. Panel members are selected by Faculty election and student government appointment. The Dean of Students or designated College Official has the authority to determine whether an individual is qualified to serve on panel hearings. The Dean of Students' designated College Official provides training and coordinates the logistics of the panel hearing process, which may include securing or serving as an advisor to the hearing panel. The College reserves the right to have the College's legal counsel attend a hearing when deemed appropriate. Panel hearings may be recorded at the discretion of the Dean of Students. Recordings will be retained by the institution for the purposes of the appellate hearing body's review. Recordings retained by the institution are the only official recordings for the hearing. All parties will be notified in advance regarding advisor attendance and hearing recording.

A party may challenge the presence of any member of the hearing panel on the basis of bias or pre-formed judgment. Such challenge shall be presented in writing at least 24 hours before the panel hearing. If the panel member concurs with the challenge, the panel member withdraws from the panel. If the panel member does not concur with the challenge, remaining members of the panel decide whether the panel member should remain on the case. An alternate from the list of eligible faculty or students, as appropriate, will replace any panel member who withdraws or is removed.

In addition to challenge for bias, the student may challenge one member of the panel with no stated reason. This challenge will be transmitted in writing at least 24 hours before the panel meets in order for an alternate be called.

Panel Hearing Process

In order to provide the College with the most effective hearing process, the hearing body/officer reserves the right to adjust procedures as appropriate, including setting appropriate time limits, depending on the nature of the case. The hearing process provides the opportunities for a complainant and/or respondent to:

- Review the available case information.

- Provide perspective on what happened, including providing witnesses to the incident.
- Describe any effects of the incident, including both harm and learning that may have occurred.

Complainants and respondents will be provided a hearing notice at least two days prior to the hearing date. The notice will include the hearing date and time, a description of the hearing procedures, a list of hearing panel members, a statement of charges, and a list of witnesses and documents to be presented at the hearing. The respondent must provide a list of witnesses and documents to be presented at the hearing at least 24 hours prior to the hearing.

The basic hearing agenda consists of:

- Introductions and guidelines from the panel chair or hearing officer
- Review of complaint and statement of charges
- Information shared by the complainant
- Information shared by the respondent
- Information shared by witnesses
- Closing comments from the complainant and the respondent
- Deliberations on responsibility for charges
- Statement of decision and rationale
- Deliberations regarding sanctions (if respondent is found responsible)
- Statement of sanctions

During the hearing, questions may be asked by the hearing body at any time. In cases that do not involve alleged violations of threat to personal safety.

Persons knowingly making false statements or misrepresentations to the Hearing Panel will be subject to severe disciplinary action in accordance with the student conduct procedures.

All hearings are closed. A respondent and the respondent's advisor may be present for all of the information sharing at hearings. In cases involving alleged threat(s) to

personal safety, the complainant and the complainant's advisor also have the right to be present. If an individual chooses not to participate in any part of the hearing, the hearing will continue. The respondent and complainant and their advisors will be excused after closing comments, before the hearing body deliberations.

During deliberations, the hearing body or officer will determine whether the respondent is responsible for each charged violation and what sanctions are appropriate, if necessary. Determinations will use the preponderance of evidence standard as defined above and will be decided by a simple majority vote.

If the respondent is found responsible for any charges, the hearing panel will reconvene the hearing and hear information regarding appropriate sanctioning. The hearing body will review any prior student conduct history only after making the determination that the student is responsible for the charge(s). The respondent and complainant and their advisors will be excused before the hearing body deliberates sanctions.

Within ten academic days of the conclusion of the hearing, the hearing officer or chair will provide a decision letter providing the findings, sanctions, and, as the College deems appropriate, the rationale.

Investigation Resolution Method

This resolution method may be used in very complex cases or where multiple parties or organizations are involved. This method provides the most private form of resolution for both the complainant(s) and respondent(s) and also promotes the timeliest response, depending on the responses of the involved parties and the complexities of the case.

Investigation Guidelines

Cases requiring investigation will generally utilize the following guidelines (unless the College decides otherwise):

- College becomes aware of misconduct
- Investigator:
    - Schedules an initial meeting with the Complainant to review policy and resolution procedures, discuss interim actions or remedies, and obtain additional information, including a list of possible witnesses.
    - Conducts a preliminary investigation to determine whether sufficient information exists to charge a student under this Code.

    - Issues interim action and/or remedies as necessary.
- If the preliminary investigation indicates that the student conduct process should be pursued, the respondent will be provided written notice of the charges and an invitation to a first meeting with the investigator. During this meeting, the investigator will:
    - Review the conduct process and answer questions.
    - Allow the respondent to review and respond to the complaint of misconduct. Request a list of possible witnesses.
- Investigator will conduct interviews with witnesses and follow-up interviews with the complainant and respondent, as necessary.
- Investigator will prepare an investigation summary and provide complainant and respondent separate opportunities to review and respond.
- If additional investigation is needed, investigator will inform complainant and respondent and add updates to the investigation summary, as necessary.
- Complainant and respondent have separate opportunities to review the final investigation summary.
- Investigator provides a final report to the hearing officer. The final report includes the investigation summary, any response/rebuttal from the complainant and/or respondent, and a determination of responsibility based on the investigation regarding each of the alleged violations.
- Hearing officer reviews the final report and issues a decision regarding the respondent's responsibility for each alleged violation. If it is determined that any violations occurred, the hearing officer will review relevant conduct history regarding a respondent's prior misconduct, sanctioning guidance from the Dean of Students or designee, and statement from the complainant and/or respondent, if provided.

Within seven days of receiving the final report, the hearing officer provides a decision letter providing the notice of outcomes, which includes a determination of responsibility for each violation, rationale, and sanctions (if applicable).

Sanctions

Sanctions are designed to promote the College's educational mission, promote safety and deter students from behavior that harms, harasses, or threatens people or property. More than one sanction may be imposed in a case. Some or all of the following factors are considered when determining what sanctions are appropriate in a particular case:

- The nature of the violation(s)
- Prior findings of responsibility and sanction(s)
- Mitigating circumstances surrounding the violation
- The student's motivation(s) for engaging in the behavior
- Impacts of the behavior
- Sanctions which have been imposed in similar cases in the past
- The developmental and educational impact on the student

Standard Sanctions

Standard sanctions pertain to a student's relationship with the College and provide a form of consistency in responding to acts of misconduct. One or more of these is usually issued when a student has been found responsible for violating this Code:

Disciplinary Warning – written notice to the student that the behavior is not acceptable at Ursinus College and that additional incidents may result in more severe sanctions. A Disciplinary Warning is placed in the student conduct file and is not reflected on an academic transcript.

Disciplinary Probation – a period of time (which may be indefinite) during which a student is under warning that any other violation of College policy will result in more severe sanctions, which may include suspension or dismissal. While on Disciplinary Probation the student may not represent the college in any way. Disciplinary Probation is not reflected on the academic transcript.

Suspension – a defined period of time during which a student is not permitted to engage in any of the privileges, courses, organizations, events, or activities associated with being a student at Ursinus. During the period of suspension, a hold designating such will be placed on the student's account prohibiting registration, enrollment, attendance, or ability to earn credit for any credit or non-credit courses offered by the College. A notation is placed on the academic transcript designating that the student is suspended for a specified period of time. Suspension also prohibits receipt of a degree or certificate from the College during this time. Suspension does not prevent a student from attending another college or university, transferring any otherwise qualifying credits back to Ursinus at a later date, or receiving copies of Ursinus transcripts reflecting academic credits previously earned. Once the period of suspension has been completed, the hold will be lifted from the student account, provided the student has completed any other requirements required prior to return. During the period of suspension, the student is also banned from Ursinus property unless otherwise stated.

Dismissal –the indefinite termination of a student's status at the College. This prohibits engagement in any of the privileges, courses, organizations, events, or activities associated with being a student at Ursinus College. This does not prohibit the transferring of credits earned to another college or university, but the dismissal is designated permanently on the student's academic transcript. Unless otherwise stated, the student is also indefinitely banned from Ursinus College property. This is the most egregious sanction that Ursinus College can impose upon a student.

Conditional Re-Enrollment – A hold is placed on the student's account, prohibiting re-enrollment until certain activities or sanctions are completed. The student may also be under behavioral restrictions upon enrollment.

Restriction of Access or Privileges – Prohibition on accessing a specific area or building of campus, and/or prohibition from participating in certain activities. This sanction may or may not affect a student's ability to take a specific course, but it typically allows for the pursuit of educational programs overall.

Ban from Campus – prohibition on accessing any Ursinus College property.

Individualized Sanctions

Individualized sanctions may be imposed in place of or in addition to standard sanctions. These sanctions are designed to maximize the learning of a specific student. Multiple individualized sanctions may be imposed, including but not limited to one or more of the following:

Reflective Activity: An activity designed to promote reflection by the student about behavior and its impacts. Examples can include: writing assignments, interviews, research projects. Completion will be based on fulfilling the objective requirements of the assignment, not on whether the student adopts or expresses a particular perspective or point of view.

Counseling Assessment: Documented completion of an assessment with a licensed care provider.

Restitution: Payment to a harmed party, such as repair or replacement of vandalized property.

Fine: Fines may be imposed for drug paraphernalia ($250 per item) and binge

drinking ($500 per item or action)

No Contact Order: a directive that the parties refrain from having contact with one another, directly or through proxies, whether in person or via electronic means.

Community and/or College Service: Completion of a designated number of hours of service to the campus or community.

Meetings with College Resources: Meeting with a College employee or office to learn about resources offered to support students.

Educational Class: Group setting to reflect, learn, and discuss common behavioral concerns with peers

Student Conduct Record

The College maintains student conduct records as part of student education records in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C.S. §1232g (FERPA). Students may request to review their student conduct record by contacting the Office of the Dean of Students, in writing.

No earlier than seven years following the resolution of any conduct case (including fulfillment of any relevant sanctions), a student's conduct record may be purged in accordance with campus procedures if there is no longer an administrative value to the record **and** the individual's relationship to the campus has ended.

Student conduct records will be disclosed only with written consent of the eligible student or the student's parents (if student is under 18 years of age), except as otherwise allowed pursuant to FERPA and its implementing regulations. The following contains a non-exhaustive list of situations where disclosures of records without consent may be appropriate:

- To other College officials within the institution when there is a legitimate educational interest in the information in order to exercise or complete their responsibilities on behalf of the institution;
- Records related to behavior that poses a significant risk to the safety or well-being of that student, other students, or other members of the College community; including as part of emergency response, emergency notification, timely warning, or other notifications as required by law;
- To college officials, including officials at other institutions, who have

legitimate educational interests in the behavior of the student (this includes release of records to another institution where the student seeks to enroll or has enrolled, in relation to a behavioral risk or threat assessment);

- Regarding any violation of any Federal, State, or local law, or of any rule or policy of the institution governing the use or possession of alcohol or controlled substance to a parent or legal guardian of a student if the student is under the age of 21 and the institution determines that the student has committed a code violation with respect to such use or possession;
- In cases where the behaviors in question may also constitute a crime of violence (as described in the Clery Act), the complainant will be informed of the outcome, including the determination of responsibility, rationale, and sanction(s); or

Final results (the name of the student, the nature of the violation committed, and the sanction(s) imposed) of the student conduct process for any student who is found in violation of a College policy that is also determined to be a "crime of violence," may be released publicly as required by the Clery Act.

Notice of Outcomes

The Dean of Students or designated College Official will provide the respondent with written notice of the final resolution of charged violation(s) within ten days of the hearing or decision issued by the hearing officer or body. In cases where the conduct may also constitute a crime of violence (as described in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f)) . The written notice includes:

1. Each charged violation(s) and the determination of responsibility;
2. The findings;
3. The sanction(s) imposed, if any, and the deadlines or time periods for which the sanctions are in effect;
4. A statement of the right to file an appeal and process for doing so;
    1. Failure to file a request for an appeal within the time below shall be deemed a waiver of the right to an appeal.

College Officials may also receive notice (in all or in part) of the outcomes when there is a legitimate educational reason for such notice, such as when the College Official's role is necessary for enforcement of the sanction(s).

Appeals

The College offers the opportunity to appeal student conduct Administrative Hearing, Panel Hearing and Investigative Resolution outcomes. Sanctions are in effect while an appeal is being considered, unless otherwise stated in writing by the Dean of Students. An appeal is not a re-hearing of the case, but an evaluation of whether the ground(s) for an appeal are present and should alter the outcome of the case. Not participating in a conduct process is not grounds for an appeal. Appeals may be requested based only on one or all of the following grounds:

1. College procedures were not followed, and the deviance would substantially alter the outcome(s) of the case;
2. New relevant evidence was not reasonably available at the time of the hearing and would substantially alter the outcome(s) of the case,
3. Severity of sanctions, in cases where the sanction includes suspension or expulsion.

Appeals addressing one or all of the above grounds must be submitted in writing to the Dean of Students within seven days of the sending of the notice of outcomes. If the Dean of Students determines the written appeal has met one or all of the grounds for appeal, an appeal hearing board of elected or appointed members will review all relevant information to the case and provide a response within ten academic days after receipt of the appeal. The appeal hearing board will consist of two faculty and one student who did not serve on the original hearing. If the grounds for appeal are determined to be founded, the hearing board may adjust the finding(s) and/or the sanction(s). The appeal board's decision is final.

In cases where the behaviors in question may also constitute a crime of violence (as defined in the Clery Act), both the respondent and the complainant have the right to appeal the finding(s) of responsibility and/or sanctions based on the above criteria. If an appeal is received, the other party will be notified of the receipt of the appeal, the grounds upon which the appeal has been sought, and of the opportunity to provide information for consideration by the appeal hearing board no later than ten days from the receipt of the appeal. In these cases, the appeal hearing board will have an additional ten days to provide a response.

Policy Revision & Acknowledgements

Policy Revision Statement

Ursinus reserves the right, without prior notice, to correct errors and to make changes in this Handbook and its policies, procedures, programs, and/or activities as it deems appropriate and in the best interest of the College.

Acknowledgements

- Harper College – Office of Student Conduct
- Edward N. Stoner II and John Wesley Lowery, "Navigating Past the 'Spirit of Insubordination': A Twenty-First Century Model Student Code of Conduct with a Model Hearing Script," Journal of College and University Law, 31(1), (2004): 1-78.
- *The General Order on Judicial Standards of Practice and Substance in Review of Student Discipline in Tax-Supported Institutions of Higher Education*, 45 F.R.D. 133 C.F.R. (1968).
- Professional resources and guidance from the Association of Student Conduct Administration (ASCA), the Association for Title IX Administrators (ATIXA) and the NCHERM Group, LLC.
- The Student Codes of Conduct and related procedures from: Bowling Green State University, Joliet Junior College, The University of Florida, Waubonsee Community College, and Wright State University

Section II: Additional Expectations & Resources

Academic Honesty

Copyright Infringement

Unauthorized Use of Copyrighted Material and Unauthorized File Sharing

In compliance with H.R 4137, the Higher Education Opportunity Act (HEOA), Ursinus College hereby gives notice that the unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities.

1. Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws
    a. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.
    b. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than $750 and not more than $30,000 per work infringed. For "willful" infringement, a court may award up to $150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.
    c. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to $250,000 per offense.
    d. For more information, please see the website of the U.S. Copyright Office, especially their FAQ's at www.copyright.gov/help/faq
2. Unauthorized peer-to-peer file sharing will be handled in accordance with established college practices, policies, and procedures, confirmation of inappropriate use of Ursinus College Information Technology resources may

result in termination of access, disciplinary review, expulsion, termination of employment, legal action, or other disciplinary action deemed appropriate. Information Technology will, when necessary, work with other College offices such as Residence Life, the Judicial Board, the Deans' office, Campus Safety, relevant law enforcement agencies, and any other appropriate authority in the resolution of violations.

3. The HEOA also requires that all colleges and universities offer legal alternatives to unauthorized downloads. You are encouraged to visit the Ursinus website for legal alternatives to unauthorized downloads.

For further information see the college's website for copyright information and Responsible Use Guide

Academic Policies

Regulations and Responsibilities

Students must abide by the rules and regulations as stated in the College Catalog. Students must follow the academic requirements of the catalog in effect at the time of their matriculation. When academic requirements are changed after students have begun college, they may choose to follow the requirements of the catalog in the year in which they enter or the requirements that are in effect in the academic year in which they graduate but not a combination of the two sets of requirements. Please refer to the catalog for academic policies. Note: the online catalog, which is updated annually in late-May, is the most up-to-date version.

Confidentiality of Student Records

Confidentiality of Student Records

In compliance with the Family Educational Rights and Privacy Act of 1974 (known as FERPA or the Buckley Amendment) the following constitutes Ursinus College's policy

which informs students of the procedures available to provide appropriate access to personal records while protecting their confidentiality. The complete Act is available for inspection in the Office of the Registrar.

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the College receiving a request for access. A student should submit to the Office of the Registrar a written request that identifies the record(s) the student wishes to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Registrar's Office, the student will be advised of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment.

   The Dean of the College (or a designee) is the Hearing officer appointed to resolve any disagreements which cannot be settled directly. The Dean (or designee) is available for informal meetings on such matters at any time. If the matter is not resolved through informal means, the matter will be referred to the Committee on Academic Standards whose decision is final. If the student does not agree with the decision, he or she may submit a letter to be included in his or her educational record expressing the student's explanations or interpretation of the official record.

   Note: It is not the intention of the Act to provide a forum for challenging course grades, decisions by the committee on Academic Standards, the Judiciary Board or any other committee or Officer of the College assigned the responsibility to make judgments. Rather it is the intention of the Act and the College's procedures to make known to students the informational base upon

which decisions included in the educational record are made and to allow corrections of that information or the inclusions of explanatory statements by the student.

3. The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or 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 responsibilities for the College. A school official is deemed to have legitimate educational interest if the information requested is necessary for that official to (a) perform appropriate tasks that are specified in his/her position description or by contact agreement; (b) perform a task related to a student's education; (c) perform a task related to the discipline of a student; or (d) provides a service of benefit relating to the student or student's family. Disclosure to a school official having a legitimate educational interest does not constitute authorization to share that information with a third party without written consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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

FERPA Waiver Request

Institutions are not required to disclose information from the student's education records to a parent of a dependent student. Students who wish to authorize release of their academic information to parents, guardians, spouses or any other individual may do so by signing a FERPA Waiver Request and submitting it to the Office of the Registrar.

By signing a FERPA Waiver Request, the student is waiving his/her rights under the Family Education Rights and Privacy Act and is asking that grades, grade point averages, course schedules, or academic standing be released to the named person(s) indicated on the Waiver.

Financial Aid

FERPA provides an exception regarding the release of education records information without the consent of the student when the release is related to financial aid. The disclosure is permitted if the information is necessary to determine eligibility for the aid; determine the amount of aid; determine the conditions for the aid; and/or enforce the terms and conditions of the aid.

Release of Information Under Special Circumstances

Records may be released to third parties without a signed FERPA Waiver Request under certain exceptions. These include: Federal officers as prescribed by law; agencies as required by state law; to research projects on behalf of educational agencies for test norms, improving instruction, etc. (provided that the agencies guarantee no personal identification of students); to accrediting agencies carrying out their functions; judicial orders or lawfully issued subpoenas (provided that the student is notified prior to compliance or provided that a reasonable attempt to notify the student has been made); an emergency if the information is necessary to protect the health or safety of the student or other persons; state laws requiring disclosure before January 1, 1976.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which educational records and personally identifiable information (PII) contained in such records — including Social Security Numbers, grades, or other private information — may be accessed without consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to records and PII without consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The

evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to educational records without consent to researchers performing certain types of studies, in certain cases even when the College objects or does not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive the PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without consent PII from educational records, and they may track participation in education and other programs by linking such PII to other personal information that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Record of Access and Maintenance of Files

A notification of releases made to third parties (i.e. anyone not a member of Faculty or staff with legitimate access to the student's record) must be kept in the student's record.

Notification of Student's Right to Non-Disclosure of Directory Information

FERPA requires Institutions to give public notice to students in attendance of the categories of personally identifiable information which the institution has designated as Directory Information. Institutions may disclose Directory Information about former students without meeting the notification requirement; however, if a student has requested, at his or her last opportunity as a student, that Directory Information not be disclosed, the institution must continue to honor that request until informed to the contrary by the former student. If requested to withhold directory information by a student after he or she has left the institution, Institutions may, but are not required to, comply with the request.

Types of Information Which May be Designated as Directory Information

The following information is designated as public or "Directory Information." Such information may be disclosed without a student's previous consent by the College for any purpose, at its discretion: full name, address, phone, email; major field of study; dates of attendance; admissions or enrollment status; class year; degrees and

awards; most recent previous institution attended; and student activities including athletics.
Students who object to the release of any or all "Directory Information" must express their objection in writing within the first week of the semester. The Office of the Registrar administers the procedure annually and monitors the information.

Definitions

"Student" is defined as any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records. For more information, see the Family Educational Rights and Privacy Act Regulations, 34 CFR §99.3

"Educational Records" are those records, files and documents relating to students and maintained by the College or an agent of the College. All such records and a log of the request for these records are maintained by College administrative personnel in the course of performance of assigned duties. Only college officials who have a legitimate educational interest shall have right of access to a student's "educational record."

"Educational Records" include:

- Admissions applications and transcripts maintained by the Office of the Registrar;
- Ursinus College academic record maintained by the Office of the Registrar;
- Student file maintained by the Dean of Students regarding judicial and disciplinary decisions;
- Student file maintained by financial aid offices;
- Record maintained by Career and Professional Development Office;
- Student records maintained by the Health Professions Advising Committee;
- Student records maintained by the Pre-law Advising Committee;
- Student records maintained by the Business Office;
- Student records maintained by the library.

The term "Educational Records" does not include:

- personal files of Faculty and administrators which are not accessible to any other person;
- record of parents financial status;
- medical, psychiatric of psychological records created and used for the treatment of a student and available only to those providing the treatment.

These records can be reviewed by a physician or appropriate professional of the student-patient's choice.
- employment records which relate exclusively to students as employees and are not used for other purposes;
- confidential statements and letters placed in the files prior to January 1, 1975;
- confidential letters and statements to which students have waived a right of access;
- records and documents maintained by Campus Safety;
- information or data collected by the Alumni and Advancement Offices about graduates.

"Record" means any information or data recorded in any medium including but not limited to handwriting, print, tapes, file, microfilm, microfiche, and computer file.

Source: Office of the Registrar at Chestnut Hill College (August, 2015)

Athletics

Before participating in intercollegiate athletics, a student must have a College physical on file with the Wellness Center and the Athletics Department. Limitations on eligibility and participation are determined by Ursinus College institutional guidelines, the NCAA, and the Centennial Conference.
Ursinus College reserves the right to make final decisions on eligibility and participation.

Campus Resources

See the Athletics website for updated hours of all facilities.

Floy Lewis Bakes Center – Helfferich Hall

- Students are required to show I.D.s at all times.
- Guests of students must be in the company of their host at all times. The host is responsible for the conduct of guests.
- Health and Exercise Physiology (HEP) classes, intercollegiate varsity sports, and intramurals have priority over free play or use of facilities.

Fitness Center

- I.D.s must be scanned upon entering the facilities.
- There is an enforcement of a dress and conduct code.
- Users must adhere to all posted policies and procedures
- All usage forms (waiver, PAR-Q, usage policy) must be completed on Grizzly Gateway.

Tennis Court & Track Policies

- HEP classes, Intramurals, Athletics have priority for use of these areas.

Intramural Sports and Recreation

Intramural Sports Director, Tim Litz
610-409-3736
Floy Lewis Bakes Center

Intramural individual and team sports leagues & tournaments:

FALL SPORTS

Tennis
Indoor Volleyball
Indoor Soccer

WINTER SPORTS

5-on-5 Basketball

SPRING SPORTS

Badminton
Sand Court Volleyball Tournament
Indoor Field Hockey (Coed)

All sports have a captains meeting (mandatory attendance), which takes place after the deadline for registration and prior to the start of league play. At this meeting, captains will be given their game schedules, a list of rules and regulations, and have their questions answered.

Entry forms are needed for all individual and team sports. Entry forms can be found on the intramural page of the UC website by clicking on the appropriate sport link. An informed consent and waiver form must be signed by all participants and submitted to the league coordinator prior to the first competition.

It is the responsibility of the participant to be cleared by their physician, and to possess good physical health prior to participating in any activity sponsored by Ursinus College.

Campus Safety

Campus Safety, a division of Student Affairs, aims to provide a safe and welcoming environment for the Ursinus community. Campus Safety Officers strive to meet the individual needs of all students, faculty and staff by providing frequent patrols, professional attitudes, and quick response to safety concerns.

All campus policies and procedures are in effect at all times, as outlined in the Student Handbook and the Campus Safety web pages.

Ursinus is private property. Non-members of the campus community who engage in misconduct within College programs or on College property can be subject to actions that limit their access and/or involvement with College programs and property as the result of the misconduct. All vendors serving the College through third-party contracts are subject to all policies and procedures, to which their employer has agreed to be bound.

- Location & Services
- Emergency Guidelines
- Policy on Discriminatory Acts
- Motor Vehicles
-

Location and Services

The Campus Safety Office is located in Wismer Center on Olin Plaza, and provides services and protection for the Ursinus community 24 hours a day, 7 days a week.

The staff consists of a Director and twelve un-sworn Campus Safety Officers who participate in regular training programs and receive updated safety materials on a monthly basis (including certificate training programs provided at no cost to the officer). The officers bring a remarkable background in selflessness and personal integrity to their position, and include former police officers, firefighters, military veterans, and EMTs. Campus Safety Officers are trained in a wide array of security procedures including emergency response, CPR, AED, First Aid, and crisis intervention.

