EDGEWOOD
UNIVERSITY

STUDENT HANDBOOK

Formerly the Student Rights & Responsibilities Handbook

Effective Date: August 13, 2026

EDGEWOOD UNIVERSITY STUDENT HANDBOOK

Table of Contents

L

STUDENT CODE OF CONDUCT 3

I. DEFINITIONS 3

II. AUTHORITY AND SCOPE 4

III. TYPES OF NON-ACADEMIC MISCONDUCT 6

IV. PROCEDURES FOR ALLEGATIONS OF STUDENT CONDUCT POLICY VIOLATIONS 8

V. HOW TO FILE A COMPLAINT OR REPORT A STUDENT CODE OF CONDUCT VIOLATION 9

VI. ACTION PLANS 10

VII. APPEALS 11

VIII. REENTRY AFTER SUSPENSION 12

IX. EMERGENCY ACTION 12

X. RIGHTS TO ACCESS STUDENT RECORDS 13

OTHER UNIVERSITY POLICIES 15

ACADEMIC HONESTY POLICY 15

ALCOHOL AND OTHER DRUGS POLICY 19

ANTI-HAZING POLICY 22

GOOD SAMARITAN/MEDICAL AMNESTY POLICY 24

COMMUNICABLE DISEASE POLICY 25

COMMUTER STUDENT LOCKER POLICY 25

DEMONSTRATION AND EXPRESSION POLICY 26

EMAIL COMMUNICATIONS 28

INFORMATION RESOURCES POLICY 29

MEDICAL LEAVE POLICY 30

MILITARY RECRUITING AND ROTC POLICY & PROTOCOL 32

MISSING STUDENT POLICY 33

NON-DISCRIMINATION AND HARASSMENT POLICY 33

PARKING POLICY 37

POSTING POLICY 37

RELIGIOUS EXPRESSION POLICY 38

SMOKING POLICY 38

SOCIAL MEDIA POLICY 38

SOLICITATION 40

VISITOR POLICY 40

WEAPONS POLICY 41

FILING A COMPLAINT WITH THE OFFICE OF CIVIL RIGHTS 41

SEXUAL MISCONDUCT POLICY 42

ATTRIBUTION

Sections of the Edgewood University Student Code of Conduct have been adapted, in part, from *The NCHERM Group Model Developmental Student Code of Conduct* and the Stoner & Lowery *Twenty-First Century Model Student Conduct Code* and are used here with permission.

STUDENT CODE OF CONDUCT

I. DEFINITIONS

The following terms and phrases will be used throughout the Student Code of Conduct:

University: The use of "University" throughout this handbook refers to Edgewood University.

University Official: Any person employed by the University performing assigned administrative or professional responsibilities.

University Premise(s): University premises includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, including adjacent streets, parking lots, and sidewalks. University premises also include University-provided or University-controlled electronic and virtual environments, including Edgewood University email, learning management systems, online communication tools, virtual meeting spaces, and other digital spaces through which University business, educational activities, student engagement, or community interactions occur.

Complainant: A complainant is an individual reporting an alleged violation of University policies and may be referred to as the reporting party.

Days: In the policies contained in this handbook, all references to timing is in working or business days, not calendar days, unless otherwise specified.

Edgewood University Community Member: Any current student, staff, or faculty member enrolled at or employed by Edgewood University.

Preponderance of the Evidence: The standard of proof used to determine the findings of a student conduct case. Preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that the Respondent did or did not commit a violation.

Respondent: A respondent, also referred to as a responding party, is a student, staff or faculty member accused of violating University policies.

Student: The term "student" refers to any undergraduate, graduate and/or professional students admitted, enrolled, or accepted to Edgewood University, through the awarding of a degree. For the purposes of this Student Code of Conduct, it also refers to individuals in the Cutting Edge Program and the University Completion Program.

Student Conduct Conference: A meeting with a Student Conduct Officer to discuss the alleged Student Code of Conduct violations and the respondent's response. A Student Conduct Conference may consist of multiple meetings, as necessary.

Student Conduct Officer: A University staff member designated by the Director of Community Standards and Student Wellbeing to coordinate the student conduct process, which includes, but is not limited to: holding a student conduct conference, determining findings and action plans, and explaining the student conduct process to complainants and respondents.

Student Conduct Process Advisor: A Student Conduct Process Advisor is an individual chosen by a student to serve in an advisory role throughout the student conduct process.

Student Organization: A number of persons who are associated with one another and have been recognized by the University as a student organization. This includes club sports.

II. AUTHORITY AND SCOPE

Authority

The procedures described in this handbook are not intended to mimic legal proceeding but to advance the educational mission of the University. Formal rules of evidence and procedure used by the legal system do not apply to student conduct proceedings at Edgewood University.

Gathering Information

When the University is made aware of an alleged violation of a policy in the Student Code of Conduct or another University policy, it may be necessary to conduct an investigation prior to referring the incident to the student conduct process. Such investigations are either conducted by, or in collaboration with, the Dean of Students Office. Some examples of other offices that may conduct investigations include the offices of Diversity and Inclusion, Student Life, Security, Academic Affairs, Information Technology Services, and Human Resources.

Offices charged with conducting an investigation may gather information, conduct interviews, and solicit materials. Investigations will be conducted with all reasonable speed. At the conclusion of the investigation, an investigator will work with the Director of Community Standards and Student Wellbeing, or other appropriate offices, to determine whether the student conduct process will begin. To the extent necessary, an investigator will provide information that will become part of a student conduct process and/or an investigator may participate in the student conduct process as a witness.

A student may choose to have a Student Conduct Process Advisor at any meeting related to an investigation that may give rise to a student conduct process.

Scope

The Student Code of Conduct shall apply to the conduct of individual students, student organizations and student groups, including undergraduate, graduate, and professional students, admitted, enrolled, or accepted to Edgewood University. For the purposes of this Student Code of Conduct, it also applies to individuals in the Cutting Edge Program and the University Completion Program. A student, by voluntarily joining the University community, agrees to abide by the policies that have been instituted by Edgewood University. Students may be held accountable for their conduct from the time of application for admission through the awarding of a degree. Students shall not be allowed to withdraw from a course or from the University to avoid the student conduct process.

The Student Code of Conduct applies to behaviors that take place on the campus, at University-sponsored events, at University-sponsored study abroad programs, and may also apply off-campus when the Director of Community Standards and Student Wellbeing, or designee, determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of others; and/or
- Any situation that significantly and adversely affects the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University.

Additionally, all students are responsible for complying with the rules, regulations, policies, and procedures contained in other official University publications, including, but not limited, to the Residence Life Handbook, parking policies, Student-Athlete policies, student organization policies, along with program handbooks and announcements which may be issued from time to time.

The Student Code of Conduct may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to

allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action should such information be brought to the attention of University officials.

The Student Code of Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of the University may seek resolution of alleged violations of the Student Code of Conduct committed against them by members of the University community.

There is no time limit on reporting alleged violations of the Student Code of Conduct; however, the longer someone waits to report an incident, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations.

University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address.

Continuity of Policies
Any references to Edgewood College within existing policy documents shall be interpreted as applying to Edgewood University unless otherwise revised or stated. The institutional mission, standards, and commitments continue unchanged, ensuring a seamless transition for students, faculty, and staff.

Entry to Rooms/Room Search Policy
The right to privacy is of paramount importance and should not be violated; however, the entry into and/or search of the living quarters and personal property, including locked cabinets and/or safes*, of an individual may be conducted by the following people for the purposes and under the procedures detailed below:

- By civil law enforcement officers in the performance of statutory duties and in accordance with legally defined procedures governing search and seizure.
- By authorized University personnel to ensure that University policy, health, fire, and safety regulations are maintained. This includes checking rooms immediately following a fire alarm to ensure that everyone has evacuated the building.
- By authorized University personnel or agents to make improvements and repairs and to provide routine maintenance services.
- By authorized University personnel in emergency and/or extraordinary situations to protect the health, safety, and welfare of students or to make emergency repairs to prevent damages to the property of the student and/or the University.
- When there is reasonable cause to believe there is/has been a violation of University regulations or local, state, or federal laws or ordinances. (Examples include, but are not limited to, the smell of cannabis, cigarette smoke, excessive disruptive noise).
- When a staff member knocks and is invited into the room.
- When the door is open and a violation of University policies is in plain view.
- When the source of a noxious odor can be traced to a particular room. A noxious odor is ANY aroma of such intensity that it becomes apparent to others. Any odor may become noxious or offensive when it is too strong. Some examples are: cigarette, cannabis, cigar or pipe smoke.

*If a student refuses to open a locked cabinet or safe, it will be confiscated until the student is able to remove it from campus, and the student will be referred to the student conduct process for failure to comply.

In an emergency where safety or security is a concern, advance warning may not be possible. When there is sufficient cause to believe that University and/or civil regulations are being violated in a room, staff will

knock and identify themselves before entering. In suites, Residence Life and Security Staff have the authority to enter all connecting rooms when investigating safety or policy concerns.

In all instances, such entry shall be made only for the purposes set forth above. Observed alleged contraband will be confiscated and/or alleged violations of University policies, rules, or regulations will be referred to a Student Conduct Officer for follow-up action. Routine health and safety checks by staff will occur during break periods.

III. TYPES OF NON-ACADEMIC MISCONDUCT

Edgewood University has as its primary objective the academic, social, and personal development of each student. The University strives to preserve for all of its students an environment that is conducive to academic pursuit, social growth, and individual discipline.

Students are expected to behave in a moral and ethical manner, both on and off campus. It is essential that mutual respect for, and sensitivity to, the needs of others be accepted by all members of the University community in accordance with the Dominican ideals of Edgewood University:

All students are expected to act responsibly and within the regulations and standards established by the University and all civil laws and ordinances. The University will handle student disciplinary matters independent of any related civil or criminal proceedings.

The following actions, or any attempt to engage in such actions, constitute misconduct for which students may be referred to the student conduct process:

Abuse of Conduct Process: Abuse of, interference with, or failure to comply with University student conduct and academic misconduct proceedings including, but not limited to:

a. Falsification, distortion, or misrepresentation of information;
b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
c. Attempting to discourage or interfere with an individual's proper participation in or use of the University's student conduct process;
d. Harassment (verbal or physical) and/or intimidation of a Student Conduct Officer or Appellate Officer prior to, during, and/or following a University proceeding;
e. Influencing, or attempting to influence, another person to commit an abuse of the University's student conduct system.

Bullying and Cyberbullying: Repeated and/or severe aggressive behaviors that intimidate, intentionally harm, control, or attempt to control another person physically or emotionally. Prohibited conduct includes, but is not limited to, doxxing which is defined as intentionally and publicly exposing, sharing, or distributing another person's personal, private, identifying, or sensitive information, including recorded media, without their consent when such conduct is intended to intimidate, harm, control, or otherwise interfere with that person's safety, wellbeing, or participation in University activities.

Disruption of University Activities: Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, or of other authorized non-University activities when the conduct occurs on University premises.

Damage to Property: Damage or destruction of University property or property belonging to others.

Failure to Comply: Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

Fire Safety: Violation of local, state, federal, or campus fire policies, including, but not limited to:

a. Intentionally or recklessly causing a fire which damages University property, or the property of others, or which causes personal injury;
b. Use or possession of flammable materials or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by University officials, that results or could result in personal injury or property damage;
c. Failure to evacuate a University-controlled building during a fire alarm;
d. Tampering with or improperly engaging a fire alarm, fire detection/control equipment, or emergency equipment.

Forgery or Falsification: Unauthorized possession of, or fraudulent creation, alteration, or misuse of any University or government document, record, key, or identification; knowingly providing false information to a University or law enforcement official.

Hazing: Any non-accidental, costly aspect(s) of group induction activities that: a) do not appear to be group-relevant assessments/preparations, and/or b) are excessive, dangerous, or degrading in their application or constitute violations of local, state or federal law or any other Edgewood University policy regardless of the consent of the participants. See the Anti-Hazing Policy for full definition and policy.

Harmful Conduct: Behavior that threatens, harms, or endangers the health or safety of another person.

Misuse of Computing Resources: Conduct that violates any section of the University's Information Resources Policy, including misuse, abuse, use for commercial or political gain, causing disruption or destruction of systems, or any other related behavior. *(See Information Resources Policy for more information)*

Noncompliance with Disciplinary Action Plans: Conduct that violates an action plan or fails to comply with the directives imposed by the student conduct process and/or Student Conduct Officer.

Prohibited Possession of a Weapon: Possession of weapons, whether concealed or unconcealed per Wisconsin law, on campus and/or at University-sponsored events is prohibited for all non-law enforcement personnel. This includes illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, including, but not limited to guns, paint ball guns, pellet guns, BB guns, Airsoft guns, arrows, nun chucks, knives with blades longer than three inches, swords, shells, shell casings, and plastic or metal pellets, metallic knives, explosives, or any other device which, in the manner it is used or intended to be used is calculated or likely to produce bodily harm. *(See Weapons Policy for more information)*

Retaliation: Conduct that harms or impacts another person in response to filing a report or participating in a conduct process or related activity.

Unauthorized Entry: Unauthorized entry into, use of, or misuse of any building, structure, equipment, keys, and/or facility.

Unauthorized Taking of Property: Intentional and unauthorized taking of University Property or the personal property of another, including goods, services, and other valuables. Attempting to take University property or the personal property of another. Knowingly taking or maintaining possession of stolen property or taking University property out of its designated area without proper authorization.

Unauthorized Use, Possession, Distribution, or Misuse of Alcohol: Use, possession, or distribution of alcohol, except that expressly permitted by University policy or local, state, or federal law. Misuse of alcohol by those legally able to consume, related to harm to self or others, or in violation of University policies. This includes being knowingly present in in an area of a University building or other University Property where alcohol is being used or is present in a prohibited manner. *(See Alcohol and Drug Use Policy for more information)*

Unauthorized Use, Possession, Distribution, or Sale of Illegal Substances and/or Paraphernalia: Use, including appearing under the influence, possession, distribution (for sale or for share) of any illegal drug or controlled substance, except that expressly permitted by University policy or local, state, or federal law. This also includes the misuse or distribution of prescription medication. *(See Alcohol and Drug Use Policy for more information)*

Violation of University Policies: Conduct that violates any University policy, rule, or regulation published in print or online.

Violation of Demonstration and Expression Policy: Conduct that violates the University's Demonstration and Expression Policy. *(See Demonstration Policy for more information)*

Violation of Law: Evidence of violation of local, state or federal laws when substantiated through the University's student conduct process.

Violation of the Non-Discrimination and Harassment Policy: Conduct that violates the University's Non-Discrimination and Harassment Policy. *(See Non-Discrimination and Harassment Policy for more information)*

Violation of Residence Life Policies: Conduct that violates any of the policies outlined in the Residence Life Handbook.

Violation of the Sexual Misconduct and Relationship Violence Policy: Conduct that violates the University's Sexual Misconduct and Relationship Violence Policy. *(See Sexual Misconduct and Relationship Violence Policy for more information)*

The University expects students to take responsibility for confronting behaviors exhibited by their peers that negatively impact their experiences and violate established standards of behavior as articulated in policies. It is imperative that students work in partnership with University faculty and staff members to protect the rights that have been afforded them.

IV. PROCEDURES FOR ALLEGATIONS OF STUDENT CONDUCT POLICY VIOLATIONS

The procedures described in this Handbook are not intended to mimic legal proceeding but to advance the educational mission of the University. Formal rules of evidence and procedure used by the legal system do not apply to student conduct proceedings at Edgewood University.

Incident reports or other complaints alleging violations of University policies will be referred to the Director of Community Standards and Student Wellbeing, or designee, who will conduct a preliminary review of the facts of the case to determine whether sufficient evidence exists to warrant moving the case forward in the student conduct process. Upon determination that sufficient evidence does exist to move forward with a student conduct process, the Director of Community Standards and Student Wellbeing will refer the case to a Student Conduct Officer for a Student Conduct Conference. The respondent will be sent a letter to their University email notifying them of the date, time, and location of their Conference, along with information about the specific alleged policy violations.

Student Conduct Conferences may be conducted in the absence of a student who fails to appear after campus officials have made a reasonable effort to provide advance notice of the conference time, date, and location.

Incident reports or other complaints alleging violations of the University's Sexual Misconduct Policy will be forwarded to the Title IX Coordinator for review.

Standard of Information
Edgewood University uses a preponderance of the evidence standard in the student conduct process. Preponderance of the evidence means that the statements and overall information presented in the case must indicate to a reasonable person that it is more likely than not that the respondent committed a violation. In cases where there is a complainant and respondent, both parties will have an equal opportunity to present relevant witnesses and other evidence during the student conduct process. Additionally, both parties will be afforded similar and timely access to any information that will be used during the student conduct proceedings.

Resolution of Allegation(s) of Student Code of Conduct Violations
Students alleged to have violated the Student Code of Conduct will be referred for a Student Conduct Conference. Student Conduct Conferences are held by trained Student Conduct Officers, as determined by the Director of Community Standards and Student Wellbeing. The Director of Community Standards and Student Wellbeing will assign each respondent a Student Conduct Officer for the Student Conduct Conference.

During the Student Conduct Conference, the respondent will be given the opportunity to review the information that resulted in the allegations and explain their version of events. Based on the available information and the information presented at the Conference, the Student Conduct Officer will determine whether the respondent has violated the Student Code of Conduct. If the student is found not responsible, the case will be closed. If the student is found responsible, an action plan will be determined by the Student Conduct Officer.

Student Conduct Process Advisor
Students involved in the student conduct process may select an advisor to accompany them throughout the process. Advisors are not permitted to speak or to participate directly in the proceeding. The University will not reschedule a proceeding to accommodate an advisor's schedule. The role is limited to consultation with the student involved. Complainants and respondents are responsible for presenting their own information. Witnesses or other parties directly involved in a case may not serve as advisors.

V. HOW TO FILE A COMPLAINT OR REPORT A STUDENT CODE OF CONDUCT VIOLATION

The University offers a variety of avenues for formal complaint procedures, depending on the nature of your concern or complaint.

If you have an immediate concern for safety, contact Edgewood University Campus Security at 608-663-4321 or dial 911.
To file a complaint or report an incident involving ***student*** conduct that is not an immediate concern for safety:

- Online Form: www.tinyurl.com/EdgewoodIR
- Email: DeanofStudents@edgewood.edu
- Call: 608-663-2212
- Visit: DeRicci 222 and ask for the Director of Community Standards and Student Wellbeing

To file a Non-academic complaint or report an incident involving ***faculty or staff member*** conduct:

- Contact the Dean of Students Office by emailing DeanofStudents@edgewood.edu, calling 608-663-2212, or visiting DeRicci 222 or
- Contact Human Resources by emailing hr@edgewood.edu, calling 608-663-4303, or visiting DeRicci 215

If you are concerned that any person might engage in violence, please contact campus security at 608-663-4321 as soon as possible.

Even if you are not sure whether you should report something, you are encouraged to err on the side of caution. The University has trained professional staff who can evaluate these reports and take appropriate action.

If you know of or have been a victim of discrimination, sexual or gender-based misconduct and/or relationship violence by any person, please review the University's Non-Discrimination and Harassment Policy and/or the Sexual Misconduct and Relationship Violence Policy. Our first concern is for your safety and well-being, but we also encourage you to report to the University and/or law enforcement.

If you have experienced discrimination, sexual misconduct and/or relationship violence, have exhausted the campus complaint options, and you still have a complaint, you can file a complaint with the Office of Civil Rights at http://www2.ed.gov/about/offices/list/ocr/docs/howto.html.

VI. ACTION PLANS

When a student is found responsible for violating the Student Code of Conduct, the Student Conduct Officer will develop an action plan for the student to complete. Action plans are intended to promote personal reflection and growth, repair any harm caused, and help the student realign with University policies and values. The following are possible outcomes and actions which may be included as a part of an action plan for violations of the Student Code of Conduct. This is not an exhaustive list.

- ***Disciplinary Warning****:* Notice to the student that future misconduct will result in more severe disciplinary action by the University.
- ***Disciplinary Probation****:* A specified period of time during which the student is removed from good disciplinary standing. The student may be restricted from representing the University in any extracurricular activity or running for or holding office in any student group or organization. Probationary status may permit the student to remain in the residence halls and at the University on the condition that they comply with the action plans determined by the Student Conduct Officer.
- ***Residence Hall Probation****:* A specified period of time in which a student is allowed to continue living in the residence halls; however, the student's resident status is in jeopardy. Should further disciplinary issues occur during the probationary period, the period of Residence Hall Probation may be extended or suspension from the residence halls may be imposed. Residence Hall Probation may also include reassignment to a different residence hall room or building.
- ***Residence Hall Suspension****:* Removal from the residence halls, without refund of housing fees. Student is not allowed to live in the residence halls or have residence hall visitation privileges for a designated period of time.
- ***Suspension****:* Temporary loss of student status for a specified time with resultant loss of all student rights and privileges. A suspended student will be required to leave campus and not be permitted to return until the time of the suspension has elapsed. A suspended student will lose credit for subjects carried that semester and fees and tuition will be forfeited. The disciplinary action will be recorded as a part of the student's record in the Dean of Students Office. Conditions for readmission after the suspension period may be specified, including clearance from the Vice President for Student Development or designee
- ***Expulsion****:* Permanent termination of student status. An expelled student shall receive a grade of "F" in all courses carried during the term they are expelled and fees and tuition will be forfeited according to the normal withdrawal policy. The expelled student will not be permitted on campus without permission from the Vice President for Student Development. The action of expulsion will be noted in the student's record in the Dean of Students Office.
- ***Behavioral Requirements***: A requirement to participate in certain activities, including, but not limited to, obtaining academic counseling, substance abuse assessment, behavioral assessment, etc. This

sanction may require the student to submit payment of any resulting fees in order to participate.

- ***Educational Requirements***: Requirement to attend, complete, present, and/or participate in a program or assignment that is educational and/or reflective in nature. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. This sanction may require the student to submit payment of any resulting fees in order to participate.
- ***Loss of Privileges***: The student will be denied specified privileges for a designated period of time, including, but not limited to restrictions on participation in campus activities, campus presence, residence hall visitation, parking privileges, or contact with individuals or groups on campus.
- ***Restitution****:* Student is held responsible for damages to personal or community property through financial compensation or appropriate work arrangements.
- ***Fine****:* Monetary requirement which must be paid within a designated time

Temporary or Permanent Dismissal from the University for Administrative Reasons

No student is permitted to engage in conduct which is an undue threat to self, or others, or that interferes with the effective enjoyment of University and academic life by others. In these circumstances, dismissal of a student and exclusion from University property may be imposed without the procedure outlined in the Student Code of Conduct. The Vice President for Student Development, or designee, may take this action if satisfied that serious misconduct has occurred and/or that the student's continued presence on the campus presents unreasonable risk of danger to others or to the University community. A student facing this action must leave the campus immediately. Following the imposition of any dismissal for administrative reasons, a dismissed student may request a hearing to determine whether the student should be reinstated, and the summary action plan(s) removed, using the general guidelines for student conduct conferences set forth in the Student Code of Conduct. This request for a hearing must be made within five days of receipt of the dismissal for administrative reasons. Hearing requests can be made to the Director of Community Standards and Student Wellbeing.

Where conduct may have been caused by a mental or physical condition (including but not limited to eating disorders or substance abuse), the Vice President for Student Development may require a medical (including mental health) evaluation of the student at the student's expense. The evaluation will be reviewed by the Vice President for Student Development and a team of administrators reviewing the situation. The committee will be comprised of professional staff members as may be appropriate, such as from Student Conduct, Health Services and Personal Counseling Services. The decision of that administrative committee will be final.

Where reasonably possible in light of the conduct and circumstances, the University will seek mechanisms to enable the student to continue moving toward the achievement of academic goals either immediately or in the future. The University will act with respect for the laws regarding the educational opportunities of persons with disabilities, while recognizing that there may be situations where conduct or threatened conduct by any person, including persons with disabilities, requires their temporary or permanent dismissal from the University.

Parental Notification

The University reserves the right to notify the parents/guardians of dependent students regarding any student conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of nondependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

VII. APPEALS

All parties are able to appeal the decisions and action plans. As part of the student conduct process, the student is informed of the right to appeal and procedures to be followed. Disagreement with the finding or action plans is not, by itself, grounds for appeal. The following will be considered grounds for appeal:

1. A procedural error or irregularity which substantively affected the outcome of the student conduct process (e.g. substantiated bias, material deviation from established procedures, etc.).
2. New evidence that was not available at the time of the student conduct conference and which could have a substantial impact on the outcome of the student conduct process. A summary of this new evidence and its potential impact must be included with the appeal.
3. The action plans imposed are substantially disproportionate to the severity of the violation.

How to Appeal

Appeals must be submitted within five business days of notice of the decision being sent to the parties. Appeals must be submitted in writing, using the appeal form found online at https://tinyurl.com/EdgewoodAppealForm. On the appeal form, the student must state the reason(s) for appeal, the supporting facts, and the recommended solution. An appeal is not a re-hearing of the student conduct outcome. An appeal cannot be filed simply because a student is dissatisfied with the decision. Failure to describe the nature of the appeal in full detail in the appeal letter will result in the denial of an appeal.

Written appeals of decisions will be reviewed by the Vice President for Student Development, or designee. The Vice President for Student Development, or designee, shall first determine if sufficient grounds for appeal exist and if not, notify the student that the appeal was not accepted. If sufficient grounds do exist, the Vice President for Student Development, or designee, will review the case file and the documentation provided in the appeal to make their determination. The Vice President for Student Development, or designee, may elect to:

- Affirm the finding and the original action plan, if any;
- Affirm the finding and change the action plan, if any; or
- In cases where new evidence was presented that was not available at the time of the original student conduct conference, order a new Student Conduct Conference.

In cases where a new student conduct conference was ordered, the rights to appeal the decision of that outcome will be granted in accordance with the process described above.