Services

Campus Safety works closely with Collegeville Police and local and state agencies to protect the campus community and property while remaining sensitive to the educational objectives of Ursinus College. Safety Officers perform comprehensive and frequent patrols, respond quickly to safety problems, and keep current, accurate records of activities affecting the welfare and safety of the Ursinus College community. Personal safety escorts are available 24 hours a day. Additional safety resources and emergency notifications may be accessed through the Ursinus College MobileU app located in both the Apple and Android app stores.

Campus community members are encouraged to promptly report any crime or unusual or suspicious incidents to Campus Safety. An officer is dispatched to the scene to evaluate and handle the situation in accordance with College guidelines or contact the appropriate authorities to assist. Ursinus College safety officers are familiar with criminal law and procedures; however, they do not make arrests. Collegeville Police and Pennsylvania State Police have full arrest authority on campus.

Telephone Numbers

Police, Fire or Medical Emergencies: 9-1-1 (additional 9 is not needed from campus extensions)
Campus Safety: 610-409-3333 (ext. 3333 from a campus phone)

Emergency Guidelines

Emergency Guidelines for Active Threats

If it is possible to do so safely, immediately exit the building when you become aware of a threatening incident, moving away from the immediate path of danger, and take the following steps:

1. Notify anyone you may encounter to exit the building immediately.
2. Evacuate to a safe area away from the danger, and take protective cover. Stay there until assistance arrives.
3. Call 9-1-1 and the Ursinus Campus Safety Department at 610-409-3333 providing each dispatcher with the following information:

- Your name
- Location of the incident (be as specific as possible)
- Number of persons who may be involved
- Your exact location
- Injuries to anyone, if known
- Text-to-9-1-1 is also available in Collegeville, Montgomery County if unable to call

Individuals not immediately impacted by the situation are to take protective cover, staying away from windows and doors until notified otherwise.

- If you are directly involved in an incident and exiting the building is not possible, the following actions are recommended:

1. Go to the nearest room or office.
2. Close and lock the door.
3. Turn off the lights
4. Seek protective cover.
5. Keep quiet and act as if no one is in the room.
6. Do not answer the door.
7. Wait for local police or emergency personnel to assist you out of the building.

The Ursinus Emergency Alert System

Ursinus College has augmented the existing emergency notification system with a text messaging service that will instantly and simultaneously distribute brief messages in situations posing **imminent physical** threats to the college community. Registered users can choose how they wish to be contacted which include text message, e-mail, smart phone app, and voice phone calls.

Registration instructions will be sent to all Ursinus community members via email. Step-by-step instructions are also available on the Ursinus Campus Safety webpage. Please make sure you have your cell phone on hand before registering.

Motor Vehicles

The Ursinus College campus is private property, and the College determines all motor vehicle regulations. All vehicles brought on campus must be registered with Campus Safety in Wismer Hall within the first week of classes, or within twenty four (24) hours of arrival during the semester. The College is not responsible for the safety or protection of motor vehicles, or their contents, while parked on College property.

To register cars, students must have their Ursinus College Colleague ID and the vehicle registration. Unregistered vehicles may be booted or towed at the owner's expense. The registration fee is $150.00 per vehicle (including motorcycles). If approved, the registration fee will be applied to the student's account.

On campus parking for First-Year students is not permitted, however, a limited number of exceptions may be made each semester. First-year students must submit documentation as instructed on the parking permit application. All applications will be reviewed on a case-by-case basis. .

To help maintain the safety and beauty of the campus, students must abide by all Ursinus College traffic and parking regulations. These regulations are provided on the Vehicle Registration form and Parking web pages. Special parking areas are marked. All drivers must adhere to state and local parking ordinances. Violations will be distributed when vehicles are not parked according to Ursinus regulations. Fines may be assessed to student accounts at any time once ownership of a vehicle is determined. Repeated violations may result in a tire boot being placed on the vehicle, towing without notice, or loss of parking privileges.

By registering a vehicle, registrant agrees that neither Ursinus College nor its employees are responsible for injury to persons, nor for the theft of, or damage to, vehicles or their contents, while parked on College property. Vehicles must be operated in a prudent manner relative to conditions of the road or lot, weather, time of day, etc., while on College property. Responsibility for any liability resulting from

the location or operation of a motor vehicle on College property rests with the operator or owner and not with the College. The person who registers a vehicle is responsible for assuring that the vehicle, regardless of who drives it, is driven and parked in accordance with these regulations.

Parking Guidelines for Ursinus College

All members of the college community are expected to adhere to the following parking regulations:

1. All cars must be parked on paved or conditioned surfaces (e.g. macadam, blacktop, or stone). There is no curbside parking on campus. Vehicles must park in a designated spot.
2. No parking is permitted on grass, dirt, or wedged in between trees.
3. All campus driveways are considered fire lanes (regardless of markings). Therefore, parking in driveways is strictly prohibited, and vehicles may be towed without warning.
4. All cars must be registered with Campus Safety and must have a parking pass affixed to the vehicle. Stickers are not transferable to other cars.
5. All visitors to campus must register their cars with Campus Safety in Wismer Hall. A temporary permit for parking in the West Lot will be issued to visitors who are on campus for more than three (3) hours and who park outside of the Corson Visitors lot.
6. Temporary Permits for students are available in the Campus Safety Office and will be issued at $10.00 per week.
7. Parking stickers must be displayed and properly affixed to either the rear window or rear bumper on the drives side of the vehicle. Permit must be visible at all times. Vehicles not properly displaying a permit will be ticketed.
8. Lost or stolen permits will be replaced for $50.
9. Students with vehicles will be issued one of the following parking permits: Students with valid permits may only park in lots designated for that sticker. Parking in any other lot is strictly prohibited and may result in revocation of parking privileges. There are no designated lots for specific residence halls.
    1. Main Street Permit –This sticker is valid in all student lots. No other vehicles may park in the Main Street house lots at any time. Parking at most Main Street house locations is limited, and a space is not guaranteed. Students not able to park at a Main Street location are required to park in one of the larger lots located throughout campus.

2. Main Campus Permit – This permit will be available to all commuting and upper-class students living in Reimert, Richter/North, New, BWC, or BPS. This permit is only valid in student spaces in the following lots: West Lot, Wismer Lot, Ritter Lot, and gravel lots.
3. First-year Permits will be granted by permission only. Pre-approved first year students must park in designated spaces to be determined by Campus Safety. First-year students may not park in any other location on campus at any time.

10. Student parking is designated by white lines. Yellow lines indicate spots designated for Staff/Faculty parking. Student may not park in Visitor, or Faculty/Staff parking at any time (including evenings and weekends). Student vehicles MUST be parked in student spots at all times. Vehicles parked outside of designated areas will be ticketed.
11. Students are not guaranteed a parking spot near their designated residence hall. If the desired student lot is full, student may park in the West Lot off of 9th Ave. Student who return to campus late at night may request a personal escort from this lot to their residence hall.
12. Vehicle violation appeals must be submitted in writing within 10 days of the violation. Appeals can be submitted online at: **Parking Appeals**. Appeals received after 10 days will not be considered for any reason.
13. Vehicles may be towed without warning if they are parked improperly. This may include but is not limited to vehicles: blocking parking lot entrances, fire lanes, loading docks, dumpsters or recycling bins; parked in driveways; parked on the grass; or parked in handicapped spaces without handicapped tags or badges. Vehicles without proper state inspection or registration may not be stored on the Ursinus campus. In addition, vehicles that are not in working order and/or vehicles that cannot be properly secured must be removed from campus immediately. Vehicles not removed may be towed without warning. All towing and storage charges are the responsibility of the vehicle owner.
14. Repeated violations will result in disciplinary action, which may include but is not limited to: revocation of campus parking privileges, vehicle immobilization, or towing. A $75 fee will be assessed for removal of the immobilization device.
15. A campus parking permit is a privilege that can be lost if registrant fails to adhere to the Ursinus College parking policies.

If there are any questions concerning these guidelines, please contact the Director of Campus Safety for student concerns (extension 3333) or the Vice President of Finance & Administration for faculty/staff concerns (extension 3797).

1. Vehicle violation appeals must be submitted in writing within 14 days of the violation. Appeals may be submitted to Parking Appeals. Appeals received after 14 days will not be considered for any reason.
2. Repeated violations will result in disciplinary action, which may include but is not limited to: referral to the Student Conduct system, revocation of campus parking privileges, vehicle immobilization, or towing. A $75 fee will be assessed for removal of the immobilization device.
3. A campus parking permit is a privilege that can be lost if registrant fails to adhere to the Ursinus College parking policies.

Questions concerning these guidelines, please contact the Director of Campus Safety for student concerns (extension 3333) or the Vice President of Finance & Administration for faculty/staff concerns (extension 3797).

Some of the parking violations and fines include, but are not limited to:

Parked in faculty/staff area	$30	
Parked improperly	$30	
Permit not valid in parking area	$55	
Parked in handicapped space	$155	
Parked on grass/lawn/hash marks	$40	
Parked on sidewalk	$40	
Unregistered vehicle	$155	
Improper location of decal/no decal	$15	
Parked in fire lane/campus driveway	$155	
Removal of boot from vehicle	$80	
Parked in Visitor parking space/lot	$55	
Three violations trigger loss of parking privileges		
Forging/Altering Permits	$255	and loss of parking privileges

A more inclusive list of parking violations and additional information about parking on campus is available at https://www.ursinus.edu/parking.

Change of Status

Ursinus has three different change of status options for students. Please read the descriptions below and select the change of status that fits your situation.

1. Medical Leave of Absence (MLOA)
   If you experience a medical situation that significantly limits your ability to function successfully or safely as a student, you can request a medical leave of absence (MLOA). A MLOA allows you to take a break from College life and your studies for the remainder of the semester. After receiving treatment you can request to return to the College with an enhanced opportunity to achieve your academic and co-curricular goals.
2. Leave of Absence (LOA)
   You may encounter circumstances other than medical, that require you to take time away from the College. A leave of absence (LOA) allows you to take the needed time away.
3. Withdraw
   If you are considering transferring or leaving the College permanently you may request a Withdraw.

Medical Leave of Absence Policy

Students may experience medical situations that significantly limit their ability to function successfully or safely in their role as students. In those situations, students can request a medical leave of absence (MLOA). A MLOA allows students to take time away from the College for the remainder of the semester in order to receive treatment. Students are encouraged to discuss their request with someone in the Institute for Student Success.

The following procedures provide for an individualized and reasonable approach for assessing a student's eligibility to take and return from a MLOA.

The Exit Process

Students interested in a MLOA must submit the online form below and be prepared to move-out of residential housing within 24 hours of the MLOA being approved. Students are not permitted on campus during a MLOA.

Request for Medical Leave of Absence form

The Institute for Student Success will review a student's request for a MLOA and contact the student as quickly as possible to allow the student to immediately step away from the College and receive needed support. Students approved for a MLOA are not permitted on campus until they have been approved through the Return to Active Status process.

A MLOA may impact financial aid, student account or academic progress, so students considering a MLOA are required to contact Student Financial Services, and their academic adviser to verify impact.

Policy and Process when Ursinus Mandates Medical Leave

In rare instances, Ursinus may deem it necessary to mandate a Medical Leave of Absence (MLOA) when a student is unable to participate in campus life due to medical issues. No student will be required to take a MLOA without an individualized assessment and consideration of reasonable modifications or accommodations which, if accepted by the student, would be expected to enable the student to participate in campus life. Among accommodations the Institute for Student Success will consider are whether the student may safely complete their course work and/or research while living off campus and/or whether they might succeed with a reduced course load. Circumstances in which Ursinus might consider a student for a mandated Medical Leave include, but are not limited to, situations in which a student's medical condition causes them to exhibit behavior that:

1. Harms, threatens to harm, or seriously endangers any person, including themselves, or that demonstrates an inability to care for themselves;
2. Significantly or repeatedly disrupts the educational, residential, and other activities of Ursinus; or
3. Demonstrates an inability to engage in a medically recommended level of treatment while maintaining participation in daily activities at Ursinus.

The decision to mandate a MLOA will be made jointly by a Student Affairs Dean and the Institute for Student Success. They will consider information and recommendations provided by medical professionals, Ursinus staff, faculty, and the student. They will provide the decision to mandate a Medical Leave to the student in writing. The decision will explain the rationale supporting the decision, the details of the leave, and any conditions the student is expected to satisfy prior to requesting to return.

A student who disagrees with the Institute's decision to mandate a MLOA may submit an appeal, or review request, to the Dean of Students, but the leave decision will remain in effect while the appeal is pending. The Dean of Students must receive the appeal within seven working days of the decision to mandate leave, unless the Dean of Students agrees to accept a late review request due to exceptional circumstances. The student must make the request in writing and include detailed information describing the rationale for the request to overturn or modify the leave decision. The student may submit any medical documentation that supports their appeal. The Dean of Students may meet with the student if deemed appropriate, review all pertinent materials associated with the leave decision, and consult with others who may have useful information. The Dean of Students may affirm, overturn, or modify the leave decision within ten working days from the date of receipt of the request, although this period may be extended due to staff availability or unusual circumstances. The Dean of Students' decision will be communicated to the student in writing and shall be final.

Returning from a MLOA

Students interested in returning to the College from a medical leave of absence must complete a Request to Return to Active Status form and attach the Authorization to Release/Request Confidential Information form at least one month prior to the anticipated semester for return. This ensures sufficient time to complete the process.

The Request to Return to Active Status form includes the following: Treatment

Summary completed by a medical practitioner, including:

- Period of treatment, Diagnosis, Summary of Treatment Progress, Prognosis
- Whether or not student complied with recommended treatment
- Whether or not the student is deemed ready to return
- List continuing treatment plan and recommendations
- Personal Statement addressing the following questions:
- What is your understanding of the difficulties that led you to take a Medical Leave of Absence?
- What have you done since you went out on leave to get treatment, cope with, or otherwise improve the situation?
- What are your plans for coping once back on campus if readmitted?

The College may also require this information be submitted at a later time if it is determined that the other information submitted is not sufficient to make a recommendation about return. In those cases, the College will provide the student with a written explanation for this determination. Any requests for additional information may extend the College's timeframe for reviewing requests to return. The College will notify the student of any situations where its review is delayed and the cause for the delay.

Processing a Student's Request to Return from a MLOA

Once materials have been submitted, the student should call the Institute for Student Success to confirm receipt of materials and to discuss the review process. The Director of Wellness will review the Treatment Summary and the Institute for Student Success will determine if the student appears ready to resume academics and campus life. Every effort will be made to respond to the student's request for return in a timely manner.

Significant weight will be given to the student's treatment providers regarding the student's ability to function academically and safely at the College with or without accommodations. During the process of reviewing an application the Institute for Student Success consults with the Director of Wellness regarding the Treatment Summary. If the Director of Wellness determines that information provided by the treatment provider is incomplete, requires further explanation or clarification, or when there is a disconnect between the medical information provided by the treatment provider and other information in the student's files, the Director of Wellness will contact the treatment provider to obtain additional information. In extraordinary circumstances (e.g. The College is concerned about the medical provider's credentials), the Institute for Student Success may request that the student undergo an additional assessment to allow the College to make a determination about the student's readiness for return. In those rare instances, the Institute for Student Success will notify the student of its rationale for making this request.

Once a return is approved, the Director of Wellness will contact the student to request a check-in visit to review the students' safety and review their plan for sustained health, including recommendations for ongoing treatment, off campus. Students with disabilities are eligible for reasonable accommodations and/or special services in accordance with the Rehabilitation Act of 1973 and the Americans with Disabilities Amendments Act (ADAA) of 2008. Students are responsible for

communicating their requests for academic accommodations to Disability Services. Detailed information on the process for requesting accommodations may be found on the Disability Services website.

A student may appeal the recommendation that they are not ready to return to the College by submitting an appeal letter in writing to the Dean of Students within 7 business days of receiving notice of the negative decision. The student may also submit any information they believe to be relevant to the appeal.

Leave of Absence (LOA)

Students may encounter circumstances that require them to take time away from the College. In those situations, students can request a leave of absence (LOA). Students are encouraged to discuss their request with someone in the Institute for Student Success.

A LOA may impact financial aid, student account or academic progress, so students considering a LOA are required to contact Student Financial Services and their academic adviser to verify impact.

The Exit Process

Students interested in a LOA must submit a Request for Leave of Absence.

The Institute for Student Success will review the student's request for a LOA . If approved, students on a LOA are not permitted to be on campus during their leave.

Returning from a LOA

Students interested in returning to the College from a LOA must submit the Request to Return to Active Status at least one month prior to the anticipated semester for return. This ensures sufficient time to complete the process.

Withdraw

Students considering or planning to transfer or leave the College permanently must submit a Withdraw Questionnaire.

The Institute for Student Success will review your responses to the Questionnaire and inform you of next steps.

Dining Services

Wismer Center Dining Room

Hours of Operation

Monday – Friday

Open 7:30 a.m. - 9:00 p.m. Continuous Service

Saturday

Open 7:30 a.m. – 7:30 p.m. Continuous Service

Sunday

Open 9:00 a.m. – 7:30 p.m. Continuous Service

Casual Meal Rates

Guests are always welcome. Guests who are not on a valid meal plan are required to make a cash payment to the Cashier before entering the Dining Room.

Breakfast $8.00

Lunch / Brunch $10.75

Dinner $12.50

Alternatively, students with valid meal plans may pay for Guest Meals with Dining Dollars, “Bear Bucks”, or Guest Meals. Guests who pay with Bear Bucks are entitled to a 10% discount off the published rates at the point of sale.

Meal Plans

All first-year students are automatically assigned the 21-meal plan for their first academic year. Upper classmen are able to change their meal plan each semester before the last day of drop-add, via the Blackboard site or the link provided from the Dining Services website: https://ursinusdining.sodexomyway.com/.

I.D. Cards

Students are required to present their I.D. Card for all meals. This Policy will be strictly enforced in order to protect the Students' meal plan balances.

Replacement I.D. Cards

Replacement I.D. cards may be obtained at the Tech Support Help Desk, located in the basement of the Myrin Library between the hours of 8:30 a.m. and 6:00 p.m., Monday through Friday. In order to obtain a replacement I.D. Card, you must present some other form of photo I.D. with your signature on it. The cost of the replacement card is $10, which may be billed to your student account.

Commuting Students

Commuting Students may purchase any of the available meal plans or set up a "Bear Bucks" account through the Business Office.

Bag Meals

Any student or group of students on the meal plan may request a bag meal by filling out the request form available in the Dining Services Office. All names and signatures need to be submitted five business days prior to the event. The students meal balance will be reduced by one meal and the meal card will not work for the meal that was replaced with a bag meal.

Dietary Needs

The dining service is able to provide for most special dietary requirements. Contact the Dining Service Office for information. Refunds are not available because of missed meals or student abstinence from certain foods, except when illness necessitates a student's absence from the campus over a continuous period exceeding four weeks, in which case a resident student is allowed a pro-rated refund.

Birthday Cakes

Birthday cakes may be ordered directly through the Dining Service Office, seven business days in advance of delivery date. An assortment of cakes are available to meet your needs.

Catering

Reservations for banquets and special food service must be made in writing and menu selection must be made two weeks in advance with the Catering Director. A Faculty Advisor of a student organization is required to make arrangements with the Dining Service Office for Catered Events. Contact Catering

Table Flyers

Any flyers or announcements placed on dining room tables must have prior approval from the Student Activities Office before printing. All flyers must be printed with black ink on white paper and may be placed on the tables not more than 1/2 hour prior to the start of the meal. There is a limit of 3 flyers per table. All flyers will be removed after each meal. All flyers for Greek Organizations must be approved by Student Activities. All flyers for Residential Hall space must be approved by the Residence Life Office.

Dining Hall Regulations

- Students are required to present I.D. Cards for all meals. This Policy will be strictly enforced to protect the Students' meal plan balances.
- Everyone must carry dishes and tableware to the designated dish return area at the completion of the meal. Dining room property, such as dishes, trays, pitchers, silverware, kitchen equipment and furniture equipment, must not be removed from the dining room.
- No food or beverages are to be removed from the dining hall. All food and beverages must be consumed in the dining hall, with the exception of one piece of fruit, or one ice cream cup or cone.
- Neither smoking products nor alcoholic beverages are permitted in any dining facility.

Failure to comply with any of the above rules will result in disciplinary action.

Zack's Food Court

Zack's is a food court located in the lower level of Wismer Center. Grilled sandwiches, subs, salads, baked goods, specialty coffees and frozen drinks, as well as a wide variety of grab & go items complete the menu offerings. The layout of the dining room is designed to encourage people to gather, relax and enjoy a meal together.

Hours of Operation

Jazzman's

Monday - Friday 8:00 a.m. – 7:00 p.m.

Saturday & Sunday Closed

Subconnection

Monday - Friday 11:00 a.m. – 7:00 p.m.

Saturday & Sunday Closed

Grill

Monday - Friday 11:00 a.m. – 7:00 p.m.

Saturday & Sunday Closed

Tres Habaneros

Monday - Friday 11:00 a.m. – 7:00 p.m.

Saturday & Sunday Closed

Natural!

Common's Cafe

Smart Market

Monday – Sunday 10:00 am – 11:00 pm

The dining program allows students to choose between Zack's Food Court, the Wismer Center Dining Hall or Natural during certain meal hours and days of the

week. If students choose to eat in the Dining Hall, they will continue to enjoy the privilege of choosing to eat whatever they would like and as much as they would like. If students choose to dine in Zack's Food Court or Natural, they will be given a Meal Credit allowance, which may be used to plan a personalized menu.

The intent of offering this flexibility is to provide a change of pace and a convenience for those times when a student's schedule or athletic event doesn't leave enough time to utilize the Dining Hall during regular hours. Zack's Food Court and Natural are not intended to serve as a second board plan dining facility, but as a supplement to the primary dining experience in the Wismer Center Dining Hall.

Dining Dollars

In addition to enjoying a Meal Credit in Zack's Food Court and Natural, students gain even more flexibility by using Dining Dollars. Dining Dollars is a declining cash balance program, included with each meal plan, which allows students to purchase food from Zack's Food Court, Natural or The Commons Cafe at any time during regular operating hours.

At the beginning of each semester, all meal plan participants will receive a set amount of Dining Dollars as part of their meal plans. These funds are meant to be used to pay for the price differential above the Meal Credit amount allowed in Zack's Food Court or Natural. These funds work in conjunction with meals and are intended to allow for more variety and purchasing power.

At the time of purchase, the amount spent will be deducted from the cash balance on the meal card. The participant will be able to deposit additional funds onto the card in the form of a "Bear Bucks" Account at any time. These funds may also be used for guest meals.

Meal Credit allowances are not accepted at The Commons Café or Smart Market.

For more information please visit the website at https://ursinusdining.sodexomyway.com/.

Facilities Services

The Ursinus College Facilities Services department is responsible for all aspects of construction, grounds care, cleaning, maintenance and other services for campus buildings and housing. The campus consists of more than 65 buildings set on 168 acres of beautiful gardens, healthy green lawns, well-groomed athletic fields, and natural woodlands.

Ursinus College Facilities Services is committed to quality service for the students, faculty, staff, and visitors. This is achieved by anticipating and providing a safe and healthy physical environment for everyone on campus. We create an optimal environment for student achievement. More information can be viewed on the Facilities Services website. The Facilities Services building is located at the 5th Avenue southeastern entrance into campus across from the Heat Plant (the large smokestack visible from anywhere on campus.)

Fixed Repair Rates	
HVAC	
Repair Thermostat	$70.00
Tamper with heat valves	$50.00
Replace baseboard heat unit	$100.00
Replace discharge vent on HVAC unit	$50.00
Replace window air-conditioner unit	$200.00
Replace missing a/c appliance extension cord	$15.00
Replace a/c unit (BWC/BPS)	$200.00
PLUMBING	
Open clogged sink or shower	$50.00
Open clogged toilet	$50.00
Broken Showerhead	$100.00
Replace broken toilet seat	$50.00
Replace broken toilet	$250.00
Replace broken sink	$200.00
Replace faucet handles (per piece)	$35.00
Replace single lever faucet	$125.00
Replace water fountain	$1,350.00
ELECTRICAL	

Replace missing switch covers	$20.00
Replace missing receptacle covers	$20.00
Replace broken light fixture	$100.00
Replace broken light cover or globe	$50.00
Replace broken light switch	$50.00
Broken cable/data outlet	$50.00
Replace campus pole and light	$3,750.00
Reair/reinstall light post (weld/paint)	$500.00
Replace light pole head only	$1,800.00
LIFE SAFETY SYSTEMS	
Tampering with/discharging extinguishers, smoke or heat detectors, or fire alarm pull boxes	$250.00 plus any additional contractor fees
Tampering with exit systems- includes door prop alarms and lock mechanisms	$100.00
Exit sign (Richter/North or New Halls)	$185.00
Exit sign	$185.00
Replace fire escape ladder	$250.00
ARCHITECTURAL - DOORS	
Repair door lock	$50.00
Replace Reimert suite door lock	$415.00
Replace door lock	$150.00
Replace passage set on door	$50.00
Replace interior fire rated door	$700.00
Replace interior door	$425.00
Replace exterior door	$700.00
Replace closet door	$250.00
Rehang closet door	$50.00
Replace double door panic bar	$500.00
Replace single door panic bar	$250.00
Replace door strike	$40.00
Replace door knob	$50.00
Replace wooden door jamb	$100.00
Refinish door (strip & refinish)	$150.00

Replace peep hole	$25.00
Replace mechanical door closer	$120.00
Replace toilet partitions (custom order)	$800.00
Replace air louvers on bathroom doors (Reimert)	$150.00
ARCHITECTURAL - WALLS/WINDOWS/FLOORS	
Repair hole in wall 12”x12” or less	$150.00
Repair hole in wall 12”x12” or larger	$200.00
Replace broken window pane 12”x12” or less	$50.00
Replace broken window pane 12”x12” or larger	$75.00
Replace broken thermal window glass (dorm rm)	$159.00
Replace broken tempered door glass	$150.00
Replace security window screen	$105.00
Replace Pella window locks	$35.00
Replace window shade	$30.00
Replace carpet in student or common room	$500.00
Replace VCT (vinyl) flooring - per tile	$25.00
Repaint wall	$150.00
Repaint room	$300.00
Touch up paint due to vandalism	$75.00
ARCHITECTURAL - MISCELLANEOUS	
Replace paper towel dispenser	$60.00
Replace toilet paper dispenser	$60.00
Replace towel hook or bar	$20.00
Replace bathroom mirror (wall mount)	$150.00
Replace missing/broken shower rod	$50.00
Replace bathroom or room signs	$50.00
FURNITURE	
Replace lounge sofa	$2,400.00
Replace lounge love seat	$1,500.00
Replace lounge corner piece sectional sofa	$2200.00
Replace upholstered lounge chair	$900.00
Replace lounge end table	$175.00
Replace lounge coffee table	$950.00

Replace high top table	$450.00
Replace lounge Doni Stool	$300.00
Replace lounge Doni armless chair	$200.00
Replace 5’ round table (event furniture)	$300.00
Replace 6’ rectangular table (event furniture)	$175.00
Replace bed frame & spring	$300.00
Replace mattress	$125.00
Replace wardrobe/armoire	$800.00
Replace dresser	$400.00
Replace missing/broken dresser drawer	$75.00
Replace desk	$330.00
Replace missing/broken desk drawer	$50.00
Replace desk chair	$125.00
Reassemble student bed	$50.00
CAMPUS EQUIPMENT (MISCELLANEOUS)	
Replace missing trash or recycling bin (common)	$35.00
Replace missing room recycling bin	$15.00
Replace missing/broken vacuum	$275.00
Replace missing/broken dorm mirror	$60.00
CUSTODIAL SERVICES/VANDALISM REMOVAL	
After hours custodial cleaning (call in)	$140.00
Remove excessive trash (trash & personal items left)	$150.00
Remove moderate trash (larger personal items & trash)	$100.00
Remove minor trash (few small personal items)	$50.00
Clean walls or adhesive removal	$50.00
Clean door excessively damaged	$50.00
Clean excessively dirty carpet	$50.00
Clean dorm refrigerator	$50.00
Remove/return college furniture/items (per piece)	$30.00
~~Remove/dispose non-college couch~~	~~$150.00~~
Remove/dispose non-college chair	$25.00

Remove/dispose non-college loft	$50.00
Remove/dispose electronics/refrigerators (per piece)	$75.00
Clean/remove minor graffiti	$50.00
Clean/remove excessive graffiti	$100.00
GROUNDS/LANDSCAPE DAMAGE	
Subject to replacement costs for materials (trees, shrubbery, sod, mulch, etc.). Plus labor charges	

OTHER DAMAGES NOT APPEARING ON THIS LIST WILL BE SUBJECT TO ACTUAL REPLACEMENT COSTS

NOTE – Labor charges assessed are based upon Facilities trades salaries each year. These include, but are not limited to: carpenters, plumbers, HVAC locksmiths, and supervisory charges.

Carpentry/plumbing - $40/hour day - $60/hour OT (2 hour minimum)
HVAC/electricians/locksmith - $42/hour- $63/hour OT (2 hour minimum)
Groundskeeper- $37/hour- $56/hr OT (2 hour minimum)
Supervisory staff - $45/hour day - $68/hour OT (2 hour minimum)

Key Replacement

An exterior building key, MSC key, and individual room key will be issued to residents of each hall as appropriate. If a student loses a key, he/she should report the loss immediately to Facilities Services. There will be a $15 replacement charge (per key). At the end of the academic year, students must return room and exterior building keys, but keep MSC keys. Only graduating seniors, students changing their residency status to commuter or off campus, and students permanently leaving the college return MSC keys at the end of the year. If room and exterior building keys are not returned at the end of the year, the student will be charged key replacement fees as appropriate.

ID Cards

In order to provide for the identification of individuals in the Ursinus community, students, faculty, and staff are given identification cards. Students should carry these cards at all times as they may be required to access certain College buildings, services, and events. In addition to identification, these cards may have monetary value assigned to them by Dining Services as part of the meal plan obtained by the cardholder or through the Bear Bucks program. Thus all members of the Ursinus community should report a lost or stolen I.D. card immediately to protect this value. In addition, a bar code printed on the I.D. allows students to check out materials in the Myrin Library.

To obtain a replacement I.D., students must go to the Technology Support Center in the Myrin Library, and present some other form of photo I.D. with a signature. The cost of a replacement card is $10.

Presentation of a valid I.D. card is required to gain access to the Dining Hall and Athletic Complex.

Information Technology

Student Accounts and Email

All students are provided with an account that enables them to access campus and internet resources, to send and receive e-mail, and to store documents and files. Students' account names and e-mail addresses are based on the following convention: the first two letters of the student's first name followed by the student's full last name. Jane Doe's account would therefore be "jadoe" and her email address would be jadoe@ursinus.edu. In the case that there are students with the same last name and the same first two letters of their first names, one student usually has a 1 appended to their address. For example, James Doe's account name would be "jadoe1." Students will be able to access their e-mail on- and off-campus by using a web browser such as Firefox, Chrome, or Internet Explorer or by using Outlook.

Student Technology Resources

All full-time students from the class of 2020 have been given laptop computers for their use while at the college (the program is being phased-out for future class years). Students were given a new laptop when they entered as freshmen. At the end of their sophomore year, students return the laptop originally provided to them

in exchange for another new laptop to be used until the completion of their senior year. At that time, the laptop will either be returned to the college or may be purchased for a fee; the laptops remain the property of Ursinus College until that time. Students are responsible for the appropriate use, care, and security of the laptops and are required to return their laptops on demand for misuse or for mandatory maintenance. Students must also return their laptop immediately if there is a change in their full-time student status. Failure to do so will lead to a charge for the laptop's value on the student account. The laptops are covered under a two-year warranty and all service to them will be provided by the College's Library and IT Services (in the Myrin Library). Additional information on student responsibilities is provided during the laptop distribution process, and students are required to sign for their laptops and acknowledge those responsibilities.

There are public print stations on the first floors of Myrin Library, Pfahler Hall, Olin Hall, Floy Lewis Bakes Center and the upper level of Wismer Center – information on using these printers is available at www.ursinus.edu/printing . There is a per-page fee associated with the use of these printers, which is charged via the college's 'Bear Bucks' program. More information on this program is available at www.ursinus.edu/bearbucks.

Students have access to an on-line course management system (through which faculty post course materials and facilitate various course activities), the Microsoft Office suite (which includes word processing and spreadsheet packages), other general purpose software packages, internet and web browsing tools, course and discipline specific software packages (including statistical and scientific utility packages), programming languages, the Myrin Virtual Library, and a variety of other digital resources found on the college's web site and on the internet.

The campus wireless network and the internet is accessible from all academic, administrative, student life, athletic, and residential halls, as well as the library, classrooms, lounges and dining areas. Students are prohibited from establishing their own wireless networks because of the potential interference they pose to the college wireless network.

Several resources can be accessed on the main level of the Myrin Library for creating multimedia objects, developing video presentations, and using other multimedia resources.

Library and IT Services also have a poster printer that is available to students for academic purposes. Charges may apply for use of the printer. Most classrooms are

equipped with data projectors, digital displays or smart boards that can be connected to the faculty or student laptops.

Residence Hall Networking

All main campus buildings (including residences and all residential village houses) have wireless networking to accommodate student connection to the Internet. The laptops provided to students are set up and configured for network use.

The campus-wide networks are intended for individual student use only. Using the connection for any commercial purposes or to create any type of server (game, web, FTP, etc.) is prohibited and may result in the loss of your connection. Using any IP address other than the one assigned to you by Information Technology is also prohibited and will result in the loss of your connection.

Network Storage

The s:\ drive (\\ursinus.local\ucdrives) is a network resource to store, backup and share files. Each student has access to three main folders:

- The 'Private' folder is a location that only you can access, it is a great place to back up your important files and documents, there is a 10 GB limit for this folder.
- The 'Public' folder is a location where you can place documents that anyone can see, but only you can modify or delete, it is a great place to share document with your class and peers. There is a 2 GB limit per individual on this drive (the limit is separate from the one on the private folder) – private files should not be placed here
- The 'Share' folder is a location where faculty and staff can share files within their departments and other working groups, there are no quotas on this folder.

Whom to Contact

The Library and IT Services is located on the first floor of the Myrin Library. All technology related questions including problem reports and service requests, should be directed to extension 3789 or via e-mail at techsupport@ursinus.edu. When off-campus you may call 610 409-3789.

Acceptable Use Policies

Computing resources are provided to support the educational, student life, and community programs of Ursinus College, and any use of these resources for purposes unrelated to college programs is expressly prohibited. Unauthorized and inappropriate use of college computing resources will result in sanctions that will vary depending upon the severity of the offense and could include the revocation of all computing privileges, the college issued laptop and other disciplinary sanctions. The full text of "Responsible Use of Ursinus College Information Technology Resources" can be found on the Ursinus College Information Technology web site at www.ursinus.edu/responsibleuse.

Examples of unauthorized and inappropriate use of college computing resources includes (but is not limited to):

- harassment of others
- e-mail bombs or unauthorized mass mailings
- unauthorized (actual or attempted) access or use of another's account
- unauthorized (actual or attempted) access or use of college or other computer information systems
- deliberate attempts to disrupt services or debilitate computing systems
- installation of inappropriate or unauthorized software
- installation of inappropriate or unauthorized network services including wireless network services
- copyright infringement
- other inappropriate uses as designated by Information Technology

Higher Education Opportunity Act (HEOA)

H.R 4137, the Higher Education Opportunity Act (HEOA), is a reauthorization of the Higher Education Act. It includes provisions that are designed to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. Ursinus is required by this act to provide the following information.
Each college campus must distribute three pieces of information related to copyright policy and law:

1. A statement that explicitly informs its students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the students to civil and criminal liabilities;
2. A summary of the penalties for violation of Federal copyright laws; and
3. A description of the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions that are taken against students

who engage in illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system.

Further information on HEOA and Copyright may be found on the Ursinus College web site: www.ursinus.edu/HEOA.

Myrin Library

Myrin Library Hours

Please see the Library website for updated hours.

Policies

- Students are required to show their I.D. to borrow all library materials.
- The loan period for library books is thirty days. A renewal of another thirty days is allowed as long as there are no holds placed against the book. Students requiring the use of library books for a longer period should see the Manager of Library Operations to arrange for a longer loan period.
- The loan period for DVDs,audiobooks,and videos is one week. No renewals are allowed. Longer borrowing periods are permitted only for research and per faculty approval.
- Reserve materials circulate for 2 hours, 1 day, 3 days, and 7 days, depending on faculty directive.
- All accumulated library fines must be paid by the last day of each semester. Unpaid fines will be charged to your account in the Business Office.
- A collection of "Current and Popular" books is available for recreational reading.
- Interlibrary Loan service is available.
- Information about other policies is available from the Library staff.

Residence Life

Residence Life at Ursinus is part of Student Affairs. The Student Affairs mission guides our work and procedures. Student Affairs is dedicated to helping students become engaged citizens by living lives of purpose and integrity. We foster a community of care with respect for difference and seek to grow students' curiosities by connecting classroom experiences to our campus and community. We value respect, personal responsibility, communication, and service and social justice.

Residence Hall Procedures

Residence Hall Opening Procedures – Room Inventory Information

All students must participate in the College's official check-in process. Residence hall rooms may not be occupied by students before their scheduled arrival date. During the first week of the semester, residents will receive room inventory information via email from our office. It is your responsibility to review the room inventory information and contact our office if there are discrepancies. Failure to notify our office of discrepancies before the deadline means you forfeit participation in the damage charges appeal process.

Break Periods

Students are encouraged to leave campus during break periods. The residence halls are closed for Winter Break, and housing is only provided for international students and those affiliated with an approved College-sponsored program. Students approved to stay on campus during winter break may be required to consolidate into another building. Students found in the residence halls without permission during winter break will be required to leave campus immediately and may be subject to disciplinary action.

When leaving the residence hall for break periods, students should do the following:

- Close and lock windows; draw shades
- Unplug all electrical equipment. Refrigerators may remain plugged in but perishable items must be removed.
- Remove perishable items and trash from rooms, kitchens, and common areas
- Turn off lights
- Lock doors

Residence Hall Closing Procedures

Students may not occupy their room assignments after their scheduled move out date. All students must participate in the College's closing procedures.

Students must perform a pre-checkout with their RA and return keys to the Key Room in the designated envelope before departing campus. Failure to complete a pre-checkout with the RA and/or return keys properly may result in a fine. Students will be held accountable for any discrepancies between the Room Inventory information and final condition of the room. The room will be inspected by staff following the closing of the residence halls to assess damage charges. If personal belongings remain in the room after a student has checked out, the college reserves the right to confiscate or discard them. Residents will be charged for damages and missing items. If personal items remain in common areas after the residence halls have closed, the College reserves the right to discard them. Residents will be charged for missing items or the removal of items left behind in common areas.

Entering Student Rooms

Students have a right to privacy in the residence hall rooms. College personnel have the right to enter student rooms for routine maintenance and inspection at all times. Under certain circumstances, the student right to privacy is waived, including but not limited to instances when: 1) a student requests that maintenance work be completed in the room; 2) the college needs to repair, inspect and/or maintain facilities; 3) the College or its representatives reasonably fear harm to life, safety, health, property, or illegal activity; (4) the residence halls are closed.

Living in the Residence Halls

Residence Hall Lounges and Common Areas

Students are encouraged to use residence hall lounges as social and study areas. Lounges can be reserved for specific dates and times by contacting Residence Life. Residence hall lounges and common areas may not be used for overnight sleeping or hosting non-Ursinus students. Additionally, lounge furniture must remain in the appropriate lounge space; it may not be appropriated to residence hall rooms. Students who remove furniture from the lounges and common spaces are subject to disciplinary action.

Noise Policies

Courtesy and consideration for the reasonable expectations of others are essential to maintain a harmonious atmosphere in a residential setting. While Resident Advisors, Assistant Directors, and Campus Safety officers will act to stop unreasonable noise, the primary responsibility for keeping noise at a reasonable level rests with each individual student. Appropriate college authorities should be notified if noise concerns persist. College policies regarding noise levels vary by hour and location. Violations of these policies may result in disciplinary action.

- **Courtesy Hours**: During these hours, noise should not be audible at a level that bothers others outside the hall, house, or suite, and students are expected to respond positively to neighbor's requests to decrease noise. Speakers, musical instruments, and televisions should be played at reasonable times and at a volume that will not negatively impact others. Courtesy hours are in effect in a residence hall, house, or suite at all times when approved social events are not in effect.
- **Quiet Hours**: During these hours, noise should not be audible outside the individual room. Quiet hours are in effect in every residence area from 12:00AM to 8:00AM Monday through Friday and from 2:00AM to 8:00AM on Saturday and Sunday. Common rooms, common spaces, and lounges are recommended for larger group activities.

Items and Behaviors Not Permitted In Residence Halls

Students must follow all municipal, state, and federal fire safety procedures and laws including not tampering with or using safety or fire equipment such as alarm systems or fire extinguishers except in an actual emergency.

The following items are prohibited from the residence halls:

- The use or possession of any flammable substances, flame emitting articles, open coiled/flamed items, or candles
- Halogen and multi-head lamps
- The use of heat-generating electrical equipment such as electric heaters
- Firearms, ammunition, fireworks, incendiary or toxic chemicals, explosives, and weapons
- Public signs, college signs, dining hall property, and laboratory equipment
- Waterbeds and swimming pools of any kind

- Animals, except fish. Violations involving animals will include disciplinary action and mandatory fines for clean-up costs, currently set to the cost of labor
- Alcohol is strictly prohibited in all first-year centers. All students should review the social event and alcohol and drug policy section of the handbook for more information.
- Binge drinking paraphernalia is strictly prohibited in all residence halls, and could result in disciplinary action or a monetary fine Solicitors and/or photographers without authorization from Student Affairs
- Formal and/or informal athletic activities that should be confined to the proper playing fields or gym
- Students are not permitted on the roof tops of any residence halls or academic buildings at any time
- All buildings, including all residence halls, are strictly smoke-free/vape-free

Room Decorating Guidelines & Policies

- Decorations in a room must not damage ceilings, walls or woodwork. Students may not paste, glue, or nail materials to the walls, ceiling or furniture. Students should be careful about potential damage when decorating walls.
- Pipes and sprinkler heads must remain clear at all times. Items found hanging from and around pipes in rooms and common areas may result in disciplinary action and a $250 fine.
- Students shall not (a) remove any furniture, equipment or property belonging to the College from the room, (b) remove furniture from lounges for room use, (c) alter or tamper with the installed heating or electrical systems, or (d) alter the floor, walls, ceiling or doors of the room.
- Students may not paint their rooms or common areas. Reimert suite doors and common rooms may be painted with permission through the Reimert Suite Painting Program.
- Repairs needed in the residence halls should be reported to Facilities Services.
- The resident is responsible for all furnishings supplied for the residence halls by the college at the time of occupancy. Charges will be made for loss or damage to the room or to its furnishings.

Residence Halls Exteriors and Porches

- No items (including hammocks, flags, banners, posters) may be hung from or placed on residence hall exteriors and/or porches without approval from the college. Approval will only be given for college-sanctioned events.

Windows, Screens, and Doors

- Residence hall screens are not to be unhooked or removed from windows. Residents will be charged for the total cost of reinstalling, repairing, or replacing damaged or destroyed screens. Windows are not to be used for entrances or exits. Residence hall windows should remain closed during periods of below freezing weather. No items (including flags, banners, posters, signs, or speakers) may be placed in, hung from, attached to, or hung out of windows or doors.

Facilities in the Residence Halls

- All residence hall rooms are provided with a cable TV connection. Services to the buildings on the Main Campus and to the houses between 5th and 9th

Avenues are provided through the ECHOSTAR/Dish Satellite Network. Other houses receive Comcast Cable Services. There is no additional charge for Cable/Satellite TV Services. No premium channels/services are provided. Information on channel line-ups may be found on the Ursinus College web site. For more information contact Information Technology.

- Washing machines and dryers located in residence halls are provided as a convenience for resident students. Service calls regarding inoperative equipment should be directed to Facilities Services. Residents will be held responsible for damage to laundry equipment.
-

Room Selection & Lottery

Room selection for returning students occurs during the Spring semester. All accounts must be reconciled with Student Financial Services in order to participate in the Room Selection process. All students will receive information regarding room selection processes and procedures during the spring semester.

Room Occupancy Policies

- Only students who are enrolled full-time at the college may occupy a room.
- A student who is no longer enrolled full-time at the college or found not attending classes must remove all personal effects from the residence halls and return residence hall keys within 24 hours.
- Rooms shall not be occupied by fewer or more than the number of students stipulated by the college.
- If a student is living in a room that is not completely filled (i.e. has vacant beds), the Residence Life Office may fill this vacancy at any time. Students with vacancies in their rooms are expected to work with Residence Life staff to fill the vacancy as quickly as possible.
- There will be no refund of room charges to a student who withdraws, is suspended, or is dismissed from college during a term or to a student who remains in college but changes from resident to commuter status.
- Students agree to refrain from using or permitting the use of any portion of the premises for any purpose other than as an orderly study and living area, to keep the premises in a clean and sanitary condition, and to comply with all College policies, police regulations, laws and health procedures with respect to the premises.

- The college reserves the right to change or cancel room assignments of students in the interest of health, security, discipline, improvement of the educational environment, or the general welfare of students.

Room Assignments & Room Changes

Room changes may not occur during the first and last two weeks of each semester. Additional room change restrictions may occur during the Room Selection period. Any student requesting a room change must first discuss the need for a change with the RA. The RA will attempt to resolve conflicts occurring between roommates. If a need persists, the Residence Life professional staff will address the concerns. Any room change made without permission and written confirmation from the Residence Life Office will be considered an unauthorized room change. Disciplinary action may result from unauthorized room changes or violations of the Room Selection and Room Occupancy policies.

Residence Hall Keys

All students are required to pick up their residence hall keys and to keep them on their person at all times. The college strongly encourages every student to keep room and suite doors locked. An exterior building key, MSC (Mail Stop Code) key, and individual room key will be issued to residents of each hall as appropriate. If you lose a key, report the loss to Facilities Services immediately. There will be a $15 replacement charge (per key). At the end of the academic year, students must return room and exterior building keys, but keep MSC keys. Only graduating seniors, students changing their residency status to commuter or off campus, and students permanently leaving the college return MSC keys at the end of the year. If room and exterior building keys are not returned at the end of the year, the student will be charged key replacement fees as appropriate.

Property Loss & Damage

Individual Property Loss and Damage

The College shall not be directly or indirectly liable during the academic year or during breaks, for loss or theft of any personal property of students or their guests or for damage or destruction of such property by fire, water, or any other natural cause. Occupants of all residence halls are advised to procure personal insurance

against such eventualities. Each student should keep a record of the identifying serial numbers carried on all personal property. Students are discouraged from keeping large sums of money or irreplaceable items in the residence halls. Any loss or theft should be reported immediately to Campus Safety. In the case of theft, students should notify the police and file a report.

Common Area & Building Damages & Repairs

The exterior of buildings and other public areas may not be decorated without permission from Residence Life. Residents will be held responsible for repair to buildings and furnishings in public areas beyond that due to ordinary wear. Charges will be made upon determination of the cost of repairs or replacement and will be levied as follows: to an individual who accepts responsibility for the damage; or to the occupants of the room where the damage occurred when individual responsibility is not assumed; or to all occupants of a floor or hall for damages to corridor walls, doors, closets, kitchens, lounges, and bathrooms on that floor or hall, except when direct responsibility is assumed. Facilities and Residence Life Staff conduct periodic inspections. Students are encouraged to share information about the source of common area and building damages with the Residence Life staff whenever possible.

Room Decorating Guidelines & Policies

- Decorations in a room must not damage ceilings, walls or woodwork. Students may not paste, glue, or nail materials to the walls, ceiling or furniture. Students should be careful about potential damage when decorating walls.
- Students shall not (a) remove any furniture, equipment or property belonging to the College from the room, (b) remove furniture from lounges for room use, (c) alter or tamper with the installed heating or electrical systems, or (d) alter the floor, walls, ceiling or doors of the room.
- Students may not paint their rooms or common areas. The suite doors of Reimert may be painted with permission through the Reimert Suite Painting Program.
- Repairs needed in the residence halls should be reported to Facilities Services.
- The resident is responsible for all furnishings supplied for the residence halls by the college at the time of occupancy. Charges will be made for loss or damage to the room or to its furnishings.

Fire Safety and Regulations

Fire Safety and Regulations

The following activities/items are prohibited on campus due to fire safety:

- Playing with fire
- Possession/lighting of fireworks, smoke bombs, explosives, or corrosive or flammable chemicals
- Propane tanks of any size
- Disposing of cigarettes negligently
- Candles
- Overloading electrical sockets
- Medusa lamps (multi bulb lights)
- Tampering with life safety devices:
    - Fire extinguishers
    - Smoke detectors
    - Fire alarms
    - Pull stations
    - Sprinklers (keep 18” clearance around sprinkler heads)
- Possession and use of halogen lamps
- Space heaters
- Open flames, including pit fires, hibachis, chimeneas, and bonfires
- Barbecue grills other than stationary, College provided are not permitted. Allow grills to cool down after use, discard ashes in provided containers.
- Hoverboards, Swagway or similar devices.

Evacuation Guidelines

In the event that a fire occurs in a building, the following guidelines will apply for all residence halls/houses:

- Immediately place a call to the Fire Department by calling 9-1-1 and give them the location of the fire by building and floor.
- Sound the alarm to notify the residents of the residence hall. If there is no visible alarm in the building, warn the other occupants by knocking on doors and shouting as you exit the building.
- Rooms should be closed, not locked.
- Leave the building in an orderly manner and evacuate through the nearest available exit. Use the nearest stairway. Do not use elevators.

- Gather in your building's identified gathering space. Spaces are announced to students during routine evacuation drills. If you are unsure of your designated gathering space, report to Wismer Lower.
- Only use a fire extinguisher if the fire is very small and you know how to use it safely. If you cannot put the fire out, leave immediately. Make sure the Campus Safety Office (extension 3333) has been contacted — even if you think the fire is out.
- Do NOT go back into the building until the fire department or a college official says it is safe to do so.
- If students are not permitted back in the building, instructions will be given to the students for temporary housing assignments.