The decision made by the Vice President for Student Development, or designee, is final.

Student Status Pending Outcome or Appeal

Under normal circumstances, imposition of action plans will be deferred pending the review of the appeal. However, the Vice President for Student Development, or designee, may impose the action plans immediately while considering the appeal if there is a substantial safety risk to members of the University community.

VIII. REENTRY AFTER SUSPENSION

When a student has concluded the suspension period and completed the conditions accompanying the suspension, they must submit a letter to the Vice President for Student Development, or designee, requesting reinstatement and provide evidence that they have satisfied the terms of the suspension. The Vice President for Student Development, or designee, may schedule a meeting to discuss the Student Code of Conduct and strategies to prevent further violations. The student may return to the University only after an affirmative decision has been made by the Vice President for Student Development, or designee. Furthermore, the Vice President for Student Development, or designee, retains the right to deny reinstatement if the student poses an unreasonable risk of danger to the University community.

IX. EMERGENCY ACTION

In certain circumstances, the University may temporarily limit or suspend a student's rights and privileges. Examples of limitations could include such actions as temporary removal from the residence halls, removal

from co-curricular activities, restriction to a specific area on campus between classes, restriction on contact with another community member, and interim suspension of student status.

The following Emergency Action process will be managed by the Director of Community Standards and Student Wellbeing:

1. **Emergency Action Determination**
   The need for Emergency Action will be determined by the Director of Community Standards and Student Wellbeing or a designee. The decision to limit or suspend student rights and privileges is based on the nature and severity of the alleged incident and the safety of or impact on the community. A student who presents a threat to their own well-being or to the rights, safety and/or property of others may be subject to immediate removal from the Edgewood University campus. The student may not re-enter any campus building, including the residence halls, or be present on campus without the written permission of the Director of Community Standards and Student Wellbeing or their designee.
2. **Emergency Action Notification**
   In the event that a student's rights and privileges are limited or suspended, the complainant and respondent will be notified by the Director of Community Standards and Student Wellbeing or designee. The Campus Security Director will notify appropriate University officials and the parties to coordinate compliance.
3. **Responding to Emergency Action Notification**
   Students who wish to respond to or dispute Emergency Action should contact the Vice President for Student Development at DeanofStudents@edgewood.edu or 608-663-2212.
4. **Termination of Emergency Action**
   The termination of Emergency Action will result in either:
   a) The respondent being found not responsible and the complainant and respondent returning to normal rights and privileges; or
   b) The respondent being found responsible and formal action plans being imposed. Emergency action will terminate, and formal action plan(s) will commence immediately upon the announcement of the result of the student conduct process.

X. RIGHTS TO ACCESS STUDENT RECORDS

FERPA - Family Educational Rights and Privacy Act

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

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.

   Students should submit to the registrar, dean, head of the academic department, or other appropriate official written requests that identify the record(s) they wish to inspect. The University official 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 University official to whom the request was submitted, that official shall advise the student 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 or misleading.

   Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

   If the University decides not to amend the record as requested by the student, the University will notify

the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

   One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement personnel and health staff): a person or company with whom the University has contracted (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 performing their tasks.

   A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

   Upon request, the University discloses education records without consent to officials of another school, in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University 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, S.W., Washington, D.C., 20202-4605.

   Edgewood University, in accordance with the Act, has designated the following categories of information about students as public unless students choose to exercise their right to have any or all of this information withheld, through notifying the Registrar's Office. This information will be routinely released to any inquirer unless it is requested that all or part of this list be withheld. These categories are: 1. Name; 2. Address; 3. Email Address; 4. Telephone listing; 5. Date of birth; 6. Place of birth; 7. Major field of study; 8. Participation in officially recognized activities/sports; 9. Height and weight of student athletes; 10. Dates of attendance (including current classification and year, matriculation and withdrawal dates); 11. Degrees and awards received (type of degree and date granted); 12. Most recent previous educational agency or institution attended; 13. Credits earned towards degree; 14. Credits enrolled; 15. Full or part time status

   Edgewood University, in accordance with the Act, reserves the right to contact parents or guardians of students who violate the University's Alcohol and Other Drugs Policy.

Student Disciplinary Records

Because the Family Educational Rights and Privacy Act (FERPA) defines the records of a student engaged in a disciplinary process as private, information about the disciplinary process may only be shared with the student, their parents if a minor, and school officials with a legitimate educational interest. The student must give written permission for anyone else to have access to this information, unless otherwise permitted by federal or state law. For additional information regarding FERPA, see Family Educational Rights and Privacy Act Policy.

OTHER UNIVERSITY POLICIES

ACADEMIC HONESTY POLICY

As members of a scholarly community dedicated to healthy intellectual development, students, staff, and faculty at Edgewood University are expected to share the responsibility for maintaining high standards of honesty and integrity in academic work.

Each student should reflect this sense of responsibility toward the community by submitting work that is a product of their own effort in a particular course, unless the instructor has directed otherwise. In order to clarify and emphasize its standards for academic honesty, the University has adopted the Academic Dishonesty Policy. According to the International Center for Academic Integrity (ICAI), academic honesty is rooted in six fundamental values: honesty, trust, fairness, respect, responsibility, and courage. By embracing these fundamental values, instructors, students, staff, and administrators create effective scholarly communities where integrity is a cornerstone. Extenuating personal circumstances—stress, work schedule, family circumstances, and illness—do not justify acts of academic dishonesty. There are other ways than dishonesty for a student to cope with difficult circumstances.

The following are violations of standards for academic honesty and are subject to response and sanctions:

- **Cheating:** Intentionally using or attempting to use unauthorized materials, information, notes, study aids, or other devices or materials in any academic exercise. Unauthorized materials may include anything or anyone that gives a student assistance and has not been specifically approved in advance by the instructor.
- **Fabrication or Falsification:** Falsifying data, information, or citations in completing an academic assignment; providing false or deceptive information to an instructor concerning the completion of an assignment; providing false information to the University in any manner to achieve an unfair advantage, enhance one's record, or complete a requirement.
- **Multiple Submissions:** Submitting the same work in separate classes without the express permission of the instructor(s).
- **Plagiarism:** Taking and using as one's own, without proper attribution, the ideas, writings, or work of another person in completing an academic assignment. This also includes, but not limited to, the use of artificial intelligence tools such as ChatGPT, without proper attribution, or getting so much help from someone else, including a University tutor, that the assignment submitter can no longer legitimately claim authorship.
- **Complicity:** Intentionally or knowingly helping, or attempting to help, another to commit, or attempt to commit, an act of academic dishonesty.

  Students are expected to uphold Edgewood University's Academic Dishonesty policy as delineated in the Student Handbook and University Catalog. Alleged violations of academic dishonesty may be investigated by an instructor individually or through a hearing with a staff member in the Dean of Students Office.

  As part of the academic dishonesty process, the instructor or staff member will use the standard of **"preponderance of evidence,"** to determine an outcome, weighing if it is "more likely than not" dishonesty has occurred. In making their determination, an instructor or staff member should be guided by common sense and good judgment. Key ideas are ***to hold students responsible for their actions and to uphold the principles of academic honesty set by the University***.

  If indicated by the incident, an instructor or staff member should consider a sanction that will

- **Deter** further cheating or the appearance of cheating;
- **Educate** the student about appropriate academic policies and behaviors, including consequences of academic dishonesty;
- **Assist** the student to get whatever help or support is needed for satisfactory academic performance.

The sanction should be appropriate for the situation, including consideration of mitigating and aggravating factors listed below.

Factors that might mitigate or aggravate consideration of the offense include, but are not limited to:

1. Experience level of the student with higher education: For example, first-year students, who may not yet be familiar with college or university-level practices, may require more guidance than seniors, who have had more academic experience.

2. Lack of dishonest intent/Acting from lack of knowledge: Some students act dishonestly inadvertently because they do not know what constitutes honesty. E.g., in some courses, collaboration among students might be considered dishonest; some students may not be familiar with correct citation practices.

3. Premeditation: More serious consideration should be given to the student who plans in advance to act dishonestly. E.g., a student who brings an unauthorized notes sheet into an exam might be treated more harshly than a student who is confronted with the opportunity to see another student's test during an exam.

4. Involvement of Other Students: Consider whether the student enlisted assistance of others to collude in dishonesty and whether the others were unwitting or active parties. E.g. Students who assist another student in an act of dishonesty, but do not gain anything personally, might be treated more mildly than students who benefit themselves.

5. Conscious disregard for other students: Consider whether the outcome of the dishonest action adversely affects other students, who may or may not be aware of the situation. E.g., a student who copies an assignment from another student, implicates the latter student in the incident.

6. Extent to which the student accepts responsibility for actions, expresses remorse for dishonesty and understanding of honest behaviors: A student who lies, covers up or presents false evidence, especially if it jeopardizes other students, might receive a more severe sanction, as the dishonesty is compounded by deceit.

7. Consequences of student's behavior: Consider what actual harm was caused by the act of dishonesty, or what potential harm would have been caused if the dishonesty had not been caught.

8. Whether this is the student's first act of Academic Dishonesty: A student who has been found to have previously violated the Academic Dishonesty Policy may be given an elevated sanction.

INFORMAL RESOLUTION THROUGH INSTRUCTOR OR STAFF MEMBER

In cases of academic dishonesty at Edgewood University, all instances of dishonesty or suspicions of dishonesty need to be investigated by the instructor or staff. When an instructor or staff member discovers or suspects an incident of academic dishonesty, it is the responsibility of the instructor or staff member to meet with the student(s) involved to present what evidence points to academic dishonesty and to allow the student to explain and, if needed, provide evidence. The instructor or staff member should ensure that the student understands the University's Academic Dishonesty policy and the specific policies of the course. Students do not have to admit to dishonesty in order for the instructor to determine dishonesty has occurred and for a sanction to be imposed.

As indicated by the conversation and any further investigation, the instructor or staff member will determine whether or not academic dishonesty has occurred and, if so, impose a sanction. The student has the right to appeal the finding and sanction through the department appeal process. If the instructor or staff member believes that the act of academic dishonesty might warrant sanctions, they may opt to refer the matter directly to the Dean of Students Office with a recommendation for a sanction beyond what they have the authority to apply.

The instructor/staff member should keep their own written record of what occurred, keep all original documents, and make copies of any evidence. At the end of the process, the instructor/ staff member will submit all materials to the Dean of Students Office for record keeping. *In all cases, the instructor/staff member should notify the student in writing of their determination and, if applicable, the sanction(s) to be imposed. This communication should be provided to the Dean of Students Office to be included in the student's file.*

Sanctions for Instructors
A sanction should help the student learn from this situation, serve to deter others, and serve to uphold the University's standards. The sanction imposed should be appropriate for the situation, including consideration of mitigating and aggravating factors listed above. Sanctions that an instructor or staff member might impose include, but are not limited to, the following:

1. Student's grade is lowered on the assignment or test.
2. Student redoes the assignment, with a grade penalty.
3. Student is failed on the assignment.
4. Student is given an additional assignment to complete for the course or an assignment that would serve to remediate the student's lack of understanding about academic integrity.
5. Student receives a letter of reprimand from the instructor or staff member.
6. Student's grade in the course is lowered.
7. Student fails the course.
8. Student is placed on academic probation or dismissed from the academic program.

INFORMAL RESOLUTION DECISION APPEAL
In the informal resolution process, if a situation regarding an allegation of academic dishonesty is not resolved between the instructor and student directly, or if the student contests the sanction, the instructor should refer the student to the Dean of the college to explain the appeal process of the division. Students may pursue their complaint through the appeal procedure in the division/school in which the incident occurred or seek other means of resolution through that Dean.

In all cases, the Division Head or Dean should notify the student in writing of the outcome of the appeal, and this letter or email should be provided to the Dean of Students Office for the student's file.

REFERRAL TO A FORMAL HEARING IN THE DEAN OF STUDENTS OFFICE
A hearing in the Dean of Students Office through the Formal Resolution Process will be convened if:

- An incident of alleged academic dishonesty is not resolved through the University's departmental appeals process or through consultation with the Division Head or Dean;
- A member of the University staff confronts an alleged incident of dishonesty not related to classroom practices (e.g., deceptive alteration of a University document or forgery on a University form) and cannot resolve the situation directly with the student;
- An instructor or staff member confronts a matter so serious that it warrants a hearing; i.e., it appears that the situation cannot be reconciled in a meeting between the student and faculty or staff, or through the departmental appeals process, or it appears likely that the situation may result in suspension, dismissal or expulsion.

A hearing officer in the Dean of Students Office will conduct the hearing and serve as the decision maker in the case.

The hearing officer must review all materials submitted prior to the date of the hearing.

The student may choose to have one support person accompany them to the hearing. The role of the support person is limited to consultation with the student, and may not speak on the student's behalf. ***No other persons will be permitted to accompany the student, unless approved in advance by the hearing officer.*** The reporting instructor/staff member may also attend the hearing. A hearing may be conducted in the absence of a student who fails to appear at the designated time.

The hearing will proceed as follows:

1. The hearing officer opens the hearing with a statement about the confidentiality of the proceedings, an explanation of the process of the hearing, and a summary of the nature of the appeal or case.

2. The student states specifics of the appeal or situation and presents their facts/evidence relating to the allegation of academic dishonesty.
3. The instructor or staff member(s) presents their facts/evidence relating to the allegation of academic dishonesty.
4. The hearing officer may ask questions of the student or instructor.
5. At end of questions, the instructor or staff member(s) makes a closing statement, then the student makes a closing statement.
6. At the conclusion of the hearing, all materials used during the hearing will be collected by the hearing officer and kept in a confidential file.
7. The hearing officer will then determine whether it is more likely than not that the student committed academic dishonesty, and if so, assign an appropriate sanction for the violation.
8. The decision of the hearing officer, and any sanctions to be imposed will be conveyed to the instructor/staff member and student in writing by the hearing officer no later than 5 business days after the hearing.

Sanctions for a Formal Hearing by a Hearing Officer

As stated above, as part of the disciplinary process, sanctioning a student encompasses three goals: deterrence, education, and assistance. For each case there will be aggravating and mitigating factors. The hearing officer should consider:

- What sanction is appropriate for the act of academic dishonesty committed?
- What sanction would help the student learn from this experience and cause them to think about their behavior in the future?
- What sanction serves to uphold the University's academic honesty policy?

Sanctions might include, but are not limited to:

- **Failing grade:** A grade of F in the course.
- **Warning:** A written reprimand from the hearing officer for the violation of academic honesty, including a warning to the student that any further violation will warrant more serious consequences. A copy will be sent to the Academic Dean and/or Division Head.
- **Loss of Privileges:** A student would lose privileges such as campus privileges or exclusion from campus activities, for a stated length of time or permanently. E.g., a student might lose priority registration for a case of forged signature.
- **Restitution:** A student would be expected to pay restitution for damages caused, which may either be monetary or in the form of service to the University.
- **Academic Probation:** A student would be put on academic disciplinary probation for a stated length of time and might be barred from certain campus activities for that period. Specific conditions might be placed on the student with a warning that if the conditions are violated, further disciplinary action will be taken.
- **Suspension:** Temporary loss of student status for a specified time with resultant loss of all student rights and privileges. A suspended student will be required to leave campus and not be permitted to return until the time of the suspension has elapsed. A suspended student will lose credit for subjects carried that semester and fees and tuition will be forfeited. The action will be recorded as a part of the student's record in the Dean of Students Office. Conditions for readmission after the suspension period may be specified.
- **Expulsion:** Permanent termination of student status. An expelled student shall receive a grade of "F" in all courses carried during the term they are expelled and fees and tuition will be forfeited according to the normal withdrawal policy. The expelled student will not be permitted on campus without permission from the Vice President for Student Development. The action of expulsion will be noted in the student's record in the Dean of Students Office.

FORMAL RESOLUTION DECISION APPEAL

A student may appeal the finding and/or sanction determined by a hearing officer in the formal resolution process to the Vice President for Student Development. The appeal should be submitted, in writing, within 5 business days of delivery of the hearing officer's decision letter. The appeal submission should include a statement explaining the student's rationale for the appeal, noting at least one or more of the stated grounds for which an appeal can be submitted:

- A procedural error or irregularity which substantively affected the outcome of the academic dishonesty process (e.g. substantiated bias, material deviation from established procedures, etc.).;

- New evidence that was not available at the time of the hearing and which could have a substantial impact on the outcome of the academic dishonesty process. A summary of this new evidence and its potential impact must be included with the appeal.;
- The sanction(s) imposed are substantially disproportionate to the severity of the violation.

In cases of suspension or expulsion, the Vice President for Student Development (VPSD) will consult with the Vice President for Academic Affairs/Provost. The VPSD will notify the student, in writing, upon conclusion of the appeal review. The VPSD will provide copies of the communication to the Dean of Students Office to be placed in the student's file.

Additional information regarding this policy may be found from the Dean of Students office.

ALCOHOL AND OTHER DRUGS POLICY

Preface

College culture nationwide exaggerates the connection between social fun and excess alcohol and other drug use. This misperception is especially strong in Madison even though 60%* of Edgewood University students report abstaining from or drinking alcohol in a low-risk manner. In other words, most students socialize without drinking in a risky way or without drinking at all.

Edgewood University expects students who choose to use alcohol to drink in a safe manner. Excess drinking is strongly discouraged for its risk to the drinker and for its negative effects on the campus community and students' academic goals. The University is committed to providing educational programs to promote low-risk use or abstinence, to educate students about the risks of excessive drinking, and to promoting alternatives to excess drinking

**From Edgewood University National College Health Assessment (NCHA) Survey Fall 2016*

Background Information

Federal, State, and Local Law Enforcement

The Alcohol and Drug Policy is in compliance with local, state, and federal law. Edgewood University students are subject to all laws of the State of Wisconsin regarding possession, consumption, sale, and distribution of alcoholic beverages or drugs. In addition to state laws, Madison enforces several local ordinances around alcohol. More information about local and state alcohol laws and penalties can be found at and https://docs.legis.wisconsin.gov/statutes/statutes/125.

Health Risks of Alcohol and/or Drug Use

Individuals over 21 years of age have the right to choose to consume alcohol in permitted locations. Edgewood University urges those individuals to exercise sound judgment and responsibility in making this decision. Edgewood University does not condone underage consumption of alcohol, use of alcohol in excess, nor drug use.

> **Alcohol** is a central nervous system depressant. Initially it may appear to stimulate a person and reduce inhibitions. Greater amounts of alcohol will depress deeper parts of the brain, leading to loss of judgment and impaired sensory perception and motor skills.
>
> Excessive alcohol consumption is linked to increased rates of physical and sexual assault, altercations, injuries, and diminished academic performance.
>
> Abuse of alcohol can pose several other health risks, both physical and psychological, such as: impaired ability to reason, damage to the heart and liver, irritation of the stomach lining possibly leading to ulcers, and depression of brain centers, causing poor coordination, confusion, disorientation, stupor, anesthesia, coma, and death. Brain damage from alcohol abuse is permanent and recent studies suggest that brain development continues into a person's mid-20s making the damage that occurs in those years more significant.
>
> **Cannabis** produces an intoxicating effect that slows reasoning abilities. Concentration and problem-solving abilities are impaired. Slowed reflexes, reaction time, and poor peripheral vision may also result.

Cannabis has multiple adverse effects on the body including increased heart rate, lung damage, increased cancer risk, diminished immune systems and risk of memory impairment. Long term use has also been linked to increases in anxiety, depression, and lower academic performance.

Important psychological and emotional developmental tasks (such as career establishment or developing emotional intimacy) can be delayed or stalled with heavy use of cannabis.

Party/Club Drugs refer to a large group of drugs often used at parties, raves or dance clubs and other settings that, as a group, have a wide variety of effects and risks. Some of the drugs in this informal grouping include: ecstasy, GHB, Ketamine, LSD, Rohypnol. Ecstasy is the most common of these drugs and it's taken for the euphoric effects, heightened energy, and emotional warmth it produces in some users. The risks of these drugs are serious for even occasional use. Risks include: increased heart rate, nausea, dizziness, muscle tensions, teeth clenching, dangerously high body temperature, depression, and anxiety. Long-term use can lead to memory problems and depression. Pills sold as ecstasy often include other substances that create even more serious health risks.

Stimulants (Amphetamines, Cocaine, etc.) Drugs that stimulate the central nervous system have a high potential for abuse because continuous use can result in severe dependence. Low doses of stimulants cause increased heart rate, blood pressure, and breathing rate. Sleeplessness and anxiety may also result. Higher doses cause irritability and excitability. Users may also experience feelings of paranoia and illusions or hallucinations. Abuse of these substances causes increased risk of heart failure, malnutrition, and a weakening of the body's immune system.

Most prescription drugs used to treat Attention Hyperactivity Deficit Disorder are amphetamines and produce the same risks from misuse as other forms of amphetamines noted above. Illegal use of ADHD prescription drugs carries very serious criminal penalties.

Depressants (Barbiturates, Narcotics, Hypnotics, and Tranquilizers) Use of substances which depress the central nervous system can produce habituation and physical dependence.

Depressants slow the bodily functions, causing sleepiness or grogginess, impaired motor skills, poor memory, and faulty judgment. Larger doses may cause unconsciousness or death. Taken over a period of time, abusing these substances can result in a physical dependency. Withdrawal from physical dependency must be medically supervised. Abruptly stopping the drug can cause delirium and convulsions.

The use of central nervous system depressants in combination with alcohol significantly increases the risk of death. The most common form of unintentional overdose results from the combination of barbiturates and alcohol.

Misuse of prescription opiates such as OxyContin or Vicodin is very dangerous due to the risk of addiction and overdose. Overdose risk is especially high when combined with alcohol. Legal penalties for such misuse are also very serious.

Hallucinogens (PCP, LSD, and Mescaline) Hallucinogens can cause habituation or psychological dependence. There are minimal withdrawal symptoms when regular use of the drug is stopped; however, unpleasant psychological reactions are common. Risks include breaks from reality, flashbacks, emotional breakdown, and memory lapse. More severe reactions can include convulsions, partial paralysis, delusion, hysteria, and outbreaks of violence.

Compliance with Applicable Federal, State and Local Laws
This policy is subject to amendment. Edgewood University reserves the right to amend, add, delete, or modify this policy, and any others, for any purpose including compliance with local, state, or federal law.

Seeking Assistance & Risk Reduction

At the discretion of the appropriate University authorities, assistance for problems with drug or alcohol may be offered in lieu of, or concurrent with, disciplinary action. An assessment and/or evidence of satisfactory progress toward elimination of the problem may be required as part of any such agreement. A conscientious effort to seek help will not, by itself, jeopardize a student's enrollment. Students in need of help for an alcohol or drug problem are encouraged to utilize Personal Counseling Services. Appointments can be made by calling (608)-663-4148 or emailing pcsnotifications@edgewood.edu.

Please see the GOOD SAMARITAN POLICY for more information related to policy violations and medical amnesty.

General Alcohol and Other Drug Policies

1. Alcoholic beverages may only be possessed, purchased and/or consumed by persons of legal drinking age, and then only in areas designated by the University.
2. No person may obtain, sell, dispense, or give drugs/alcoholic beverages for or to an underage person.
3. Alcohol abuse and/or intoxication is not permitted.
4. Use, possession, sale, delivery, manufacturing, or distribution of any narcotic, drug, and/or medicine prescribed to another person, chemical compound, or other controlled substance, except in accordance with federal, state, local law, and/or Edgewood University policy is expressly forbidden.
5. Possession of drug-related paraphernalia, except in accordance with federal, state, local law, and/or Edgewood University policy is expressly forbidden.
6. Being under the influence of narcotics, drugs, medicine prescribed another person, medicine in excess of an individual's prescribed limits, chemical compound, or other controlled substance, except in accordance with federal, state, local law, and/or Edgewood University policy is expressly forbidden.
7. Alcohol-related paraphernalia and alcohol-related decorations including those that once served as containers for alcohol are not permitted in traditional residence halls. Collections of bottle caps, alcohol cartons, alcohol cans, beer bongs, alcohol bottles, similar paraphernalia, and beer kegs are not permitted.
8. Alcohol may only be distributed on campus by the University's Dining Services contractor. All students are required to show proof of age when purchasing or accepting alcoholic beverages on campus. Students who fail to provide this information, use false information, or violate the law and/or University policy are liable for disciplinary action.
9. The obvious odor of alcohol or other drugs in unpermitted areas may be documented and treated as evidence of policy violation. Individuals in or related to the vicinity of these odors may be subject to the Student Conduct process.

Residence Hall Alcohol Policy

No alcoholic beverages are allowed in East Regina, West Regina,, or Stevie (Stephen Marie Reges) Halls. Alcohol is also not permitted in the suites or common areas of Dominican Hall.

Apartment Alcohol Policy

Alcoholic beverages are permitted in Weber, Siena, and the Dominican Co-op and Apartments. Alcohol is not permitted in any public space outside of these designated apartment living spaces.

Alcohol may only be possessed and consumed only by residents 21 years of age or older in accordance with State law. Anyone found providing alcohol for underage students and/or guests will be subject to disciplinary action.

Consequences of Non-Compliance

Individuals who are found responsible for violating any of the Alcohol and/or Drug policy may face disciplinary action. For further information please see the STUDENT CODE OF CONDUCT.

Questions or comments about the Alcohol and Other Drug Policy or the Student Code of Conduct can be directed to the Dean of Students Office at deanofstudents@edgewood.edu or 608-663-2212.

EDGEWOOD UNIVERSITY ANTI-HAZING POLICY

1. Hazing will not be tolerated at Edgewood University.

    a. University student groups (e.g. registered student organizations, intramural, club and varsity athletic teams, and other recognized student groups) and individual students are prohibited from hazing.

    b. Hazing is prohibited in any form both on campus and off campus.