If You Get Trapped:

- Call 9-1-1 advise the dispatcher what building you are in and where you are located.
- Keep the doors closed – If all exits from a floor are blocked, go back to your room, close the door, and seal cracks and vents if smoke comes in. If you are trapped in a room and there is no smoke outside, open the windows from the top to let out the heat and smoke and from the bottom to let in fresh air.
- Signal for help – Hang an object at the window (a bed sheet, jacket, shirt) to attract the fire department's attention. If there is a phone in the room, call the fire department and report that you are trapped. Be sure to give the name of your building and your room number. SOMETIMES IT IS SAFER TO STAY IN PLACE!
- Stop, drop and roll – If you are on fire, stop, drop, and roll, wherever you are. Rolling smothers the fire.

If You Have Physical Limitations or Disabilities:

- Learn about fire safety. Plan for fire emergencies.
- Be aware of your own capabilities and limitations.
- Be sure the Director of Disability Services and Campus Safety are aware of your limitations.
- The staff will notify the fire department of residents with disabilities to help them find you.
- Look for "areas of refuge," like stair enclosures or the other side of corridor fire doors. Most elevators are designed to stop operating when the alarm is

sounding and are not safe during fires. Sometimes it may be safer to stay in your room.
- Follow the advice for being trapped

Fire Sprinkler Information (for Residence Halls and throughout campus)

- Besides prevention, fire sprinkler systems are the most effective way to avoid property loss, injuries, and fatalities that result from fires.
- Studies have shown that 90-95% of all fires are extinguished or controlled by sprinkler systems in structures equipped with them.
- Sprinkler systems are individually heat activated – at approximately 165°F; the liquid-filled glass bulb will shatter to open a sprinkler head, releasing water directly over the source of heat.
- Only sprinkler head(s) in the area of the fire will discharge water, not the entire system.
- Once activated, a sprinkler sprays about 20-25 gallons of water per minute in a uniform pattern throughout the room.
- The water in the sprinkler pipes is often dark and has a foul odor when first released from the system.
- An outside company regularly tests Ursinus College's sprinkler systems.

Preventing False Sprinkler Activations

- Never hang anything from the sprinklers (no clothes, decorations, etc).
- Never perform pull-ups using the sprinkler pipes.
- Never throw Frisbees, footballs, soccer balls, or other objects that could activate a sprinkler head if hit near fire sprinklers.
- Do not store anything within 18 inches of the sprinkler heads – doing so will affect the spray projection.
- Significant water damage to your room and personal property, as well as the property of your neighbors, may occur from a single false sprinkler activation.

Fines related to Fire Safety and Equipment

- You are personally liable for any expenses associated with the damage and clean up from a sprinkler activation caused by your negligence.
- Tampering with any life safety device such as a sprinkler head, smoke detector, heat detector, or fire extinguisher is a violation of PA State building codes.

- At a minimum, students found to have intentionally tampered with life safety devices or equipment will face disciplinary action.
- False Fire Alarm is classified as a misdemeanor of the first degree, and the maximum sentence is up to 5 years in prison and/or a $10,000 fine.

Social Events

Ursinus policies and procedures allow students to hold social events within designated spaces on campus. The responsibility for organizing social events, for overseeing adherence to state and local laws and college policies, and for ensuring the appropriate conduct of students and guests rests with the students involved. Students holding social events will do so with full recognition of the rights and reasonable expectations of others living on and off campus. At all times, social events in residence halls and houses must comply with policies dealing with noise. Social events are only permitted in Reimert, Maples, Olevian, Omwake, Todd, Shreiner, and Duryea. Social events may be held no later than 12:01 a.m. Monday through Friday, and 1:00 a.m. Saturday and Sunday. Reimert 111 and 211 may not host social events.

Guidelines

At all social activities, the following guidelines will apply:

The sponsoring group will name individuals to serve as event directors. Event Directors must abide by all Event Director policies and procedures as outlined in the training program.

1. If alcohol is present at the event, the following guidelines will apply: (Illegal, Unauthorized or Irresponsible Substance Abuse Policy)
    1. Alcohol may only be consumed by persons 21 years of age or over.
    2. College funds may not be used to purchase alcohol.
    3. A sufficient quantity of non-alcoholic beverages and food must be provided based on the estimated guest count or using the maximum capacity of the space.
    4. Advertising or promotion of the event may not include any reference to drinking or to the availability of alcoholic beverages.
2. Students must present a current Ursinus ID to enter any social event.

3. Visitors must present proper guest registration information to event directors in order to enter any social event. Visitors must be escorted to the social event by their hosts.
4. Events should not be over-crowded. All spaces have a posted fire code capacity limit for the space. It is the responsibility of the Event Directors to manage the number of individuals present at the event and request assistance if needed.

Events in violation of any of these guidelines will be "Unregistered Events." Sanctions may include the following: suspension of event privileges for the location or organization(s) for a period of time, loss of housing and individual sanctions.

Event Director Policy & Expectations

An Event Director is a student trained by a professional staff member who manages registered social events held on-campus. Event Directors are responsible for maintaining a safe event environment, and ensuring that all attendees abide by federal, state, and Ursinus College laws and policies.

Event Director Expectations

- Must include at least one Event Director over 21 years of age.
- Must ensure that the event is registered and only occurring within approved times.
- Must review and complete the opening form with RAs or Campus Safety before starting the event
- Must be sober before and throughout their event.
- May not be in possession of alcoholic beverages, drugs, or drug paraphernalia throughout their event.
- Must be present at the event for the duration.
    - At Reimert, one Event Director should be at the door managing entry and exit including capacity limits while the other Event Director should be circulating the event inside managing behaviors of guests to mitigating risk. At Main Street houses, Event Directors have the same responsibilities with one Event Director should be at the front door and one at the back door with two Event Directors circulating inside.
- Must ensure that all attendees abide by federal, state, and Ursinus College laws and policies. In the event that an Event Director witnesses a violation of

law or policy, they must contact a College Official, as they are considered Campus Safety Authorities.

- Must ensure all event attendees exhibit appropriate behavior, and must confront any inappropriate behavior that occurs during an event.

- Must notify a College Official or Collegeville Police if an attendee poses a health or safety threat to self or to others.
- Must communicate with RA and Campus Safety to complete the opening form before the event begins.
- Must maintain communication with RAs and Campus Safety throughout event.
- Must ensure that the event suite or house has been cleaned immediately following an event.

Event Directors and hosting organization/affiliated group will share disciplinary and/or financial responsibility for any policy or law violations that occur while at their event. Event Directors who are found to be in violation of Event Director policy (including, but not limited to, hosting while under the influence, being in possession of any alcoholic beverages, drugs, or drug paraphernalia while hosting, not being physically present at their event house or suite during registered hours, failure to contact appropriate authorities if an attendee is not following federal, state, or Ursinus law or policy or poses a health or safety threat to self or others, and for failing to provide for the timely cleanup following a registered event) may face disciplinary action as appropriate.

Prevention and Advocacy

The Office of Prevention and Advocacy provides health and wellness promotion, alcohol and drug education, and sexual misconduct prevention programs. These outreach efforts empower students to become independent, responsible, and thoughtful leaders. The Office engages with all community members to develop moral courage, social responsibility, and healthy decision-making to create a respectful and safe living-learning environment.

Highlighted Services

- Health and Wellbeing Coaching: individual, private meetings to discuss personal goals related to all kinds of wellness topics including mental, physical, spiritual and social wellness
- Brief Alcohol Screening and Intervention for College Students (BASICS): individual, private meetings for students sanctioned or self-referred to discuss alcohol and/or other drug use, motivation for change, and resources to support change
- Certified Event Director program to train students on leadership and liability in order to host registered social events

- Support for students in recovery from a substance use disorder including referrals to additional resources on and off-campus
- Psycho-educational classes for students sanctioned or self-referred to learn about low to no-risk choices around alcohol, marijuana, and other related issues
- Personalized workshops are offered by request and all-campus events can be found on the College calendar

Location and Hours

The Prevention and Advocacy office is located in the upper level of Wismer Center, room 117 B. The office is open Monday through Friday 9:00 am to 5:00 pm (though be sure to visit their website for any changes). To contact Prevention and Advocacy, email prevention@ursinus.edu or call 610-409-3562.

Student and Community Engagement

Student Engagement offers assistance to all students who are interested in planning events for the campus, clubs, or Greek organizations. The staff can provide information on how to start a new club, how to apply for funds through the Activities Fund Allocation Committee (AFAC), and how to advertise your event.

Rules and Regulations

1. A student organization must have its constitution and by-laws approved by the Ursinus College Student Government (UCSG) and the Student Activities and Services Committee (SASC). Any subsequent amendments to the constitution or changes in the by-laws must be approved by UCSG and SASC. The proceedings of all student organizations must be open at all times for faculty inspection. A student organization must have an adviser approved by Student Engagement. The faculty may

dissolve an organization of students, which it deems detrimental to the interests of the College.

2. Locations and times of all regular meetings and formal on-campus activities of student organizations must be approved by Student Engagement staff. In order to avoid conflicts, all campus spaces should be reserved through the Event Management System. Please consult Student Engagement when reserving all facilities. Groups or individuals not associated with Ursinus College must obtain permission to use college grounds, buildings, and/or other property.
3. No student shall prepare or cause to be prepared, or publish or cause to be published, any paper, whether a single issue or a periodical, on which the name of the responsible author is not stated. Permission for the mailing of any paper must be obtained from the President, or from the faculty adviser to whom the authority has been delegated, before the paper is mailed.
4. Participation in any extracurricular activities may be restricted at the discretion of the Dean of the College or as a disciplinary penalty.
5. The responsibility for student behavior at any student activity, on or off campus, belongs to the individual student's participation in that activity. Students and their guests participate in these activities at their own risk. While college employees may participate in various aspects of some student activities, the College and its employees do not stand *in loco parentis* in any sense. The College will take appropriate action against students, their guests, or trespassers who violate college regulations or disobey directions from proper college authorities.

Student Organizations

Becoming an Ursinus Student Organization

Students are encouraged to petition for recognition as a student organization if there is ample interest in a specific topic or activity. In order to put forth such petition, the student must follow the procedure outlined below:

1. Begin your application process by reviewing the Intent to Organize Form and guidelines found on the Student Engagement website.

2. Create an organizational constitution using the provided model and guidelines.
3. Choose an organizational advisor. The advisor must be a full-time faculty or staff member of Ursinus College.
4. Have a list of at least 8 intended members, half of which are non-seniors.
5. Submit application materials to UCSG for consideration for advancement to the next stage.
6. The application materials will be presented to UCSG. Members of UCSG will have an opportunity to review and discuss the application. The application will then be presented for a vote at the next regularly scheduled meeting.
7. If the application is approved by UCSG, the organization will need to register with the Student Engagement.
8. If the application is denied by UCSG, the applications will be returned to the student petitioning the request. The group will be allowed to reapply for recognition at a later date to be determined by Student Engagement. All groups will be notified by email, phone or in person concerning all decisions.

For additional information on the process of becoming a student organization or to learn more about student clubs & organizations, please visit the Student Engagement website.

Activity Fund Allocation Committee (AFAC)

The Activities Fund Allocation Committee is a student appointed committee responsible for the distribution of funds to approved, open membership clubs & organizations. Qualified clubs & organizations may submit a yearly request for assistance in funding campus events, attending conferences, contracting speakers/performers, etc. Applications for funding will be completed in the spring semester prior to the start of the next academic year. In addition, groups may make more special activity requests based on the availability of funds and discretion of the AFAC committee.

Additional information as well as electronic submission forms for AFAC requests can be found on the Student Engagement website under Student Clubs & Organizations.

Fundraising Guidelines

Fundraising is defined as the collection of money through donations, sales, and/or event programming for the purposes of charitable donation or organizational project. Fundraising for both Ursinus College and non-college affiliated charitable organizations is permissible provided all guidelines are followed.

All student organizations, college departments and course-sanctioned groups must complete a request form and obtain approval of the fundraising activity from the Assistant Director of Student Engagement.

For additional information or to view all required guidelines, please visit the Student Engagement website under Student Clubs & Organizations.

Student Governance

Ursinus Programming Board (UPB) – responsible for major campus events, comedians, bands, movies, and trips. Check with Leadership Development/ Student Activities to become involved, and for the times and dates of events.

Ursinus College Student Government (UCSG) – governs the student body and appoints students to campus committees. The UCSG serves as a voice for the student body when there are issues, concerns, or ideas affecting the quality of student life.

Inter-Greek Council (IGC) – fosters a collaborative relationship between Greek organizations, oversees annual Greek events including recruitment, new member education, and Greek Week.

Greek Presidents' Council (GPC) – an opportunity for all presidents of fraternities and sororities to discuss issues and events regarding Greek life chapter functions and campus involvement. Meetings and reports are coordinated with the Leadership Development & Student Activities Office.

Visit the Student Organizations website for a complete list of student groups.

Club Sports

The Club Sports Program at Ursinus College is designed to allow students to compete in a variety of sports. Members of the club sport are responsible for the financial operation of the club. Successful club sports have leaders who communicate effectively not only with their teammates, but also with Student Engagement.

Club sports are subject to the rules and regulations found in the Student Handbook, the Club Sports Handbook, as well as other applicable policies. Student Engagement runs the club sports program in collaboration with the Athletic Department.

Club Sports Handbook

Greek Life

Fraternities and Sororities have been a fundamental part of Ursinus since the early 1900s. Now, Ursinus is home to five sororities (four local and one national) and seven fraternities (four local and three national), representing 20% of our student population.

Membership in a Greek organization enhances the “out-of-the-classroom” experience while also supporting each student’s individual academic goals. Greeks organizations focus on five key elements: leadership, scholarship, community service, civic engagement, and fun.

Greek Expansion Policy

The following information contained in this document pertains to students who wish establish a new social fraternity/sorority here at Ursinus College. Ursinus College recognizes that fraternities and sororities can provide significant positive experiences for the development of student leaders through academic rigor, civil engagement, and social interaction. The procedures in this document will serve a guide to assist in the process of positive fraternal opportunity for any student hoping to take up the challenge of starting a new organization. In addition, it is important that any expansion of the greek system (new or reinstated) occurs in a manner that is consistent and conducive to the policies, practices, and mission of Ursinus College. Prior to an organization becoming a fully instated chapter at Ursinus College, the proposed greek letter organization must first become a colony. A colony is an

approved student organization working toward recognition as a chartered chapter of a greek-letter organization. By following these guidelines, any group wishing to colonize on this campus will be provided with the opportunity for successful colonization through a process that is both meaningful and rewarding allowing for a betterment of the existing greek community.

A chartered chapter of a greek-letter organization is a campus group of a national organization. Within each organization, chapters are usually referenced via a greek-letter order. For example, the founding chapter would be the "Alpha Chapter," and the second chapter is usually the "Beta Chapter." Since local organizations are unique only to the institution, the term "chapter" refers to their recognition of the Inter-Greek Council at Ursinus College.

Chartering: For local organizations: obtaining permission from Ursinus College to become a recognized greek-letter organization. For national organizations: obtaining permission from their national affiliate to become a recognized greek-letter organization at the desired institution.

A colony (or colonization period) is a proposed greek-letter organization in the process of becoming a fully instated chapter for both local and national organizations.

Criteria for Expansion:

For the addition of social greek letter organizations, the expansion process can begin by way of any of the following methods:

1. An interested group of at least ten students as determined by Student Engagement submit a letter requesting to establish a new or previously recognized national/local chapter on our campus to Student Engagement.
2. Through reviewing a formal petition for recognition by an organization coming off of a disciplinary sanction having resulted in the loss of the organization's charter and College recognition.
3. Formal expansion is requested by the Inter-Greek Council, and/or the Ursinus Student Gov't Association and an invitation to national Greek organizations will be extended by the College for participation in the expansion process.

Process for Expansion:

For a New International/National Organization:

Upon receiving a written request to establish a new organization, Student Engagement will initiate the following:

1. Students, who are interested in starting a new International or National affiliated greek letter organization, must submit a letter of interest to Student Engagement.
2. Student Engagement will then review the submitted request to verify that the proposed group does have the appropriate number of interested members and understands the expansion process and established timeline.
3. Once there is approval from Student Engagement, the Inter-Greek Council will be notified of the possible interest in expansion of the greek system.
4. Following, the interest group requesting a chapter will provide Student Engagement with the Application for Recognition as a Greek Organization, which can be found on the last page of this packet.
5. Student Engagement will review this information. It is the responsibility of the interest group applying for expansion to adhere to all college policies and regulations as outlined in the Ursinus College Student Handbook.
6. After reviewing the recommendation and consulting with Student Engagement, the request will be presented to the Student Activities & Services Committee for final determination on the expansion request.
7. Each group wishing to start a new organization will make an open formal presentation the Ursinus community and the Inter-Greek Council concerning the proposed new organization.

For an Organization that has had its Charter Revoked:

Greek organizations whose recognition was revoked due to disciplinary sanctioning will not be permitted to apply for renewal.

To Gain Recognition for an Inactive Organization:

Greek organizations with no active members are deemed inactive. In order to regain active status the organization will need to do the following:

1. For an organization that has gone inactive, the organization will be required to recolonize following the process for expansion for new/international chapters.

To Re-Gain Recognition for an Organization that has had its Charter Revoked due to Probationary Loss:

Greek organizations that have lost their charter due to probationary loss are not permitted to re-gain recognition and will not be permitted for a review.

To Re-Gain Recognition for an Existing Organization on Probation

Greek organizations that have lost recognition from the Inter-Greek Council or have failed to meet the standards of the Five Star Program are considered on probation. The probationary period will last a total of one academic semester. These organizations will need to do the following in order to gain recognition from the Inter-Greek Council and remove the probationary status. Failure to meet these requirements will result in loss of the organizations charter.

1. The organization must attend every IGC meeting with at least two delegates from their organization.
    1. The organization will not be allowed to vote on any motions presented at the IGC meetings.
2. The organization will not be allowed to participate in Homecoming, Greek Week, or Formal Recruitment.
3. The organization will not be allowed to host parties.
4. The organization will not be allowed to participate in intermural sports as an organization.
5. The president of the organization must attend bi-weekly progress meetings with the Director of Student Engagement.
6. The organization must plan and implement a campus wide service event that demonstrates the importance of community.
    1. Organization must have 75% or more membership attendance.
    2. The event must be approved by UCARE and Student Engagement.
    3. The event must benefit the Ursinus Community.

If the request is denied at any stage in the process, the interest group will not be permitted to reapply for at least one calendar year from the initial request date. The Inter-Greek Council will recognize no more than one interest group for each gender as a colony within the governing body/council at one time. Therefore, the governing body/council will not be allowed to expand further until the colony has become a chartered chapter or has been disbanded.

The interest group members, representatives from the National Organizations, or local alumnae will work with Student Engagement regarding the fulfillment of the Colony/New Organization requirements.

There are three major National Fraternity and Sorority affiliations. Below are their mission statements as well as a link to direct you to the standards set forth by the affiliations. In addition to the three mentioned below, there are several other organizations that provide membership to multicultural greek letter organizations.

- Those include:
- National Association of Latino Fraternal Organization
- National Multicultural Greek Council
- United Council of Christian Fraternities and Sororities
- National Association of Asian Pacific Islander Pan-Hellenic

National Pan-Hellenic Conference
www.npcwomen.org

Established in 1995, The National Pan-Hellenic Conference Foundation continues to promote values and ethics in women's fraternities and encourages all members to be active and responsible leaders in their respective communities. Our mission is supported through the sponsorship of National Pan-Hellenic Conference educational and charitable programs addressing health, safety, education, leadership and general women's issues in today's society. The Foundation was incorporated in August, 1995, in the State of Indiana and is a 501 (c) (3) public educational charity. To advance the 26 women's organizations of the National Pan-Hellenic Conference and their commitment to personal growth by underwriting initiatives that launch and sustain women leaders

National Pan-Hellenic Council
www.nphchq.org

The National Pan-Hellenic Council, Incorporated (NPHC) is currently composed of nine (9) International Greek letter Sororities and Fraternities: Alpha Kappa Alpha Sorority, Inc. Alpha Phi Alpha Fraternity, Inc., Delta Sigma Theta Sorority, Inc., Zeta Phi Beta Sorority, Inc., Iota Phi Theta Fraternity, Inc., Kappa Alpha Psi Fraternity, Inc., Sigma Gamma Rho Sorority, Inc. Phi Beta Sigma Fraternity, Inc. and Omega Psi Phi Fraternity, Inc. NPHC promotes interaction through forums, meetings and other mediums for the exchange of information and engages in cooperative programming

and initiatives through various activities and functions. All 9 organizations are historically African American greek letter organizations.

Northern American Inter-Fraternity Council
www.nicindy.org

The North-American Inter-fraternity Conference (NIC) is a voluntary trade association and membership in the NIC requires each member organization to adhere to the following Standards of Membership, known as the NIC Standards. Undergraduate chapters are self-governing. Nothing in the NIC Standards shall be interpreted to imply that a member organization has a duty to provide day-to-day supervision or direction, or control the daily activities of undergraduate chapters and/or individual members associated with that member organization. However, member organizations are expected to provide appropriate follow up with their chapters on compliance with NIC Standards to the same extent they follow up with chapters on compliance with the policies of the member organization and to provide its undergraduate chapters with ongoing education on the NIC Standards. Failure of a member organization to provide appropriate follow up with their chapters on compliance with NIC Standards shall subject the member organization to appropriate action by the NIC, up to and including suspension or expulsion of membership in this voluntary trade association.

The Five Star Program

In addition to the guidelines mentioned above, currently the Inter-Greek Council institutes the "5 Star Standards Program" for all fraternities and sororities. This plan will require all groups to participate in benchmarking activities including community service, membership levels, risk management, scholarship, campus leadership, and greek community accountability. Below are the current categories of evaluation:

- Scholarship Development
- Organization Development
- Risk Management
- New Member Development
- Service to the Campus

New Member Education Guidelines

New Member Education (NME) activities must adhere to all state and local laws and Ursinus College policies. Please pay particular attention to the following sections of the Student Handbook: “Student Conduct,” “Greek Life,” “Alcohol Policy,” “Illegal Drugs,” and “Noise Regulations.”

All NME activities must be approved by Student Engagement.

NME activities must conform to the Pennsylvania Anti-Hazing Statute. Each member and potential new member will be required to sign a document indicating that he/she understands the anti-hazing statute.

Guidelines and Procedures

1. NME plans must be submitted electronically to Todd McKinney by the deadline. Detailed plans must include times, locations, dates, and an in-depth description of the activities for each evening. Each activity must include a statement of purpose.
2. In order to participate in NME, each organization must have a faculty or staff advisor. The advisor must be a full-time Ursinus employee. Advisors will:
3. Have frequent and consistent contact with the organization concerning all aspects of the fraternity or sorority’s activities.
4. Approve and sign the NME plan.
5. All members of each organization must also sign an anti-hazing agreement via electronic means before commencement of NME. Failure by any member of the organization to adhere to this statement (i.e. breaking the hazing agreement) will result in the immediate suspension of all members of the organization and the new member class. The suspension will entail immediate removal from campus of all students in the organization until a determination is made regarding the violation or incident
6. If charges of hazing are reported to any college official, the NME activities for the group in question will immediately be suspended, pending an investigation. Loss of time or activities will not be made up during NME, and the college may require an abbreviated plan be followed for the remainder of the NME period.
7. New Member Education will consist of no more than 8 “weeks” of education spread over eight calendar weeks during the fall semester, chosen by Student Engagement. New member education activities can take place seven days a week but are limited to **twenty hours** per week. Activities are permitted at the following times:

8. Monday – Friday: 5pm - 11pm.

Saturday – Sunday: Any hours between 7am – 11pm.

1. Meals & breaks are required for extended sessions.
    6. Due to the fall break and homecoming, the weeks are broken down as follows. You may only complete up to **80** hours of New Member Education. This means that you can complete this process in 4 weeks. There is a 20 hour a week cap on New Member Education with the above mentioned hours in consideration. New Member Education must be completed by November 11th with no more than 10 hours per week over an 8 week period.
    7. No group activities associated with new member education will be permitted outside of these days/hours. If the organization wishes to hold a campus event at another day/time other than that specified, e.g. a community service project – prior permission must be granted by Student Engagement.

Academic Information

- Each new member educator must have a cumulative GPA of at least 2.5 and be a full time student at Ursinus College. All new member educators must be in good academic and disciplinary standing with the College.
- In order to participate in NME, a student must:
    1. Be a full-time student at Ursinus College
    2. Have completed at least 24 credits at Ursinus College prior to the start of NME.
    3. Have a cumulative grade point average of 2.33
    4. Be in good standing with the College.
- If the mean GPA of a fraternity/sorority's new member class is below 2.33 for the semester of new member education, that fraternity/sorority will be placed on social probation for the following semester. Each fraternity/sorority new member education plan must include provisions for assisting a new brother/sister whose GPA drops below 2.0 during the semester in which new member education occurs.
- Academic performance of the new member education class must take priority over any new member activity. No new member activity may be scheduled which conflicts with a new members academic commitment or performance.

Student Development

1. NME activities should insure that the new members are empowered. Any activity, which includes fraternity/sorority members giving “orders” or “requests” which new members must “obey”, will not be permitted. A NME program may establish specific “objectives” (making of banners, completion of scavenger hunt, learning fraternity/sorority songs, preparation of skits, etc.), which the new member class organizes itself to “attain.”
2. All activities including “new member work” which may include but not be limited to the making of crafts, paddles, learning songs – must be completed during approved NME hours during the eight week period. No NME activities may take place outside of the allotted time period each day.
3. Traditions that are not educational or healthy (i.e., yelling at or harassing behaviors) will not be tolerated. New Member Educators are not to instill fear, intimidation, or anxiety into a new member. Sleep deprivation and the lack of social contact with friends or members of the opposite sex are deemed inappropriate behaviors.
4. New members may not be required to do favors or tasks for members including: buying food or cigarettes, running errands, providing shuttle services, and/or providing entertainment in the form of public demonstrations. New members are not in the process to be treated as servants or second class citizens by the membership of an organization. The purpose of new member education is to allow for the learning of the history, values, and high moral/ethical ideals of the organization.

New Member Education Regulations

The following items are NOT permitted during New Member Education activities:

1. This includes new members and current brothers and sisters.
2. “Fake” new member educators. All new member educators must participate in NME training and must be present during bid signing.
3. Off- campus activities. All NME activities must take place on campus. Groups may request in writing an exception to go “off campus” for an activity or event. The exception must be educational and have merit such as a community service event. Activities may not be held at member or alumni homes. Off-campus events should be public in nature and, if possible, have a third party associated with the event (i.e., charity run or walk).
4. Profanity or derogatory references to under-represented persons or groups. This includes, but is not limited to: ethnicity, sex, race, sexual orientation, or religion.

5. Meal time lineups/performances. New members may not be required to serve brothers/sisters, eat in unison, or act out skits/sing songs.
6. Food/Foreign Substances. At no time shall the new members be directed or asked to eat or drink anything. No activity involving food or any foreign substances being placed in or on a new member will be permitted.
7. New members may not be taken off-campus and left without money, ID, and/or transportation back to campus.
8. New members may not be made to wear any attire that makes the person stand out in a way that causes embarrassment or humiliation. Each new member education plan will specifically describe any items that new members may wear or carry as a part of new member education.
9. Dangerous and/or strenuous activities. If any physical activity is included (games, hikes, etc.), the physical limitations of each new member must be considered. Activities involving a higher-than-usual likelihood of injury should not be conducted.
10. Public line-ups and/or wall shows.
    1. NME activities (singing or noise at the beginning of formal rush, giving out bids, etc.) may not violate normal noise regulations.
    2. Combined organization activities (i.e., fraternity/sorority) are prohibited.
    3. New Member Educators must ensure that all campus areas are clean and trash free at the conclusion of an NME activity.
    4. To avoid the possibility of embarrassment or ridicule, private performances of songs, skits, etc. by new members must be carefully planned by the new member class, new member educators and the Leadership Development & Student Activities Office. These performances may include both traditional and original material. Performances
11. must be controlled by the new member class, and
12. must be designed to use the varied talents of each new member, without requiring any new member to be embarrassed or demeaned in any way.
    1. Ursinus faculty and staff may enter a new member education activity at any time. Groups may not bar access to Resident Advisors or Campus Safety Officers in the performance of their duties.

Alumni/Alumnae

Fraternity and sorority alumni may not be involved in NME activities. New members may not be present at Alumni functions held off campus during the NME period. If a

group wishes to discuss a certain event or activity concerning Alumni interaction with the new member class, it must be done prior to the beginning of the new member education period. Exceptions are permitted only with written approval from the Associate Dean of Students or Assistant Director of Student Engagement. Violation of this policy will cause immediate termination of the organization's new member class and the President and New Member Educators may face judicial action.

Greek Advocate

During the new member education period each organization will select a Greek Advocate to assist new members in addressing concerns during the NME process. The advocate will make time available to meet with new members who may have concerns regarding activities, events, or actions of the organizations or its members. Student Engagement will serve as a safe space for the advocate to meet with any student from his/her organization – this interaction and any information will be held in confidence and may only be shared with the organization and members of the student life staff if a severe violation of the state, local laws, or college policy.

Medical/Academic Concerns

Students who are unable to finish new member education due to illness/injury, athletic or academic concerns must be offered membership in the organization that they have chosen. Every attempt should be made by the organization to assist the new member with fulfilling the requirements of membership. A decision to deny membership must be approved by Student Affairs.

Hazing

See definition in Section V of the Anti-Hazing Policy. Ursinus College does not tolerate hazing. Any student, student organization, team, or other persons associated with a student organization found responsible of Hazing, Aggravated Hazing, or Organizational Hazing under this Policy, whether occurring on or off campus, may face disciplinary action from the college, and may also face criminal charges under state law including **The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.**

For additional information or to view the New Member Education Policy in its entirety, please visit the Student Engagement website under Greek Life.

Solicitations

Campus Advertisements & Postings

In order to communicate to the campus community the vibrant and exciting happenings offered here at Ursinus College, use the following guidelines when posting materials or advertising about specifics events, programs, or activities in academic and administrative buildings:

- Postings are permitted in the following locations: bulletin boards, stairwell landings, elevators, metal doors, and bathrooms stalls.
- Flyers and publicity materials may not create a safety hazard.
- Postings may not be placed on glass doors, windows, at the top or bottom of stairwells, close to or covering lighting fixtures, or in places that may disrupt the flow of traffic in a building.
- Postings must be hung in an orderly, non-cluttered fashion, without multiple postings in one location.
- Permitted posting materials include thumb tacks, push pins, poster putty, painter's tape, or magnets.
- Scotch, packaging or duct tape on any surfaces is prohibited due to the damage and difficulties associated with the removal of such items from walls, doors, and windows.
- Postings or advertisements should be removed within 24 hours after the event, program, or activity has occurred.
- Any posting or advertisement that has been damaged and is deemed unreadable may be remove by college personnel.

Chalking

When chalking, please follow these guidelines:

- All chalking must be done in an open space that is accessible to the elements (i.e., rain and snow). No chalking under awnings, overhangs, etc.
- No chalking on buildings (e.g., walls or steps),
- No chalking on benches, statues, or campus art work, etc..
- All chalking should be spaced appropriately (messages approximately 10-15 feet apart). All chalking should be legible and easy to read.
- No chalking immediately in front of doors or on steps.

- All chalking must meet Community Standards and should not violate the Student Code of Conduct.
- Please direct any inquiries concerning this policy to the Student Engagement.

Guidelines for Family Solicitation

The following guidelines are intended to inform student organizations of the appropriate avenues concerning the solicitation of families in regards to the sale of services or goods. Any officially recognized student organization may make a request for family contact information from Student Engagement. Requests may be made during any period of the academic school year (August through May) and must be approved by a member Student Engagement staff for content. Any requests that are found to be in poor taste or of an offensive nature will be denied, and the sponsoring group may lose their privileges. Offerings must provide goods or services that add to a positive community environment here at the College, and should be of value or worth to the purchaser. Organizations may not ask for donations of money or property and must adhere to all local, state, and federal laws. Raffles, 50/50s, or regulated items such as drugs, alcohol, tobacco, firearms, etc. are strictly prohibited as offerings. Good common sense along with the faculty adviser's approval should be used when making a request for family information to make a solicitation. Please direct all inquiries to Student Engagement located in the lower level of Wismer Hall or call 610-409-3608.

Campus Vendor Solicitation Policy

The vendor program for Wismer Hall is overseen by the External Relations & College Events office, and usually runs from late August to the end of October for the fall semester. During the spring semester the vendor program runs from mid-March until the end of April. The only vendors allowed on campus are organizations, groups, or businesses that offer items for sale that are received at the point of sale. The area directly in front of Wismer Hall (Bears' Den), the Bears' Den, Olin Plaza, Zack's Patio, and Wismer Lower Lounge are the approved areas for vendors in or around Wismer Hall.

The following items or service are not allowed to be sold or solicited on campus through the vendor program:

- Contracts or services offered by cell phone companies
- Credit card applications or offers
- Any contractual agreement for services such as fitness clubs, tanning salons,

or sponsorships of events by bars or nightclubs

Please make note that vendors should never ask for your personal information concerning items that could lead to identity theft such as social security number, driver's license, date of birth, etc. If at any time you are unsure about any particular situation concerning a vendor – please contact Campus Safety immediately. General inquires may be made to the External Relations & College Events office.

Student Mail Services

Each new student will be assigned a keyed mailbox and a permanent Mail Stop Code (MSC) number. Returning students keep their previous numbers.

Lost Keys

If students lose the mailbox key, contact Facilities Services at 610-409-3598, extension 3598 for a replacement key as soon as possible.

Location

The Ursinus College Mail Center is located in the Facilities Services Building, off Fifth Ave, near the tall smoke stack. To contact the Mailroom directly, use extension 3483, or e-mail at mailcenter@ursinus.edu.

Please see the Mail Services website for updated hours for the Mail Center.

Student mailboxes are located outside of Wismer Hall, directly outside of Zack's, adjacent to the Love Statue, and are accessible 24 hours a day. Mail is sorted to the boxes Monday through Friday.

Receiving Mail & Packages

All mail received Monday through Friday will be sorted to mail boxes by 4:30 p.m. the same day.

When a student receives a package, Mail Services sends a notification e-mail. Present student I.D. at the Mail Center to obtain the package.

Address Formats

For all mail and packages:

(Student name) MSC# (Student number)
Ursinus College
601 E. Main St.
Collegeville, PA 19426-8000

If you have questions, call 610-409-3483 or email mailcenter@ursinus.edu.

UCARE

Ursinus Center for Advocacy, Responsibility, and Engagement

The Ursinus Center for Advocacy, Responsibility, and Engagement (UCARE) inspires the belief that positive change can be made in our world and helps students make that change happen. UCARE serves as the focal point for community service and civic engagement at Ursinus College. UCARE's goal is to help students develop as thoughtful and responsible civic leaders, attuned to the context, strengths, and needs of the communities in which they serve. In the process, students begin to make connections between their classroom experiences and their society.

National Partnerships

Ursinus is a partner with the Corella and Bertram F. Bonner Foundation, a philanthropic organization dedicated to improving the lives of individuals and communities. The Bonner Program is designed to heighten the overall education students and members receive by asking them to engage in ongoing service work and helping them develop the experience, skills, knowledge, and values necessary to make that work meaningful and lasting.

- Ursinus is a member of Project Pericles, a national organization of colleges and universities committed to make socially responsible and participatory citizenship an essential part of our educational program—in the classroom, on the campus, and in the community. Project Pericles brings its hands-on advocacy and activism workshop, Debating for Democracy (D4D) to Ursinus once per year (usually in February), which is offered to students at no cost.
- K-12 education and after-school programs include ACLAMO (Acción Comunal Latinoamericana de Montgomery County), Barnstone Art for Kids, Phoenixville Area Positive Alternatives, Centro Cultural, Arte, Trabajo y Educacion (CCATE), Girls on the Run, the Children's Schoolhouse of Collegeville, No Longer Bound Development Center, Perkiomen Valley School District, Write Away, and America Reads. In these programs Ursinus students tutor and mentor local Pre-K-12 students.

- Food and shelter assistance programs include Daily Bread Community Food Pantry, Manna on Main Street, St. Mary's Franciscan Shelter for Homeless Families, the Code Blue Emergency Warming Center, and Wismer on Wheels.
- Community education programs include an ESL Program on Ursinus' campus for Spanish-speaking employees, Montgomery County Correctional Facility GED Tutoring, and Volunteer Income Tax Assistance. As they invest in their own education, Ursinus students serve local adults and support them through life changes.
- Environmental and animal welfare programs include the Ursinus College Organic Farm, Girarden, Chenoa Manor, and Camphill Village Kimberton Hills. Ursinus students with an interest in environmentalism or animal rights concentrate their efforts on improving the health of the environment and the animal life within it.
- Health-related programs exist at the Parkhouse Nursing and Rehabilitation Center, Kindred Hospice, Sebastian Riding Associates, the Phoenixville Clinic, and Frederick Living. Working with people from all walks of life, Ursinus students focus on health and well-being in their communities.
- Annual service events on campus include Be the Change Day of Service, Martin Luther King Day of Service, UCARE's Giving Tree, Disaster Relief Efforts, and Red Cross Blood Drives. Whether Ursinus students want to be involved in year-long service projects, or if they want to serve for a shorter time, UCARE offers opportunities for everyone to give back.

To read more about the programs offered through UCARE, visit its website.

Location and Hours

UCARE's office is located in the lower level of Myrin Library and is open Monday through Friday 9:00 am to 5:00 pm (though be sure to visit UCARE's website for any changes). To contact UCARE, email ucare@ursinus.edu or call 610-409-3093.

Wellness Program

The Wellness Program at Ursinus is designed to encourage students to develop a life-long commitment to mental, physical, and spiritual well-being. The Wellness Center Staff, the Department of Health and Exercise Physiology, and the Student Life Staff are all active in the Wellness Program.

Students are encouraged to contact the Wellness Center with any health/lifestyle questions. The Wellness Center is located at 789 Main Street, and is open from 9 A.M. – 5 P.M. every Monday through Friday when the semester is in session.

Students Seeking Medical Treatment

- For Emergencies: Call an ambulance - 911.
- For Non-emergencies: Medical services may be obtained through the Wellness Center, 610-409-3100 or campus extension 3100, on weekdays, during normal business hours, by appointment only. During the Fall and Spring semesters, these services are offered by Dr. Paul Doghramji of Collegeville Family Practice. Dr. Doghramji and a Nurse Practitioner offer acute and routine medical and gynecological services during scheduled appointments at the Wellness Center. Until further notice, no walk-in appointments are available. Please contact Wellness and staff will make every effort to set you up with the most immediate appointment.

Dr. Doghramji is on call for Ursinus students at 484-300-2541.

Policies and Procedures

- It is important that students use prescription medications only at the specific direction of a Physician or the Nurse Practitioner.
- All hospital care and all medical tests are charged directly to the student by the provider or facility.
- All students are required to provide proof of health insurance and must complete the Online Insurance Enrollment/Waiver Form. An optional Student Accident and Sickness Insurance policy is available through the College. Information about the insurance available through the College may be obtained through the Wellness Center
- Medical History Forms must be completed with up-to-date immunization records. Students who do not submit this information will not be permitted to register. The medical records from the Wellness Center will be kept for seven years beyond expected graduation date.

Students who become ill or have an accident must report this promptly to the Wellness Center, to Campus Safety, or to the Resident Advisor on duty in their residence hall. Students who leave college because of illness must report to the Wellness Center, the Resident Advisor on duty in their residence hall, and the Dean's Office before leaving and again after returning to campus.

Students Seeking Psychological Treatment:

For Emergencies (during business hours on weekdays):

There is a designated, drop-in teletherapy crisis hour from 2:00-3:00 pm on weekdays for students who feel they cannot wait for a regularly scheduled appointment to be seen. If a student is in acute distress, is not feeling safe, or is unable to wait until the 2:00 pm hour, please contact Wellness and tell the receptionist that you are in crisis and need to reach a therapist as soon as possible or use the permanent link on the Wellness website to access the drop-in session.

For Emergencies (after hours):

An on-call counselor is always available after hours. For acute crises that are imminently life-threatening, call 911. Students, who have an emergency of a psychological nature, should go to the Emergency Room of the Pottstown Hospital for immediate evaluation and treatment.

For crises that are not imminently life-threatening, a student can access the counselor on-call by calling Campus Safety 610-409-3333, or contacting the on-call Assistant Director of Student Affairs.

For Non-emergencies:

Students interested in making an appointment to speak with a counselor can call 610-409-3100, email **wellness@ursinus.edu** to schedule in person on weekdays, during normal business hours, by appointment only. During the Fall and Spring semesters, these services are offered by our full-time clinicians s or one of the doctoral psychology trainees.

A variety of services are offered free of charge, including: individual and couples counseling, group counseling, crisis intervention, psycho-educational outreach programs, consultations or referrals to off-campus mental health professionals.

POLICY PROHIBITING TITLE IX MISCONDUCTAND OTHER SEXUALAND GENDER-BASED DISCRIMINATION, HARASSMENT, AND RELATED MISCONDUCT

Table of Contents

I. Values Statement 1
II. Policy Statement 1
III. Policy Scope and Jurisdiction 3
IV. Definitions 4
A. Key Policy Definitions 4
B. Prohibited Conduct & Related Definitions 5
V. Disability Accommodations 13
VI. Privacy vs. Confidentiality 13
VII. Resources 13
A. Confidential Resources 13
B. Medical Attention 14
VIII. Reporting Prohibited Conduct 15
A. Reporting to the College 15
1. Contact the Title IX Coordinator 16
2. Make an Online or Anonymous Report 16
3. Report to an Official With Authority (OWA) 17
4. Report to a Mandated Reporter 17
B. External Reporting Options 18
C. Related Considerations about Reporting 18
1. No Time Limit for Reporting 18
2. Limited Amnesty for Students who Report Prohibited Conduct 18
3. False Reporting 19
IX. Supportive Measures 19
X. Emergency Removal and Administrative Leave 20
A. Emergency Removal of a Student Respondent 20
B. Administrative Leave of an Employee Respondent 21
XI. Formal Complaints 21

XII. Grievance Process for Addressing Reports and Formal Complaints under this Policy 22
A. Coordination 22
B. Initial Assessment & Intake of Reports and Formal Complaints 22
C. Resolution Options Following an Initial Assessment 24
1. Matters Involving a Formal Complaint 24
2. Matters Involving Third Parties or Non-Participating Complainants 25
D. Ongoing Assessment & Dismissals 26
1. Consolidation or Severance of Proceedings 26
2. Concurrent Legal Proceedings 27
3. Required Dismissal of Allegations of Title IX Misconduct 27
4. Other Dismissal and Closure 28
5. Acceptance of Responsibility. 29
E. Timelines 29
F. Core Principles for Resolution 30
XIII. The Formal Resolution Process 32
A. The Investigation 32
B. Investigation Timeframe 32
C. Interviews and Gathering Evidence 32
D. Draft Investigative Report and Opportunity to Inspect and Review Evidence 33
E. Final Investigative Report 34
F. Hearing Procedure 35
1. The Hearing Officer 35
2. Notice 35
3. Pre-Hearing Procedures and Ground Rules 36
4. Participation of Advisors 36
5. Participation of Parties and Witnesses 36
6. Witnesses 37
7. Electronic Devices and Record the Hearing 37
8. Hearing Location and Use of Technology 37
9. Hearing Structure 37
10. Determination Regarding Responsibility 38
11. General Considerations for Evaluating Testimony and Evidence 39

12. Remedies and Sanctions 40
13. Written Notice Regarding Outcome and, if applicable, Sanctions/Remedies ... 40
G. Appeals 41
XIV. Informal Resolution 42
XV. Retaliation 44
XVI. Record Retention 44

I. Values Statement

Ursinus College ("Ursinus" or "the College") seeks to foster a diverse community in which all members are respected, included, supported, and treated equitably. Community members are expected to act ethically and responsibly. The Ursinus College Values Statement articulates these principles: https://www.ursinus.edu/about/uncommonly-ursinus/what-matters-to-us/our-values/

Our values, which guide the policies and practices of our institution, include a commitment to cultivating a healthy and safe campus community free from sexual and gender-based discrimination, harassment, and related misconduct. Sexual and gender-based discrimination, harassment, and related misconduct are an affront to one's very personhood.

The College's Policy Prohibiting Title IX Misconduct and Other Sex and Gender-Based Discrimination, Harassment, and Related Misconduct (the "Policy") is informed and guided by this Values Statement consistent with Title IX and related state and federal laws.

II. Policy Statement

The College is committed to creating and maintaining a safe and non-discriminatory learning and work environment that is free from sexual and gender-based discrimination, harassment, and related misconduct.[1] The College does not discriminate on the basis of sex, gender, or gender identity in any of its Programs or Activities.[2]

The Policy prohibits the types of conduct listed below and defined in Section IV (also referred to collectively as "Prohibited Conduct"):

1) **Sexual and Gender-Based Misconduct** (i.e., Sexual Assault; Sexual Exploitation, Non-Title IX Sexual Harassment; Gender-Based Harassment; Sex and/or Gender-Based Stalking; Dating Violence; Domestic Violence; and Sex- and Gender-Based Discrimination);
2) **Title IX Misconduct** (i.e., Quid Pro Quo Sexual Harassment; Severe, Pervasive and Objectively Offensive Sexual Harassment; Sexual Assault; and Sex-Based Dating Violence, Domestic Violence, and Stalking, as each is defined by and specifically articulated to be within the scope of Title IX);
3) **Intimidation**; and
4) **Retaliation**.

The College must define and respond to Title IX Misconduct as required by regulations issued in May 2020 by the U.S. Department of Education to implement Title IX of the Education Amendments of 1972, codified at 34 C.F.R. Part 106 (the "Title IX Regulations"). The Title IX Regulations allow the College to define and regulate Prohibited Conduct that falls outside the

[1] The types of conduct prohibited by the Policy are defined in Section IV below.
[2] Terms defined in Section IV below are capitalized throughout the Policy.

definition of Title IX Misconduct, but that which the College is committed to addressing as a matter of College policy and/or as required by other applicable law. Accordingly, the Policy is consistent with the Title IX Regulations, as well as the College's mission and commitment to ensuring a safe and non-discriminatory campus community.

The College adopts this Policy with a commitment to: (1) deter, eliminate, and address the effects of Prohibited Conduct; (2) foster an environment where all individuals are well-informed and supported in reporting Prohibited Conduct; and (3) provide a prompt, fair, and impartial process pursuant to which alleged violations of this Policy will be evaluated.

This Policy is intended to meet the College's obligations under Title IX of the Education Amendments of 1972 (Title IX); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), with respect to its application to sex and gender-based misconduct; Title VII of the Civil Rights Act of 1964 (Title VII) with respect to its application to sex and gender-based misconduct; and other related and applicable law, including Pennsylvania's Act 16 of 2019.

The requirements and protections of the Policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of protected class status or status as a Complainant, Respondent, or Witness.

This Policy shall be applied in a way that is consistent with the College's principles of academic freedom. The College is committed to the free and vigorous discussion of ideas and issues, which the College believes will be protected by this Policy. Academic freedom and the related freedom of expression include, but are not limited to, the civil expressions of ideas – however controversial – in the classroom, residence halls, and other teaching and student living environments.

The College encourages students, faculty and staff to familiarize themselves with the Policy and the related grievance procedures for addressing reports of Prohibited Conduct. We invite you to ask questions, make recommendations, and do your part to foster an environment free of Prohibited Conduct.

The College's Title IX Coordinator is responsible for administering the Policy, including the procedures for resolving Formal Complaints.[3] The College's Title IX Coordinator is Lauren Stroud. Ms. Stroud may be contacted at:

[3] All references in the Policy to the Title IX Coordinator should be understood to also include any individual acting as a designee of the Title IX Coordinator.

Lauren Stroud
Title IX Office
Student Affairs Suite, Wismer Center
Ursinus College
601 E Main St., Collegeville, PA 19426
610-409-3590
lstroud@ursinus.edu

III. Policy Scope and Jurisdiction

The Policy applies to all members of the College community (students, faculty, and staff), as well as to certain third parties (e.g., individuals who are neither students nor employees, including but not limited to guests, contractors and consultants).

The Policy covers acts of **Sexual and Gender-Based Misconduct** (as defined in Section IV below) committed by or against students, employees, and third parties when the Prohibited Conduct occurs:

- On the College's campus or other property owned or controlled by the College;
- In the context of a College Program or Activity, including, but not limited to, research, internship programs, or employment; or
- Outside of a College Program or Activity but poses a serious threat of harm; has a continuing adverse effect on; or creates a hostile environment for College students, employees, or third parties while on the College's campus or other property owned or controlled by the College, or in any College Program or Activity. In determining whether College has jurisdiction over off-campus or online conduct that did not occur in a College Program or Activity, the College will consider the severity of the alleged conduct; the risk of ongoing harm; whether both parties are members of the College community; the impact on College Programs or Activities; and whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

The Policy also covers acts of **Title IX Misconduct** (as defined in Section IV below) committed (1) on or after August 14, 2020[4]; (2) in the United States; (3) by or against College students or employees participating or seeking to participate in a College Program or Activity.

College students and employees who violate this Policy may face, as appropriate, disciplinary action up to and including termination and expulsion; third parties who violate this Policy also face responsive action as appropriate and available.

[4] Title IX Misconduct that occurred before August 14, 2020 is prohibited by College policy, including but not limited to, the Student Handbook in effect when the alleged Title IX Misconduct occurred.

This Policy supersedes any conflicting information in any other College policy with respect to the definitions or procedures relating to Prohibited Conduct. The elements established in the Policy for resolution of reports and Formal Complaints of Prohibited Conduct have no effect on and are not transferable to any other policy of the College and will not apply to any alleged violation of the Code of Conduct, employment policies, or to any alleged civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

IV. Definitions

A. Key Policy Definitions

Key terms used in the Policy are defined as follows. Additional terms are defined within the text of the Policy.

1) **College Program or Activity**: Includes: (1) the College's campus and any other property owned the College; (2) any location, event, or circumstance where the College exercises substantial control over both the Respondent and the context in which the conduct occurs, including all education programs/activities offered by the College; and (3) any building owned or controlled by a student organization recognized by the College.
2) **Complainant**: The student, employee, or third party who is reported to have experienced Prohibited Conduct in violation of this Policy.
3) **Formal Complaint**: A document signed by a Complainant or by the Title IX Coordinator alleging that a Respondent engaged in Prohibited Conduct and requesting initiation of the College's grievance process (compare with "Report").
4) **Mandated Reporter**: College employees who are required by the College to report to the Title IX Coordinator information about alleged Prohibited Conduct. For a full list of College officials that meet this definition, *see* Section VIII.A.4 Policy.
5) **Official With Authority (OWA)**: an individual with the authority to institute corrective action on behalf of the College and notice to whom causes the College to respond to Title IX Misconduct. For a full list of College officials that meet this definition, *see* Section VIII.A.3 Policy.
6) **Prohibited Conduct**: An umbrella term referring to both Sexual and Gender-Based Misconduct and Title IX Misconduct, as those terms are defined below.
7) **Protected Activity**: Includes most elements of participation in the College's processes related to this Policy, including but not limited to reporting Prohibited Conduct, pursuing resolution of a report of Prohibited Conduct, providing evidence in any investigation or hearing, or intervening to protect others who may have suffered Prohibited Conduct.