2. Definition of Hazing

    a. In accordance with Wisconsin Statute 948.51 "Hazing" is defined as "any non-accidental, costly aspect(s) of group induction activities that: a) do not appear to be group-relevant assessments/preparations, and/or b) are excessive, dangerous, or degrading in their application or constitute violations of local, state or federal law or any other Edgewood University policy regardless of the consent of the participants. Group induction activities are those tasks formally or informally required to obtain or maintain membership and/or participatory legitimacy for new, prospective or current members and/or to attain progressive membership status and/or leadership positions within the organization" (Adapted from Cimino, 2017).

    b. Wisconsin Statute 948.51 prohibits any form of hazing and states:
    (1) In this section "forced activity" means any activity which is a condition of initiation or admission into or affiliation with an organization, regardless of a student's willingness to participate in the activity.

    (2) No person may intentionally or recklessly engage in acts which endanger the physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating in connection with a school, or university. Under those circumstances, prohibited acts may include any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, forced confinement or any other forced activity which endangers the physical health or safety of the student.

    (3) Whoever violates sub. (2) is guilty of:

    (a) A Class A misdemeanor if the act results in or is likely to result in bodily harm to another.

    (b) A Class H felony if the act results in great bodily harm to another

    (c) A Class G felony if the act results in the death of another.

    c. For the purposes of this regulation, hazing includes observation of hazing activities by individuals in a position to intervene but who fail to intervene, including organization officers/leaders who are aware of planned hazing activities and who condone and/or fail to prevent that hazing from occurring, regardless of their participation.

3. Reporting Hazing

    a. Allegations of Hazing – Any person having knowledge of any activity or conduct which may constitute hazing can report their concerns to the Dean of Students Office by visiting Edgewood.edu/Dean-of-Students, calling 608.663.2212, or contacting the Edgewood University Security Office at 608.663.4321.

b. Self-Reporting of Incidents - Student organization/team members and officers/captains should immediately report any hazing incidents that occur within their organization to the Dean of Students Office, providing: a detailed description of the events that have transpired; the names of any individuals involved; and a description of any actions taken by the organization. Upon receiving the report, the Dean of Students Office will investigate as described in this regulation and the organization president and advisor/coach will be notified. The investigation and adjudication will proceed related to the regulation violations by the individual(s) implicated in the report, unless evidence discovered in the investigation proves the incident to have been sanctioned by the organization. If the incident appears to have been sanctioned by the organization, a follow-up investigation into the organization's role may be undertaken. If the student organization is affiliated with a national organization, the national headquarters will be notified.

4. Investigation of Allegations and Charges – Upon receiving a report of alleged hazing, the Dean of Students/Designee will assign the case to an independent investigator. As part of the investigation, the University will:

   a. Make contact (if possible) with the individual(s) bringing forward the allegations of hazing;

   b. Make contact with the individual(s) alleged to have perpetrated the hazing. If the conduct is organizational in nature, the investigator will contact the advisor and president of the organization under investigation;

   c. Conduct interviews with all parties, including victims, the accused student(s) and any witnesses. The investigator may, at his/her discretion, recommend interim action (as described in the Student Code of Conduct) to the Dean of Students at any point during the investigation

   d. The investigator may, at the investigator's discretion, require students, or a select group of students (i.e. all new members of an organization) to participate in an investigatory meeting at a pre-determined time and location and may exercise discretion regarding the communication of students during the investigation process, including but not limited to restriction on the use of any electronic devices during the investigation process.

   e. The investigator may, at the investigator's discretion, require students to undergo a physical examination by a campus health center staff member, particularly when allegations of physical abuse are part of a hazing investigation. The results of these physical examinations will be protected by applicable health privacy laws, but a summary of any physical signs of hazing (i.e. bruises, burns, etc.) will be provided to the investigator by the medical professional conducting the examinations.

   f. The investigator will provide a written investigative report to the Dean of Students or Designee. Upon receipt of this report, the Dean of Students (or designee) will determine if charges are warranted. If charges are warranted, the Dean of Students Office will charge the individual student(s), the involved student group(s), and/or the President or other responsible officers of the involved student group(s) or any other complicit bystanders in accordance with the Student Code of Conduct.

5. Adjudication – Adjudication shall be conducted pursuant to the Student Code of Conduct.

6. Individual and Organization Responsibility – The University will, on a case-by-case basis, determine whether any violations of this policy are individual or organizational in nature. In determining whether or not a violation is organizational in nature, the University will consider the following:

   a. How many members were present when the alleged violation occurred or had specific knowledge of

the alleged violation?

b. What knowledge the appropriate chapter officers and/or advisors had of the alleged violation?

c. What action the appropriate chapter officers and/or advisors took in addressing/preventing the alleged violation?

d. Were chapter members acting in concert, or did the individual's membership in the chapter serve as an impetus for the alleged violation?

e. Did the violation arise out of a chapter or organization sponsored, financed or endorsed event?

f. Is there a pattern of individual violations that have occurred without proper action by the chapter?

7. Amnesty – Students who make a hazing complaint in good faith, or victims of hazing who participate in an investigation, will not be charged with other University policy violations that are brought to light in the course of the investigation that arose out of, or were committed as a direct result of, the hazing incident(s) under investigation (i.e. students forced to consume alcohol as part of a hazing incident will not be charged with violations of the University's alcohol policy). The University reserves the right to follow up with those students related to those issues as appropriate in a non-disciplinary setting.

8. Sanctions –

   a. Sanctions for violations of this regulation shall be administered by the Dean of Students.

   b. Student groups subject to University jurisdiction and individual students found responsible for violations of this regulation shall be sanctioned in accordance with the Student Code of Conduct. For student groups, sanctions may include, but are not limited to, revocation of registration or denial of application for registration, loss of University privileges such as the ability to host social events, to formally meet on campus and to use campus facilities, or to represent the University, and, in the case of fraternities and sororities, the right to be recognized or operate at the University.

   c. Sanctions imposed by the University for violations of this regulation may be in addition to any penalty imposed for violation of the criminal laws of the State of Wisconsin and for violation of any other University regulations or policies.

   d. For groups that are formally associated with the University (i.e. varsity athletic teams, performing arts groups such as marching bands, or any other groups supported or sponsored by the University that are not required to register as student organizations), sanctioning for violations of this policy shall be determined by the Vice President of the administrative unit that sponsors/supports the group in consultation with the Dean of Students/Designee.

9. Retaliation – It is a violation of this policy to retaliate or take adverse action towards any person for reporting an alleged violation of this policy or for cooperating with a University investigation related to this policy. Retaliation includes, but is not limited to, verbal or implied threats, physical or psychological abuse, intimidation, harassment (verbal or written), isolation, or any other action intended to create a hostile environment for the intended target of the retaliation.

GOOD SAMARITAN/MEDICAL AMNESTY POLICY

Purpose

Student health and safety are of primary concern at Edgewood University. As such, in cases of intoxication due to the consumption of alcohol and/or drugs, the University encourages individuals to seek assistance for themselves or others. The Good Samaritan/Medical Amnesty Policy protects students who seek help in matters of safety or well-being.

Policy
Students who report a safety concern or certain policy violations will not face documented action plans from the student conduct process for violating University policy if the intent in reporting is in good faith and is to ensure the safety/well-being of self or others.

Good faith is shown when a student reports an incident to seek assistance and not primarily to avoid consequences. For example, a student who has violated the Alcohol and Drug policy but comes forward out of concern for the safety of a fellow student or themselves will not face student conduct action plans.

In lieu of student conduct action plans, the intoxicated student (and possibly the referring student) will be required to meet with the Director of Community Standards and Student Wellbeing or a designee, and/or an alcohol and drug counselor, for an alcohol and drug clinical assessment. This is not a student conduct outcome. The purpose of the meeting and alcohol assessment is to minimize the chances of future safety risk or other serious alcohol/drug incidents through education. Failure to complete educational requirements or treatment recommendations issued under this protocol will result in the reinstatement of student conduct charges.

This Good Samaritan/Medical Amnesty Policy does not preclude disciplinary action regarding other violations of University policies, such as causing or threatening physical harm, sexual misconduct/relationship violence as a respondent, damage to property, harassment, hazing, etc. This University policy does not prevent action by local and state authorities.

Good Samaritan/Medical Amnesty status can be sought as many times as needed. Incidents will be carefully reviewed by the Director of Community Standards and Student Wellbeing to ensure safety and good faith use of the policy.

If in doubt about a person's safety related to but not limited to alcohol/drug use, incidents of sexual misconduct/relationship violence, or bias incidents, seek help by calling Edgewood University Security at 663-4321.

COMMUNICABLE DISEASE POLICY
The University's commitment to integrity, human dignity, and concern for others with regard to communicable diseases is stated in the following goals:

1. To educate all members of the University community about communicable diseases. The Dean of Students Office will coordinate the programs of all departments and student organizations.
2. To comply with Federal, State, and local health laws.
3. To comply with Federal, State, and local laws protecting persons who have a communicable disease.
4. Students who have a communicable disease may attend classes and will not be denied any rights, privileges, or services offered by the University including access to housing, cafeteria, and athletic facilities. Exceptions based upon an actual health risk to the University community will be decided on a case-by-case basis.
5. The University will consider the special needs of students with a communicable disease through services offered by the Director of Health Services and the Vice President for Student Development. These services include support, education, and referrals.
6. In the course of University activities, students should treat students and staff who have a communicable disease as they would treat any student or staff.
7. Statements on Faculty and Staff.
    a. Faculty and staff who have a communicable disease have the right to work. Exceptions based upon an actual health risk will be decided on a case-by-case basis.
    b. In the course of University activities, faculty and staff should treat employees and students who have a communicable disease as they would treat any employee or student.
    c. Faculty or staff who have a communicable disease are encouraged to notify their immediate supervisor who will deal with concerns on a case-by-case basis, in consultation with the appropriate administrator.
8. The University supports and will comply with laws respecting confidentiality of individuals having a communicable disease.

COMMUTER STUDENT LOCKER POLICY

Free lockers are available for storage of personal belongings and are located in the Predolin Humanities Center lower-level stairwell near Weber Hall on a first come/first serve basis. The lockers are reserved for Edgewood University commuter student use only. Lockers may be checked out at the Campus Assistance Center in the Predolin Lobby. You may check out a locker for the duration of one semester. Lockers must be emptied, and keys returned to the Campus Assistance Center by the end of Exam Week each semester. Failing to do so may result in suspension of locker privileges.

Lockers will be checked and fully emptied after Exam Week each semester. All property removed from lockers at this time will be held by the Security Office. Belongings may be claimed by providing proof of ownership and your student ID. Report a lost locker key to the Campus Assistance Center. Your student ID must be presented to CAC or Security personnel to retrieve your items. A $50 key replacement fee will be billed to your student account.

The lockers are property of Edgewood University. Users must agree to abide by all city, state, and federal laws. The Campus Security staff reserves the right to open lockers in instances where locker procedures are being abused or in the case of an emergency. Edgewood University is not responsible for any lost, stolen, or damaged items. Concerns and questions regarding this program are to be reported to the Campus Assistance Center at 608-663-4861.

DEMONSTRATION AND EXPRESSION POLICY

Policy Statement

The ability to hold demonstrations, protest, and engage in expressive activities to highlight issues, make values known, and petition for action is important to upholding individuals' ability to express their thoughts and beliefs while engaging in the Search for Truth. Edgewood University is rooted in a long, justice-minded tradition of Dominican heritage; it is the University's mission to engage students in a community of learners committed to building a more just and compassionate world. Ensuring that students can encounter one another, heart-to-heart, through demonstration genuinely, effectively, and safely is central to this policy. The University permits and views demonstrations that are peaceful, non-obstructive and respectful of the University's Catholic mission and the rights of other students, employees, and University guests as an integral part of the Search for Truth within community.

Scope

This policy applies to current Edgewood University students who plan to hold or participate in a demonstration on or adjacent to Edgewood University property. Alumni, guests of the University, and those external to the University may not be granted the same privileges detailed in the policy below.

Definition

For the purposes of this policy, a demonstration is defined as any event that takes place on or adjacent to Edgewood University property in which people gather to express a viewpoint on and/or raise awareness about a particular cause or issue. Further, demonstrations are not planned or sponsored by the University.

Examples of demonstrations may include, but are not limited to:

- Marches
- Rallies
- Sit-ins
- Picketing
- Assemblies
- Gathering signatures
- Leafletting (distributing pamphlets or other informational materials)
- Counter demonstrations

Demonstration Guidelines & Expectations

All Edgewood University students may engage in peaceful demonstrations on campus. Community members who wish to organize a demonstration are encouraged to notify and work with the Dean of Students Office. Discussing the purpose, logistics, and expectations of demonstrations can ensure that the event runs smoothly and minimizes the likelihood of a

violation of University policies. Regardless of organizers working with the Dean of Students Office, all events that utilize amplified sound must be registered through Event and Conference Services (reservations@edgewood.edu).

Permitted locations
Demonstrations are permitted in general use areas of campus only. Residence halls, apartments, and individual offices are considered private use spaces. Additionally, blocking pathways and fire exits violates other University policies due to disrupting University operations and potentially endangering others. In order to reserve specific spaces on campus, demonstration organizers should contact Event and Conference Services (reservations@edgewood.edu). Any event with amplified sound must be registered through Event and Conference Services.

Counter Protests
A demonstration or expressive activity may motivate others to express dissent or disagreement in the form of a counter protest. When this occurs, it is important to ensure that counter protest participants are afforded the same rights as the original demonstration participants. University officials may designate a separate location from the original demonstration. All elements of the Demonstration and Expression Policy apply to counter-protest efforts. Student counter-protesters that do not comply with this Policy or directives from University officials will be referred to the Student Conduct process. Guests of student counter-protesters who do not comply with this Policy or directives from University officials will be asked to leave campus or referred to law enforcement. Counter-protesters not affiliated with Edgewood University are not permitted and may be referred to law enforcement for trespassing. Counter-protests organized by outside groups are not permitted.

Conduct Expectations
Community members and guests who engage in disruptive conduct during demonstrations may be considered in violation of the Student Code of Conduct. Disruptive conduct refers to behavior which disturbs or obstructs teaching, research, learning, administration, disciplinary proceedings, or University activities, or of other authorized non-University activities when the conduct occurs on University premises.

Disruptive conduct is often characterized by the following behaviors, though this is not an exhaustive list:

- Interfering with, preventing, or impairing University sponsored or authorized activities or facilities in a manner that deprives others of the educational benefit of the activity or facility;
- Acting or speaking in a manner that puts the health or safety of others or self at risk;
- Using force or violence, or threats of force or violence, against any persons or property;
- Distributing materials in a manner which does not allow people to decline to receive the material;
- Obstructing or preventing the flow of pedestrian or vehicular traffic through doorways, building exits, sidewalks, roads and/or other affected areas;
- Using physically intimidating tactics or unwelcome physical contact between demonstrators, counter demonstrators, the audience, the speaker, or performers, or University officials;
- Any behavior which constitutes harassment under the University's discrimination and sexual harassment policies;
- Counter protests which have the effect of preventing others from gathering, speaking, or demonstrating;
- Damaging, painting, or otherwise marking buildings or other structures or property, including natural resources, on University premises
- Advertising, displaying signs, or propping up demonstration materials in a manner which violates the University's Posting Policy or other University policies.

Demonstration organizers must be members of the Edgewood University community. Demonstrations led by outside organizers will not be permitted and may be referred to law enforcement for trespassing. Demonstration organizers are expected to take reasonable steps to ensure that participants do not engage in disruptive conduct nor violate this policy. If this policy is violated by demonstration participants, demonstration organizers may be referred to the Student Conduct process. Edgewood University community members and/or their guests who violate this policy may be referred to the appropriate University disciplinary process for review:

- Student participants, student organizations, and student demonstration organizers will be referred to the Student

Conduct process as described in the Student Handbook.
- Visitors in violation of this policy or other University policies may be asked to leave the Edgewood University premises or event. Failure to comply with requests to leave may result in referral to law enforcement for trespassing.

Edgewood University officials reserve the right to request the end of a demonstration or expression activity if this policy is seemingly violated. Alleged violations will be referred to the appropriate investigative body.

Related Policies
- Posting Policy
- Solicitation Policy
- Non- discrimination and Harassment Policy
- Sexual Misconduct Policy
- Reservations/Events/Use of Facilities
- Political Participation Policy

EMAIL COMMUNICATIONS
Edgewood University Email is the official email of the University. Email is not a secure or private communications mechanism, nor should users treat it that way. Sensitive or confidential information should not be sent via email over the Internet without password protection or encryption.

Users should exercise care in the use of email and in the handling of email attachments. If an email is from someone you do not know, or if you were not expecting an attachment, do not open it; delete it. The user should contact the Technology Assistance Center for assistance if there are questions as to the validity of the message and attachment.

The following requirements pertain to the sending and receiving of emails, as well as the usage of the University's email system.
- Users may not use the University's network to send spam, "junk mail," or any unsolicited material unless in compliance with the University global email policy.
- Unauthorized use of another individual's account is prohibited.
- Users may not use unauthorized or forged email header information.
- Users may not create or forward "chain letters" or "pyramid schemes" of any type using the University's email system.
- Users may not share or post passwords.
- Users may not use the University's email system to send harassing messages, hoaxes, pornographic material, create a hostile work environment or otherwise perform illegal activities.
- Users must use a high degree of caution when opening email attachments received from unknown senders. This is a common vector for virus or malware infection.

Users should delete email messages that are no longer relevant to academic pursuits, research, social growth, individual discipline, and the furthering of these objectives. Users are responsible for using non-email network storage for retaining attachments that are needed for an extended period.

Refer to the University's Acceptable Use Policy for further direction.

When litigation against the University or its employees or its students is filed or imminent, the law imposes a duty upon the University to preserve all documents and records that pertain to the issue in dispute. As soon as University Counsel or the Human Resources designee is advised of pending litigation, a hold directive will be issued to the legal custodians. The litigation hold directive overrides any records retention schedule that may have otherwise called for the transfer, disposal, or destruction of the relevant documents, until the hold has been cleared by University Counsel or Human Resources. Email and computer accounts of separated employees and/or students that have been placed on litigation

hold will be maintained by Information Technology Services until the hold is released. No employee or student who has been notified by University Counsel or Human Resources of a litigation hold may alter or delete an electronic record that falls within the scope of that hold. Violation of the hold may subject an employee or student to disciplinary action, up to and including termination. In addition, persons who violate the hold may be subject to applicable personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

INFORMATION RESOURCES POLICY

The following are prohibited under the University Information Resources Policy:

a. Unauthorized use of University information resources including the unauthorized sharing with individuals who otherwise have no authority to access University information resources.
b. Use of University information resources for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the University, another user, or another entity, and/or illegal activity.
c. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to Edgewood University Information resources, compromising the privacy of another user or disrupting the intended use of University information resources.
d. Attempted or actual use of the University's information resources for unauthorized commercial, political or personal purposes, or for personal gain.
e. Attempted or actual use of University information resources to interfere with the normal operation of the University.
f. Access, creation, storage, or transmission of material deemed obscene, in accordance with Federal, State, or Local law. Failure to report discovery of obscene material on any University information resource to the University.
g. Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the University.
h. Intentional sending of unsolicited and unwanted electronic communications of faculty, staff, and students to parties with whom the sender has no existing business using University information resources.
i. Negligent opening of email attachments received from unknown senders due to the high-risk of virus or malware infection.

MEDICAL LEAVE POLICY

Edgewood University students may request a **Voluntary Medical Leave** when a student's physical or psychological condition significantly impairs their ability to function successfully or safely as a student, and that condition prevents a student from completing the semester. The University reserves the right to use their discretion to notify the parents/guardians/emergency contacts of dependent students regarding their wellbeing.

It is expected that the time a student takes away from the University will be used for treatment and recovery. ***This is a voluntary process*** initiated by the student, involving withdrawal from all classes for the term, with a protocol in place for re-entry.

The deadline to complete a medical leave of absence is firm, and must be completed before the final day of the semester. Each medical leave of absence reinstatement process is reviewed on a case-by-case basis, and timelines and details will be determined as such.

Prior to taking a Medical Leave, it is *essential* that a student completes the following:

- Thoroughly read the Leave Policy and understand the process for obtaining approval of a Leave and for returning to student status
- Explore with one's advisor, or other faculty or staff member familiar with the student's situation, other options available to the student, such as taking Incompletes or Requesting a Retroactive Withdrawal.
- Talk with a Financial Aid advisor (Edgewood Central) at Edgewood University to determine the impact, if any, on their Financial Aid award.

- Review on-campus and off-campus mental health services.

Prior to taking a Medical Leave, *it is recommended* that a student completes the following:

- Meet with Disability and Accessibility Services to ensure possible accommodation have been explored to help achieve your personal and academic goals.
- Contact Residence Life, if applicable, to terminate your meal plan.
- Contact Residence Life, if living on campus, or planning on living on campus to terminate your residence life contract.

In order to obtain a Medical Leave, a student must obtain the following:

- A recommendation from either a licensed medical professional (if for physical health reasons), OR by a licensed mental health care provider or by a counselor that is being supervised by a licensed mental health professional (if for mental health or substance abuse reasons). See below for information on what must be included in this letter.
- Administrative approval from the Director of Community Standards and Student Wellbeing, or designee.

Process for Medical Leave:

Step 1	The student will meet, in person or via telephone or video conference, with a professional staff member from the Director for Community Standards & Student Wellbeing, or designee. At this meeting: The leave of absence process will be explained in detail Other options beyond a leave of absence may be explored Opportunity for clarification or questions Next-step information will be provided in detail
Step 2	If the student decides to request a Leave, the student will proceed with signing the Request for Medical Leave Form. The deadline for a Request to be made in writing is the final day of classes in the term for which the withdrawal is made.
Step 3	The student will need to schedule an appointment, either in person or by phone, with the Financial Aid Office to determine the impact, if any, on the Financial Aid award.
Step 4	The student will provide documentation to the Director for Community Standards & Student Wellbeing, or designee, from a licensed medical professional (for physical health reasons) OR a licensed mental health care provider or by a counselor that is being supervised by a licensed mental health professional (for mental health or substance abuse reasons) **The documentation should explain how the student's physical or psychological condition significantly impairs their ability to function successfully or safely as a student, and that condition prevents a student from completing the semester.** Additionally, in order to fully assess and provide confirmation of the nature of the illness, information may be requested from an off-campus health care provider, with a release signed by the student This documentation can be faxed to (608) 663-2345 or emailed to the Director for Community Standards & Student Wellbeing or a designee.
Step 5	The Director for Community Standards & Student Wellbeing, or designee, will make a decision regarding the approval of the Leave of Absence.

	If approved, the Director for Community Standards & Student Wellbeing, or designee, will provide the student with the signed "Approval of Medical Leave" Form, outlining conditions for returning to student status. The Director for Community Standards & Student Wellbeing, or designee will place a Registration hold on the student's record, to be removed once the re-entry process is complete. See below for more information about the re-entry steps.
Step 6	The Director for Community Standards & Student Wellbeing, or designee, will review tuition reimbursement, if any with the student. See below for more information.

Tuition Reimbursement Guidelines:
Typically, the last day of engagement is used to determine whether a refund is appropriate. The University may take into account other factors in determining refund amounts, including but not limited to how long a student has been in residence or continued to used University resources.

Tuition Reimbursements are considered on a case-by-case basis and are subject to change based on individual circumstances. For more information contact the Dean of Students Office.

Procedure for Reinstatement:

Step 1	The student will consult with a medical professional, such as a licensed mental health care provider or by a counselor that is being supervised by a licensed mental health professional to pursue treatment for concerns that resulted in the leave
Step 2	At least one month prior to the start of the term the student wishes to enroll in - The student will submit a written or verbal request for reinstatement as a student to the Director for Community Standards& Student Wellbeing, or designee.
Step 3	The student will need to provide a completed Recommendation for Clearence Form from a medical professional that provided treatment (must be specific to addressing the reason for the leave. Ex) licensed counselor for mental health leave). This documentation can be faxed to (608)663-2278 or emailed to the Director for Community Standards & Student Wellbeing, or designee. The Clearence Form needs to provide a thorough assessment of a student's ability to return to the campus community. The Clearence Form should indicate reasonable expectation of the student's ability to resume and satisfactorily fulfill their academic responsibilities and live in a residence hall community (if applicable). Substantial improvement of the relevant condition and/or reduction of any relevant safety concerns (such as suicidal or self-injury behaviors) is crucial and must be reflected by the signing provider on the Clearance Form. **Failure to submit the Clearance Form prior to the first day of classes will disqualify a student from reinstatement for that semester.**
Step 4	The Director for Community Standards & Student Wellbeing, or designee with review the medical/mental health report and will make a determination regarding reinstatement. The determination may require consultation with a Nurse Practitioner from Health Services or a psychologist from Personal Counseling. The student may be asked to provide a written authorization for the release of information between the off-campus health care provider(s) and Edgewood University in order to gather more information from the provider to aide in the determination.

Step 5	The Director for Community Standards & Student Wellbeing, or designee, will inform the student of the decision in regard to granting re-entry and will release the Registration Hold if re-entry is granted. If granted, the student's advisor will be notified.
Step 6	If granted, the student must complete the re-entry form with the Admissions Office, available at https://www.edgewood.edu/admissions/re-entry
Step 7	Once the re-entry process is completed, the Student can expect outreach from the Dean of Students office around the beginning of the semester. An in-person meeting with the Director for Community Standards & Student Wellbeing, or designee, is required by Undergraduate students and is recommended to Graduate students.

For additional information about which withdrawal process might be best for you, please contact the Dean of Students office.

MILITARY RECRUITING AND ROTC POLICY & PROTOCOL FOR EDGEWOOD UNIVERSITY

Under the current Solomon Amendment (2023), 10 U.S. Code § 983, Universities that receive federal funding for "student financial assistance" are obligated:

1. To permit its students to enroll in a Reserve Officers Training Corps (ROTC) program.
2. To permit the Secretary of a military department or the Secretary of Homeland Security access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal in quality and scope to the access to campuses and to students that is provided to any other employer.
3. To permit access by military recruiters for the purposes of military recruiting to the following information pertaining to students (who are 17 years of age or older) enrolled at an institution (or any sub element of that institution):
    a. Names, addresses and telephone listings.
    b. Date and place of birth, levels of education, academic majors, degrees received, and the most recent educational institution enrolled in by the student.

To adhere to the guidelines, set forth in the Solomon Amendment, Edgewood University must:

1. Allow students who are interested in Army, Air Force, or Navy ROTC to enroll through the Edgewood University Collaborative Program at the University of Wisconsin – Madison for all corresponding courses without additional fees.
    a. The Academic Dean's Office will coordinate Edgewood University's Collaborative Program with the University of Wisconsin – Madison and will follow the written agreement between the two schools that allows the University's students to enroll in ROTC courses.
    b. The Office of Military & Veterans Services will be responsible for facilitating the relationships with UW – Madison's ROTC programs and overseeing Edgewood University's ROTC Cadets.
    c. The Director of Military & Veterans Services will act as the Military Advisor for all ROTC Cadets.

2. Allow representatives from ROTC and military recruiters from the six (6) branches, and their reserve or guard components, access to the campus and students*.
    a. The Office of Military & Veterans Services will coordinate access to campus for representatives of the military with the purpose of recruiting prospective and current Edgewood University students (or those admitted but not yet matriculated). Recruiters will be asked to contact the Office of Military & Veterans Services to determine which campus events are appropriate for them to attend.

*Edgewood University reserves the right to determine what events are "appropriate" for any external guests to attend. However, the University may at no time restrict representatives from ROTC and military recruiters from the six (6) branches, or their reserve or guard components, access to events that would otherwise be open to employers.

1. Provide representatives from ROTC and military recruiters from the six (6) branches, and their reserve or guard components, access to information pertaining to all students enrolled at Edgewood University who are 17 years of age or older.
    a. The Registrar's Office, upon formal written request, provide representatives from ROTC and military recruiters from the six (6) branches, and their reserve or guard components, with all information requested, in accordance with the law.

As a Dominican liberal arts university, Edgewood University fosters civil discourse about difficult issues and engages students in learning from multiple perspectives. Therefore, the University will make on-going efforts to also offer information about nonmilitary vocational and volunteer opportunities, and opportunities to discuss differing viewpoints on controversial issues.

MISSING STUDENT POLICY

In compliance with the "Higher Education Opportunity Act, P.L. 110-315, sec. 488, 122 Stat. 3301 (2008)" Missing Student Notification Policy and Procedures, it is the policy of the Office of Residence Life and the University to actively investigate any report of a missing resident who is enrolled at the University and residing in on-campus housing. Each resident will be notified of the Missing Student Notification Policy and Procedures via the Residence Life Handbook. Additionally, the Dean of Students office will investigate any reports of potentially missing students.

For purposes of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

Each resident, upon checking into their assigned room, is required via the Move-In Form to identify the name and contact number of the individual(s), a primary contact and secondary contact, to be notified in case of an emergency or in the event that the resident is reported missing. In the event the resident is under the age of 18 or is not emancipated, the University is required to have the primary emergency contact be a custodial parent or guardian.

If a member of the University community has reason to believe that a student is missing, Security should be notified. Upon receiving notification, Security, Residence Life and other applicable University personnel will make reasonable efforts to locate the student to determine their state of health and well-being. These efforts may include, but are not limited to, checking the resident's room, class schedule, friends, ID card access, locating the resident's vehicle, and calling their reported cell phone number. As part of the investigation, the University reserves the right to make contact with emergency contacts to help determine the whereabouts of the resident.

If upon investigation by Security and Residence Life Staff, the resident has been determined by Security to be missing for at least 24 hours, the following will occur: Security will contact the resident's designated emergency contact and will inform the appropriate law enforcement agency within the next 24 hours. Investigation will continue in collaboration with law enforcement officers as appropriate.

For students who do not living the residence halls but are reported missing, the Security office and Dean of Students Office will investigate collaboratively. If upon investigation, the student has been determined by Security or the Dean of Students Office to be missing for at least 24 hours, the following will occur: Security will contact the student's designated emergency contact and will inform the appropriate law enforcement agency within the next 24 hours. Investigation will continue in collaboration with law enforcement officers as appropriate.

NON-DISCRIMINATION AND HARASSMENT POLICY

Overview

Edgewood University will not tolerate discriminatory or harassing behaviors. The University's Dominican Catholic heritage calls all members of the community to foster a learning environment that is free from any form of discrimination or

harassment.

To fulfill this commitment, the University will work to prevent discrimination from occurring and will ensure that federal, state and local laws, and campus policies prohibiting discrimination are fully enforced in an effort to prevent and address discriminatory or harassing behaviors.

Discrimination and Harassment take many forms. While some actions are blatant, others are subtler but may be harmful. Edgewood University strives to provide learning opportunities that educate members of the community on the impact that discrimination has on individuals and the community as a whole. Our mission and values call us to utilize a social justice framework to guide both prevention and reactive efforts.

Persons who believe that they are being or have been subjected to discrimination or harassment are encouraged to seek resolution as soon as possible. Due to the private nature of educational and personnel records, the University may not be able to fully disclose the actions taken in response to a report of discrimination or harassment. The University recognizes the right of all individuals involved in claims of discrimination to a fair process for encouraging resolution of complaints.

Policy Statement
The University affirms and protects the rights and opportunities of all persons to a working and learning environment free from discrimination and harassment. No person shall, on the basis of gender, gender identity, gender expression, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, ability, veteran status, or any other characteristic protected under applicable law, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination, including harassment, under any program of the University. This policy also prohibits any form of retaliation. Students and employees who violate this policy may be subject to discipline up to and including dismissal/termination.

Definitions specific to Non-Discrimination Policy
Discrimination occurs when a member of the University community is subjected to disparate treatment in employment or in the provision of educational benefits, services, or programs, based on gender, gender identity, gender expression, sex, sexual orientation, race, ethnicity, religion, color, creed, national origin or ancestry, citizenship status, age, ability, veteran status, or any other characteristic protected under applicable law.

Edgewood University uses the following categories to address incidents of discrimination:

a. ***Hate Crimes*** – Hate crimes include any criminal offense that manifest evidence of prejudice or bias based on one's identity (such as, but not limited to, race, gender, gender identity/expression, sexual orientation, religion). Edgewood University will report hate crimes, as defined by the FBI Uniform Crime Reporting, to the police, and cooperate with them in investigating any act constituting a hate crime. Those who commit hate crimes may also be subject to discipline by the University. Hate Crimes must also be reported to meet Clery Act requirements.

   Investigations of hate crimes require due process according to the University's policies, including adherence to the American Association of University professors (AAUP) guidelines related to academic freedom. Action plans will depend on the severity of the action, the impact on the targeted individual and/or group, intentionality of the action, and on the overall context in which the action occurred. Action plans for students will be determined using the procedures for allegations of student conduct policy violations as described in the Student Code of Conduct. Sanctions for employees may range from reprimands or training to immediate termination of employment, depending on the severity of the incident and taking into account any previous employment concerns.

b. ***Bias Incidents*** – A bias incident is a verbal, written, or physical act of intolerance or prejudice that does not involve violence or other criminal conduct. Bias incidents may be expressed through acts of bigotry, harassment or intimidation. Examples of bias incidents include, but are not limited to, jokes, epithets, slurs, offensive graffiti, disparaging remarks on social media, or making a grading decision because of a person's protected

status. Bias incidents may or may not be intended to cause harm, but such incidents negatively affect the campus climate and student wellbeing.

Responses to bias incidents may include educational opportunities for the individuals and groups involved, as well as for members of the campus community as a whole when reporting patterns suggest broader issues that move beyond the immediate incident. This policy therefore seeks to enhance understanding, provide a forum for expression of multiple viewpoints, mediate conflict, and pursue restoration. In some cases, reports of bias incidents will be referred to a disciplinary body if the behavior violates a University policy.

Harassment includes unwanted, unsolicited, and offensive physical or verbal conduct, that tends to injure, degrade, disgrace, or show hostility toward a person because of one's gender identity, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, disability, or any other characteristic protected under applicable law. The conduct does not have to be threatening and may include deliberate and persistent conduct that is severe or pervasive enough that a reasonable person would find intimidating, hostile or offensive.

Examples include, but are not limited to:

- Abusive, degrading, intimidating, or offensive remarks, jokes, or gestures.
- Slurs, negative stereotyping, or threatening, intimidating, or hostile acts.
- Posting of graphic material on walls, bulletin boards, in electronic communication or elsewhere on the University's premises that shows hostility, aversion, or is derogatory to an individual group.
- Differential treatment of an individual with regard to terms and conditions of employment or educational benefits or services because of that individual's gender, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, disability, or any other characteristic protected under applicable law.

Incidents of sexual harassment or sexual misconduct will be reported to the Title IX Coordinator.

Reporting Incidents of Discrimination or Harassment

If you have experienced or observed an incident of discrimination or harassment, please report it by doing one of the following:

Online: www.tinyurl.com/EdgewoodBias

By phone or in-person:

Office of Diversity, Equity, & Inclusion |DeRicci 209C | 608-663-4161
Dean of Students Office | DeRicci 222 | 608-663-2212
Human Resources Office | DeRicci 215 | 608-663-3317

For additional information on how to file a formal or informal complaint, please see How to File a Complaint or Report a Student Code of Conduct Violation.

PARKING POLICIES

General Information

Edgewood University offers parking for students, faculty, staff and visitors of the University. Parking facilities are limited and members of the University are encouraged to participate in the alternative transportation program by riding the Edgewood University shuttle or Madison Metro bus, carpooling or joining the Registered Walker/Biker Program. Permits are required to park on campus, including in spaces designated for disabled persons. Please be aware that purchasing a permit does not guarantee an immediate parking space will be available. Please take this into consideration when planning to park on campus. General Parking is available in the Parking Ramp, DeRicci Lot, Marshall Lot and Regina Lot. No overnight surface lot parking is allowed. Cars must be parked in the Parking Ramp overnight.

Application for an Edgewood University parking permit constitutes the applicant's agreement to comply with all University parking regulations. The permit remains the property of Edgewood University, and may not be copied, re-sold, or transferred to an unregistered vehicle by the registered holder.

Edgewood University accepts no responsibility for loss or damage to any vehicle or its contents, however caused, while parked in any University parking lot.

Parking Regulations
Parking at Edgewood University is by permit only. All Edgewood University students, faculty and staff parked on campus must display a valid parking permit. Permits are required in all University lots. Parking spaces are marked with white lines. Vehicles must park in paved marked spaces. Failure to follow parking rules will result in parking citations. Vehicles that receive 3 or more parking tickets (paid or unpaid), will lose parking privileges and be towed at the motorist's expense. Vehicles parking on campus after previously being towed due to parking ticket violations will be towed immediately. Students who have a vehicle towed are subject to a Student Conduct Process.
Permits must be displayed on the lower left Driver's side windshield to be valid. The permit must be fully visible. Failure to display a permit properly will result in a citation.

The parking staff is available to assist motorists & ensure their safety. Persons who demonstrate abusive behavior toward the parking staff may have their parking privileges suspended.

Students, faculty and staff may not park in visitor parking for any reason for any length of time or sign in on the visitors log/sheet at the Campus Assistance Center. Violators will be cited.

Motorists parked in a restricted lot or any space designated for disabled persons, no parking area or fire lane will be ticketed and may be towed at the owner's/motorist's expense.

Restricted Lots
There are several restricted lots on campus. Restricted lots include the Stream lot, Campus School Lot, Siena Lot, and the Edgewood High School Lot. Special permits are required for all of these lots. Please familiarize yourself with our restricted lot information. Please note, the Campus School and High School lots require special permits and are enforced by the City of Madison. All parking lots are monitored by security cameras.

Parking Tickets and Appeals

Parking Tickets
Failure to comply with Edgewood University parking rules and regulations will result in parking tickets. For more information about the parking fine structure, please go to https://edgewood.sharepoint.com/sites/TransportationServices.

Appeals Process
Citation appeal forms are available in the Security Office. **Appeals must be made within 10 days of the ticket date.** Appeals will be reviewed by the Parking Appeals Review Committee. Students, faculty, and staff will be notified of the status of their appeal through email. Denied appeals must be paid within 10 days of notification. Please note: Ignorance of regulations, late arrivals for appointments or inability to find a convenient parking space will not be accepted as grounds for an appeal.

Visitor Parking
All visitors must register their cars at the Campus Assistance Center located in the Predolin Lobby. Visitors may park in the designated visitor spaces located in the front row of the Regina Parking Lot. If there are no visitor spaces available

there, visitors may park in any available space except disabled person's parking unless they have a valid disabled person's permit. Visitors may not park in any restricted lots.
Overnight guests will need to register their car at the Campus Assistant Center or the Security Office in Weber Hall. They will be issued a registered guest overnight parking permit, valid for the parking ramp only.

Temporary Permits
If a student, faculty, or staff member (with a permit) is driving a different vehicle for the day, they must obtain a one-day temporary parking permit from the Security Office. Students, faculty, and staff who have not purchased a yearly permit can purchase temporary day passes. Temporary permit holders must follow all University parking rules, including not parking in visitor stalls.

Parking Fees
Parking fines must be paid within 10 days at the Business Office, 214 DeRicci Hall or at the Security/Transportation office in Weber Hall. Fines not paid within 10 days will be doubled and added to the student's account. An additional DMV fee may be added to unpaid tickets for vehicle and driver identification. Outstanding fines result in a hold on grades and registration and a possible revocation of parking privileges. Information regarding the rates for parking on campus are available at https://edgewood.sharepoint.com/sites/TransportationServices.

Replacement Permits
Replacements for permanent parking permits can be obtained through the Security Office. You must bring in your old permit to obtain a free replacement permit. Please remember to remove your permit before selling or trading in your vehicle. There is a $30 charge to replace permits.

POSTING POLICY

1. Students, faculty, or staff who would like their marketing posted on campus will be asked to hang their marketing after getting it approved at the Student Resource Center. Student Resource Center Staff do not post marketing materials for student organizations or campus departments.
2. Campus bulletin boards are reserved for Edgewood University events and campus resources only.
    a. Exceptions may be made by the Vice President for Student Development, Executive Director of Student Life, or a designee.
    b. Exceptions may only be made for Edgewood University students, faculty, or staff wanting to post events or opportunities that directly affect the campus community.
3. To be approved/stamped, all posters must include the following:
    a. Name of the recognized campus organization, department, or committee sponsoring the event
    b. Date (Should include day of the week. e.g., Thursday, September 21, 2023)
    c. Time
    d. Location
    e. Contact information
    f. Any other pertinent information to the event.
    g. Notes:
        i. All sizes will be accepted but a regularly sized poster (8.5 x 11) is more likely to fit on the boards.
        ii. All marketing (posters, flyers, etc.) must be stamped by the Office of Student Involvement prior to their posting.
        iii. Posters may not cover previously posted materials.
        iv. All posters will only be left up for two weeks and removed promptly thereafter.
        v. Posters or other similar materials may not be posted on any exterior surface of the University buildings. Nothing shall be affixed to any walls, windows, doors, or doorframes.
        vi. **Organizations posting flyers are responsible for their removal.**
4. All materials must be approved by the Office of Student Involvement and all events must be posted in Campus Community before posters will be approved.

5. Sponsoring organizations and departments are responsible for hanging and removing posted material. Posted material must be removed within 48 hours of the event ending. OSI is not responsible for posting or removing marketing materials on behalf of other departments.
6. One posting is permitted for events held off campus or non-Edgewood sponsored events on the designated bulletin board in Predolin Hall. For sale or for rent postings are not permitted.
7. Please be advised that some bulletin boards are limited to the use of academic departments only. Each designated bulletin board is clearly marked.
8. Sidewalk chalking must be approved by OSI and is allowed only on pavement that is not covered by a shelter. Sidewalk chalk is not allowed on vertical surfaces.
9. Residence Life Posters/Flyers
    a. While OSI does collect flyers to be placed in the Resident Assistant/Apartment Coordinator mailboxes (PRD 234), Residence Life has their own posting policy.
    b. Academic flyers/posters about a class will not be posted in the residence halls. If you are asked to give academic flyers to RAs or ACs, talk to the Residence Life Office.
10. Concert Marketing and Postings
    a. Posters for Edgewood University concerts, plays and/or productions can be approved for posting two weeks before ticket sales begin. These posters will remain posted through the duration of ticket sales and through the duration of the production.
        i. Exceptions can be made on a case-by-case basis as directed by the Executive Director of Student Life.
11. Publicity Regulations
    a. Marketing (posters, flyers, etc.) shall only be placed in the designated areas.
    b. No commercial marketing or advertising may be posted on campus.
    c. The Office of Student Involvement reserves the right to remove materials that are not posted in accordance with this policy.
    d. The number of flyer copies needed in each building are available from the Office of Student Involvement. Please see the Residence Life Handbook for additional information concerning posting in the residence halls.

RELIGIOUS EXPRESSION POLICY

Students have a right to freedom of expression, including faith sharing. However, this right is not absolute. Universities can enforce neutral time, space and place for events, including those where students are sharing their faith. Any such event must occur during normal business hours in a reserved, non-residential space in a non-disruptive manner and must not block walkways, interrupt classes, or escalate into harassment. See the Religious Activities Policy in the Student Activities and Organization Handbook, the Harassment policy in this handbook, and the Non-solicitation and Proselytizing policy in the Residence Life Handbook for more information.

SMOKING POLICY

Smoking, including the use of electronic delivery devices, is prohibited in all campus facilities and buildings which includes residence halls and resident rooms. “Electronic delivery device” means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

- Smoking is prohibited within 25 feet of all buildings.
- All building entrances are to be smoke-free.
- It is unlawful to remove or destroy any “No Smoking” signs or to smoke in any “No Smoking” areas.

SOCIAL MEDIA POLICY

Purpose

Edgewood University understands the importance and value of utilizing social media outlets to foster and enhance the sense of community among University constituents. Edgewood University encourages faculty, staff, and students to participate in social media to create an online atmosphere that reflects the University's values.

This document outlines an institutional policy that **covers the use of social media by faculty, staff, and students, where that use represents either implicit or explicit institutional sanctions. This policy does not cover the personal use of social media.** The Policy will serve as both a resource for faculty and staff and provide remedies for use of social media that is contrary to the policy. Faculty, staff, and students at Edgewood University adhere to policies outlined in the Faculty, Staff, and Student Handbooks, and in the Acceptable Use Policy. The policy outlined here covers additional considerations specific to social media but never supersedes the Faculty, Staff, and Student Handbooks or the Acceptable Use Policy.

Legal Considerations

All content published by Edgewood University must be accurate and consistent; information distributed via social media must match the information distributed through print materials and on www.edgewood.edu. Edgewood University is bound by the Federal Educational Rights and Privacy Act (FERPA). Students must give their consent before we publish content about them. Similarly, please respect the privacy of colleagues/peers and ensure that you have their approval before publishing content about them.

Use of content (video, music, photos, text) in social media is covered by local intellectual property law. Faculty, staff, and students should not use text or media (video, images, etc.) without the permission of the owner. Wherever possible, all sources should be cited. Please refer to the Edgewood University Copyright Policy. All social media efforts on behalf of the University are covered by existing codes of conduct for students, faculty, and staff. All social media efforts on behalf of the University should support the Mission, Identity, and Vision of the institution.

Getting Started

Please follow these steps when launching a new social media presence:

What already exists?

The Office of Marketing & Strategic Communications audits social media accounts associated with Edgewood University. Social Media resources are available from that office.

What's going on in my area or department?

Check with your immediate supervisor, department chair, Dean, or faculty advisor to let them know you're considering "joining the conversation" on behalf of both Edgewood University and your department.

Who is the contact?

The social media outlet utilized should provide information about who maintains the presence and how one may reach them via email or phone. There should always be at least one person responsible for maintaining the presence. *Usernames and passwords should be shared with a faculty or staff member and the Marketing and Strategic Communications office at Edgewood University.*

Visual Identity

The outlet should adhere to the Brand Guidelines established by the Office of Marketing & Strategic Communications. Social media accounts should avoid using the official Edgewood University logo as an avatar/icon/profile image to avoid confusion with the primary, institutional-level social media accounts. Accounts should also avoid alterations of the logo, use of the Dominican shield as a standalone, and other violations of the Brand Standards. Consider using a campus photo, photo of involved students, etc.

Ongoing Expectations

Who Does the Work?

We are accountable to our audiences. When launching social media initiatives, we must commit to regular updates, accuracy, and prompt responses to audiences when appropriate.

Proofreading

As an institution of higher learning, we are held to the highest standard for grammar and spelling. Proofread content before publishing.

Commitment

An engaging social media presence takes consistent time and energy – if done poorly (not updated regularly, not responsive to audience), it can do more harm than good. Consider your target audience, purpose, and your ability to commit time to this venture before engaging.

Recommendations

Please inform the Office of Marketing & Strategic Communications about your new social media efforts. The Office will add the new presence to the audit of University sites and can serve as a resource to support your efforts.

Responsible Parties

Deans, chairs of academic departments, supervisors, and faculty advisors are responsible for the social media outlets created by and for their specific units, departments, or school.

Process for Resolving Concerns

Social media technology is evolving, and no policy or procedure can address all situations and circumstances that may arise. Faculty, staff, and students at Edgewood University adhere to policies outlined in the Faculty, Staff, and Student Handbooks, and in the Acceptable Use Policy. Any circumstances that may arise will be addressed using the procedures identified in the above- mentioned handbooks and Acceptable Use Policy.

SOLICITATION

Campus organizations wishing to raise money through on-campus solicitation may do so with permission of the Executive Director of Student Life. Unless directly connected to an official Edgewood University academic department, student organization, or administrative office, no outside soliciting is permitted on campus. Canvassing or door knocking to promote partisan political candidates or issues is also prohibited. For solicitation regulations for the residence halls, please reference the Residence Life Handbook found on the Residence Life website. Please report violations to the Director of Security, a Student Life staff member, or the Dean of Students Office.

VISITOR POLICY

The University retains the right to set standards of behavior for students, faculty, staff, and visitors. A visitor is anyone who is not a current Edgewood student, faculty, or staff member. These standards ensure the safety and security of all. Some areas of the campus are open to the public and some are not. The University reserves the right to further limit public access at any time. Specific hours of operation for each building vary. Questions regarding open hours for any building or area should be directed to the Edgewood University Campus Assistance Center in the Predolin Humanities Center Lobby.

The following general guidelines apply at all times:

- Space for parking on campus is limited. Visitor parking permission should be obtained at the Campus Assistance

Center located in the Predolin Humanities Center upon arrival.

- All non-Edgewood University students under the age of 17 must be accompanied and supervised by an adult at all times.
- Individuals or groups who contract for use of the facilities assume responsibility for maintaining the orderly conduct of guests.
- A designated member of Edgewood University should be available on campus for assistance at all events.
- Visitors must be able to produce identification and state the purpose for their presence on campus if asked to do so by Security.
- Security or other designated University agents may ask a visitor to leave campus if certain conditions exist, including, but not limited to: violent threatening or intrusive behavior; harassment; possession of weapons, illegal drugs, or unauthorized possession of alcohol; or lack of an appropriate purpose.
- Any behavior deemed inappropriate by Security or other agent of the University may result in contacting the Madison Police Department.

Individual departments and offices may have additional guidelines specific to the type of event or the type of facility in use. The additional guidelines may be viewed at the Campus Assistance Center. Visitors are expected to comply with these guidelines.

WEAPONS POLICY

Possession of weapons, whether concealed or unconcealed per Wisconsin law, on campus and/or at University-sponsored events is prohibited for all non-law enforcement personnel. This includes illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, including, but not limited to guns, paint ball guns, pellet guns, BB guns, Airsoft guns, arrows, nun chucks, knives with blades longer than three inches, swords, shells, shell casings, and plastic or metal pellets, metallic knives, explosives, or any other device which, in the manner it is used or intended to be used is calculated or likely to produce bodily harm.

FILING A COMPLAINT WITH THE OFFICE OF CIVIL RIGHTS

Anyone who believes that Edgewood University has discriminated against them on the basis of race, color, national origin, sex, disability or age, may file a report with the Office of Civil Rights. Complaints can be submitted online on the Health and Human Services website. Any questions about this process can be directed to the Office of Civil Rights.

TDD toll-free: (800) 537-7697
Email: OCRComplaints@hhs.gov
Filing with OCR | HHS.gov

Edgewood University
Sexual Misconduct Policy

Institutional Values, Community Expectations, and Notice of Non-Discrimination

It is the policy of Edgewood University to maintain an environment for students, faculty, administrators, staff, and visitors that is free of all forms of discrimination and harassment, including sexual misconduct. The University has enacted this Sexual Misconduct Policy (the "Policy") to reflect and maintain its institutional values and community expectations, to provide for fair and equitable procedures for determining when this Policy has been violated, and to provide recourse for individuals and the community in response to violations of this Policy.

This Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, non-consensual sexual contact, intimate partner violence, sexual exploitation, and stalking. This Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in, any matter related to this Policy. All the foregoing conduct will be referred to as "Prohibited Conduct." Edgewood University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

> 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.

Sexual harassment is also prohibited under Title IX, Title VII of the Civil Rights Act of 1964, the Wisconsin Fair Employment Act, and other applicable statutes. This Policy prohibits sexual harassment against Edgewood University community members of any sex, sexual orientation, gender identity, or gender expression in the context of education or employment. This Policy also prohibits gender-based harassment that does not involve conduct of a sexual nature.