8) **Reasonable Person**: A person using average care, intelligence, and judgment in the known circumstances.
9) **Relevant Evidence and Questions**: Any evidence and questions that tend to make an allegation of Prohibited Conduct more or less likely to be true. Relevant evidence and questions do not include the following, which are deemed "irrelevant" for purposes of the Title IX/Sexual Misconduct Grievance Process:
    - Evidence and questions about the Complainant's sexual predisposition;
    - Evidence and questions about the Complainant's prior sexual behavior unless:
        - The solicited information is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
        - Such information concerns specific incidents of the Complainant's prior sexual behavior with respect to Respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
    - Evidence questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege, *unless such privilege is waived*.
    - A party's medical, psychological, and similar records unless the party gives voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).
10) **Report**: Disclosure of alleged Prohibited Conduct without the expectation of initiating the College's grievance process (compare with "Formal Complaint").
11) **Respondent(s)**: The individual(s) who is reported to have engaged in conduct that could constitute Prohibited Conduct in violation of this Policy.
12) **Witness**: A person who has factual information about alleged violation(s) of this Policy.

B. Prohibited Conduct & Related Definitions

Prohibited Conduct under this Policy includes **Sexual and Gender-Based Misconduct** (i.e., Sexual Assault; Sexual Exploitation, Non-Title IX Sexual Harassment; Gender-Based Harassment; Sex and/or Gender-Based Stalking; Dating Violence; Domestic Violence; and Sex- and Gender-Based Discrimination) and **Title IX Misconduct** (i.e., Quid Pro Quo Sexual Harassment; Severe, Pervasive and Objectively Offensive Sexual Harassment; Sexual Assault; and Sex-Based Dating Violence, Domestic Violence, and Stalking, each as defined by and within the scope of Title IX), as defined below.

Whether someone engaged in Prohibited Conduct under this Policy will be assessed under a Reasonable Person standard, as defined above.

1) **Consent**: Some forms of Prohibited Conduct involve the issue of Consent. For purposes of this Policy, *consent* to engage in sexual activity must be informed, knowing, and voluntary; consent must exist throughout and continually during each instance of sexual activity and for each form of sexual contact. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in

sexual activity. Consent is active, not passive. An individual who is incapacitated (as defined below) due to alcohol, drugs, sleep, or unconsciousness, or otherwise lacks the capacity to provide consent due to an intellectual or other disability, cannot consent to engage in Sexual Activity.

Sexual Activity for purposes of this section refers to any conduct of a sexual nature for which Consent is required under this Policy (e.g. Sexual Assault). A person who initiates Sexual Activity is responsible for obtaining Consent for that conduct.

Guidance for Identifying Consent:

- Prior to initiating a sexual encounter, one is expected to obtain consent to each act of sexual activity prior to initiating such activity. Consent to one form of Sexual Activity does not constitute consent to engage in all forms of Sexual Activity.
- Either party 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.
- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- 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.
- If at any time during the sexual activity, any confusion or ambiguity arises as to the willingness of the other individual to proceed, both parties should stop and clarify verbally the other's willingness to continue before continuing such activity.
- Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in each sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.
- Consent is not effective if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to have sexual contact.
- In the Commonwealth of Pennsylvania, the age of majority is 18. Under state law, consent cannot be given by minors under the age of 13 and can only be given by a minor under the age of 16, if the other party is less than four (4) years older than the minor.

2) **Coercion**: The use of pressure to compel another individual to initiate or continue Sexual Activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the Sexual Activity.
3) **Force**: The use or threat of physical violence or intimidation to overcome an individual's freedom to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.
4) **Incapacitation**: Occurs when an individual temporarily or permanently lacks the ability to make informed, rational judgments and cannot consent to sexual activity. An individual who is incapacitated due to alcohol, drugs, sleep or unconsciousness, or otherwise lacks the capacity to provide consent due to an intellectual or other disability, cannot consent to engage in sexual activity.

Guidance for Identifying Incapacitation:

- Incapacitation may result from the use of alcohol and/or drugs. Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, and/or emotional volatility. Witnessing or knowing the person consumed alcohol and/or other drugs should be considered a warning sign of possible incapacitation.
- Someone is incapacitated when any of the following are diminished:
    - decision-making ability;
    - awareness of consequences;
    - ability to make informed judgments;
    - capacity to appreciate the nature and the quality of an action.
- Evaluating incapacitation also requires an assessment of whether a respondent should have been aware of the complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the respondent's position.
- The College considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the

level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

- Being intoxicated or impaired by drugs and/or alcohol is never an excuse for Prohibited Conduct and does not diminish one's responsibility to obtain informed and freely given consent.

5) **Intimidation**: Implied threats or acts that frighten someone.
6) **Sexual and Gender-Based Misconduct**: Sexual and Gender-Based Misconduct is an umbrella term that includes each of the following types of misconduct.
    a) **Sexual Assault**: Sexual Assault is Sexual Contact that occurs without Consent. Sexual Contact includes:
        - Intentional sexual touching of another person's breasts, buttocks, or genitals, whether clothed or unclothed (including intentional touching with ejaculate);
        - Intentional sexual touching with one's breast, buttocks, or genitals (including touching with ejaculate);
        - Making a person touch another person or themselves with or on any of these body parts; and/or
        - Vaginal, oral, or anal penetration or contact by a penis, tongue, finger, or other object.
    b) **Sexual Exploitation**: Taking sexual advantage of another person or violating the sexual privacy of another when consent is not present. Sexual exploitation includes, but is not limited to, the following actions (including when they are done via electronic means, methods, or devices):
        - Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's consent;
        - Indecent exposure or inducing others to expose themselves when consent is not present;
        - Recording or distributing information, images, or recordings of any person engaged in sexual or intimate activity or in the nude without that person's consent;
        - Prostituting another individual;
        - Knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge; and
        - Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.
    c) **Non-Title IX Sexual Harassment**: Non-Title IX Sexual Harassment, sometimes referred to as "Sexual Harassment" herein, is unwelcome conduct of a sexual nature, whether verbal, graphic (e.g. pictures, videos), physical or otherwise, when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, education, living environment, or participation in any College Program or Activity;
- Submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a College Program or Activity; and/or
- Such conduct creates a hostile environment. A hostile environment exists when the conduct of a sexual nature is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's participation in a College Program or Activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the College will consider the totality of known circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior. Although a hostile environment is generally created through a series of incidents, for purposes of this Policy, a severe incident, even if isolated, can be sufficient.

d) **Gender-Based Harassment**: Gender-Based Harassment includes harassment based on actual or perceived sex, sexual orientation, gender identity, gender expression, or pregnancy. Such harassment may include acts of aggression, intimidation, or hostility, whether verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the behavior:

- Adversely affects a term or condition of an individual's employment, education, living environment, or participation in a College Program or Activity;
- Is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a College Program or Activity; and/or
- Creates a hostile environment for that individual's participation in a College Program or Activity. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's participation in a College Program or Activity, or creates an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living, or participation in a College Program or Activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and objective standard. In evaluating whether a hostile environment exists, the College will consider the totality of known circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Although a harassing hostile environment is generally created through a series of incidents, for purposes of this Policy, a severe incident, even if isolated, can be sufficient to constitute a hostile environment.

In some cases, harassment may be based on multiple protected class bases included in the College's Nondiscrimination Statement. In general, harassment involving protected class bases other than actual or perceived gender, sexual orientation, gender identity, or gender expression might fall under other College policies. For matters involving Student Respondents, this would include the Student Code of Conduct and Policy on Discriminatory Acts. For matters involving Employee or Third-Party Respondents, this could include, but is not limited to the College's Nondiscrimination and Equal Employment Opportunity Policy and Policy on Discriminatory Acts.

Where reported harassment may be based on both sex or gender (including actual or perceived sex, sexual orientation, gender identity, gender expression or pregnancy) and another protected class basis (e.g., race, color, national origin, age, marital status, disability, religion, height, weight, or veteran status), the Title IX Coordinator will consult with other College officials, as needed, to determine whether the matter is most appropriately addressed under this Policy or another College policy, or whether different aspects of the matter should be addressed separately under different policies.

e) **Dating Violence**: Violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the alleged victim; noting that,
- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: a) the length of the relationship; b) the type of relationship; and c) 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, for purposes of this Policy, does not include emotional abuse.

f) **Domestic Violence**: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the alleged victim shares a child in common, by a person who is cohabitating with or who has cohabitated with the alleged victim as a spouse, by a person similarly situated to a spouse of the alleged victim under the domestic or family laws of the Commonwealth of Pennsylvania, or by any other person against an adult or youth

victim who is protected from that person's acts under the domestic or family violence laws of the Commonwealth of Pennsylvania.[5]

g) **Sex or Gender-Based Stalking**: Engaging in a course of conduct directed at a specific person under circumstances that would cause a Reasonable Person[6] to (1) fear for his or her safety or the safety of others; or (2) suffer substantial emotional distress.

- Course of conduct means two or more acts including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person in a way prohibited as described above, or interferes with a person's property.

h) **Sex and Gender-Based Discrimination**: Sex and Gender-Based Discrimination is conduct that is based upon an individual's sex, sexual orientation, gender identity, gender expression, or pregnancy that:

- Adversely affects a term or condition of an individual's employment, education, living environment, or participation in a College Program or Activity; and/or
- Is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a College Program or Activity.

7) **Title IX Misconduct**: While this may seem similar to definitions above, Title IX Misconduct is a very specific concept under federal law. Title IX Misconduct, or Title IX-defined "Sexual Harassment", is conduct that occurs (1) in the United States; (2) in a College Program or Activity or to a Complainant who is seeking to engage in such a Program or Activity; and (3) on the basis of sex, in which:

- A College employee conditions the provision of a College aid, benefit, or service on an individual's participation in unwelcome sexual conduct (sometimes called quid pro quo sexual harassment);
- A College student, employee, or third party engages in unwelcome conduct determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies another person equal access to a College

[5] While there is no distinct definition of "Domestic Violence" under the Pennsylvania Crimes Code, under the criminal laws of Pennsylvania certain offenses, including but not limited to, rape, aggravated assault, and stalking, can be deemed domestic violence depending on the relationship of the parties involved. If a criminal complaint is made to law enforcement outside of the College, the probable cause standard will apply to the complaint (this is a different standard than applies to campus disciplinary matters, as set forth later in the Policy).

[6] For purposes of this definition of Sex and/or Gender-Based Stalking only, the definition of "Reasonable Person" is a Reasonable Person under similar circumstances and with similar identities to the Complainant.

Program or Activity (sometimes called severe, pervasive, and objectively offensive sexual harassment); or

- A College student, employee, or third party in the United States engages in: Sex or Gender-Based Stalking (defined above); Dating Violence (defined above); Domestic Violence (defined above); or Sexual Assault as defined for purposes of the FBI's Uniform Crime Reporting (NIBRS) program, as below:
    - **Rape:**
        - The carnal knowledge of a person (i.e., penile-vaginal penetration), without the Consent of that person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity (it should be noted that either females or males could be Complainants under this definition);
        - Oral or anal sexual intercourse (i.e., penile penetration) with another person, without the consent of that person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity;
        - To use an object or instrument (e.g., an inanimate object or body part other than a penis) to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the Consent of that person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity;
    - **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity (for purposes of this definition, "private body parts" includes breasts, buttocks, or genitals, whether clothed or unclothed);
    - **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
    - **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of Consent.

8) **Retaliation**: Any adverse action, directly or through others, taken against a person for engaging in Protected Activity. Retaliation may include intimidation, threats, coercion, or discrimination including adverse employment or educational actions that would discourage a Reasonable Person from engaging in activity protected under this Policy. Any individual or group of individuals, not just a Complainant or Respondent, can

engage in Retaliation. A finding of Retaliation under this Policy is not dependent on a finding that the underlying Prohibited Conduct occurred.

- The exercise of rights protected under the First Amendment does not constitute Retaliation. Pursuit of civil, criminal, or other legal action, internal or external to the College does not constitute Retaliation.
- Initiating disciplinary proceedings against an individual for making a materially false statement in bad faith in the course of a proceeding under the Policy does not constitute Retaliation under this Policy; however, a determination regarding responsibility, alone, is insufficient to conclude that any party made a materially false statement in bad faith.

V. Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the grievance process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities. The burden is on the Parties to make any such request.

VI. Privacy vs. Confidentiality

Consistent with the College's Code of Conduct, references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or College officials without permission of the Complainant, except for extreme circumstances, such as a health and/or safety emergency or child abuse.

References made to *privacy* mean offices at Ursinus and those employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Ursinus will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

VII. Resources

A. Confidential Resources

The following are Confidential Resources that are not required to, and will not, share information with law enforcement or College officers without permission, except for in very limited circumstances (e.g. health/safety emergencies; alleged/suspected child abuse).

On Campus:

- Wellness Center Professional Counselors and Medical Providers: Wellness Center; 610-409-3100
- Rev. Terri Ofori: tofori@ursinus.edu

Off Campus:

- Victims Services Center of Montgomery County:
  888-521-0983
  www.victimservicescenter.org

- The Crime Victims' Center of Chester County:
  610-692-7273
  www.cvcofcc.org

- Delaware County Women Against Rape:
  610-566-4342
  www.delcowar.org

- Network of Victim Assistance (Bucks County):
  1-800-675-6900
  www.novabucks.org

- Berks Women in Crisis (Berks County):
  610-372-9540
  www.berkswomenincrisis.org

- WOAR (Philadelphia):
  215-985-3333
  www.woar.org

B. Medical Attention

Students can contact Wellness at wellness@ursinus.edu for a medical appointment to discuss options for emergency contraception, pregnancy testing, and STI testing.

To receive a rape kit to collect forensic evidence, students are encouraged to visit one of the following hospitals that the Victim Advocates from Victim Services Center of Montgomery County works with - this includes Einstein (Montgomery), Lankenau, Bryn Mawr, or Pottstown Hospitals.

Campus Safety can assist with providing transportation to a hospital if needed. If students are thinking about going to the hospital but have questions, please call the Victim Services Center hotline at 1-888-521-0983 for more information.

VIII. Reporting Prohibited Conduct

The College encourages all members of the College community to make a report of suspected Prohibited Misconduct directly to the Title IX Coordinator through any of the reporting methods outlined below. Reports can also be made to Officials with Authority, but the College strongly encourages direct reports to the Title IX Coordinator so that the Title IX Coordinator can promptly discuss the availability of Supportive Measures and available resolution processes with the Complainant, including by contacting the Complainant when another person makes a report.

Recognizing that some forms of Prohibited Conduct may also constitute crimes, the College also strongly encourages any individual who experiences, witnesses, or learns of possible criminal conduct to report to Ursinus College Campus Safety or local law enforcement. Prompt reporting allows law enforcement to collect and preserve evidence. Victims of crime also have certain rights under Pennsylvania Crime Victims' Bill of Rights.

A. Reporting to the College

Any individual may report Prohibited Conduct. It is not necessary for a reporting party or Complainant to determine in advance whether the behavior at issue meets the definition of Prohibited Conduct. Upon receipt of a report, the Title IX Coordinator will undertake an assessment to determine the form of Prohibited Conduct at issue.[7]

When the Title IX Coordinator receives a report of Prohibited Conduct, the Title IX Coordinator will in all cases where the Complainant is identified, contact the Complainant to: (1) discuss the availability of Supportive Measures; (2) ask about the Complainant's wishes with respect to Supportive Measures; (3) inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and (4) explain to the Complainant the process for filing a Formal Complaint. (*See* Section IX for more information on Supportive Measures). If appropriate, the Title IX Coordinator will also contact a known Respondent at this time.

The process for filing a Formal Complaint is described in greater detail in Section XI, but a Formal Complaint may be filed by a Complainant when a report is made or at another time thereafter, and may be filed with respect to conduct that constitutes Sexual and Gender-Based Misconduct or Title IX Misconduct. In some cases, as explained in further detail in Section XI, the Title IX Coordinator may decide to sign a Formal Complaint even where the Complainant has not decided to do so.

[7] All references in the Policy to obligations of or steps to be taken by the Title IX Coordinator should be understood to also include any individual acting as a designee of the Title IX Coordinator.

Reports made to the Title IX Coordinator, an OWA, or through the Online Reporting Link can be accessed only by senior members of the Student Affairs Office and/or Human Resources, as appropriate.

Options for making a report to the College are as follows. These reporting options are not mutually exclusive.

1. Contact the Title IX Coordinator

Reports of Prohibited Conduct, whether Sexual and Gender-Based Misconduct or Title IX Misconduct, should when at all possible be made to the Title IX Coordinator.[8]

Individuals may also contact the Title IX Coordinator to ask about this Policy or to otherwise inquire about the College's responses to Prohibited Conduct in its Programs and Activities.

The Title IX Coordinator can be contacted by telephone or in person by appointment during regular office hours, or by email 24 hours a day, 7 days a week. Online reporting is also available on a 24/7 basis as explained below.

Contact information for the Title IX Coordinator is as follows:

Lauren Stroud
Title IX Office
Student Affairs Suite, Wismer Center
Ursinus College
601 E Main St., Collegeville, PA 19426
610-409-3590
lstroud@ursinus.edu

2. Make an Online or Anonymous Report

Reports may be made to the Title IX Coordinator using the following link: Online Reporting Link.

Individuals reporting through the Online Reporting Link have the **option** of disclosing their identity or remaining anonymous. While anonymous reports are accepted and reviewed carefully, the College's ability to investigate and or address Prohibited Conduct that is reported anonymously may be limited, and in some cases must be limited as a matter of Title IX law.

[8] To make a report of Prohibited Conduct about the Title IX Coordinator, individuals should report to Dean of Students (Missy Bryant) at 610-409-3590 or the Director of Human Resources (Kelley Williams) at 610-409-3589.

Individuals who report Prohibited Conduct through the Online Reporting Link, and who disclose their identity, will receive a response acknowledging receipt as well as the opportunity to speak with the Title IX Coordinator.

3. Report to an Official With Authority (OWA)

In addition to the Title IX Coordinator, the following College employees are Officials With Authority: Student Affairs Deans, Academic Deans, and Associate Deans, the Director of Residence Life, and the Director of Human Resources.

An Official with Authority has internal reporting obligations. Specifically, Officials with Authority are required to report to the Title IX Coordinator all information about Prohibited Conduct that they receive, regardless of how and when they learned of the information; e.g. whether the information was shared with them in the scope of their employment or in some other capacity.

Only a report to the Title IX Coordinator (either directly or from a Mandated Reporter) or an OWA triggers the College's obligation to respond to an allegation of Prohibited Conduct. In the case of a report of Prohibited Conduct to an OWA, the Title IX Coordinator will contact the Complainant.

4. Report to a Mandated Reporter

Unless explicitly designated as a Confidential resource, all College officials, employees (including Resident Advisors and Peer Advocates) are Mandated Reporters under this Policy.

Mandated Reporters must report to the Title IX Coordinator as soon as possible, but in no case no more than 48 hours after observing or receiving information about Prohibited Conduct. The report must include all relevant known details about alleged/possible Prohibited Conduct including the names of the Complainant, Respondent, and any witnesses, and the date, time, and location of the alleged incident, to the extent such details are known by the Mandated Reporter. Failure by a Mandated Reporter to promptly share (within 48 hours) with the Title IX Coordinator all details they receive about Prohibited Conduct may subject them to appropriate discipline, up to and including termination of employment, in accordance with an applicable process.

Mandated Reporters are not required to report information about Prohibited Conduct disclosed at sexual misconduct public awareness events (e.g., Take Back the Night, candlelight vigils, protests, or survivor speak-outs in which participants may disclose incidents of Prohibited Conduct).

Reminder: only a report to the Title IX Coordinator (directly or through a Mandated Reporter) or an OWA will trigger the College's obligation to respond to an allegation of Prohibited Conduct,

including by contacting the Complainant to discuss Supportive Measures; please consider making a report directly to the Title IX Coordinator to ensure a prompt response.

B. External Reporting Options

Reports of Prohibited Conduct that might also constitute a crime may be made to the Collegeville Police Department: 610-489-9332. Or dial 911 in the case of an emergency.

A person may also file a complaint with the U.S. Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by emailing OCR.Philadelphia@ed.gov or visiting https://www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 1-800-421-3481.

A person may also file a complaint with the Pennsylvania Human Relations Commission by calling 717-787-9780 for the Harrisburg Regional Office; 412-565- 5395 for the Pittsburgh Regional Office; or 215-560-2496 for the Philadelphia Regional Office or visiting https://www.phrc.pa.gov/Pages/default.aspx.

Employees may also file a charge with the Equal Employment Opportunity Commission regarding an alleged violation of Title VII by calling 1-800-669-4000 or visiting https://www.eeoc.gov/employees/howtofile.cfm.

C. Related Considerations about Reporting

1. No Time Limit for Reporting

Reporters are encouraged to report Prohibited Conduct as soon as possible in order to maximize the College's ability to respond promptly and effectively. The College does not, however, limit the timeframe for reporting. If the Respondent is no longer a student or employee, the College may not be able to take action against the Respondent, but it will still endeavor to take steps to end the Prohibited Conduct, prevent its recurrence, and address its effects, and it will also provide Supportive Measures to a Complainant to the best of its ability. The College is unlikely to be able to pursue disciplinary action against an individual who is no longer affiliated with the institution. Under those circumstances, when appropriate and permitted by applicable law and regulations, the College will still conduct an investigation.

2. Limited Amnesty for Students who Report Prohibited Conduct

The College seeks to remove any barriers to reporting. The College recognizes, however, that a student who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of potential consequences for their own conduct. A student who reports conduct in violation of this Policy will not be subject to disciplinary action by the College related to the personal ingestion of alcohol or other 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

College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

3. False Reporting

No person shall make an allegation that they know to be untrue or knowingly provide false information during the course of an investigation or hearing. Making a false report or giving false information is a violation of this Policy and may be a basis for discipline, including expulsion or termination.

IX. Supportive Measures

When the Title IX Coordinator receives a Report of possible Prohibited Conduct—regardless of whether that Report is made by the Complainant, a witness, or other party, or is provided to the Title IX Coordinator by a Mandated Reporter or an Official With Authority—they will contact the Complainant to (1) discuss the availability of Supportive Measures and (2) explain that Supportive Measures are available with or without filing a Formal Complaint. The Title IX Coordinator also may contact a known Respondent, as appropriate.

Supportive Measures are individualized services, accommodations, and other assistance that the College offers and may put in place, without fee or charge. Supportive Measures are designed to restore or preserve equal access to the College's Programs and Activities, protect the safety of all parties and the College's educational environment, and/or deter Prohibited Conduct, without being punitive or disciplinary in nature or unreasonably burdening the other party.

Supportive Measures are available regardless of whether the matter is reported to the College for the purpose of initiating a proceeding under this Policy and before, after, and regardless of whether a Formal Complaint is filed. A Complainant who requests Supportive Measures has the right to file a Formal Complaint, either at the time the Supportive Measure is requested or at a later date. Any Complainant who requests Supportive Measures will be informed in writing of their right to simultaneously or subsequently file a Formal Complaint under this Policy.

Supportive Measures may also be requested by and made available to Respondents, witnesses, and other affected members of the College community.

To determine the appropriate Supportive Measure(s) to be implemented, the Title IX Coordinator, working in conjunction with other College administrators/officials as necessary, conducts an individualized assessment based on the facts and circumstances of a situation. Supportive Measures will not be disciplinary or punitive in nature, will be provided without fee or charge, and will not unreasonably burden, or unreasonably interfere with, the College Program or Activity pursuits of the other party. Whether a possible Supportive Measure would unreasonably burden the other party is a fact-specific determination that takes into account the

nature of the programs, activities, opportunities, and benefits in which an individual is participating.

Examples of Supportive Measures include:

- Assistance from College support staff in completing a room or office relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Assistance with or rescheduling an academic assignment (paper, exams, etc.) or otherwise implementing academic assistance;
- Changes to work schedules;
- Changes to reporting structure (for employees);
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Restrictions on contact between parties ("no contact" orders)
- Assistance with alternative course completion options;
- Escorts to and from campus locations;
- On or off-campus counseling assistance;
- Other accommodations for safety as necessary; and
- Any combination of these measures.

The College will maintain the confidentiality of Supportive Measures provided to the Complainant or Respondent to the extent that doing so would not impair the College's ability to provide the Supportive Measures.

X. Emergency Removal and Administrative Leave

A. Emergency Removal of a Student Respondent

Ursinus retains the authority to remove a Respondent from the College's Program or Activity on an emergency basis, where the College: (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student

(including the Respondent him/herself) or other individual arising from the allegations of covered sexual harassment justifies a removal.

Prior to removing a student Respondent on an emergency basis, the College will form a committee in order to make a specific safety and risk determination that the Respondent poses an immediate threat to the physical safety and or health of a student or students. This committee will include, at a minimum, the Title IX Coordinator, a representative from Campus Safety, a representative from Student Affairs, and a representative from Residence Life, and may include others.

If Ursinus determines such removal is necessary, the Respondent will be provided notice and an opportunity to challenge the decision immediately following the removal.