The University strongly encourages all members of our community to act to maintain and facilitate a safe, welcoming, and respectful environment on campus. The University expects that all Edgewood University community members will take reasonable and prudent actions to prevent or stop Prohibited Conduct. The University strongly supports individuals who choose to take such action and will protect such individuals from retaliation. Upon receipt of a report, the University will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. In addition, the University will fulfill its obligations under the Violence Against Women Reauthorization Act of 2013 ("VAWA") amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") in response to reported Prohibited Conduct. The University's processes for investigating and responding to reported Prohibited Conduct are contained in Appendix A, Appendix B, and Appendix C.

Edgewood University also prohibits other forms of discrimination and harassment, including discrimination and harassment on the basis of race, color, national origin, ancestry, age, religious belief, marital status, physical or mental disability, medical condition, veteran status, or any other

characteristic protected by federal, state, or local law. Such prohibited conduct is addressed in the University's Non-Discrimination and Harassment Policy, which is available at https://www.edgewood.edu/docs/default-source/diversity-docs/policies_statements.pdf?sfvrsn=9aa9ce8e_2.

The University's Title IX Coordinator

The Title IX Coordinator coordinates the University's compliance with Title IX and related provisions of the Clery Act (as amended by VAWA). The Title IX Coordinator oversees the University's centralized response to all reports of Prohibited Conduct to ensure consistent implementation of this Policy and compliance with federal and state law. The Title IX Coordinator and designated staff will, among other things:

- Communicate with members of the University community regarding applicable law and policy and provide information about reporting and support options.
- Review applicable University policies to ensure institutional compliance with applicable federal and state law.
- Monitor the University's administration of its own applicable policies, including record keeping, adherence to timeframes, and other procedural requirements.
- Conduct training regarding Title IX, related provisions of the Clery Act (as amended by VAWA), and Prohibited Conduct defined in this Policy.
- Respond to any report to the Title IX Coordinator regarding conduct that may violate this Policy. In this capacity, the Title IX Coordinator will oversee the response to, and resolution of, such alleged misconduct, direct the provision of any remedial and protective measures (including oversight of the failure to abide by an interim protective measure), and monitor the administration of any request for review of the finding.

The Title IX Coordinator may delegate responsibilities under this Policy to designated administrators or external professionals, who will have appropriate training and/or experience. When used in this Policy, the term Title IX Coordinator may include an appropriate designee.
Edgewood University's Title IX Coordinator is Arhelia Dalla Costa Behm in the Office of Human Resources (DeRicci 214A | 608-663-2387 | ADallaCostaBehm@edgewood.edu).

Prevention and Awareness Programs
The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming as part of their orientation and returning students and current employees receive ongoing training and related education.

Scope of Policy

This Policy applies to all reports of Prohibited Conduct received on or after the effective date of this Policy. The Grievance Processes under this Policy will be used to investigate and resolve all reports made or that are pending on or after the effective date of this Policy, regardless of when the incident(s) occurred. This Policy uses the terms complainant, respondent, party, and witness as follows:

- *Complainant*: An individual who is reported to have experienced conduct that could constitute Prohibited Conduct, even if they do not participate in any related process.
- *Respondent*: An individual who has been reported to have engaged in conduct that could constitute Prohibited Conduct.
- *Party/Parties*: A complainant or respondent participating in a resolution process.

- *Witness*: An individual who may have information relevant to a report of Prohibited Conduct. A witness may be a student, an employee, or a third party.

For every report, the Title IX Coordinator will review the circumstances of the reported conduct to determine whether the University has jurisdiction or disciplinary authority over the respondent or the conduct. In exercising jurisdiction over an Edgewood University-affiliated respondent for reported conduct that occurs off campus and that has no nexus to the University or a University-related or sponsored education program or activity, the University's ability to investigate and impose disciplinary action may be limited. In instances where the University does not have disciplinary authority over the respondent, the University will still take reasonably available steps to support a complainant through interim or supportive measures and will assist a complainant in identifying external reporting mechanism.

This Policy applies to all Edgewood University community members, including students, faculty, administrators, staff, volunteers, vendors, contractors, visitors, and individuals regularly or temporarily employed, conducting business, studying, living, visiting, or having any official capacity with the University or on its property. The University strongly encourages reports of Prohibited Conduct regardless of who engaged in the conduct.

This Policy applies to all on-campus conduct and some off-campus conduct, as described below. The University strongly encourages reports of Prohibited Conduct regardless of location. Even if the Policy does not apply to the conduct because of its location, the University will take prompt action to provide for the safety and well-being of the complainant and the broader campus community.

- *On-Campus Conduct*: Conduct that occurs on-campus, including conduct which occurs on property owned or controlled by the University.
- *University Programs*: Conduct that occurs in the context of University employment or education programs or activities, including, but not limited to, Edgewood University study abroad or internship programs.
- *Off-Campus Conduct*: Conduct that occurs off-campus and has continuing adverse effects on, or creates a hostile environment for, any member of the Edgewood University community on-campus or in any University employment or education program or activity.

Academic Freedom and Freedom of Speech

This Policy is consistent with the University's commitment to academic freedom and free speech, including but not limited to those set forth in the 1940 Statement of Principles on Academic Freedom and Tenure. This commitment requires that the University protect community members' expression of ideas in their teaching, learning, and research, including advocacy that may be controversial, provocative, or unpopular. This protection extends to the expression of ideas, however controversial, in the classroom, residential life, and other campus-related activities. It must be recognized, however, that this protection has its limits. This Policy defines those limits and conduct which is found to be "harassing" is not consistent with the University's commitment to academic freedom and free speech. No member of the University community may escape responsibility for engaging in harassing conduct merely by labeling the conduct as "speech" or other expressive activity.

Prohibited Conduct and Definitions

In determining whether reported conduct violates this Policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the reported conduct

and the context in which it occurred. Individuals of any sex or gender can commit any of the Prohibited Conduct defined in this Policy, and it can occur between individuals of the same sex or gender, or different sexes or genders. It can occur between strangers or acquaintances, as well as persons involved in intimate, sexual, dating, domestic, or familial relationships. This Policy prohibits the following forms of conduct, including attempts to commit the Prohibited Conduct defined below.

Title IX Sexual Harassment

"Title IX Sexual Harassment" is a subset of Prohibited Conduct. Under Department of Education regulations (*see* 34 C.F.R., Part 106) issued in May 2020 to implement Title IX of the Education Amendments of 1972, the University is required to prohibit certain forms of sexual harassment as defined in those regulations.

Prohibited Conduct meets the definition of Title IX Sexual Harassment when:

- An Employee conditions the provision of an aid, a benefit, or a service on another Employee's or a Student's participation in unwelcome sexual conduct (i.e., *Quid Pro Quo* sexual harassment), within the United States; or
- A Student, Employee, or Third Party (to the extent applicable) engages in unwelcome conduct on the basis of sex that would be determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies another person equal access to the University's programs or activities, in the United States; or
- A Student, Employee, or Third Party engages in Sexual Assault, Domestic Violence, Dating Violence, or Sexual and/or Gender-based Stalking as defined below; and
    - The alleged conduct was perpetrated against a person in the United States; and
    - The conduct took place within the University's programs and activities.

Conduct takes place within the "University's programs and activities" when that conduct occurs: (1) in a location, at an event, or in a circumstance where the University exercises substantial control over both the respondent and the context in which the conduct occurs; or (2) in any building owned or controlled by a student organization recognized by the University. Events that occur off campus or in locations with no connection to the University are unlikely to be considered a University program or activity. Conduct that does not meet this strict definition for Title IX Sexual Harassment is still prohibited by this policy if it otherwise constitutes Prohibited Conduct as further defined below. Prohibited Conduct under the definition of Title IX Sexual Harassment will follow the disciplinary resolution procedures outlined in Appendix A. The following Prohibited Conduct definitions apply for purposes of the definition of Title IX Sexual Harassment:

Title IX Quid Pro Quo Sexual Harassment

Conduct on the basis of sex by which an employee of the University conditions the provision of an educational benefit of the University on participation in unwelcome sexual conduct.

Title IX Severe, Pervasive and Objectively Offensive Sexual Harassment

Severe, pervasive and objectively offensive sexual harassment is conduct on the basis of sex that constitutes unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a student or employee equal access to the University's

education program or activity.

Title IX Sexual Assault

Title IX sexual assault includes rape, fondling, incest, or statutory rape, defined as follows:

- Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral-genital contact of another person without consent.
- Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without consent.
- Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory rape is sexual intercourse with a person who is under the statutory age of consent. Under Wisconsin law, individuals younger than 18 years of age are legally incapable of giving consent to sexual penetration or contact by an adult (someone 18 years of age or older) who is three or more years older than the individual.

Title IX Domestic Violence

Title IX domestic violence is conduct, on the basis of sex, that constitutes a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the complainant;
- By a person with whom the complainant shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
- By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Title IX Dating Violence

Title IX dating violence is conduct that constitutes violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the parties' statements and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Title IX Stalking

Title IX stalking for purposes of the Title IX Sexual Harassment definition is conduct on the basis of sex that constitutes a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Non-Title IX Misconduct

Non-Title IX Misconduct is Prohibited Conduct that falls within the Scope of this Policy and the definitions below but that does not fall within the definition of Title IX Sexual Harassment, either due to the nature of the conduct or because it did not reportedly occur within a program or activity of the University in the United States. Non-Title IX Misconduct will follow the disciplinary resolution procedures outlined in Appendix B or Appendix C. Such conduct is defined for purposes of this policy as:

Non-Title IX Sexual Assault

Sexual Assault (i.e., rape, fondling, incest, or statutory rape) as defined in the Title IX Sexual Assault definition above that did not reportedly occur in a program or activity of the University in the United States.

Non-Consensual Sexual Contact

Any intentional touching of a person's breast(s), buttock(s), groin, genitals, or other intimate parts without affirmative consent. Touching may be over or under clothing and may include the respondent touching the complainant, the respondent making the complainant touch the respondent or another person, or the respondent making the complainant touch the complainant's own body.

Sex or Gender-Based Discrimination

Sex or gender-based discrimination refers to the disparate treatment of a person or group because of that person's or group's sex, sexual orientation, gender identity, or gender expression.

Sexual or Gender-Based Harassment

"Harassment" is conduct that creates an intimidating, offensive, or hostile working or learning environment or that unreasonably interferes with work or academic performance based on a person's protected status, including sex, sexual orientation, gender identity, or gender expression. All such conduct is unlawful.

Sexual Harassment: any unwelcome sexual advance, request for sexual favors, and/or other unwelcome conduct of a sexual nature, whether verbal, physical, graphic, or otherwise.

Gender-Based Harassment: harassment based on sex, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, physical, graphic, or otherwise. To qualify as Gender-Based Harassment, the conduct need not involve conduct of a sexual nature.

Generally speaking, harassment can be divided into two types of conduct:

Quid Pro Quo Harassment. Submission to or rejection of such conduct is made, either explicitly

or implicitly, a term or condition of an individual's employment, academic standing, or participation in any aspect of a University program or activity or is used as the basis for the University's decisions affecting the individual.

Hostile Environment. A hostile environment exists when the conduct is sufficiently severe, pervasive, or persistent that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's education or employment programs and/or activities. Whether conduct is sufficiently severe, pervasive, or persistent is determined both from a subjective and objective perspective.

Harassing conduct can take many forms. The determination of whether an environment is hostile is based on the totality of the circumstances, including but not limited to: (1) the frequency of the conduct; (2) the nature and severity of the conduct; (3) whether the conduct was physically threatening; (4) the effect of the conduct on the complainant's mental or emotional state, with consideration of whether the conduct unreasonably interfered with the complainant's educational or work performance and/or University programs or activities; (5) whether the conduct was directed at more than one person; (6) whether the conduct arose in the context of other discriminatory conduct; and (7) whether the conduct implicates concerns related to academic freedom or protected speech.

A single isolated incident may create a hostile environment if the incident is sufficiently severe, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression is typically not sufficient to constitute a hostile environment.

Sexual or Gender-Based Harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- May be committed by anyone, regardless of gender, age, position or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of an organization or group.
- May occur by or against an individual of any sex, sexual orientation, gender identity, or gender expression.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a one-time event or can be part of a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.
- May affect the complainant and/or third parties who witness or observe harassment and are affected by it.

Examples of conduct that may constitute Sexual Harassment as defined above may include a severe, persistent, or pervasive pattern of unwelcome conduct that includes one or more of the following:

- *Physical conduct*, including unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements, or unwanted sexual advances;

- *Verbal conduct*, including making or using derogatory comments, epithets, slurs or humor; verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations; or objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes;
- *Visual conduct*, including leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons, or posters in a public space or forum; or severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate;
- *Written conduct*, including letters, notes or electronic communications containing comments, words, or images described above;
- *Quid pro quo conduct*, including direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists; offering educational or employment benefits in exchange for sexual favors; making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose; or making or threatening reprisals after a negative response to sexual advances.

Sexual Exploitation

Any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another. Sexual exploitation may include:

- surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information without the knowledge and consent of all parties involved;
- exposing one's genitals or inducing another to expose their own genitals in non- consensual circumstances;
- knowingly exposing another individual to a sexually transmitted disease or virus without their knowledge; and
- inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Non-Title IX Stalking

Stalking as defined in the Title IX Stalking definition above that did either not reportedly occur on campus, in a program or activity of the University in the United States, or in a building controlled by a recognized organization (such as a Greek house), or that otherwise fits within the definition of stalking but does not fall within the Title IX Stalking definition because the reported conduct is not directed at the alleged victim on the basis of sex.

Non-Title IX Dating Violence

Dating violence as defined in the Title IX Dating Violence definition above that either did not reportedly occur on campus, in a program or activity of the University in the United States, or in a building controlled by a recognized organization.

Non-Title IX Domestic Violence

Domestic violence as defined in the Title IX Domestic Violence definition above that either did not reportedly occur on campus, in a program or activity of the University in the United States, or in a building controlled by a recognized organization, or that otherwise fits within the definition of stalking but does not fall within the Title IX Domestic Violence definition because the reported conduct is not directed at the alleged victim on the basis of sex.

Retaliation

Retaliation is defined as a materially adverse action, and may include intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding Prohibited Conduct (including both Title IX Sexual Harassment and Non-Title IX Misconduct). Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, constitutes retaliation, as does any adverse action taken against a person for making a good faith report of Prohibited Conduct or participating in any proceeding under this Policy.

Retaliation may include intimidation, threats, coercion, harassment, or other materially adverse employment or educational actions that would discourage a Reasonable Person from engaging in activity protected under this Policy. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance process under this Policy does not constitute prohibited retaliation, provided, however, that a determination regarding responsibility is not alone sufficient to establish that any party made a materially false statement in bad faith.

The University will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate. An individual reporting Prohibited Conduct is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is later not proven.

As explained below, any employee may pursue any charge of discrimination or harassment with the Wisconsin Department of Workforce Development, or the federal Equal Opportunity Employment Commission (EOEC). It is unlawful to retaliate against any employee for opposing the practices prohibited by the Wisconsin Fair Employment Act or comparable federal law or for filing a complaint with, or for otherwise participating in, an investigation, proceeding, or hearing conducted by the state or federal government.

Complicity

Any act that knowingly aids, facilitates, promotes, or encourages the commission of Prohibited Conduct by another person.

Definitions of Key Terms and Other Considerations

To provide clarity to all individuals as to the kinds of behavior which constitute Prohibited Conduct,

the University further defines key terms which the University will use in evaluating whether Prohibited Conduct has occurred.

Consent

Words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. A person is unable to give consent if they are incapacitated because of drugs, alcohol, disabled physically or intellectually, or unconscious (s. 940.224(4), Wis. Stats.).

Consent is informed, knowing, and voluntary participation in any desired sexual activity. It is the responsibility of the person initiating sexual contact to obtain consent. It can be withdrawn by a participant at any time. Silence alone cannot be interpreted as consent. Consent can be given by words or actions, as long as those words and actions create a clear and mutually understandable permission regarding the conditions of sexual activity. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts. A person who is incapacitated cannot give consent to engage in sexual activity. Incapacitation can result from alcohol or other drug use, unconsciousness, blackout, mental disability, sleep, involuntary physical restraint, or from being drugged. An accused student cannot avoid a violation of this policy by claiming that they were impaired from alcohol or drug use and unable to tell whether the complaining party was incapacitated. The issue is whether a reasonable unimpaired person would know that the other person was incapacitated.

It will not be a valid excuse to allege lack of consent that the respondent believed that the complainant consented to the sexual activity under either of the following circumstances: (a) The respondent's belief in affirmative consent arose from the intoxication or recklessness of the respondent, or (b) the respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the complainant consented.

The following are essential elements of affirmative consent:

- *Informed and reciprocal:* All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
- *Freely and actively given:* Consent cannot be obtained through the use of force, coercion, threats, intimidation or pressuring, or by taking advantage of the incapacitation of another individual.
- *Mutually understandable:* Communication regarding consent consists of mutually understandable words and/or actions that indicate a mutually unambiguous willingness to engage in sexual activity. Consent may not be inferred from silence, passivity, lack of resistance, or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.
- *Not indefinite:* Consent must be ongoing throughout the activity. Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consenting an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be a verbally expressed "no" or "stop" or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

- *Not unlimited:* Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

In evaluating whether consent has been freely sought and given, the University will consider all relevant facts and circumstances, including, but not limited to, the ages of the parties; the presence of any force, threat of force, intimidation, or coercion; whether the complainant had the capacity to give consent; and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act.

Age

The State of Wisconsin considers sexual intercourse with a minor to be unlawful, regardless of "consent". A person who engages in felony "unlawful" sexual intercourse as described in the Wisconsin Penal Code does so without effective consent as defined by the University's Sexual Misconduct Policy. Specifically, there is no effective consent under the University's Sexual Misconduct Policy where one party (the "minor") is under the age of eighteen, and the other party is more than three years older than the minor.

Force

"Force" is the use or threat of physical violence to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by force is not valid. For the use of force to be demonstrated, there is no requirement that a complainant resist the sexual advance or request. However, evidence of resistance by the complainant will be viewed as a clear demonstration of a lack of consent.

Intimidation

"Intimidation" is the use of implied threats to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by intimidation is not valid.

Coercion

"Coercion" is the improper use of pressure to compel another individual to initiate or continue sexual activity against that individual's will. Consent obtained through coercion is not valid.

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. When someone indicates, verbally or physically, that they do not want to engage in a particular sexual activity, that they want to stop a particular activity, or that they do not want to go past a certain point of sexual interaction, continued activity or pressure to continue beyond that point can be coercive. The University will evaluate the following in determining whether coercion was used: (a) the frequency of the application of pressure, (b) the intensity of the pressure, (c) the

degree of isolation of the person being pressured, and (d) the duration of the pressure.

Incapacitation

"Incapacitation" is a state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. For example, an individual is incapacitated, and therefore, unable to give consent, if the individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to mental or physical condition.

Incapacitation may result from the use of alcohol, drugs, or other medication. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. Where alcohol or other drugs are involved, incapacitation is a state beyond impairment or intoxication. Where alcohol or other drugs are involved, evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person's: decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.

It will not be a valid excuse that the respondent believed that the complainant affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the complainant was asleep or unconscious; (b) the complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity; (c) the complainant was unable to communicate due to a mental or physical condition.

Whether the respondent reasonably should have known that the complainant was incapacitated will be evaluated using an objective reasonable person standard. The fact that the respondent was actually unaware of the complainant's incapacity is irrelevant to this analysis, particularly where the respondent's failure to appreciate the complainant's incapacitation resulted from the respondent's failure to take reasonable steps to determine the complainant's incapacitation or where the respondent's own incapacitation (from alcohol or drugs) caused the respondent to misjudge the complainant's incapacity.

It is the responsibility of each party to be aware of the intoxication level of the other party before engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity. Being intoxicated by drugs or alcohol is no defense to any violation of this Policy and does not diminish one's responsibility to obtain consent.

Prohibited Relationships by Persons in Authority

Sexual or other intimate relationships in which one party maintains — and fails to promptly report and discontinue — a direct supervisory or evaluative role over the other party are prohibited. In general, this includes all sexual or other intimate relationships between students and their employers, supervisors, professors, coaches, advisors, or other University employees. Similarly, University employees (faculty and staff) who supervise or otherwise hold positions of authority over others are

prohibited from having a sexual or other intimate relationship with an individual under the employee's direct supervision.

The University does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the University. However, faculty, administrators, and others who educate, supervise, evaluate, employ, counsel, coach, or otherwise guide students should understand the fundamentally asymmetrical nature of the relationship they have with students, employees (as applicable), or subordinates. Intimate or sexual relationships where there is a differential in power or authority produce risks for every member of our community and undermine the professionalism of faculty and supervisors. In either context, the unequal position of the parties presents an inherent element of risk and may raise sexual harassment concerns if one person in the relationship has the actual or apparent authority to supervise, evaluate, counsel, coach, or otherwise make decisions or recommendations as to the other person in connection with their employment or education at the University.

Sexual relations between persons occupying asymmetrical positions of power, even when both consent, raise suspicions that the person in authority has violated standards of professional conduct and potentially subject the person in authority to charges of sexual harassment based on changes in the perspective of the individuals as to the consensual nature of the relationship. Similarly, these relationships may impact third parties based on perceived or actual favoritism or special treatment based on the relationship.

The University has adopted a policy that strives to balance, on the one hand, its wish not to interfere with the private choices of its community members and, on the other hand, concerns regarding relationships in which one party maintains a direct supervisory or evaluative role over the other party. Specifically, if an individual contemplates beginning, or is involved in, a sexual or other intimate relationship with another, over whom the individual holds direct supervisory or evaluative responsibilities, the individual must promptly: (1) discontinue any supervising role or relationship over the other person; and (2) report the circumstances to their own supervisor or the Human Resources Director. Failure to fully or timely comply with these requirements is a violation of this Policy, and the person in authority could be subject to disciplinary action, up to and including dismissal from employment by the University.

Any individual may file a complaint alleging harassment or discrimination, including third parties outside the relationship directly affected by the perceived harassment or discrimination.

Confidentiality, Privacy, and Related Reporting Responsibilities

Privacy and Confidentiality: Understanding the Differences

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. The University also is committed to assisting students, employees, and third parties in making informed choices. With respect to any report under this Policy, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. All University employees who are involved in the University's Title IX response receive specific instruction about respecting and safeguarding private information. Privacy and confidentiality have distinct meanings under this Policy.

Privacy

"Privacy" generally means that information related to a report of Prohibited Conduct will only be shared with individuals who "need to know" in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the University's FERPA Policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA any related state laws.

While there are certain limitations on privacy, the University generally will not release the names of the complainant or respondent to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act. In addition, no information will be released from a proceeding to enforce this Policy except as required or permitted by law and University policy.

Confidentiality

"Confidentiality" generally means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual.

The confidentiality of information shared by an individual with designated campus or community professionals generally is governed by Wisconsin law, which includes restrictions on disclosure of information by mental health providers, ordained clergy, rape crisis counselors or advocates, and attorneys, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

An individual who seeks confidential assistance may do so by speaking with professionals who have a legally protected confidentiality. The confidential resources available to individuals on campus are listed below. Note, however, that these confidential resources are required by state law to notify child protective services and/or local law enforcement of any report which involves suspected abuse of a minor under the age of 18.

Requests for Confidentiality

A student may desire to report Prohibited Conduct to the Edgewood University to maintain confidentiality; if so, the Title IX Coordinator will evaluate such requests. Where a complainant requests that the complainant's name or other identifiable information not be shared with the respondent or that no formal action be taken, the Title IX Coordinator will balance the complainant's request with its obligation to provide a safe and non-discriminatory environment for all University community members. In making this determination, the University may consider the seriousness of the conduct, the respective ages and roles of the complainant and respondent, whether there were additional complainants or potential respondents involved, whether a weapon was used, evidence of predation, and whether there have been other complaints or reports of harassment or misconduct against the respondent, among other factors. Please note that a complainant's name or identity cannot be withheld in investigations under Appendix A.

The University will take all reasonable steps to the complaint with the request for confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request by the complainant. Where the University is unable to take action consistent with the request of the complainant, the Title IX Coordinator will inform the complainant about the chosen course of action, which may include the University seeking disciplinary action against a respondent. Alternatively, the course of action may also include steps to limit the effects of the alleged harassment and prevent its recurrence that do not involve formal disciplinary action against a respondent or revealing the identity of the complainant.

Responsible Employees

A "Responsible Employee" includes any employee who: (1) has the authority to take action to redress the harassment; (2) has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; and/or, (3) a student could reasonably believe has the authority or responsibility to take action. **All University employees who do not have legally protected confidentiality are considered Responsible Employees.** This includes all employees with supervisory or leadership responsibilities on-campus, including, but not limited to, faculty, coaches, administrators, staff members and Resident Advisors. The University requires that all Responsible Employees share a report of misconduct with the Title IX Coordinator. The purpose of this requirement is to permit the University to take immediate and corrective action to respond to allegations of Prohibited Conduct.

Take Back the Night and Other Public Awareness Events

Consistent with guidance from the Office for Civil Rights of the Department of Education, public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, or other forums in which community members disclose incidents of Prohibited Conduct do not initiate the University's Title IX obligations, including its obligation to investigate reports of sexual harassment or sexual violence. Such events may, however, inform the need for campus-wide educational and prevention efforts, and the University may implement broad community initiatives in response to such events where appropriate.

Disclosures Required by The Clery Act

Timely Warnings

A "Timely Warning" is a campus-wide notification of a serious or continuing threat to the Edgewood University community. The Timely Warning does not include identifying information about the complainant. If a report of misconduct discloses a continuing threat involving one of the specified "Clery crimes" to the Edgewood University community, the University may issue a campus wide timely warning (which can take the form of an email to campus) to protect the health or safety of the community.

Annual Reporting Responsibilities

All higher education institutions that receive federal funding, including the University, are obligated to issue publicly an Annual Security Report ("ASR") which identifies the number of particular reported crimes on campus or campus property, or adjacent to campus. The ASR does not include identifying information about the complainant or respondent.

Crime Log

All higher education institutions that have campus police forces or security departments must maintain a daily crime log that includes entries for all crimes that occur within both the Clery geography and the campus safety force's regular patrol route. The crime log does not include identifying information about the complainant or respondent.

Reporting Options

The University strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The University also strongly encourages all individuals to make a report to the University and to local law enforcement, although neither is required. These reporting options are not mutually exclusive. Both internal and criminal reports may be made simultaneously. The University has a strong interest in supporting those who have experienced sexual harassment, sexual violence, stalking, and intimate partner violence and strongly encourages all individuals or third-party witnesses to report any incident to the University.

Making a report means telling a Responsible Employee what happened - in person, by telephone, in writing, or by text message or email. At the time a report is made, a complainant does not have to request any particular course of action, nor does a complainant need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The University provides support that can assist each individual in making these important decisions and will respect an individual's autonomy in deciding how to proceed to the extent legally possible. In this process, the University will balance the individual's interest with its obligation to provide a safe and non-discriminatory environment for all members of the University community.

The University will respond to all reports of Prohibited Conduct in a fair and impartial manner. A complainant, a respondent, and all individuals involved will be treated with dignity and respect. In response to all reports of Prohibited Conduct, the University will make an immediate assessment of a risk of harm to the complainant, respondent, or to the broader campus community and will take steps to address those risks. These steps may include interim supportive or protective measures to provide for the safety of the individual and the campus community.

Reports of violations of this Policy may be made to the Title IX Coordinator. A formal complaint may be submitted by dropping it off at the Title IX Office, by email, or by mail. Upon receipt of any complaint, the Title IX Coordinator will contact the complainant to conduct an intake interview. Any person may notify the Title IX Coordinator if they believe they, or someone else, may have experienced conduct that would be a violation of this Policy. The Title IX Coordinator will then contact the complainant and schedule an intake interview.

In the event that a complainant has filed a formal complaint under Appendix A but then declines to participate in an intake interview, if the formal complaint contains an allegation meeting all of the jurisdictional elements of this Policy, the formal complaint is signed and requests an investigation, the Title IX Coordinator will put the respondent on notice of the allegation and commence the investigation process.

Emergency and External Reporting Options

File a Report with Law Enforcement. Filing a complaint with the City of Madison Police Department or other law enforcement agency is encouraged, but not required. The complainant is entitled to the assistance of an Edgewood University representative in reporting to the Police Department, and thereafter during the process. Law enforcement may always be contacted, regardless of any other actions the person chooses to take under this policy. Filing a complaint with the police is a separate process from the University's student conduct process. Complainants who want to report incidents directly to the police should call 608-255-2345 or visit https://www.cityofmadison.com/police/contact/ for more options. Complainants retain the right to decline to file a report with law enforcement and will continue to receive support from the University regardless of if they reported to law enforcement.

Campus Reporting Options

The University strongly encourages all individuals to report misconduct to any University employee. The University recommends that individuals report Prohibited Conduct to any of the following offices or individuals:

Title IX Coordinator: Arhelia Dalla Costa Behm
Director of Human Resources
DeRicci 214 | 608-663-4304 | ADallaCostaBehm@edgewood.edu

Deputy Title IX Coordinator: Matthew Sullivan
Director of Community Standards and Student Wellbeing
DeRicci 222 | 608-663-2212 | msullivan@edgewood.edu

Anonymous Reporting

Additionally, anonymous reports can be made by victims/survivors and/or third parties using the online reporting form posted at www.tinyurl.com/EdgewoodSV or https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=16096.

Note that these anonymous reports may prompt a need for the institution to investigate.

The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Clery Team, compliance with all Clery Act obligations.

Please note that a formal complaint under Appendix A cannot be filed anonymously and is only considered to have been filed only when the complaint contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Reporting to External Agencies

In addition to reporting to law enforcement or the University, students, faculty, and staff should be aware of the following external governmental agencies that investigate and prosecute complaints of prohibited discrimination and harassment:

Title IX Compliance

Inquiries or complaints concerning the University's compliance with Title IX may be referred to

the U.S. Department of Education's Office for Civil Rights.
U.S. Department of Education Office for Civil Rights
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov

Employment Discrimination or Harassment

Any employee may pursue any charge of discrimination or harassment with the Wisconsin Department of Workforce Developmen or the federal Equal Opportunity Employment Commission ("EEOC"). It is unlawful to retaliate against any employee for opposing the practices prohibited by Wisconsin law or comparable federal law or for filing a complaint with, or for otherwise participating in an investigation, proceeding, or hearing conducted by the Wisconsin Department of Workforce Developmen or EEOC.

Any employee may pursue any charge of discrimination or harassment with the Wisconsin Department of Workforce Development:
201 E. Washington Ave
P.O. Box 7946
Madison, WI 53707
608-266-3131

Any employee may pursue any charge of discrimination or harassment with the federal Equal Opportunity Employment Commission ("EEOC").
201 E. Washington Avenue
Madison, WI 53703
608-266-6860
www.eeoc.gov

Other Reporting Considerations

Timeliness and Location of Incident

Complainants and third-party witnesses are encouraged to report Prohibited Conduct as soon as possible in order to maximize the University's ability to respond promptly and effectively. The University does not, however, limit the time frame for reporting. If the respondent is not a member of the Edgewood University community, the University will still seek to take steps to end the harassment, prevent its recurrence, and address its effects, but its ability to take disciplinary action against the respondent may, of course, be limited.

An incident does not have to occur on campus to be reported to the University. Off-campus conduct that is likely to have a substantial effect on the complainant's on-campus life and activities or poses a threat or danger to members of the Edgewood University community may also be addressed under this Policy.

Amnesty for Alcohol or Other Drug Use or Other Conduct Violations

The University strongly encourages the reporting of Prohibited Conduct under this Policy. It is in the best interest of this community that as many complainants as possible choose to report to University officials and that participants in the grievance process are forthright in sharing information. To guard against discouraging reporting or participation, a student who reports Prohibited Conduct or participates in the grievance process, either as a complainant, respondent, or a third-party witness, will not be subject to disciplinary action by the University for personal consumption of alcohol or drugs or other violations of the conduct policy (not including this Policy) 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 and do not involve plagiarism, cheating, or academic dishonesty. The University may, however, initiate an educational discussion or pursue other educational remedies with the student regarding alcohol or other drugs. Being intoxicated or impaired by drugs or alcohol is no defense to any violation of this Policy and does not diminish one's responsibility to obtain consent.

Coordination with Law Enforcement

The University strongly encourages complainants to pursue criminal action for incidents of sexual harassment, sexual violence, and intimate partner violence that may also be crimes under Wisconsin law. The University will assist a complainant in making a criminal report and cooperate with law enforcement agencies if a complainant decides to pursue the criminal process to the extent permitted by law. The University's Policy, definitions, and burden of proof may differ from criminal law. A complainant may seek recourse under this Policy and/or pursue criminal action. Neither law enforcement's determination whether or not to prosecute a respondent, nor the outcome of any criminal prosecution, are determinative of whether a violation of this Policy has occurred.

Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. The University may not delay conducting its own investigation unless specifically requested by the law enforcement (e.g., MPD). In the event of such a specific request, the University will defer its investigation only during the time that law enforcement is gathering evidence, which should not exceed ten days absent extenuating circumstances. The University will nevertheless communicate with the complainant and respondent (if appropriate) regarding Title IX rights, procedural options, and the implementation of supportive measures to assure safety and well- being. The University will promptly resume fact-gathering as soon as it is informed that law enforcement has completed its initial investigation.

False Reports

The University takes the accuracy of information very seriously, as a report of Prohibited Conduct may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated report of Prohibited Conduct. Each party and every witness is expected to provide truthful information to the Investigator, Hearing Officer, and Appeals Officer. Should any party, or a witness, provide knowingly false information as part of this process, this may be considered a violation of University policies and will be referred to the appropriate office for further handling. It is a violation of the Student Code of Conduct and other University policies to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

Reports Involving Minors or Suspected Child Abuse

Under Wisconsin law, an individual must make a mandatory report of suspected child abuse and neglect, including sexual assault when that individual, in their professional capacity or within the scope of their employment, has knowledge of, or observes, a minor under the age of 18 whom the

individual knows or reasonably suspects has been the survivor of child abuse or neglect. All University employees are required to immediately report any suspected child abuse and neglect to the Title IX Coordinator and the Director of Campus Safety. The source of abuse does not need to be known in order to file a report. The University will report all suspected child abuse and neglect, including sexual assault, to law enforcement and/or the Wisconsin Department of Children and Families. The University must act quickly regarding all reasonable suspicions of sexual or physical abuse. It is not the responsibility of any employee, student, or volunteer to investigate suspected child abuse. This is the role of Child Protective Services and law enforcement authorities.

In addition to notifying the Title IX Coordinator and Director of Campus Safety, any individual may make a direct report as follows:

- If a child is in immediate danger, call 911.
- Main Contact Telephone Number: 608-422-7000
  Fax: 608-422-7163
  Email: dcfweb@wisconsin.gov

Any Edgewood University employee who is also a confidential employee (for example, a therapist, sexual assault victim advocate, physician) and who was hired into that confidential role should report suspected child abuse or neglect to law enforcement and/or the Wisconsin Department of Children and Families but would not make any such report to the Title IX Coordinator or the Director of Campus Safety.

Supportive Measures and Remedies

Upon receipt of a report, the University will provide reasonable and appropriate supportive measures designed to preserve equal access to the University's programs and activities, and to protect the parties involved. The University will make reasonable efforts to communicate with the parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Supportive measures may be imposed regardless of whether formal disciplinary action is sought by the complainant or the University, and regardless of whether a crime is reported to Campus Safety or local law enforcement. Interim protective measures are available to both complainants and respondents.

A complainant or respondent may request a mutual No Contact Letter or other protection, or the University may choose to impose supportive measures at its discretion to ensure the safety of all parties, the broader University community, and/or the integrity of the process. The University will maintain the privacy of any remedial and supportive measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by a supportive measure. The University will take immediate and responsive action to enforce a previously implemented restriction if such restriction was violated.

Range of Measures

Supportive and protective measures will be implemented at the discretion of the University. Potential measures may include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus;
- Assistance in obtaining a sexual assault forensic examination;

- Imposition of mutual campus "No Contact Letter;"
- Rescheduling of exams and assignments (in conjunction with appropriate faculty and deans as necessary);
- Providing alternative course completion options (with the agreement of the appropriate faculty);
- Change in class schedule, including the ability to take an "incomplete," drop a course without penalty or transfer sections (with the agreement of the appropriate faculty);
- Change in work schedule or job assignment;
- Change in on-campus housing, when feasible;
- Arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies;
- Limiting an individual or organization's access to certain University facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing access to medical services;
- Providing academic support services, such as tutoring;
- Interim suspension or University-imposed leave;
- Any other remedy that can be tailored to the involved individuals to reasonably achieve the goals of this Policy.

Interim Suspension or Separation

If the University determines that the conduct, as alleged, poses a physical safety risk to one or more students, or to the University's educational environment, the University may suspend the respondent, on an interim basis, from the University, from residence halls, or from specific programs or activities. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. If the University determines that an immediate physical threat to the health or safety of students or others justifies removal, then the respondent may be suspended on an interim basis. The decision to do so will be provided to the respondent in writing.

Care and Support Resources for Complainants and Respondents

The University is committed to treating all members of the community with dignity, care, and respect. Any student who experiences or is affected by violations under this Policy, whether as a complainant, a respondent, or a third-party, will have equal access to support and counseling services through the University.

The University strongly encourages individuals to report Prohibited Conduct. The University recognizes, however, that the decision to report Prohibited Conduct (to the University and/or law enforcement) can be difficult. The University strongly encourages individuals who are considering whether to report Prohibited Conduct to seek the support of confidential campus and community resources, listed below. These trained professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this Policy is pursued. These resources are available

regardless of when or where the incident occurred.

There are many resources available on campus and in the surrounding community. As detailed below, there are Confidential Resources, which by law cannot share information without the consent of the individual seeking assistance (in most circumstances). There are also a variety of University resources that will be discreet and private but are not considered confidential. These resources will maintain the privacy of an individual's information within the limited circle of those involved in the resolution of a complaint under this Policy.

Confidential Resources (Non-Medical)

The University strongly encourages all community members to make a prompt report of any incident of Prohibited Conduct to local law enforcement and/or the University. For individuals who are not prepared to make a report, or who may be unsure how to proceed, but are still seeking information and support, there are several legally protected confidential resources available as designated below. Confidential Support Contacts are not obligated to investigate or report information. Complainants can call or approach any of the following professional staff confidentially and inform them about what happened. They will listen and explain options. Talking to any of the following people does not constitute reporting the incident to the University.

Edgewood University has designated the following individuals as Confidential Support Contacts:

- Director of Personal Counseling: Predolin 215 | 608-663-4148
- Director of Health Services: Predolin 208 | 608-663-8334
- Director of Campus Ministry: Predolin 222 | 608-663-32333
- Rape Crisis Center Advocate: Predolin 208 | 608-251-7273

In addition to the above on-campus supports, students may wish to seek support from any of the following community resources:

- RAINN (Rape, Abuse & Incest National Network)
  Online hotline: https://hotline.rainn.org/online/terms-of-service.jsp 800-656-HOPE (4673)
- Dane County Rape Crisis Center 24-hour help line: 608-251-7273
- Domestic Abuse Intervention Services (DAIS) 24-hour help line: 608-251-4445

Confidential Medical Resources

In Wisconsin, medical providers who treat a physical injury sustained from an assault, physical or sexual, are required by state law to report the assault to law enforcement. However, the patient has the right to request that a survivor advocate be present when the patient speaks with law enforcement and to request that law enforcement not pursue a criminal charge at that time. Further, the disclosure of private information contained in most medical records is generally protected by HIPAA, and community medical providers will not notify the University (or anyone else, other than law enforcement).

Forensic examinations: Qualified providers can provide a forensic examination. The forensic medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (including prevention of sexually transmitted illnesses and pregnancy) and second, to properly collect and preserve evidence. There is a limited window of time (within 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence, although it may be possible to obtain evidence from towels, sheets, clothes, and other items for longer periods of time. It is best to gather

evidence prior to washing a person's body or changing clothing. If clothes have been changed, the clothes worn at the time of the incident should be brought to the examination in a clean, sanitary container such as a paper bag or wrapped in a clean sheet. Do not use a plastic bag: plastic containers do not breathe and may render evidence useless. A change of clothing should also be brought to the hospital, as the clothes worn at the time of the incident will likely be kept as evidence. Taking the steps to gather evidence immediately does not commit an individual to any particular course of action. The decision to seek timely medical attention and gather any evidence, however, will preserve the full range of options to seek resolution under this Policy or through the pursuit of criminal prosecution, and may be helpful in obtaining protective orders.

Seek help from the Forensic Nurse Examiners Program. Students who experience sexual assault are encouraged to go to the Emergency Department at Meriter Hospital (Unity/Point Health) to consult with a Forensic Nurse Examiner. These medical professionals have advanced education and instruction in medical-forensic examination and in psychological and emotional trauma. Even if a survivor doesn't intend to file a report with the police, it is important to preserve evidence. Some survivors decide to report their assault after a period of time has passed. Preserving as much evidence as possible will help to ensure survivor rights are able to be enforced. The Forensic Nurse Examiners will collect medical-forensic evidence and empower the survivor to create a plan for self-care. Find more information online at
https://www.unitypoint.org/madison/sexual-assault-nurse-examiner- program.aspx.

Overview of Resolution Options

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this Policy. The University uses two processes to resolve reports of Prohibited Conduct under this Policy: Disciplinary Resolution, which involves an investigation and adjudication, and if appropriate, the imposition of sanctions, and Adaptable Resolution, which includes restorative options for resolving reports. The Title IX Coordinator will determine the appropriate resolution process after making an initial assessment of the reported information, considering the stated interests of the parties, campus safety, and the University's obligation to maintain an environment free from harassment and discrimination.

The processes under this Policy are separate and distinct from state criminal procedures. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. Neither a decision by law enforcement regarding prosecution nor the outcome of any criminal proceeding will be considered determinative of whether a violation of this Policy occurred.

Initial Assessment

After receiving a report of Prohibited Conduct, the Title IX Office will gather information about the reported conduct and respond to any immediate health or safety concerns raised by the report. The Title IX Office will assess the complainant's safety and well-being, offer the University's immediate support and assistance, and assess the nature and circumstances of the report to determine whether the reported conduct raises a potential Policy violation, whether the reported conduct is within the scope of this Policy, and the appropriate manner of resolution under this Policy.

As part of the initial assessment, the Title IX Office will:

- assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the complainant, the respondent, any witness, and/or any other individual with knowledge of the reported incident;
- address immediate physical safety and emotional well-being;
- notify the complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order;
- notify the complainant of the right to seek medical treatment;
- notify the complainant of the importance of preservation of evidence;
- communicate necessary details of the report to Campus Safety to enter the report into the University's daily crime log if required by the Clery Act;
- provide the complainant with written information about on- and off-campus resources;
- notify the complainant of the range of interim or supportive measures available, including the right to reasonable interim remedial measures regardless of whether they choose to participate in a University or law enforcement investigation;
- notify the complainant of the range of interim protective measures available if the University pursues an investigation;
- provide the complainant with an explanation of the procedural options, including Disciplinary Resolution and Adaptable Resolution;
- discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns);
- discuss the process for filing a formal complaint;
- notify the complainant of the right to be accompanied at any meeting by an advisor of choice;
- assess for any pattern of conduct by the respondent;
- explain the University's policy prohibiting retaliation, that the University will take prompt action when retaliation is reported, and how to report acts of retaliation; and
- determine age of the complainant; and if the complainant is a minor, or was a minor at the time of the alleged Prohibited Conduct, make the appropriate notifications to state agencies.

Any Supportive Measures put in place will be kept private, except to the extent that doing so impairs the ability of the institution to provide the supportive measures. For example, to effectuate a housing change, staff at Residential Education and Housing Services will be informed of the need to assist with a housing change as directed by the Title IX Coordinator but will not be provided with any of the details of any complaint. When the Title IX Coordinator decides to initiate an investigation, impose interim protective measures, or take any other action that impacts a respondent, the Title IX Coordinator will also ensure that the respondent is notified and receives written information on available resources and options.

At the conclusion of the initial assessment, the University will proceed with one of the following options:

- Proceed with an investigation under the Disciplinary Resolution process as outlined in Appendix A, Appendix B, or Appendix C. This will occur when a complainant requests an investigation and the Title IX Coordinator determines it is appropriate; when the Title IX Coordinator determines that an investigation must be pursued even when a complainant

requests that no investigation be pursued; or when Adaptable Resolution is not appropriate or available.

- Proceed with the Adaptable Resolution process as outlined in Appendix D. This will always require the consent of the complainant. The consent of the respondent is also required when the form of resolution involves the respondent.
- If outside the scope of this Policy, refer the matter to another appropriate office or department for resolution under the relevant policy.
- Close the report with the option to re-open it at another time if the complainant requests resolution or if the University subsequently determines there is a need to further investigate the alleged misconduct.

Formal Complaints, Dismissals and Appeals of Dismissals

A formal complaint for purposes of this Policy is a document filed by a complainant or signed by the Title IX Coordinator alleging Prohibited Conduct as defined by Title IX Sexual Harassment, committed by a respondent and requesting that the University investigate the allegation. A formal complaint may be filed at any time by contacting the Title IX Coordinator by email or in writing. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in a University education program or activity.

A formal complaint may be submitted online, and by dropping it off at the Title IX Office, by email, or by mail. Upon receipt of complaint, the Title IX Coordinator will contact the complainant to conduct an intake interview. When a complainant submits a formal complaint, the Title IX Coordinator will first promptly determine whether:

- the conduct alleged would, if proved, constitute Title IX Sexual Harassment (i.e., *Quid Pro Quo* Sexual Harassment, Severe, Pervasive and Objectively Offensive Sexual Harassment, Sexual Assault, or sex-based Domestic Violence, Dating Violence or Stalking) as defined in this Policy;
- the conduct allegedly occurred in the University's education program or activity;
- the conduct allegedly occurred in the United States; and
- the complainant is participating in or attempting to participate in the University's education program or activity at the time the complaint is filed.

If the formal complaint satisfies all of these elements, it will be investigated and resolved as a Title IX Sexual Harassment matter through the procedures outlined in Appendix A. If it appears based upon initial review or upon information gathered during an investigation that a formal complaint does not satisfy and/or no longer satisfies all of these elements, the University will dismiss the formal complaint for purposes of the Title IX Sexual Harassment process. The Title IX Coordinator may upon such dismissal transfer the matter for handling under the disciplinary processes outlined in Appendix B or Appendix C, or other University procedures, as deemed appropriate by the University.

Even if the allegations of a formal complaint fall within the definition of Title IX Sexual Harassment, the Title IX Coordinator may (but is not required to) dismiss a formal complaint or any allegations therein if at any time during the investigation or resolution process:

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

If a formal complaint is dismissed by the University under the circumstances described above, the University will simultaneously provide to the parties written notice of the dismissal and the reasons for the dismissal, and notice of the parties' opportunity to appeal such dismissal through the appeal procedures outlined in Appendix G.

Formal Complaints Signed by Title IX Coordinator

In cases where it appears based on an initial report that the elements stated above would be satisfied, but the complainant does not wish to file a formal complaint, the Title IX Coordinator may, in their discretion, decide to sign a complaint of Title IX Sexual Harassment and initiate an investigation and resolution process under the process outlined below. If this occurs, the Title IX Coordinator will not be a complainant or otherwise a party to the matter.

Additionally, if a formal complaint is dismissed as described above because it does not fit within the definition of Title IX Sexual Harassment, but the Title IX Coordinator determines that the allegations of the complaint may constitute Non-Title IX Misconduct, the Title IX Coordinator may (upon the resolution of, and to the extent consistent with the result of, any appeal of such dismissal), address the alleged Non-Title IX Misconduct through the disciplinary resolution procedures outlined in Appendix B or Appendix C.

Balancing Complainant Autonomy with the University's Responsibility to Investigate

In order to protect the safety of the campus community, the Title IX Coordinator may need to proceed with an investigation even if a complainant specifically requests that the matter not be pursued. The Title IX Office may also initiate an investigation of potential violations of this Policy even absent a formal report or identified complainant or respondent and even if a report has been withdrawn. In such a circumstance, the Title IX Coordinator will take into account the complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's obligations under Title IX.

A complainant may request that their name or other personally identifiable information not be shared with a respondent, that no investigation be pursued, or that no disciplinary action be taken. In these instances, before taking any further investigative steps, a member of the Title IX Office will discuss any concerns with the complainant and seek to address and remedy barriers to reporting and/or participation based upon concerns about retaliation or other lack of clarity in understanding procedural options and potential outcomes. In reaching a determination on whether to honor a complainant's request that the matter not be pursued, the Title IX Coordinator will balance the complainant's request against the following factors:

- the totality of the known circumstances;
- the nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- the respective ages and roles of the complainant and respondent;

- the risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;
- whether there have been other reports of other Prohibited Conduct or other misconduct by the respondent;
- whether the report reveals a pattern of misconduct related to Prohibited Conduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- the complainant's interest in the University not pursuing an investigation or disciplinary action and the impact of such actions on the complainant;
- whether the University possesses other means to obtain relevant evidence;
- fairness considerations for both the complainant and the respondent;
- the University's obligation to provide a safe and non-discriminatory environment; and
- any other available and relevant information.

The Title IX Coordinator will consider what steps may be possible or appropriate when a respondent is unknown or the complainant requests anonymity, and what other measures or remedies might be considered to address any effects of the reported behavior on the campus community. The Title IX Coordinator will make a determination regarding the appropriate manner of resolution under the policy. The University will seek resolution consistent with the complainant's request, if it is possible to do so, based upon the facts and circumstances, while also protecting the health and safety of the complainant and the University community.

Where the Title IX Coordinator determines that a complainant's request(s) can be honored, the University may nevertheless take other appropriate steps to eliminate the reported conduct, prevent its recurrence, and remedy its effects on the complainant and the University community. Those steps may include offering appropriate remedial measures to the complainant, providing targeted training and prevention programs, and/or providing or imposing other remedies. The Title IX Coordinator may also request that a report be reopened and pursued under this Policy if any new or additional information becomes available, and/or if the complainant decides that they would like Disciplinary Resolution to occur.

In those instances when the Title IX Coordinator determines that the University must proceed with an investigation despite the complainant's request that it not occur, the Title IX Coordinator will notify the complainant that the University intends to initiate an investigation. The University's ability to investigate and respond fully to a report may be limited if the complainant requests anonymity or declines to participate in an investigation. The University will, however, pursue other steps to limit the effects of the potential Prohibited Conduct and prevent its recurrence. In all cases, the final decision on whether, how, and to what extent the University will conduct an investigation and whether other interim remedial or protective measures will be taken in connection with a report of Prohibited Conduct will be made in a manner consistent with this Policy.

Additional Provisions

Consolidation of Investigation

The Title IX Office has the discretion to consolidate multiple reports into a single investigation if evidence relevant to one incident might be relevant to the others. Consolidation might involve multiple complainants and a single respondent, multiple respondents, or conduct that is temporally or

logically connected. In the event that the allegations under this Policy involve allegations of a violation of a separate policy, whether Student Code of Conduct, Faculty Handbook, or Staff Handbook, the University will have the right, within its sole discretion, to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this Policy.

Transfer of Cases, Sharing of Information

For any case brought under this Policy, should the case be dismissed and then transferred to another office, the University will have the right to transfer all communications and information gathered to any other University administrator who will be reviewing and/or handling the case.