B. Administrative Leave of an Employee Respondent

Consistent with the Employee Handbook and Student Code of Conduct, the College may place an employee Respondent on administrative leave during the pendency of the grievance process as outlined below. An employee alleged to have committed Prohibited Conduct will not be placed on administrative leave unless and until a Formal Complaint has been filed with the College.

XI. Formal Complaints

Before the College's grievance process can begin, a Formal Complaint must be filed by a Complainant or signed by the Title IX Coordinator as explained below.

A Formal Complaint must be submitted by the Complainant to the Title IX Coordinator in person, by mail, or by email. The Formal Complaint must contain the Complainant's physical or digital signature or otherwise indicate that the Complainant is the person filing the Formal Complaint.

When a Formal Complaint is filed, the Title IX Coordinator will evaluate it for a number of things, including whether the complained-of conduct occurred in the United States and whether the Complainant, at the moment of submission of the Formal Complaint, is participating in a College Program or Activity or attempting to participate in a College Program or Activity (e.g. a job applicant, an applicant for admission to an academic program, a recent graduate who is applying to a different academic program at the College, etc.).

The Title IX Coordinator also has discretion to sign a Formal Complaint even if the Complainant chooses not to, and even if the Complainant chooses not to participate in a College resolution process at all. In general, the Title IX Coordinator will seek to respect the Complainant's wishes not to file a Formal Complaint; however, when the Respondent is an employee, when a significant safety concern is presented, or when the Title IX Coordinator concludes that failure to

pursue a Formal Complaint may fail to meet the College's duties under the law, the Title IX Coordinator will usually sign a Formal Complaint."

After a Formal Complaint has been filed by the Complainant or signed by the Title IX Coordinator, the College will commence the grievance process outlined below.

Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the grievance process (formal or informal resolution).

XII. Grievance Process for Addressing Reports and Formal Complaints under this Policy

The College uses the following Procedures to address allegations of Prohibited Conduct and to impose sanctions, as appropriate, for violations of the Policy.

At all times, it is within the College's discretion to determine which policies and procedures apply and under which policy or policies action may be taken. Some Prohibited Conduct may result in separate and additional proceedings under multiple College policies.

A. Coordination

The Title IX Coordinator has primary responsibility for coordinating efforts for investigation, resolution, implementation of sanctions, and monitoring the educational environment and workplace related to violations of this Policy. The Title IX Coordinator may coordinate with other College administrators to investigate certain Formal Complaints and to implement and monitor sanctions.

B. Initial Assessment & Intake of Reports and Formal Complaints

Initial Assessment: When alleged Prohibited Conduct is first reported to the Title IX Coordinator, the Title IX Coordinator will:

1) Assess the nature and circumstances of the Report—including whether the names and/or other personally identifying information for the Complainant, Respondent, any witnesses, and/or any other individual with knowledge was provided—to facilitate appropriate follow-up; and
2) Assess the nature of the allegations to identify the grievance process or resolution options that might be available.

Where the Title IX Coordinator determines that this Policy does not apply, such as when the Report does not describe possible Prohibited Conduct, the Title IX Coordinator may refer the Report to another College office or process for resolution, including referral to Student Affairs and/or Human Resources, as appropriate, for review under other potentially applicable College

policies and procedures, including, for example the College's Student Code of Conduct and Human Resources policies.

Intake: After receiving a Report of possible Prohibited Conduct, the Title IX Coordinator will promptly contact the Complainant, if one is identified or identifiable, to (1) discuss the availability of Supportive Measures; (2) ask about the Complainant's wishes with respect to Supportive Measures; (3) explain that Supportive Measures are available with or without the filing of a Formal Complaint; and (4) explain how to file a Formal Complaint.

The Title IX Coordinator will also provide the Complainant with a written explanation of available resources, options, and other important Policy information, including the following:

1) Support and assistance available through College and community resources, including the Complainant's option to seek Supportive Measures regardless of whether they choose to participate in a College or law enforcement investigation;
2) The Complainant's option to seek medical treatment and information on preserving potentially key forensic evidence and/or other potential evidence;
3) The process for filing a Formal Complaint;
4) The College's procedural and grievance options, including formal investigative resolution and informal resolution, if available;
5) The Complainant's right to an advisor of the Complainant's choosing who may be, but is not required to be, an attorney;
6) The College's prohibition of Retaliation against the Complainant, the Respondent, the witnesses, and the reporting parties; how to report acts of Retaliation; and confirmation that the College will take prompt action when Retaliation is reported;
7) The opportunity to discuss with the Title IX Coordinator or designee the Complainant's resources, rights, and options;
8) A copy of or a link to this Policy; and
9) An explanation that parties and witnesses are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

If a Formal Complaint is filed, the Title IX Coordinator will provide the Respondent with Notice of Allegations that will include a written explanation of available resources, options, and other Policy information. The Notice of Allegations will include:

1) Notice of the allegations potentially constituting Prohibited Conduct, including the identities of the parties (if known), the date and location of the alleged incident (if known), and potential Policy violations;
2) Notice that a determination regarding responsibility is made at the conclusion of the proceeding and the Respondent is presumed not responsible for the alleged Prohibited Conduct prior to the determination;

3) Support and assistance available through the College and community resources (as described above);
4) The Respondent's right to an advisor of the Respondent's choosing who may be, but is not required to be, an attorney;
5) The College's prohibition of Retaliation against the Complainant, the Respondent, the witnesses, and the reporting parties, how to report acts of Retaliation, and that the College will take prompt action when Retaliation is reported;
6) The opportunity to discuss with the Title IX Coordinator the Respondent's resources, rights, and options.
7) A copy of or link to this Policy; and
8) An explanation that parties and witnesses are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

The Complainant will also receive a copy of the Notice of Allegations.

The Title IX Coordinator will send the Notice of Allegations to the parties as soon as practicable, and usually within 10 business days[9] of receipt of the Formal Complaint. The Notice will be sent to a party's institutional email account if they are a student or employee, and by other reasonable means if they are neither.

If, in the course of an investigation, the College becomes aware of and decides to investigate allegations that were not included in Notice, the College will notify the parties of the additional allegations in an amended Notice.

C. Resolution Options Following an Initial Assessment

Upon completion of an initial assessment of a matter, the Title IX Coordinator will undertake one of the following actions, with the understanding that as a matter progresses, the action warranted can change, as described in these Procedures.

1. Matters Involving a Formal Complaint

If a Formal Complaint alleging behavior that could constitute Prohibited Conduct is filed, the Title IX Coordinator will initiate the grievance process, which includes both the formal resolution and informal resolution options, as described at a high level here:

1) **Formal Resolution Process**: This process generally results in a written investigative report containing a summary of the relevant evidence, a hearing that results in a finding and, if appropriate, sanctions and remedies, and an appeal process. The College will strive to complete the formal resolution process expeditiously, but at a minimum within 180 days of the filing of the Formal Complaint. The parties will be provided with updates

[9] The phrase "business days" refers to those days when the College is open.

on the progress of the formal resolution process, as needed, and will be alerted, in writing, if the process will go beyond that timeframe.

2) **Informal Resolution**: Informal resolution includes a spectrum of facilitated, structured, and adaptable processes that seek to identify and meet the needs of the Complainant while providing an opportunity for the Respondent to acknowledge harm and seek to repair the harm (to the extent possible) experienced by the Complainant and/or the College community. Informal resolution does not include an investigation, hearing, or formal disciplinary action against a Respondent. However, remedies may include any appropriate and reasonable educational, restorative, and accountability-focused measures as agreed to by the parties and approved by the Title IX Coordinator. The College will strive to complete the informal resolution process within 90 days of when it is commenced. Informal resolution may only be commenced for those matters where a Formal Complaint has been filed.

Though distinct from Supportive Measures under the Policy, an individual engaged in either resolution option under these Procedures may also request reasonable accommodations related to a disability at any phase in the applicable resolution process through the College's normal disability accommodation process.

2. Matters Involving Third Parties or Non-Participating Complainants

There are some matters in which a Formal Complaint involves a Respondent unaffiliated with the College, or the Complainant does not wish to file a Formal Complaint after a report is made. These matters will be addressed as outlined below.

1) **Formal Complaints Against Unaffiliated Third Parties**: Generally, if a Formal Complaint is made against someone who has no affiliation with the College, the College's ability to take direct action against such a person may be limited. The College will, however, still take steps to inform the Complainant of support and assistance available through College resources and resources available from entities outside of the College (including law enforcement).
2) **Complainant Request for No Investigation or to Not Participate in an Investigation**: In some instances, the Complainant may not wish to file a Formal Complaint or participate in any process (Complainants are encouraged, but not required, to participate in this process). The College will consider the Complainant's wishes, though the College retains the discretion to determine whether to proceed without the Complainant's participation. The College generally will proceed when the Respondent is an Employee.

In all cases, including those in which the Title IX Coordinator decides to sign a Formal Complaint, the Title IX Coordinator shall remain impartial and is not a Complainant or otherwise a party to the matter.

In cases where the College investigates without a participating Complainant, the Title IX Coordinator will notify the Complainant that the College intends to initiate the grievance process, and that the Complainant is encouraged, but not required, to participate.

Generally, a decision not to participate as a Complainant means that the Complainant waives the rights generally afforded to a participating Complainant when Sexual and Gender-Based Misconduct, but not Title IX Misconduct, is at issue. However, under limited circumstances, the College may provide some or all of the rights of a Complainant as defined in the Policy, as deemed appropriate by the Title IX Coordinator, or as otherwise required by law.

Where Title IX Misconduct is at issue, a Complainant who is not participating will be treated like a party to the process; this means that the Complainant is entitled to the same rights afforded to them under the Policy as if they were participating (e.g. a right to a copy of evidence).

If a Complainant declines to participate in an investigation, the College's ability to fully investigate and respond to a report of Prohibited Conduct may be limited. Even so, the College may pursue other steps to limit the effects of the Prohibited Conduct and prevent its recurrence.

D. Ongoing Assessment & Dismissals

Throughout the handling of a report or Formal Complaint of Prohibited Conduct, the Title IX Coordinator will continue to assess the most appropriate procedures for addressing the allegations.

1. Consolidation or Severance of Proceedings

The Title IX Coordinator has the discretion to consolidate or sever claims of Title IX Misconduct and Sexual and Gender-Based Misconduct. Specifically, the Title IX Coordinator may consolidate multiple Formal Complaints of Title IX Misconduct and Sexual and Gender-Based Misconduct into a single investigation if where the allegations of Prohibited Conduct arise out of the same facts or circumstances.

Consolidation might involve a single or multiple Complainants, a single or multiple Respondents, and/or when the conduct is temporally or logically connected. If investigations involving multiple Complainants and/or multiple Respondents are consolidated, each party will have access to all of the information that is directly related to the allegations; including information as provided by all involved Complainants, all involved Respondents, and all involved witnesses.

The Title IX Coordinator also has the discretion to sever multiple Formal Complaints of Title IX Misconduct and Sexual and Gender-Based Misconduct into separate investigations, hearings, or appeals. In every circumstance, however, grievance proceedings shall proceed consistent with the Title IX Regulations.

If the misconduct alleged in a Formal Complaint includes Prohibited Conduct under this Policy and conduct that would constitute a violation of another College policy/Code of Conduct, the grievance process provided in this Policy may, in the College's, discretion be applied to the investigation and adjudication of all of the allegations.

2. Concurrent Legal Proceedings

At the request of law enforcement, and subject to the provisions in these Procedures pertaining to notifying the Respondent of a Formal Complaint, the College may agree to temporarily defer proceeding with part or all of its processes until after some or all of the law enforcement investigation is complete (e.g., deferring until the initial law enforcement evidence gathering phase is complete).

3. Required Dismissal of Allegations of Title IX Misconduct

If at any time before or during the grievance process involving an allegation of Title IX Misconduct the Title IX Coordinator determines that:

- The conduct alleged in the Formal Complaint would not constitute Title IX Misconduct if proved;
- The conduct alleged in the Formal Complaint did not occur in a College Program or Activity or to a Complainant who was participating or endeavoring to participate in such a Program or Activity; or
- The conduct alleged in the Formal Complaint did not occur against a person in the United States,

the parties will be notified in writing that the allegations of Title IX Misconduct are being dismissed, with an explanation of the reason for dismissal.

In the case of such a dismissal, The Title IX Coordinator will determine whether the alleged conduct would still, as alleged, constitute Sexual or Gender-Based Misconduct and, if so, the College will proceed to address the Formal Complaint regarding that other Sexual or Gender-Based Misconduct under this grievance process. Where the Title IX Coordinator determines that the alleged conduct, as alleged, would not constitute other Sexual or Gender-Based Misconduct, but might constitute a violation of other College policies or procedures, the Title IX Coordinator may refer the report to another College office or process for resolution, including referral to Student Affairs and/or Human Resources, as appropriate, for review under other potentially applicable College policies and procedures, including, for example the College's Student Code of Conduct and Human Resources policies.

If allegations of Title IX Misconduct are dismissed for one of the above reasons, the parties may appeal that dismissal using the process described below.

4. Other Dismissal and Closure.

In addition to the reasons stated above for the mandatory dismissal of allegations of Title IX Misconduct, the Title IX Coordinator may dismiss a Formal Complaint of Sexual or Gender-Based Misconduct and/or Title IX Misconduct, if at any time during the investigation or hearing:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw their Formal Complaint, or any allegations therein;
- The Respondent is no longer enrolled as a student or employed by the College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If Title IX Misconduct is dismissed pursuant to this provision, the parties may appeal that dismissal using the process described below.

Appeal of Dismissal of Title IX Misconduct. If allegations of Title IX Misconduct are dismissed for a reason set forth above (whether mandatory or discretionary), either party may appeal that dismissal on the following bases only:

- Procedural irregularity that materially affected the dismissal determination;
- New evidence that was not reasonably available at the time the determination regarding dismissal was made, that could materially affect the determination; and/or
- The Title IX Coordinator or designee making the dismissal decision had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that materially affected the dismissal decision.

An appeal of the dismissal of a Formal Complaint must be filed no later than 5 business days after the date on which the College transmitted the written determination of dismissal to the parties. The appeal shall consist of a plain, concise, and complete written statement of no more than 3,000 words, outlining the basis for appeal and all relevant information to substantiate the appeal.

The College will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The other party may then have a period of 5 business days from the date of notice to submit a statement in support of the written determination and/or in

opposition to the appeal. This statement will be limited to 3,000 words. Any such statement will be shared with the party who filed the appeal and their advisor.

The appeal review will be conducted by the Dean of Students (or designee), the Director of Human Resources (or other designee), or other appeal decision-maker (see Section XIII.G). The parties may object to the appellate decision-maker's service by providing a written statement within their appeal or response to the appeal as to why the party believes that the appellate decision-maker has a conflict of interest or bias. The Title IX Coordinator or designee will make decisions regarding such objections and the appointment of an alternate appellate decision-maker, as necessary.

The appellate decision-maker will review the matter based on the issues identified in the appeal(s) materials. The appellate decision-maker may consult with or request additional information from the Title IX Coordinator and other College administrators or agents as necessary.

The appellate decision-maker will strive to complete the appeal review within 10 business days of receipt of all documents. The appellate decision-maker will issue a written decision describing the result of the appeal and the rationale for the result, and the Title IX Coordinator will provide the written decision simultaneously to both parties.

5. Acceptance of Responsibility.

The Respondent may, at any time during the grievance process, elect to accept responsibility for the Prohibited Conduct. In such circumstances, and with the written consent of both the Respondent and Complainant, the matter will be removed from the formal grievance process and will be finalized instead as a form of informal resolution. The investigator(s) will issue a brief investigation report and/or the Hearing Officer will issue a brief outcome notice summarizing the allegations and stating that the Respondent has accepted responsibility. The matter will then be referred to the appropriate College official to determine sanctions.

If the parties both do not consent to this informal resolution process, the formal resolution process will continue.

E. Timelines

The Title IX Coordinator has authority to extend the timelines/timeframes identified in this Policy for good cause. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; travel and unavailability; a pandemic or other emergency; or the need for language assistance or accommodation of disability. In the case of such an extension, the Title IX Coordinator will notify the affected parties of the extension, including the reason(s) for the extension.

F. Core Principles for Resolution

The following core principles apply to all procedural options under the Policy.

Impartiality. As applicable, the Title IX Coordinator, investigator, Hearing Officer, facilitator of informal resolution, and the appellate decision-maker each must be impartial and free of any actual conflict of interest or bias.

A Complainant or a Respondent who has concerns that the Title IX Coordinator, investigator, Hearing Officer, facilitator of informal resolution, and the appellate decision-maker cannot conduct a fair and unbiased review (e.g., has a personal connection with one of the parties or witnesses, etc.) may report those concerns to the Title IX Coordinator.[10] The Title IX Coordinator will assess the circumstances and determine whether a different investigator, Hearing Officer, facilitator of informal resolution, or appellate decision-maker should be assigned to the matter. Allegations of bias must be made in good faith and may not be made with the intent of delaying or derailing the proceedings.

Presumption of Good Faith Reporting. The College presumes that reports of Prohibited Conduct are made in good faith. As a reminder, making a false report or giving false information is a violation of this Policy and may be a basis for discipline.

Presumption of Non-Violation and Standard of Proof – Preponderance of the Evidence. The Respondent is presumed not to have violated the Policy unless it is determined through applicable procedures that a preponderance of the evidence supports a finding of a Policy violation.

Expectations of Complainant, Respondent, and Witnesses. The Complainant, the Respondent, the Witnesses, and others sharing information with the investigator are expected to provide all relevant information at the time of their interview, or as soon as otherwise possible, and to be truthful and complete in their responses throughout the process. A party or Witness who participates in the process is expected to participate in a live interview if requested. Similarly, a person who elects to participate is expected to participate in all aspects of the process (e.g., a witness who participates in a live interview is expected to make themselves available for a hearing if requested to do so).

Advisors. Throughout the process, a Complainant or a Respondent may have an advisor of their choice. An advisor is an individual chosen by a party to provide support and guidance to them during the investigation process. An advisor may, but is not required to be, be an attorney.

[10] To the extent a party would like to raise a concern about the Title IX Coordinator themselves, this report may be made to the Deputy Title IX Coordinator instead, who will perform the same assessment.

A party may request to consult with their advisor at any point. However, the advisor may not represent or otherwise speak for the party they are supporting, except when a hearing occurs as part of the formal resolution process. In such hearings, the advisor may ask the other party and witnesses relevant questions. The party may never directly ask questions of any other witness; questions, if any, must always be posed by the party's advisor. If a party does not have an advisor available at the hearing, the College will provide for an advisor to ask questions on behalf of that party, as described in the formal resolution process in Section XIII of this Policy.

Investigators, decision-makers, and the Title IX Coordinator have the right at all times to determine what constitutes acceptable behavior on the part of an advisor and to take appropriate steps to ensure compliance with the Policy.

Prior Sexual Conduct of the Complainant. Questions and evidence about the Complainant's prior sexual behavior are not relevant, unless 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. For example, if the question being determined is whether consent was given through mutually understandable words or actions, information about the manner in which Consent has previously been communicated between the parties may be relevant in determining whether Consent was sought and given during the incident in question. The decision-maker (e.g., the Hearing Officer or the investigator, as applicable) will determine the relevance of such information. Prior sexual contact between a Complainant and a Respondent is not relevant to prove character or reputation and will never be used for those purposes.

Prior or Subsequent Conduct of the Respondent. Prior or subsequent conduct of the Respondent is not relevant to prove character or reputation and will never be used for these purposes, but may be considered for other purposes, such as determining pattern, knowledge, intent, or the Respondent's reasons for taking the alleged action. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, may be deemed relevant to the determination of whether the Respondent violated the Policy or engaged in inappropriate behavior. A finding in a previous investigation that the Respondent violated the Policy by engaging in similar conduct may be relevant evidence of a pattern of behavior. Likewise, evidence in a previous investigation that the Respondent engaged in similar behavior, but the behavior was not at that time determined to be at a sufficient level to constitute a Policy violation, may be relevant to assessing severity, persistence and/or pervasiveness, as applicable, or relevant evidence of a pattern, in a subsequent investigation.

The relevance of pattern evidence will generally be determined based on an assessment of whether the previous or subsequent conduct was similar to the conduct under investigation or indicates a pattern of Prohibited Conduct. The decision-maker (e.g., the Hearing Officer or the investigator, as applicable) will determine the relevance of such information.

XIII. The Formal Resolution Process

In the Formal Resolution Process, after an investigation, a live hearing occurs in which the parties' advisors have the opportunity to ask questions of the other party and the witnesses. A written determination regarding responsibility will be reached, which may be appealed.

A. The Investigation

An investigation affords both the Complainant and the Respondent an opportunity to submit information and other evidence and to identify witnesses. To be clear, although the parties have the option to submit evidence and suggest witnesses to be interviewed, the burden of gathering information in the investigation ultimately lies with the College. There is a presumption in every investigation that the Respondent is not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the grievance process.

When the formal resolution process is initiated, the Title IX Coordinator will designate an external or internal investigator(s) who will be responsible for gathering evidence directly related to the allegations raised in a Formal Complaint. The investigator must be impartial, free of any actual conflict of interest, and have specific and relevant training and experience. Specifically, the investigator will be trained on (1) issues of relevance; (2) the definitions in the Policy; (3) the scope of the College's Education Program or Activity; (4) how to conduct an investigation; and (4) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

B. Investigation Timeframe

The investigation of a Formal Complaint will be usually concluded within 60 to 90 days of the filing of the Formal Complaint. The parties will be provided with updates on the progress of the investigation, as needed, and will be alerted, in writing, if the process will go beyond that timeframe.

Additional time beyond 60 to 90 days may be necessary to ensure the integrity and completeness of the investigation to: (1) comply with a request by law enforcement for a temporary delay to gather evidence; (2) accommodate the availability of parties and/or witnesses; (3) address the need for language assistance or accommodation of disabilities; (4) account for College breaks or vacations; (5) account for case complexities including the number of witnesses and volume of information provided by the parties; or (6) for other legitimate reasons.

C. Interviews and Gathering Evidence

Interviews. The investigator will interview the Complainant and Respondent in order to review the disciplinary process and to hear an overview of each party's account of the allegations. Each party may have an advisor present. Before any interview, the individual being interviewed will be informed in writing of the date, time, location, participants, and purpose of the interview.

Such notice will be provided with sufficient time for the individual to prepare for the interview. The Respondent will be informed in writing if, during the investigation, additional information is disclosed that may constitute additional Prohibited Conduct under the Policy.

Following the interview, each party will be provided with a draft summary of their statement so that they have the opportunity to comment on the summary and ensure its accuracy and completeness. The parties' feedback may be attached or otherwise incorporated into the final investigative report to the extent deemed relevant by the investigator.

Evidence. During the interview, and as the investigator is gathering evidence, each party will be given the opportunity to identify witnesses and to provide other information, such as documents, communications, photographs, and other evidence. Although the College has the burden of gathering evidence sufficient to reach a determination regarding responsibility, all parties are expected to share any relevant information and/or any information that is requested by the investigator. Such information shared by the parties with the investigator may include both inculpatory and exculpatory evidence.

The investigator will review all information identified or provided by the parties, as well as any other evidence they obtain. Evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint will be shared with the parties for their review and comment, as described below.

D. Opportunity to Inspect and Review Evidence

After all the evidence is gathered and the investigator has completed witness interviews, the investigator will provide the parties, and their advisors, if any, with copies of all evidence directly related to the allegations of the Formal Complaint that was gathered during the investigation. This must include all directly related evidence, even evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and must include directly related inculpatory and exculpatory evidence whether obtained from a party another source.

The evidence may be provided in either an electronic format or a hard copy. Before providing the evidence to the parties, the investigator may redact information in the evidence that is not directly related to the allegations of the Formal Complaint; information prohibited from disclosure pursuant to a recognized legal privilege; and/or a party's medical or mental health information/records unless the party consents in writing to the disclosure of that information.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. The parties and their advisors may not photograph or otherwise copy the evidence.

The parties will have ten (10) days to review the evidence and to submit a written response. The parties' written responses must include any comments, feedback, additional documents, evidence, requests for additional investigation, names of additional witnesses, or any other information they deem relevant to the investigation. Any party providing new evidence in their written response should identify whether that evidence was previously available to them, and if so, why it was not previously provided. The parties' feedback will be attached to the final investigation report so that the other party may review it before any hearing.

The investigator will review the feedback, collect additional evidence based on that feedback (as the investigator deems appropriate), and interview additional relevant witnesses (as the investigator deems appropriate). This additional activity may require extensions of the anticipated timelines for the investigation.

E. Final Investigative Report

After the time has run for both parties to provide any written response to the evidence, and after the investigator completes any additional investigation, the investigator will prepare a final investigative report. The investigator may exclude and/or redact information or evidence from the final investigative report as follows:

- Information that is not relevant to the allegations raised in the Formal Complaint;
- Information about a Complainant's prior or subsequent sexual activity, unless such information falls into one of the exceptions described above; and
- Medical or mental health information, treatment and/or diagnosis, unless the treated party consents.

The final investigative report will be shared with the Complainant, Respondent, and their advisors. The parties will have ten (10) business days to respond in writing to the final investigative report. After the Title IX Coordinator receives the responses, copies will be simultaneously shared with the parties; no replies will be accepted. The responses will also be appended to the final investigative report.

The Complainant and Respondent must also submit in writing to the Title IX Coordinator, before the end of that ten (10) business-day review period, the names of any witnesses the Complainant/Respondent wishes to testify at the hearing and a summary of information each witness would provide through their testimony. Names of witnesses provided by the Complainant/Respondent will be shared with the other party.