Standard of Evidence

The standard for determining whether the respondent is responsible for a policy violation is the preponderance of the evidence standard, i.e., whether it is more likely than not that a violation of University policy occurred.

No Conflict of Interest or Bias

Any individual carrying out these procedures must be free from any actual conflict of interest or bias that would impact the handling of this matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the President of the University, who will appoint a University administrator to serve as Acting Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any Investigator have a conflict of interest, the Investigator is to notify the Title IX Coordinator immediately upon discovery of the conflict.

Each party may also object to the Title IX Coordinator or designated Investigator, Hearing Officer, or appeals officer, on the grounds of an actual bias or conflict of interest. If either of the parties objects, they must notify the Title IX Coordinator (or the President's Office in the event of an actual conflict of interest or bias on the part of the Title IX Coordinator), in which case the Title IX Coordinator will evaluate whether the objection is substantiated. The party raising the objection will be notified in writing of the determination within three (3) business days. If it is determined that an actual bias or conflict of interest exists, the person who was the subject of the objection will be removed and replaced.

Modification of Processes

The University will follow the Processes described herein barring exceptional circumstances. In rare instances, however, the University may be required to adapt or modify the Processes (including timelines) to ensure prompt and equitable resolution of a report of Prohibited Conduct. The University reserves this right. In such instances, the University will notify the parties of the modification of the Processes and, if appropriate, the exceptional circumstances requiring the University to adapt or modify the Processes.

Requests for Delays, and Extensions of Time

The Title IX Coordinator may extend any deadlines within this Policy, for good cause shown and documented. "Good Cause" will be determined by the Title IX Coordinator in their sole discretion and may include: (1) the unavailability of a witness because of death, illness, or other excusable circumstances; (2) the unavailability of a party because of death, illness, or other excusable

circumstances; (3) the unavailability of an advisor because of death, illness, or other excusable circumstances; (4) concurrent law enforcement activity; and (5) the need for language assistance or accommodation of disabilities.

Although reasonable attempts will be made to schedule proceedings consistent with an advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the advisor. The complainant and respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

Past Sexual History

In general, a complainant's prior sexual history is not relevant and will not be provided to the Investigator or Hearing Officer. Where there is a current or ongoing relationship between the complainant and the respondent, and the respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. The mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the complainant with other individuals is typically not relevant and will not be permitted.

Presumption of Non-Responsibility

The decision to proceed with an investigation is not a determination that the respondent has engaged in the conduct as alleged. The respondent is presumed not responsible for the conduct that is the subject of the investigation, unless and until a decision of responsibility has been made upon the completion of the adjudication process.

Respondent's Prior Conduct History

Where there is evidence of a pattern of conduct similar in nature by the respondent, either prior, or subsequent, to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and probative to the Hearing Officer's determination of responsibility, and/or the Review Panel's determination of sanction. The Title IX Coordinator will make a determination of relevance based on an assessment of whether the previous incident was substantially similar to the conduct cited in the report and indicates a pattern of behavior and the University, through the Title IX Coordinator, may choose to provide this information to the Investigator or Hearing Officer, with appropriate notice to the parties. The Title IX Coordinator will access the relevance of this information and determine if it is appropriate for inclusion in the investigation report.

Advisor

Throughout any investigation or resolution, each party has the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney. The parties may be accompanied by their respective advisor at any meeting or proceeding related to the investigation or resolution of a report under this Policy. While the advisor may provide support and advice to the parties at any meeting and/or proceeding, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings. Advisors may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings and/or proceedings, with the exception that an advisors who is part of an Appendix A hearing will ask questions of the other party and witnesses. Generally, the Title IX Office and Investigator will communicate directly with the complainant or respondent, and any communications with an advisor

may only occur after a FERPA waiver has been executed. An advisor should plan to make themselves reasonably available, and the University will not unduly delay the scheduling of meetings or proceedings based on the advisor's unavailability.

Failure to Comply with Investigation and Disciplinary Process

If an advisor fails to comply with the procedures set forth herein, including through a material breach of confidentiality, the University reserves the right to exclude the advisor from further participation in the process. If a participant fails to comply with the procedures set forth herein, including through a material breach of confidentiality, the University reserves the right to bring additional charges of misconduct against the participant. The Title IX Coordinator is responsible for interpreting and applying this provision.

Integrity of Proceeding

These procedures are entirely administrative in nature and are not considered legal proceedings, but rather procedures designed to address policy violations. No party may audio or video record the proceedings. Advisors may not speak for, or on behalf of, parties, with the exception of Advisors in hearings under Appendix A, who will pose questions of the other party and witnesses but otherwise do not act on behalf of a party.

Record Retention

The Title IX Coordinator will retain records of all reports and complaints, regardless of whether the matter is resolved by means of Initial Assessment, Adaptable Resolution or Disciplinary Resolution. Complaints resolved by means of an Initial Assessment or Adaptable Resolution are not part of a student's conduct file or academic record. Affirmative findings of responsibility in matters resolved through Disciplinary Resolution are part of a student's conduct record. Such records will be used in reviewing any further conduct, or developing sanctions, and will remain a part of a student's conduct record. In addition to records kept by the Title IX Coordinator, the conduct files of students who have been suspended or expelled from the University are maintained in the Dean of Students Office indefinitely. Conduct files of students who have not been suspended or expelled are maintained in the Dean of Students Office for no fewer than seven years from the date of the incident. Further questions about record retention should be directed to the Title IX Office.

Use of Privileged Records

The University will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Training for Investigators, Hearing Officers, Appeals Officers, Title IX Coordinator

The Title IX Coordinator, Review Panel, and Appeals Officer must have the following training prior to commencing any role in any case involving Title IX Sexual Harassment:

- the definition of sexual harassment under 34 CFR 106.30(a);
- the scope of the University's education program or activity as defined by the same regulations;
- how to conduct investigations (not required for hearings or appeals officers), hearings, appeals, and informal resolution processes; and
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Hearing Officers must have training on the following prior to commencing a role in any case involving Title IX Sexual Harassment:

- the definition of sexual harassment under 34 CFR 106.30(a);
- the scope of the University's education program or activity as defined by the same regulations;
- how to conduct investigations (not required for hearings or appeals officers), hearings, appeals, and informal resolution processes;
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
- issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant per the regulations.

Any individual who will be coordinating any hearing involving Title IX Sexual Harassment must also have training on how to use any technology that will be used at a live hearing, such as recording equipment, or platforms designed to permit virtual attendance at a live hearing.

Investigators must have training on the following prior to commencing a role in any case involving Title IX Sexual Harassment:

- the definition of sexual harassment under 34 CFR 106.30(a);
- the scope of the University's "education program or activity" as defined by the regulations;
- how to conduct investigations, hearings, appeals, and informal resolution processes;
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- issues of relevance; and
- how to create an investigative report that fairly summarizes relevant evidence

Appendix A: Disciplinary Resolution of a Grievance of Title IX Sexual Harassment

Appendix A outlines the disciplinary resolution procedures the University follows in resolving allegations that a person has been subjected to Title IX Sexual Harassment in violation of the University's Sexual Misconduct Policy.

Notice of Investigation

Upon the filing of a Formal Complaint, written notice will be provided to the parties. The notice will include the following information:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The identity of the parties;
- The date and location (if known) of the conduct that is alleged to have occurred;
- A copy of this Policy, which contains the process that will be followed, including an explanation that each party will have the right to inspect and review all evidenc prior to the completion of the investigation;
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the respondent is presumed not responsible, unless and until, at the conclusion of the process below, there is a determination of responsibility;
- An explanation that each party may be accompanied by an advisor of their choice, who may be a parent, friend, attorney, or union representative;
- The date and time of the initial meeting with the Title IX Coordinator, with a minimum of three (3) business days' notice;
- The University's alcohol and drug amnesty policy;
- The University's prohibition against providing false information as part of an investigation or adjudication process;
- The name and contact information for the assigned Investigator; and
- Information regarding Supportive Measures, which are available equally to the respondent and to the complainant.

Should additional allegations be added to the investigation at a later time, the respondent will again be provided with full written notice.

Preliminary Investigation

The Investigation process, up to evidence review, is generally expected to take thirty (30) business days, which may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension granted and the reason for the extension.

The Investigator will interview all parties and relevant witnesses and gather relevant documentary evidence provided by the parties and any identified witnesses. Interviews may be conducted in person, or via telephone or video conference. The Investigator will prepare a summary of each interview ("Interview Summary"). The Investigator will share the Interview Summary with the interviewee. The interviewee will have three (3) business days to correct or comment on any

statements made in the Interview Summary. The deadline may be extended for Good Cause, upon request to the Investigator. If the interviewee has no corrections to, or comments on, the Interview Summary, the interviewee will sign an acknowledgement that the interviewee has reviewed and agrees that the Interview Summary is accurate. If the interviewee has corrections or comments to the Interview Summary, the interviewee may submit a written response within three (3) business days reflecting any additions or changes which the interviewee believes are necessary to ensure the accuracy of the interviewee's statement. If no response is received from the interviewee by the deadline, their Interview Summary may be included in the Investigation Report and will be presumed to be accurate. In all instances where the Investigator includes the Interview Summary as an exhibit to a report, the Investigator will also include any response.

Each party will be provided with an opportunity to offer relevant witnesses and evidence. The Investigator will consider all relevant evidence, both inculpatory and exculpatory. All information for consideration by the Hearing Officer must be provided to the Investigator as part of the investigation process. Information that was not provided to the Investigator will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably known to or available to the parties at the time of the investigation. If new evidence is provided at the hearing, the Hearing Officer may either reject the new evidence, or send the case back to the Investigator for further fact-gathering, in the sole discretion of the Hearing Officer.

Evidence Review

At the conclusion of all interviews and fact gathering, and when the evidence has been gathered, the Investigator will provide each party the opportunity to review all of the evidence gathered that is directly related to the allegation(s). This will include both inculpatory and exculpatory evidence. Given the sensitive nature of the information provided, the information will be provided in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Neither the complainant nor the respondent (nor their advisors) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

Each party may respond to the evidence gathered. Each party will have ten (10) business days in which to respond to the evidence. Each may provide a response in writing to the Investigator. The Investigator will incorporate any response provided by the parties into the Investigation Report. Along with their response to the evidence, each party may also submit a written request for additional investigation, such as a request for a follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the Investigator to pose to witnesses or to the other party. This response may include written, relevant questions that a party would like the Investigator to ask of any party or witness (at the discretion of the Investigator). If any of the questions posed will be excluded as not relevant, or not likely to lead to relevant information, the Investigator will explain to the party who proposed the questions any decision to exclude a question as not relevant.

Upon receipt of each party's response to the evidence reviewed, the Investigator will determine if any additional investigation is needed. In addition, either party may offer new witnesses or other new evidence. The Investigator will consider the responses provided, will pose questions to parties or witnesses as appropriate (at the discretion of the Investigator), and interview new witnesses, and accept new, relevant, evidence. If new relevant evidence is provided by either party, or gathered by the Investigator, the newly gathered evidence (including answers to clarifying questions) will be

made available for review by each party. Each party will have five (5) business days in which to respond to the new evidence. Each may provide a response in writing, or verbally, to the Investigator. The Investigator will incorporate any written response provided by the parties into the Investigation Report.

Any evidence to be considered by the Hearing Officer must be provided to the Investigator during the fact-gathering portion of the investigation. Information that was not provided to the Investigator will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably known to, or available to, the parties at the time of the investigation. Should new evidence be presented at hearing, the Hearing Officer has the authority to reject the new evidence, or to send the matter back to the Investigator for further, limited, fact-gathering.

Exclusion of Questions Regarding Complainant's Past Sexual Behavior, or Predisposition

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be asked, unless such questions and evidence about the complainant's prior sexual behavior are offered for one of two reasons: (a) to prove that someone other than the respondent committed the conduct alleged by the complainant, or (b) 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.

Investigation Report

The Investigator will prepare a written report summarizing all the relevant evidence gathered and all investigative steps taken to date. Each party will be provided with a copy of the written report and will have ten (10) business days to provide a response. Upon receipt of any response(s), the Investigator will then complete the Investigation Report, which will include as an attachment all relevant evidence gathered during the investigation, as well as all interview notes and interview summaries, showing the original (as sent to each interviewee for review) and the revised version, after corrections or additions by each interviewee. Cases investigated under Appendix A may include preliminary factual findings, when requested by the Title IX Coordinator.

Conclusion of Investigation, Notice of Hearing

The Title IX Coordinator will review the Investigation Report, with appendices. The Title IX Coordinator may require that the Investigator conduct additional investigation. Once the Investigation Report is final, it will be provided through a protected, read-only, server, together with all appendices, to each party.

At the same time, each party will be provided with a Notice of Hearing, which will include information regarding the date of the hearing, the identity of the Hearing Officer, and any deadlines for submission of evidence, names of witnesses, or questions to be reviewed by the Hearing Officer to ensure relevance. The hearing will be scheduled no less than ten (10) business days from the date of the Notice of Hearing.

Within three (3) business days of receipt of the Notice of Hearing, either party may object to the Hearing Officer on the basis of an actual bias or conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is a bias or conflict of interest, the Title IX Coordinator will remove the Hearing Officer and appoint another.

Hearing

Hearings will be held via videoconferencing. Prior to the hearing, the Hearing Officer will receive instructions regarding the operation of any audio-visual equipment for the hearing. Each participant shall also be provided with instructions on how to access the hearing. Each hearing will be audio recorded. No individual is permitted to record while the hearing is taking place. The recording is the property of Edgewood University but will be available to the parties for listening by contacting the Title IX Coordinator.

The complainant, respondent, and the Hearing Officer all have the right to call witnesses. Witnesses must have information relevant to the incident. No party will be permitted to call as a witness anyone who was not interviewed by the Investigator as part of the Preliminary Investigation. Each party must submit the names of witnesses they would like to call to the Title IX Coordinator no less than five (5) business days in advance of the hearing.

Five (5) business days prior to the hearing, each party must submit to the Title IX Coordinator a preliminary list of questions they wish to pose to the other party, or to a witness. If the Hearing Officer determines that any questions are not relevant, the Hearing Officer will explain the reason for the exclusion of the question at the hearing.

The Hearing Officer will have the authority to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. Any such limitation will be communicated to the parties no later than three (3) business days before the hearing.

The hearing will start with an overview of the hearing process from the Hearing Officer. The Hearing Officer will then pose questions to the complainant. When the Hearing Officer has concluded, the respondent's advisor will then pose questions to the complainant. If the Hearing Officer has any additional questions, those will be posed by the Hearing Officer. If the respondent's advisor has any follow-up questions for the complainant, the advisor will ask those questions. The same process will then be followed for questions posed to the respondent by the Hearing Officer, followed by questions from the complainant's advisor to the respondent. This process will then be followed for any witnesses who are to be interviewed.

The Hearing Officer shall have the authority to maintain order and decorum at the hearing. The Hearing Officer also has the authority to determine whether any questions are abusive, intimidating, or disrespectful, and will not permit such questions. Further, the Hearing Officer may refuse to allow any questions that seek information that is not relevant under this Policy. The Hearing Officer is not required to provide a lengthy or complicated explanation but is required only to explain the reason why a question will not be permitted.

If either party does not appear, their advisor will be present for the purpose of asking questions of the other party, or of witnesses. During the hearing, if either party has any follow-up or clarifying questions for the other party, or for witnesses, the questions must be submitted in writing to the Hearing Officer. The Hearing Officer will determine the relevance of each question and explain why any question is deemed irrelevant. At the hearing, the Hearing Officer may consider any statement(s) of any party or witness who does not appear at the hearing, and shall have the authority to determine what weight, if any, to give to such statements. Each party will have the opportunity to make a closing statement, with time limits set in advance by the Hearing Officer. This statement is to be made by the party directly, and not by their advisor. This closing statement is not evidence but is intended as an opportunity to address the decision-maker directly.

Following the conclusion of the hearing, the Hearing Officer will prepare a written notice of hearing outcome. To the extent credibility determination needs to be made, determinations will not be based on a person's status as complainant, respondent, witness. The Hearing Officer's written determination regarding responsibility and any sanctions, as determined by the procedures outlined in Appendix E or Appendix F, will be provided to the parties within fifteen (15) business days of the hearing.

The Hearing Officer's written determination will include:

- Identification of the Prohibited Conduct section(s) of this policy, and of any other University policy sections considered in the investigation, alleged to have been violated;
- A description of the procedural steps taken from the receipt of the complaint through the determination, including but not limited to, as applicable, any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the University's definitions of Prohibited Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any sanction imposed on the respondent, and whether remedies designed to restore or preserve equal access to the educational program or activity of the University will be provided by the University to the complainant; and
- Identification of the University's procedures and permissible bases for the complainant and respondent to appeal.

The written decision will not be redacted and will be sent simultaneously to each party. The determination regarding responsibility becomes final either on the date that the parties are provided written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Advisor for Hearing

Each party is entitled to one advisor at the hearing. The role of the advisor is to ask questions of the other party and of witnesses, but not to advocate for, or otherwise speak on behalf of, the advisee during the hearing. No party will be permitted to ask questions of the other party, or of a witness. An advisor of the University's choosing will be provided for any party who does not have an advisor.

Sanctions and Remedies

Upon conclusion of the adjudication process, when there is a finding of responsibility, the complainant will be offered such remedies designed to restore or preserve equal access to the institution's education program or activity. If the Hearing Officer determines that the respondent is responsible for one or more violations of the University's policies, the Hearing Chair will also determine the sanctions. In determining the sanctions, the Hearing Chair will consult with the appropriate University staff member. For reports against students or student groups, the Director of Student Conduct; for reports against staff, the Director of Human Resources; for reports against faculty, the Director of Human Resources.

The University will issue sanctions commensurate with the violation(s), in accordance with Appendix

E or Appendix F.

Appeals

Appeals may be filed by either party and must be sent to the Title IX Coordinator. When an appeal is filed, the other party will be notified, in writing, and will then have five (5) business days to respond to the appeal. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal. The appeals process is documentary only, and no hearing is held. Appeals will follow the procedures outlined in Appendix G.

Appendix B: Disciplinary Resolution of a Grievance of Non-Title IX Misconduct Against a Student

Appendix B outlines the disciplinary resolution procedures the University follows in resolving allegations that a person has been subjected to Non-Title IX Misconduct by a student in violation of the University's Sexual Misconduct Policy.

Notice of Investigation

If (1) the Title IX Coordinator determines that the complainant's report must proceed through Disciplinary Resolution; (2) either the complainant or respondent declines to pursue Adaptable Resolution; or (3) either the complainant or respondent fails to respond to the Title IX Coordinator's inquiry regarding Adaptable Resolution, the Title IX Coordinator will notify both parties, in writing, that the complaint will proceed through Disciplinary Resolution. The Title IX Coordinator's written notification to the respondent and complainant will include:

- The complainant's name;
- Nature of the report;
- Specific policy violation(s) alleged (e.g., sexual assault, sexual harassment, retaliation);
- Date(s) of alleged policy violation(s);
- Location(s) of alleged policy violation(s);
- Brief description of allegation(s);
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the Disciplinary Resolution process;
- A statement that the parties have the right to review and inspect all evidence being considered by the Investigator or Hearing Officer during the Disciplinary Resolution process, consistent with this Policy; and
- A statement regarding the University's policy related to false reports and making knowingly false statements during the Disciplinary Resolution process.

The notice of the complaint will also be accompanied with a request for a meeting with the Title IX Coordinator within three (3) business days. At the meeting, or if the respondent does not respond to the meeting request or is unable to meet within three (3) business days, the Title IX Coordinator will provide the following information in writing:

- On- and off-campus resources, including counseling, health, mental health, legal assistance (including connecting respondent with visa and immigration advisory resources), student financial aid, and other available services.
- The range of supportive measures and remedies available, including changes to academic, living, transportation, and/or working situations, or other supportive measures as may be appropriate.
- An overview of the procedural options and process, including Adaptable Resolution and Disciplinary Resolution.
- Explain that the student has a right to an advisor of their choice during the process and provide a list of University employees trained as advisors upon request.
- The University's alcohol and drug amnesty policy.
- The University's policy prohibiting retaliation.

Concurrently, the Title IX Coordinator will select a trained internal or external Investigator ("Investigator") to conduct a reasonable, impartial, and prompt investigation of the complaint ("Investigation").

The Investigator will commence the investigation once the time for the parties to object has passed or any objections have been resolved.

Fact-Gathering

Initial Fact-Gathering

The Investigator will interview all parties and relevant witnesses and gather documentary evidence provided by the parties and any identified witnesses. Following the interview, the Investigator will share the interview notes with the interviewee. The interviewee will have three (3) business days opportunity to correct or comment on any statements contained in the notes. The deadline may be extended for good cause, upon request to the Investigator. If the interviewee has corrections or comments to the notes, the interviewee may submit a written response within three days reflecting any additions or changes which the interviewee believes are necessary to ensure the accuracy of the interviewee's statement. If no response is received from the interviewee by the deadline, their interview notes will be presumed to be accurate.

Evidence Review

Once the Initial Fact-Gathering is complete, the Title IX Coordinator will provide the Interview Summaries and any documentary evidence gathered to the parties for review. Given the sensitive nature of the information provided, the Title IX Coordinator will provide the information in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Neither the complainant nor the respondent (or their advisors, including but not limited to family members and/or legal counsel) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student who fails to abide by this Policy may be subject to discipline. Any advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process.

The parties may respond to the Interview Summaries and any documentary evidence; the parties will submit any response within ten (10) business days of being notified of their opportunity to review the documents. The parties may submit a written request for additional investigation. Such requests may include, but are not limited to, the following: (1) request(s) for follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the Investigator to pose to witnesses (at the discretion of the Investigator); (2) request(s) for interviews with new witnesses; or (3) request(s) to consider new evidence. Any request for additional investigation will explain the reason for the request.

Additional Fact-Gathering

The Investigator may conduct follow-up interviews with the parties and witnesses based upon the parties' request for additional investigation, if any. The parties and witnesses can expect that, in these follow-up interviews, the Investigator will seek responses to specific allegations or evidence (e.g., an Investigator may show one of the parties a series of text messages between himself or herself and another witness and ask about the content of the text messages). To the extent additional material, witnesses or evidence are identified during evidence review, the Investigator may conduct additional interviews and gather additional evidence consistent with the procedures outlined above. Any and all

information for consideration by the Hearing Officer should be provided to the Investigator during the preliminary investigation. Information that was not provided to the Investigator will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably known to or available to the parties at the time of the investigation.

Investigation Report

The Investigator will prepare an Investigation Report summarizing the facts and evidence gathered in the course of the Preliminary Investigation. The Investigator will not state factual findings or ultimate findings as to whether the respondent has, or has not, violated one or more of the University's policies in the Investigation Report. The Investigator will attach as appendices to the Investigation Report all Interview Summaries and any documentary evidence gathered in the Preliminary Investigation, including any written responses to the evidence submitted by the parties. When the Investigator determines that the Preliminary Investigation is complete, the Investigator will submit the Investigation Report to the Title IX Coordinator. The Title IX Coordinator may require the Investigator to conduct additional investigation; if so, the Investigator will conduct additional investigation consistent with the procedures outlined above.

Once the Title IX Coordinator has agreed that the Investigation is complete, within five (5) business days, the Title IX Coordinator will provide the Investigation Report to the parties. The parties will have ten (10) business days to review the Investigation Report and provide a response to the Title IX Coordinator. The Title IX Coordinator will provide the parties' response, if any, to the Hearing Officer, and to the other party. Given the sensitive nature of the information provided, the Title IX Coordinator will provide the Investigation Report in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Neither the complainant nor the respondent (or their advisors, including but not limited to family members and/or legal counsel) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. An advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process.

Hearing

The hearing is an opportunity for the parties to address the Hearing Officer in person, to question the other party and/or witnesses through indirect cross-examination, and for the Hearing Officer to obtain information following the investigation that is necessary to make a determination of whether a Sexual Misconduct Policy violation occurred. The hearing will be conducted as follows:

Hearing Officer

The hearing will be conducted by a Hearing Officer, who is selected by the University. The Hearing Officer will be an individual other than the Investigator or Title IX Coordinator. The Hearing Officer will receive annual training regarding the University's policies and procedures, the handling of student sexual misconduct cases, and other relevant issues.

The Hearing Officer must be impartial and free from bias or conflict of interest. The parties will be informed of the identity of the Hearing Officer and vice versa before the pre-hearing meeting. If the Hearing Officer has concerns that they cannot conduct a fair or unbiased review, the Hearing Officer must report those concerns in advance of the pre-hearing meeting to the Title IX Coordinator and a different Hearing Officer will be assigned. Similarly, the parties will have three (3) business days to object to the Hearing Officer's selection on the basis of demonstrated bias or an actual conflict of interest. If any party objects, the Title IX Coordinator will evaluate whether the objection is

substantiated. The Title IX Coordinator will remove and replace any Hearing Officer the Title IX Coordinator finds to have a bias or conflict of interest against any party.

The Hearing Officer has broad discretion to determine the hearing format. However, in instances in which a respondent faces severe disciplinary sanctions (i.e., expulsion or suspension), and the credibility of any party or witness is central to the adjudication of the allegation, the Hearing Officer may conduct a live hearing, at which they will permit indirect cross-examination of the parties and witnesses. For purposes of this Policy, the term Indirect Cross-Examination means the Hearing Officer will allow the parties and/or their advisors to submit proposed questions for the parties and witnesses, as well as follow-up questions based on testimony provided during the hearing. The Hearing Officer will ask the parties and witnesses the proposed questions that the Hearing Officer determines are consistent with this Policy and are probative of facts relevant to the adjudication of the matter. The Hearing Officer may refuse to allow questions that are threatening, unduly harassing, or that seek information that is not relevant under this Policy.

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.

Parties may make requests to the Title IX Coordinator related to the format or the nature of their participation in the hearing. The Title IX Coordinator will work with the Hearing Officer to accommodate reasonable requests. All hearings will occur via videoconferencing.

Scheduling

The Title IX Coordinator will schedule a hearing date and time and notify the parties and their advisors of the date, time, and location of the hearing.

Pre-Hearing Meeting

Prior to the hearing, or, at the latest, on the day of the hearing, the Hearing Officer or a designated Hearing Coordinator will conduct a pre-hearing meeting with the parties prior to commencing the hearing. At this pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions. If the complainant and/or respondent have elected to have advisors throughout the hearing process, the advisor is encouraged to accompany the complainant/respondent to this meeting. If the advisor does not attend this meeting, the advisor will nonetheless be held responsible for adhering to the rules of decorum and University processes for the hearing.

Witnesses

The complainant, respondent, and the Hearing Officer all have the right to call witnesses. Witnesses must have observed the conduct in question or have information relevant to the incident and cannot be called solely to speak about an individual's character. No party will be permitted to call as a witness anyone who was not interviewed by the Investigator as part of the University's investigation.

If any party wishes to call witnesses, the following must be submitted no later than five (5) business days before the hearing to the Hearing Officer and Title IX Coordinator via e-mail:

- The name of any witness (es)
- A summary of why the witness' presence is relevant to making a decision about responsibility at the hearing; and

The Hearing Officer will determine if the proffered witness(es) has relevant information.

When witnesses are approved to be present, the respondent and complainant will be provided with a list of witnesses and any relevant documents related to the witnesses' appearance at the hearing three (3) business days before the hearing.

Case Presentation

The hearing is intended to provide a fair and ample opportunity for each side to present their account of the incident and for the Hearing Officer to determine the facts of the case and make a determination as to whether University policy was violated. The hearing is not intended to be a repeat of the Investigation. The Hearing Officer will be well-versed in the facts of the case based upon the Investigation Report and the parties' responses to the Investigation Report, if any. The Hearing Officer will make a copy of the Investigation Report, the parties' responses to the Investigation Report, Interview Summaries, and any documentary evidence provided to the Investigator available to the parties for their use during the hearing.

The complainant and the respondent, their advisors, and the Hearing Officer will attend the hearing. Advisors may only be present during the hearing if the party they are advising is also present. A Hearing Coordinator designated by the University, who may be the Title IX Coordinator, will be present to ensure the orderly handling of the hearing. Any individual appearing as a witness will be present only while providing a statement and responding to questions.

The Hearing Officer has absolute discretion to decide upon a format for the hearing and to determine which witnesses are relevant to the outcome determination. A Hearing Officer may decline to hear from a witness where they conclude that the information is not necessary for their outcome determination. A typical hearing may include brief opening remarks by the Hearing Officer; questions posed by the Hearing Officer to one or both of the parties; and questions by the Hearing Officer to any witness. The Hearing Officer may also afford any party an opportunity at the end of the hearing to offer closing remarks. A decision whether to offer closing remarks is completely voluntary; however, closing remarks may only be made by the parties, and not their advisors. The Hearing Officer will have discretion to impose time limits on closing remarks.

Expectations of the Complainant, Respondent, and Witnesses at a Hearing

Students, staff, and faculty have the responsibility to participate fully and truthfully in any proceeding under this Policy. If any party chooses not to appear at the hearing, they will not be permitted to cross-examine the witnesses or any party during the hearing, nor will they be permitted to offer witnesses, documents, or a closing statement. If any party chooses not to appear at the hearing, the University may move forward with the hearing and imposition of findings and sanctions, if any, in absentia. In reaching findings in absentia, the Hearing Officer may rely on: (1) any information in the Final Investigation Report; (2) any documentary evidence disclosed to the Investigator; (3) any statements made during the hearing; and (4) any documentary evidence presented at the hearing. If the complainant chooses not to appear at the hearing, the University's ability to fully investigate, adjudicate, and respond to the complaint may be limited.

Record of Hearing

The hearing and any pre-hearing meetings or conferences are closed to the public. The complainant and the respondent are each allowed to have one advisor of their choice present throughout the

hearing process. The University will keep an official transcript or recording of the hearing; any other recording is prohibited.

Standard of Evidence

The Hearing Officer will determine a respondent's responsibility by a preponderance of the evidence. This means that the Hearing Officer will decide whether it is "more likely than not," based upon all the evidence, that the respondent is responsible for the alleged violation(s).

Notice of Hearing Outcome

Following the hearing, the Hearing Officer will consider all of the evidence and make a determination, by a preponderance of the evidence, whether the respondent has violated the Sexual Misconduct Policy. In making this determination, the Hearing Officer will independently review and assess all evidence collected and presented at the hearing. Where appropriate, the Hearing Officer may also assess credibility. The Hearing Officer will issue a written notice of hearing outcome (the "Final Report"), which will contain the Hearing Officer's factual findings, determination of whether a Sexual Misconduct Policy violation occurred, and a summary of the Hearing Officer's rationale in support of the hearing outcome. The Hearing Officer's written determination regarding responsibility and any sanctions will be provided to the parties within fifteen (15) business days of the hearing.

Sanctions and Remedies

Upon conclusion of the adjudication process, when there is a finding of responsibility, the complainant will be offered such remedies designed to restore or preserve equal access to the institution's education program or activity. If the Hearing Officer determines that the respondent is responsible for one or more violations of the University's antidiscrimination policies, the University will issue sanctions commensurate with the violation(s), in accordance with Appendix E.

Appeals

Appeals may be filed by either party and must be sent to the Title IX Coordinator. When an appeal is filed, the other party will be notified, in writing, and will then have five (5) business days to respond to the appeal. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal. The appeals process is documentary only, and no hearing is held. Appeals will follow the procedures outlined in Appendix G.

Appendix C: Disciplinary Resolution of a Grievance of Non-Title IX Misconduct Against Administrator, Staff Member, or Faculty Member

Appendix C outlines the disciplinary resolution procedures the University follows in resolving a grievance that a person has been subjected to Non-Title IX Misconduct by an administrator, staff member, or faculty member in violation of the University's Sexual Misconduct Policy.

Notice of Investigation

The Title IX Coordinator's written notification to the respondent will state facts sufficient to apprise the respondent of the nature of the allegations, including specifically:

- The complainant's name;
- Nature of the complaint;
- Specific policy violations alleged (e.g., sexual assault, racial harassment, retaliation);
- Dates of alleged policy violations;
- Locations of alleged policy violations;
- Brief description of the incident/ alleged misconduct;
- An overview of the procedural options and process, including Adaptable Resolution and Disciplinary Resolution;
- The availability of an advisor of their choice; and
- A description of the University's policy prohibiting retaliation

In the notice to the respondent, the Title IX Coordinator will request a meeting within three (3) days of transmittal of the notice. If the respondent does not respond to the meeting request, the investigation may proceed without the respondent's participation.

Investigation

The Title IX Coordinator will select a trained internal or external Investigator or a two- person investigative team, (which may include a combination of one internal and one external Investigator) (the "Investigator") to conduct a reasonable, impartial, and prompt investigation of the complaint ("Investigation"). The Title IX Coordinator will notify the parties, in writing, of the name of the Investigator within three (3) business days of the Investigator's selection. Both parties will have three (3) business days to object to the Investigator's selection on the basis of bias or conflict of interest. If either of the parties objects, the Title IX Coordinator or other University Administrator if the objection is against the Title IX Coordinator, will evaluate whether the objection is substantiated. The Title IX Coordinator will remove and replace any Investigator the Title IX Coordinator finds to have a bias or conflict of interest against either party.

Reasonable effort will be made to complete the investigation within sixty (60) business days of the date the formal complaint is made or as soon thereafter as practical under the circumstances. The Title IX Coordinator will provide the complainant and the respondent with notice of any delays and give them a new timetable for completion of the investigation.

The investigation will include an interview(s) with the complainant, the respondent and/or any other person who may have information regarding the incident, each of whom is encouraged to cooperate

with any investigation. The Investigator may also gather any relevant documents. The Investigator will also conduct follow-up interviews, as necessary. The Investigator will take steps to ascertain the accuracy of the notes taken in each interview, whether by reading the notes back to the person interviewed at the conclusion of the interview, or by providing a copy of the notes and requesting corrections.

The Investigator will provide the interview notes or summaries, and any relevant documentary evidence gathered, to the parties for review. Given the sensitive nature of the information provided, the information will be provided in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Neither the complainant nor the respondent (or their advisors, including but not limited to family members and/or legal counsel) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any party who fails to abide by this Policy may be subject to discipline. Any advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process. The parties may respond to the Interview Summaries and any documentary evidence; the parties will submit any response within ten (10) business days of being notified of their opportunity to review the documents. The parties may respond in one or both of the following ways:

- The parties may provide a written response. The Investigator will incorporate any written response provided by the parties in the Final Investigation. Report.
- The parties may submit a written request for additional investigation. Such requests may include, but are not limited to, the following: (1) request(s) for follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the Investigator to pose to witnesses; (2) request(s) for interviews with new witnesses; or (3) request(s) to consider new evidence. Any request for additional investigation will explain the reason for the request.

The Investigator will review the evidence submitted by the parties and conduct any additional fact-gathering as may be necessary.

The Investigator will prepare a Final Report for the Title IX Coordinator. The report will state (1) the ultimate finding(s) (e.g., whether the respondent did, or did not, violate University Policy); (2) the specific factual findings in support of the Investigator's ultimate finding(s); and (3) the specific evidence upon which the Investigator relied in making each factual finding. The standard for determining whether the policy has been violated is the preponderance of the evidence standard, i.e., whether it is more likely than not that a violation of University policy occurred. Where applicable, the report will have attached as appendices the testimonial and documentary evidence from the Investigation. Once the Investigator is satisfied that the report is complete, the Investigator will submit the report to the Title IX Coordinator. The Title IX Coordinator will review the report and assess whether the report demonstrates, by a preponderance of the evidence, that: (1) the evidence supports the Investigator's factual findings; and (2) the Investigator's factual findings support the Investigator's ultimate finding of responsibility or non-responsibility.

Once the report is finalized, the Title IX Coordinator will issue a resolution letter to the complainant and respondent. The resolution letter will briefly describe how the investigation was conducted, as well as the ultimate finding(s) (i.e., whether the respondent did, or did not, violate University policy) and the specific factual findings in support of the Investigator's ultimate finding(s).

Sanctions

Where the Investigator concludes that a violation of this Policy has occurred, the appropriate University officers will take prompt and appropriate remedial action, including disciplinary action, as described in Appendix F.

Appeals

The right to appeal is limited and applies only in cases where suspension without pay or termination of employment are appropriate disciplinary actions for the alleged conduct. An appeal for such cases will follow the procedures outlined in Appendix G.

Appendix D: Alternative Resolution

Alternative resolution is a voluntary, remedies-based, structured interaction between or among affected parties that balances support and accountability without taking formal disciplinary action against the respondent. Alternative resolution is generally designed to allow the respondent to acknowledge harm and accept responsibility for repairing harm (to the extent possible) experienced by the complainant and/or the University community. Alternative resolution is designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the complainant while maintaining the safety of the campus community. Alternative resolution may not be used in cases where an employee is alleged to have committed Title IX Sexual Harassment against a student.

Circumstances in which Alternative Resolution May Be Used

The Title IX Coordinator reviews the matter to the extent necessary to confirm that it is of the type that would be appropriate for an alternative resolution process and that use of an alternative resolution process was without pressure or compulsion from others. The alternative resolution options available under this Policy recognize:

- The goal of alternative resolution is to address the Prohibited Conduct, identify ways that individuals and/or the community have been harmed, and develop a resolution agreement to address the harm and prevent future Prohibited Conduct;
- Participation is voluntary and both a complainant and a respondent, as well as any other participating individuals, must consent in writing to participation in alternative resolution;
- The written consent will inform the complainant and the respondent that either can request to end alternative resolution at any time and pursue formal resolution. Written consent will also inform parties that information gathered and utilized in alternative resolution by and between the parties cannot be used in any other University process, including formal resolution, if alternative resolution ends and formal resolution begins or resumes;
- The University will not pressure or compel a complainant to engage in mediation, to directly confront the respondent, or to participate in any particular form of alternative resolution;
- Prohibited Conduct affects complainants, respondents, witnesses, friends, community members, family members, and others;
- Complainants, respondents, and other participants in alternative resolution often benefit when resolution processes and outcomes are tailored to meet their unique needs and interests;
- Complainants and other participants in alternative resolution may find it useful to meet with a respondent who acknowledges the substance of the underlying events and who acknowledges that complainants or participants have reported experiencing harm as a result;
- Structured interactions between participants can facilitate long-term healing and reduce recidivism; and
- Participants in alternative resolution processes must be protected from secondary victimization and other potential harms, including the pressure to proceed through alternative resolution instead of formal resolution.

Alternative Resolution Options

The alternative resolution options will be determined by the Title IX Coordinator, who will appoint an alternative resolution coordinator. The alternative resolution coordinator must be impartial and free

from demonstrated bias or actual conflict of interest. If the alternative resolution coordinator has concerns that they cannot facilitate a fair or unbiased process, the alternative resolution coordinator must report those concerns to the Title IX Coordinator and a different alternative resolution coordinator will be assigned. Similarly, a complainant, a respondent, or any other participant who has concerns that the assigned alternative resolution coordinator cannot enable a fair and unbiased process, may report those concerns to the Title IX Coordinator who will assess the circumstances and determine whether a different alternative resolution coordinator should be assigned to the alternative resolution process.

If a party requests the initiation of an alternative resolution process and the Title IX Coordinator agrees that the matter is appropriate for alternative resolution, each party will receive a written notice that discloses:

- The allegations;
- The requirements of the alternative resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- The parties' right to withdraw from alternative resolution and resume or initiate disciplinary resolution with respect to the formal complaint; and
- Information about maintenance of records or how records could be shared.

With approval from the Title IX Coordinator, after consultation and intake with the alternative resolution coordinator, the complainant and the respondent may voluntarily agree on the process that best meets the interests and needs of the parties. Alternative resolution may include one or more of the following restorative approaches:

Facilitated Dialogue: A structured and facilitated conversation between two or more individuals, most often the complainant, the respondent, and/or other community members. The focus is often on providing a space for voices to be heard and perspectives to be shared. Depending on stated interests, the participants may sometimes work towards the development of a shared agreement, although working towards an agreement is not always the intended outcome.

Restorative Circle or Conference Process: A facilitated interaction where the individuals who have experienced harm can come together with an individual(s) who assumes responsibility for repairing the harm (to the extent possible). A circle or conference may include multiple members of the community to explore individual and community impact, harm, obligations, and opportunity for repairing them. Parties must agree on all those who will be present.

Facilitated (Indirect) Agreement: An indirect, facilitated conversation individually with the complainant, the respondent, and/or other participants to discuss experience and perspective and explore interests while working towards meeting expressed needs. This negotiated process does not require direct interaction between the parties or the parties and other participants, but rather, independently, with a coordinator.

Measures that may be agreed to as a result of the alternative resolution process may include, but are not limited to:

- Alcohol education classes for the respondent;
- Regular meetings with an appropriate University individual, unit, or resource;

- Permanent extension of a no contact directive, whether mutual or unilateral;
- Restriction from participation in specific clubs and/or organizations;
- Respondent restriction from participation in particular events;
- Respondent completion of an educational plan with appropriate University staff or faculty member; and/or
- Counseling sessions for the respondent.

Individuals who wish to participate in an alternative resolution process must have successfully completed preparatory meetings with the alternative resolution coordinator. Individuals may be accompanied by an adviser at any meetings related to the alternative resolution process.

Resolution Agreements

Any agreements reached in an alternative resolution must be documented by the alternative resolution coordinator and approved by the Title IX Coordinator to ensure consistency with the University's Title IX obligations. An agreement will not be considered valid if the Title IX Coordinator does not approve it. If the Title IX Coordinator or designee approves an agreement after the parties have voluntarily reached consensus as to its terms, the respondent will be required to comply with the agreement. If no agreement is reached, the matter may be referred to the Title IX Coordinator for further action. Once the Title IX Coordinator approves an agreement, the parties are bound by its terms and cannot return to Disciplinary Resolution.

To fairly assess pattern or systemic behavior, the Title IX Coordinator will maintain records of all reports and conduct referred for alternative resolution. The time frame for completion of alternative resolution may vary, but the University will seek to initiate action within fifteen (15) business days of the initial assessment. While the University will seek to honor confidentiality of the parties' communications with the facilitator during the alternative resolution process to the extent necessary to facilitate the resolution, the University may be required to produce records created during this process in response to a judicial subpoena or a FERPA educational record request. If alternative resolution is stopped prior to completion, statements made by a party in alternative resolution may not be used in a disciplinary resolution process related to that matter.

Remedies or Interventions for the University Community

In addition to interventions applied to the respondent, and regardless of whether the University pursues a Disciplinary Resolution or takes other formal disciplinary action, the Title IX Coordinator may find it helpful or necessary to request or require the respondent or others to undertake specific steps designed to eliminate the misconduct, prevent its recurrence, and/or remedy its effects. Examples include, but are not limited to, the following:

- Requesting or requiring a University entity to provide training for its staff or members;
- Requesting or requiring the respondent to receive training;
- Continuing any of the protective and supportive measures previously established;
- Identifying the need for any additional or ongoing measures, supports and remedies; or
- Revising University policies, practices, or services.

Appendix E: Student Sanctioning Procedures

If a report proceeds through Disciplinary Resolution and the respondent is found responsible for one or more violations of the University's antidiscrimination policies, the University will issue sanctions commensurate with the violation(s).

When a student is found responsible for violating the University's antidiscrimination policies, sanctions will be assigned to the student. The following are possible, but not limited to, outcomes sanctions which may be assigned:

- ***Disciplinary Warning***: Notice to the student that future misconduct will result in more severe disciplinary action by the University.

- ***Disciplinary Probation****:* A specified period of time during which the student is removed from good disciplinary standing. The student may be restricted from representing the University in any extracurricular activity or running for or holding office in any student group or organization. Probationary status may permit the student to remain in the residence halls and at the University on the condition that they comply with the action plans determined by the Student Conduct Officer.

- ***Residence Hall Probation****:* A specified period of time in which a student is allowed to continue living in the residence halls, however, the student's resident status is in jeopardy. Should further disciplinary issues occur during the period of Residence Hall Probation, the period of Residence Hall Probation may be extended or suspension from the residence halls may be imposed. Residence Hall Probation may also include reassignment to a different residence hall room or building.

- ***Residence Hall Suspension****:* Student is removed from the residence halls, without refund of housing fees, and is not allowed to live in the residence halls or have residence hall visitation privileges for a designated period of time.

- ***Suspension****:* Temporary loss of student status for a specified time with resultant loss of all student rights and privileges. A suspended student will be required to leave campus and not be permitted to return until the time of the suspension has elapsed. A suspended student will lose credit for subjects carried that semester and fees and tuition will be forfeited. The disciplinary action will be recorded as a part of the student's record in the Dean of Students Office. Conditions for readmission after the suspension period may be specified.

- ***Expulsion****:* Permanent termination of student status. An expelled student shall receive a grade of "F" in all courses carried during the term they are expelled and fees and tuition will be forfeited according to the normal withdrawal policy. The expelled student will not be permitted on campus without permission from the Vice President for Student Development. The action of expulsion will be noted in the student's record in the Dean of Students Office.

- ***Behavioral Requirements***: A requirement to participate in certain activities, including, but not limited to, obtaining academic counseling, substance abuse assessment, behavioral assessment, etc. This sanction may require the student to submit payment of any resulting fees in order to participate.

- ***Educational Requirements***: Requirement to attend, complete, present, and/or participate in a program or assignment that is educational and/or reflective in nature. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning

about a specific topic or issue related to the violation for which the student or organization was found responsible. This sanction may require the student to submit payment of any resulting fees in order to participate.

- ***Loss of Privileges***: The student will be denied specified privileges for a designated period of time, including, but not limited to restrictions on participation in campus activities, campus presence, residence hall visitation, parking privileges, or contact with individuals or groups on campus.

- ***Restitution****:* Student is held responsible for damages to personal or community property through financial compensation or appropriate work arrangements.

- ***Fine****:* Monetary requirement which must be paid within a designated time

In determining the appropriate sanction, the Hearing Officer may consider factors including but not limited to the following:

- the nature and violence of the conduct at issue;
- the impact of the conduct on the complainant;
- the impact or implications of the conduct on the community or the University;
- prior misconduct by the respondent, including the respondent's relevant prior discipline or criminal history (if available);
- maintenance of a safe and respectful environment conducive to learning;
- protection of the University community; and
- any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Title IX Coordinator also has the discretion to review any interim protective or remedial measures to determine whether they should be changed or are no longer applicable.

Any one or more of the sanctions listed here may be imposed on a respondent who is found responsible for a violation of the University's Sexual Misconduct Policy. Sanctions are assessed in response to the specific violation(s) and any prior discipline history of the respondent. Sanctions are effective immediately. If the respondent appeals the findings contained in the Final Report, the sanctions will continue in effect during the appeal unless the Title IX Coordinator and Hearing Officer together determine that it is appropriate stay some or all of the sanctions; the Title IX Coordinator and Director of Community Standards and Student Wellbeing shall also have the discretion to temporarily remove a respondent from campus or some or all programs and activities, depending upon the nature of the findings.

Appendix F: Administrator, Staff Member, or Faculty Member Sanctioning Procedures

If the respondent is found responsible for a violation of one or more of the University's antidiscrimination policies, the Disciplinary Resolution process concludes with the imposition of discipline. If the respondent is found not to have violated any antidiscrimination policy, the Disciplinary Resolution has concluded. If, however, the respondent is found not to have violated any antidiscrimination policy but is found to have engaged in inappropriate or unprofessional conduct which violates University policy, the appropriate University officers will take prompt and appropriate remedial action, including disciplinary action, limited to the actions set forth below.

Remedies

Remedies may include but are not limited to offering to remove the complainant or the respondent from the hostile environment; changes in classes; changes in residence arrangements; changes in schedules or work hours; changes in work assignment/location; a "no contact" order.

Discipline

Persons who violate one or more of the University's antidiscrimination policies will be disciplined pursuant to and in accordance with any and all applicable University rules, policies, and procedures. The form the discipline will be dependent on the nature of the violation. A person against whom such discipline is imposed will have any rights to contest the imposition of discipline as may otherwise exist under applicable University rules, policies, or procedures.

Accommodations and Non-Disciplinary, Administrative Measures

In addition to, and independent of, the results of the investigation and disciplinary process, the Title IX Coordinator, in consultation with the Director of Human Resources and/or the appropriate Vice President, will determine any appropriate non-disciplinary, administrative measures. Such measures may include various forms of remedial, community-based responses, such as educational initiatives and/or trainings. In addition, the Title IX Coordinator will continue to provide for the care and support of the parties as appropriate, including the ongoing provision of appropriate accommodations.

Appendix G: Appeal Procedures

Appeals of hearing or investigative outcomes may be filed by either party. Appeals must be sent to the Title IX Coordinator within five (5) business days of receipt of the Final Report. When an appeal is filed, the other party will be notified, in writing, and then have five (5) business days to respond to the appeal. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal.

The appeals process is documentary only, and no hearing is held.

Appeal of Finding and/or Sanctions

In cases involving the Sexual Misconduct & Relationship Violence Policy, both the complainant and respondent may appeal the outcome, including a finding of responsibility (or no responsibility) and/or the sanction. In a request for an appeal, the burden of proof lies with the party requesting the appeal. Dissatisfaction with the outcome of the investigation is not grounds for appeal. The limited grounds for appeal are as follows:

- A procedural error or irregularity which substantively affected the outcome of the student conduct process.
- New evidence that was not available at the time of the student conduct conference and which could have a substantial impact on the outcome of the student conduct process. A summary of this new evidence and its potential impact must be included with the appeal.
- The Title IX Coordinator, investigator(s), or Hearing Chair/Panel had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- The sanction imposed are substantially disproportionate to the severity of the violation.

The Appeal Officer for when the respondent is a student is the Vice President for Student Development. The Appeal Officer for when the respondent is a faculty member is the Vice President for Academic Affairs. The Appeal Officer for when the respondent is a staff member is the Vice President for Administration.

When the Appeal Officer is unable to serve, the Title IX Coordinator will select a trained individual to be the Appeal Officer with notice to the parties.

The Appeal Officer must be a neutral and impartial decision maker. The parties will be informed, in writing, of the specific Appeals Officer. Within 1 calendar day of receiving the notice of the designated Appeals Officer, the complainant and the respondent may submit a written request to the Title IX Coordinator to replace the named Appeals Officer if there are reasonable articulable grounds to establish demonstrated bias, actual conflict of interest or an inability to be fair and impartial. The designated Appeals Officer will only be replaced if the Title IX Coordinator determines their bias precludes impartiality or constitutes conflict. Additionally, an Appeals Officer who has reason to believe they cannot make an objective determination must recuse themselves from the process.

A complainant or respondent must submit a written appeal to the Title IX Coordinator and within 5 business days of receipt of the Notice of Outcome. The written appeal must include the specific basis for the appeal and any information or argument in support of the appeal. Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted to the Title IX

Coordinator within 3 business days from the other party's receipt of the appeal. Appeal responses are shared with the other parties but no reply is permitted.

The Appeals Officer will make a decision regarding the written appeal and, within 10 business days of receipt of all appeal documents, notify the complainant and the respondent of the outcome. The Appeal Officer may affirm the finding(s); alter the finding(s); alter the sanctions; or request that additional steps be taken.

Appeal decisions are final. All appeal deadlines may be extended for good cause by the Title IX Coordinator. Any extension will be communicated to the parties.