After the ten-business-day deadline, the Complainant and Respondent may not provide any additional written information for the hearing, unless that information was not reasonably

available prior to the closing of the ten-business-day window. The Hearing Officer determines whether to grant exceptions to this ten-business-day deadline.

Generally, only information that is provided to, or otherwise obtained by, the investigator during the course of the investigation will be considered in the determination of whether a Policy violation occurred. Any and all information for consideration by the Hearing Officer must be provided to the investigator prior to the final investigation report and will not be allowed to be introduced for the first time during the hearing unless it can be clearly demonstrated that such information was not reasonably available to the parties at the time of the investigation or that the evidence has significant relevance to a material fact at issue in the investigation. If, after the final investigation report is issued, a party provides or identifies evidence that they did not previously provide or identify despite that evidence being reasonably available to them during the investigation process, the Hearing Officer may, at their discretion, draw a negative inference from the party's delay in providing or identifying the evidence.

F. Hearing Procedure

Following issuance of the final investigation report, a live hearing will be provided. If at any point the Title IX Misconduct allegations are dismissed, as provided for in Section XI.E, the matter will continue to be addressed as appropriate if Sexual and Gender-Based Misconduct allegations remain.

1. The Hearing Officer

Hearings will be facilitated by one or more Hearing Officer, at the College's discretion, who will make the decision as to whether or not the Respondent violated the Policy using a preponderance of the evidence standard. The Hearing Officer has broad authority to determine the process, timing, and conduct of a hearing. This includes the order of presentation, timing, and overall duration of the hearing, what information and questions are relevant to the determination of the matter, and what cross-examination questions will or will not be permitted. The Hearing Officer is responsible for maintaining an orderly, fair, and respectful hearing and has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending person(s).

2. Notice

The Hearing Officer will be informed of the identities of the parties so they can identify any conflict of interest or bias. The parties will be notified of the identity of the selected Hearing Officer in advance of the hearing; and parties may, within three (3) calendar days of such notice, object to the Hearing Officer by providing a written statement (which may be transmitted electronically) as to why the party believes that the Hearing Officer has a conflict of interest or bias. The Title IX Coordinator (or designee) will make decisions regarding such objections and the appointment of an alternate Hearing Officer, as appropriate. If a potential conflict of interest

is discovered outside of the three days, the Title IX Coordinator (or designee) has discretion to appoint an alternate Hearing Officer.

3. Pre-Hearing Procedures and Ground Rules

The Hearing Officer and/or the Title IX Coordinator may establish pre-hearing procedures relating to issues such as scheduling, hearing structure and process, and witness and advisor participation and identification. The Hearing Officer will communicate with the parties prior to the hearing with respect to these issues and establish reasonable, equitable deadlines for party participation/input.

The Hearing Officer also has wide discretion over matters of decorum at the hearing, including the authority to excuse from the hearing process participants who are unwilling to observe rules of decorum.

4. Participation of Advisors

Both parties must be accompanied by an advisor to the hearing. If a party does not have an advisor for the hearing, the College will provide an advisor of the College's choice for that party.

Each party's advisor must conduct any cross-examination of the other party and any witnesses. Apart from conducting cross-examination, the parties' advisors do not have a speaking role at the hearing; an advisors' participation is limited to conferring with the party at intervals set by the Hearing Officer.

5. Participation of Parties and Witnesses

As explained above, a party or witness who elects to participate in a College process is expected, although not compelled, to participate in all aspects of the process.

If a party or witness elects to not participate in the live Title IX Misconduct hearing or participates in the hearing but refuses to answer questions posed by the other party through their advisor, the Hearing Officer will not rely on any statement of the non-participating party or witness in reaching a determination regarding responsibility. The Hearing Officer will never draw any inferences based solely on a party's or witness's absence or refusal to answer questions.

"**Statements**" for purposes of the hearing means factual assertions made by a party or witness. Statements might include factual assertions made during an interview or conversation, written by the individual making the assertions (including those found in a Formal Complaint), and memorialized in the writing of another (e.g. in an investigative report, police report, or medical record). Where evidence involves intertwined statements of both parties (e.g. a text message exchange or an email thread) and one party refuses to participate in the hearing or submit to

questioning about the evidence while the other does participate and answer questions, the statements of only the participating party may be relied on by the Hearing Officer.

If a party does not appear for the hearing, their advisor may still appear for the purpose of asking questions of the other party and witnesses. If a non-participating party's advisor also does not appear for the hearing, the College will appoint an advisor to participate in the hearing for the purpose of asking questions of the other party on behalf of the non-participating party.

Parties are reminded that, consistent with the prohibition on Retaliation, Intimidation, threats of violence, and other conduct intended to cause a party or witness to not appear for a hearing are expressly prohibited.

6. Witnesses

The Hearing Officer may, at their discretion, exclude witnesses or witness testimony the Hearing Officer considers irrelevant or duplicative. The Hearing Officer will explain any decision to exclude a witness or testimony as not relevant.

7. Electronic Devices and Record the Hearing

A Respondent, Complainant, advisor, and/or witness may not bring electronic devices that capture or facilitate communication (e.g., computer, cell phone, audio/video recorder, etc.) into a hearing room, unless authorized by the Hearing Officer.

The Title IX Coordinator will arrange (at the College's discretion) for there to be an audio recording, or audiovisual recording, or transcript (or combination) of the hearing, which will be made available to the parties for review and kept on file by the College for seven years.

8. Hearing Location and Use of Technology

The hearing will be live, with all questioning conducted in real time. Upon request, the parties may be located in separate rooms (or at separate locations) with technology enabling the Hearing Officer and the parties to simultaneously see and hear the party or witness answering questions. A hearing may be conducted entirely virtually through the use of remote technology so long as the parties and Hearing Officer are able to hear and see one another in real time and any cross-examination can be conducted in real time.

9. Hearing Structure

The Hearing Officer has general authority and wide discretion over the conduct of the hearing. Although the Hearing Officer has discretion to modify the hearing structure, the general course of procedure for a hearing is as follows:

- Introductions;

- The Hearing Officer establishes rules and expectations for the hearing;
- Brief opening statement from the Complainant;
- Brief opening statement from the Respondent;
- Questioning of the Complainant by the Hearing Officer;
- Cross-examination of the Complainant by the Respondent's advisor (the Hearing Officer may pause cross-examination at any time for the purpose of asking follow-up questions or to enforce the established rules of decorum, which are provided in Addendum A);
- Questioning of the Respondent by the Hearing Officer;
- Cross-examination of the Respondent by the Complainant's advisor (the Hearing Officer may pause cross-examination at any time for the purpose of asking follow-up questions or to enforce the established rules of decorum, which are provided in Addendum A);
- Hearing Officer questioning of other witnesses (if applicable);
- Cross-examination of other witnesses by the parties' advisors;
- Closing comments from the Complainant; and,
- Closing comments from the Respondent.

A Complainant or Respondent may not question each other or other witnesses directly; they must conduct the cross-examination through their advisors. Before a party or witness answers a cross-examination or other question, the Hearing Officer will first determine whether the question is relevant. The Hearing Officer may exclude irrelevant information and/or questions. The Hearing Officer will explain any decision to exclude a question or information as not relevant. That decision and the related explanation will be noted in the transcript of the hearing.

All evidence collected as part of the investigative process will be made available at the hearing to give each party an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

10. Determination Regarding Responsibility

Following the hearing, the Hearing Officer will consider all relevant evidence and make a determination, by a preponderance of the information/evidence, whether the Respondent has violated the Policy.

A preponderance of the evidence standard means that, based on the information acquired during the investigation and the hearing, it is more likely than not the Respondent engaged in the alleged conduct.

11. General Considerations for Evaluating Testimony and Evidence

The Hearing Officer shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a Complainant, Respondent, or witness, nor shall the Hearing Officer base their judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

The Hearing Officer will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where a party/witness does not submit to cross-examination, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

Subject to the rule that only relevant information will be permitted at the hearing and considered by the Hearing Officer, expert witnesses will be allowed to testify and be crossed as required by the Title IX regulations. The Hearing Officer may afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case may be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

Subject to the rule that only relevant information will be permitted at the hearing and considered by the Hearing Officer, character witnesses will be allowed to testify and be crossed on relevant topics as required by the Title IX regulations, the Hearing Officer may afford very low weight to any non-factual character testimony of any witness.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Hearing Officer may draw an adverse inference as to that party or witness's credibility.

12. Remedies and Sanctions

In the event the Hearing Officer finds the Respondent responsible for a violation of the College's policies, appropriate remedies and sanctions will be determined by the Hearing Officer. Remedies are designed to restore or preserve the Complainant's equal access to the College's Education Program or Activity.

Upon a finding of responsibility, the Complainant will be provided with remedies designed to restore access to the College's Programs and Activities.

Sanctions for a finding of responsibility for student Respondents include, but are not limited to, warning, suspension, and expulsion. In determining (a) sanction(s), the Hearing Officer will consider any previous disciplinary violations, among other factors

Sanctions for findings of responsibility for employee Respondents include, but are not limited to, warning, suspension and dismissal from employment. In determining (a) sanction(s), the Hearing Officer will consider any previous disciplinary violations, among other factors*The Hearing Officer may broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the Hearing Officer nor any appellate decision-maker will deviate from the range of recommended sanctions unless compelling justification exists to do so.

13. Written Notice Regarding Outcome and, if applicable, Sanctions/Remedies

After a determination regarding responsibility and, if applicable, a determination regarding appropriate remedies and/or sanctions has been made, the Complainant and Respondent will receive a simultaneous written notification including the decision regarding responsibility and, as applicable, any remedies and sanctions. The written notification of this determination, which will be prepared by the Hearing Officer, will include the following:

- Identification of the allegations potentially constituting Title IX Sexual Harassment or other Prohibited Conduct;
- A description of the procedural steps taken from the receipt of the Formal Complaint with parties and witnesses, interviews, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on

the Respondent, and whether remedies designed to restore or preserve equal access to the College's Program or Activity will be provided by the College to the Complainant; and

- The College's procedures and permissible bases for the Complainant and Respondent to appeal.

Absent extenuating circumstances, the written notification of outcome will be issued by the Hearing Officer as soon as practicable after the completion of the hearing, but no longer than twenty business days after the completion of the hearing.

The written notification of outcome becomes final five business days after it is sent to the Parties, unless an appeal is filed on or before that day.

G. Appeals

A Respondent and Complainant both have the right to appeal the Hearing Officer's decision regarding responsibility.

A party wishing to appeal must file a written appeal statement with the Title IX Coordinator within five business days of the date the written decision is sent to the parties. Appeal statements are limited to 3,000 words. Appeal statements should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeal statements that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal statement not to meet these standards.

The written appeal statement must identify the ground(s) upon which the appeal is being made. The only grounds for appeal are:

- New evidence not reasonably available at the time of the decision/hearing that could affect the outcome of the matter;

- The Title IX Coordinator, investigator, or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent specifically that affected the outcome of the matter; and/or

- Procedural irregularity that affected the outcome of the matter.

An appeal is not a re-hearing of the case. The College may summarily deny an appeal if it is not based on one of the enumerated grounds for appeal.

Appellate decision-maker. If the College does not summarily deny the appeal, the College will appoint an appellate decision-maker. Generally, the Dean of Students (or designee) or the Director of Human Resources (or designee) will serve in the

role of the appellate decision-maker. The appellate decision-maker's role is limited to reviewing the underlying record of the investigation and hearing, the appealing party's ("Appellant") written appeal statement, any response to that statement by the other party ("Appellee"), and information presented at a meeting of the appellate decision-maker, if convened.

Conflict of interest. The College will notify the Appellant and Appellee of the name of the appellate decision-maker. The Appellant and/or Appellee may challenge the participation of an appellate decision-maker because of an actual conflict of interest, bias, or prejudice. Such challenges, including rationale, must be submitted in writing to the Title IX Coordinator no later than 48 hours after notification of the name of the appellate decision-maker. The College will determine whether such a conflict of interest exists and whether an appellate decision-maker should be replaced.

Response to Appeal. The appellate decision-maker will provide written notice to the Appellee that an appeal has been submitted and will give the Appellee an opportunity to review the appeal statement. The Appellee may submit a written response to the appeal ("response"). The response is due five business days from the date the College provides written notice of the appeal to the Appellee and must be limited to no more than 3,000 words. The response should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Responses should use footnotes, not endnotes. Responses that do not meet these standards may be returned to the party for correction, but the time for a response will not be extended unless there is evidence that technical malfunction caused the response to not meet these standards.

The College will provide the Appellant an opportunity to review the response. No "reply" or further submission may be provided.

Written Decision. The appellate decision-maker will provide written notification of the final decision to the Appellant and Appellee simultaneously. The written decision shall describe the result of the appeal and the rationale for the result. The appellate decision-maker will typically notify the parties of its decision regarding an appeal in writing within 10 business days from receipt of the appeal statement. If the decision will take longer, the parties will be informed. The decision of the appellate decision-maker will be final, and no subsequent appeals are permitted.

XIV. Informal Resolution

Informal resolution is an alternative resolution process that does not include an investigation or hearing. Informal resolution is typically a spectrum of facilitated, or structured, and adaptable processes between the Complainant, the Respondent, and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent to acknowledge harm and seek to repair the harm (to the extent possible) experienced by the Complainant and/or the College community.

Informal resolution options include but are not limited to mediation,[11] referral of the parties to counseling programs, targeted or broad-based educational and training programs, direct communication with the Respondent by the Complainant, communication with the Respondent by the Title IX Coordinator or a College administrator, or other forms of restorative justice.

Informal Resolution is not available in cases involving a Student-Complainant and Employee-Respondent. Additionally, the informal resolution process may not commence unless and until a Formal Complaint is filed. informal resolution may be available, under appropriate circumstances, at any time prior to reaching a determination regarding responsibility.

Some alleged violations of this Policy may not be appropriate for informal resolution. The Title IX Coordinator reserves the right to determine whether informal resolution is appropriate in a specific case. Before the Title IX Coordinator commences the informal resolution process, both parties must provide informed consent to the informal resolution process in writing. In addition, where both parties and the College determine that informal resolution is worth exploring, the College will provide the parties with a written notice disclosing:

- the allegations of the Formal Complaint,
- the requirements of the Informal Resolution process, and
- any consequences resulting from participating or withdrawing from the process, including the records that may be maintained by the College.

At any time prior to reaching a resolution, either party may withdraw from the informal resolution process and proceed with the formal grievance process for resolving the Formal Complaint.

Once an informal resolution outcome is agreed to by all parties, the resolution is binding, and the parties generally are precluded from resuming or starting the formal grievance process related to that Formal Complaint. Any breach of the terms of an informal resolution agreement may result in disciplinary action.

Remedies-based resolution will typically be completed within 90 business days after the informal resolution process commences. Situations that are resolved through informal resolution are usually subject to follow-up after a period of time to assure that resolution has been implemented effectively.

[11] Mediation, even if voluntary, may not be used in cases involving Sexual Assault.

XV. Retaliation

Except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of the Title IX Regulations, including to conduct of any investigation, hearing, or judicial proceeding under this Policy, Ursinus will keep confidential the identity of (1) any individual who makes a Report or Formal Complaint, (2) any complainant, (3) any Respondent, and (4) any Witness.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or the Title IX Regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a Report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Sexual Misconduct/ Title IX Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or Complaint of sex discrimination or a report or Complaint of sexual harassment.

Retaliation should be reported promptly to the Title IX Coordinator and may result in disciplinary action independent of the sanction imposed in response to the underlying allegations of discrimination.

XVI. Record Retention

The College will retain for a period of seven years after the date of case closure: the official file relating to a formal resolution (including any investigation hearing, sanctioning, and/or appeals processes) or informal resolution involving allegations of Title IX Misconduct. In cases in which a Respondent was found to have violated the Policy and was expelled or terminated, the College may retain such official case files indefinitely.

ADDENDUM A: DECORUM POLICY

Purpose of the Rules of Decorum

The grievance hearings set forth in Ursinus's Policy are not civil or criminal proceedings and are not designed to mimic formal trial proceedings. They are primarily educational in nature, and the U.S. Department of Education, writing about Title IX in the Final Rule "purposefully designed these final regulations to allow recipients to retain flexibility to adopt rules of decorum that prohibit any party advisor or decision-maker from questioning witnesses in an abusive, intimidating, or disrespectful manner." 85 Fed. Reg. 30026, 30319 (May 19, 2020). The Department has determined that institutions "are in a better position than the Department to craft rules of decorum best suited to their educational environment" and build a hearing process that will reassure the parties that the institution "is not throwing a party to the proverbial wolves." Id.

To achieve this purpose, institutions may provide for reasonable rules of order and decorum, which may be enforced through the removal of an advisor who refuses to comply with the rules. Id., at 30320. As the Department explains, the removal process "incentivizes a party to work with an advisor of choice in a manner that complies with a recipient's rules that govern the conduct of a hearing and incentivizes colleges and universities to appoint advisors who also will comply with such rules, so that hearings are conducted with respect for all participants." Id.

At base, these Rules of Decorum require that all parties, advisors of choice, and institutional staff treat others who are engaged in the process with respect.

The rules and standards apply equally to all Parties and their Advisors regardless of sex, gender, or other protected class, and regardless of whether they are in the role of Complainant or Respondent.

Rules of Decorum

The following Rules of Decorum are to be observed in the hearing and applied equally to all parties (meaning the complainant and respondent) and advisors:

1. Questions must be conveyed in a neutral tone.
2. Parties and advisors will refer to other parties, witnesses, advisors, and institutional staff using the name and gender used by the person and shall not intentionally mis-name or mis-gender that person in communication or questioning.
3. No party may act abusively or disrespectfully during the hearing toward any other party or to witnesses, advisors, or decision-makers.
4. While an advisor may be an attorney, no duty of zealous advocacy should be inferred or enforced within this forum.

5. The advisor may not yell, scream, badger, or physically ‘‘lean in’’ to a party or witness’s personal space. Advisors may not approach the other party or witnesses without obtaining permission from a decision-maker.
6. The advisor may not use profanity or make irrelevant *ad hominem* attacks upon a party or witness. Questions are meant to be interrogative statements used to test knowledge or understand a fact; they may not include accusations within the text of the question.
7. The advisor may not ask repetitive questions. This includes questions that have already been asked by a decision maker, the advisor in cross-examination, or the party or advisor in direct testimony. When a decision- maker determines a question has been “asked and answered” or is otherwise not relevant, the advisor must move on.
8. Parties and advisors may take no action at the hearing that a reasonable person in the shoes of the affected party would see as intended to intimidate that person (whether party, witness, or official) into not participating in the process or meaningfully modifying their participation in the process.

Warning and Removal Process

The Hearing Officer shall have sole discretion to determine if the Rules of Decorum have been violated. The decision- maker will notify the offending person of any violation of the Rules.

Upon a second or further violation of the Rules, the Hearing Officer shall have discretion to remove the offending person or allow them to continue participating in the hearing or other part of the process.

Where the Hearing Officer removes a party’s advisor, the party may select a different advisor of choice, or accept an advisor provided by the institution for the limited purpose of cross-examination at the hearing. Reasonable delays, including the temporary adjournment of the hearing, may be anticipated should an advisor be removed. A party cannot serve as their own advisor in this circumstance.

The Hearing Officer shall document any decision to remove an advisor in the written determination regarding responsibility.

For flagrant, multiple, or continual violations of this Rule, in one or more proceedings, advisors may be prohibited from participating in future proceedings at the institution in the advisor role on a temporary or permanent basis. Evidence of violation(s) of this Rule will be gathered by the Title IX Coordinator and presented to the Dean of Students for cases involving students or the Director of Human Resources for cases involving employees.

The Advisor accused may provide an explanation or alternative evidence in writing for consideration by the Dean of Students for cases involving students or the Director of Human Resources for cases involving employees. Such evidence or explanation is due within fifteen (15) calendar days of receipt of a notice of a charge of re-

disclosure or improper access to records. There shall be no right to a live hearing, oral testimony, or cross-examination. The Dean of Students for cases involving students/Director of Human Resources for cases involving employees/Other Appropriate Staff Member shall consider the evidence under a preponderance of the evidence standard and issue a finding in writing and, if the finding is Responsible, shall include a Sanction. The finding shall be issued in writing to all Parties and Advisors (if there is a current case pending) within thirty (30) days unless extended for good cause. There is no appeal of this finding. Sanctions shall be higher for intentional re-disclosure of records than for negligent re- discourse. In the event that an Advisor is barred permanently or for a term from serving in the role as Advisor in the future, they may request a review of that bar from the Dean of Students for cases involving students/Director of Human Resources for cases involving employees/Other Appropriate Staff Member no earlier than three-hundred and sixty-five (365) days after the date of the findings letter.

Relevant Questions Asked in Violation of the Rules of Decorum

Where an advisor asks a relevant question in a manner that violates the Rules, such as yelling, screaming, badgering, or leaning-in to the witness or party's personal space, the question may not be deemed irrelevant by the decision-maker simply because of the manner it was delivered. Under that circumstance, the decision-maker will notify the advisor of the violation of the Rules, and, if the question is relevant, will allow the question to be re-asked in a respectful, non-abusive manner by the advisor (or a replacement advisor, should the advisor be removed for violation of the Rules). *See*, 85 Fed. Reg. 30331.

ADDENDUM B: GUIDE FOR DETERMINING RELEVANCE

What is the purpose of this Guide?

On May 19, 2020, the U.S. Department of Education issued Final Rules governing the Title IX grievance process, effective August 14, 2020. The Final Rule requires that all colleges and universities hold a live hearing before making any determination regarding responsibility for covered reports of Title IX sexual harassment, including sexual violence. This hearing must provide for live cross-examination by the parties' advisors.

Any question posed by the advisors must be evaluated for "relevance" in real time by the hearing officer. According to Final Rule §106.45(b)(6)(i):

> Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

What is a relevant question?

The Department of Education encourages institutions to apply the "plain and ordinary meaning" of relevance in their determinations. 85 Fed. Reg. 30026, 30304 (May 19, 2020). Basically, a relevant question will ask whether the facts material to the allegations under investigation are more or less likely to be true. Id. at 30294. A question not directly related to the allegations will generally be irrelevant.

Officials should use common sense in this understanding. Things may be interesting or surprising but not be relevant.

Relevance decisions should be made on a question-by-question basis, looking narrowly at whether the question seeks information that will aid the decision-maker in making the underlying determination. The relevance decision should not be based on who asked the question, their possible (or clearly stated) motives, who the question is directed to, or the tone or style used to ask about the fact. Relevance decisions should not be based in whole or in part upon the sex or gender of the party for whom it is asked or to whom it is asked, nor based upon their status as complainant or respondent, past status as complainant or respondent, any organizations of which they are a member, or any other protected class covered by federal or state law (e.g. race, sexual orientation, disability).

If a question is relevant but offered in an abusive or argumentative manner, the decision-maker has the discretion to ask the advisor to rephrase the question in an appropriate manner, consistent with the institution's decorum policy for hearings.

What if the question is "prejudicial" and concerns sensitive or embarrassing issues?

Much of the content within these hearings may be considered sensitive and/or embarrassing by parties or advisors. However, relevant questions need to be considered *even if* a party or advisor believes the danger of unfair prejudice substantially outweighs their probative value.[12] Only irrelevant questions (detailed below), including about the complainant's prior sexual history, may be excluded.

What is an irrelevant question?

Questions about Complainant's Prior Sexual Behavior or Sexual Predisposition

Questions about Complainant's sexual predisposition are not relevant.

Questions and evidence about the complainant's prior sexual behavior are not relevant, unless:

1. 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
2. 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. 34 C.F.R. § 106.45(6)(i).

Question regarding Privileged Information

Questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege are irrelevant. 34 C.F.R. § 106.45(1)(x). Depending on your state, individuals with legal privilege may include medical providers (physician, dentist, podiatrist, chiropractor, nurse), psychologists, clergy, rape crisis counselors, and social workers. (for instance, New York's "laws of privilege" are listed within CPLR Article 45; Each state has its own rules around privilege).

Questions about Undisclosed Medical Records

Questions that call for information about any party's medical, psychological, and similar records are irrelevant unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

[12] 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Duplicative Questions

Questions that repeat, in sum or substance, questions already asked by the decision-maker prior to cross-examination, or by a party's advisor during cross-examination (and if part of your process, during direct examination), may be ruled duplicative, and therefore irrelevant.13

How should the Hearing Officer reach a relevance determination?

Hearing Officer will be solely responsible for determining the relevance of the question before it is asked.

What should the relevance determination consist of?

The Department of Education explains that the Final Rule "does not require a decision-maker to give a lengthy or complicated explanation" in support of a relevance determination. Rather, "it is sufficient, for example, for a decisionmaker to explain that a question is irrelevant because the question calls for prior sexual behavior information without meeting one of the two exceptions, or because the question asks about a detail that is not probative of any material fact concerning the allegations." Id. at 30343.

As such, the decision-maker need only provide a brief explanation of the determination, which will ordinarily consist of one of the following statements depending on the situation.

May the parties and/or their advisors ask the Hearing Officer to reconsider their relevance decision?

Any party or their advisor may request that the Hearing Officer reconsider their relevance determination.

The Hearing Officer may deny or grant the request to reconsider. This determination is final but may be subject to appeal under the grievance process.

[13] *See* 85 Fed. Reg. 30026, 30331 (May 19, 2020) ("nothing in the final regulations precludes a recipient from adopting and enforcing (so long as it is applied clearly, consistently, and equally to the parties) a rule that deems duplicative questions to be irrelevant").