## Student Handbook
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STUDENT HANDBOOK

OVERVIEW
As a member of Capital University, you have voluntarily entered into a community of learners who are expected to exhibit thoughtful academic study and discourse, and ethical and socially responsible behavior on and off-campus. Capital University is committed to student development and personal growth. Conduct occurs in the context of a community of scholars dedicated to seeking excellence in academics, personal learning and leadership. We encourage students to be reflective of the university values and behavioral expectations as they practice self and group advocacy and personal responsibility.

Capital establishes expectations, policies, and procedures that are designed to protect individual freedoms and build an ethical and just community of learners. The Student Handbook outlines the expectations for student conduct on our campus and within our community. The policies, procedures and information in this document preserves free and open exchange of ideas and opinions for all members of the Capital University. This free and open exchange is central to the mission of the University.

All Capital students assume an obligation to conduct themselves in a manner compatible with the University’s function as an educational institution. Learning and living in a community is not without difficult dialogues, personal challenges, and the need for support, reflection and guidance. Student conduct is not viewed as isolated from the educational community but as part of the whole student learning process. The Student Code of Conduct protects the freedoms and liberties inherent in an academic community for individuals and groups of students.

At Capital University, all students are expected to know the Code, and be responsible members of the learning community. Although ultimate authority for student misconduct rests with the President, she delegates disciplinary authority to the Provost/Vice President of Learning to appoint conduct administrators and conduct officers and determine the appropriate conduct administrator or body to hear cases of student misconduct. The Code is administered through the leadership of the Dean of Students. The Dean of Students serves as the designee from the Provost and is an advisor when students are in need of information on how to address specific conduct questions and concerns. They provide a non-threatening environment for disclosure, while serving as a campus resource and liaison between faculty, staff, students, organizations, clubs and various other campus entities.

*Please note, this publication is subject to change, and brevity and clarity have been the guidelines in their preparation. You should verify information or seek more details on any topic from the departments, offices, and organizations detailed in this publication.*
STUDENT CONDUCT MISSION

The mission of student conduct is to educate students, reinforce the values of the institution and to uphold and enforce community standards and conduct within an educational context. All conduct officers foster the development of the whole student through an educational dialogue reflecting on behavioral choices, academic progress, learning and ultimately student success. In addition, all conduct process encourages the development of knowledge and skills necessary to become responsible citizens of the Capital community.

PHILOSOPHY

Capital University is a teaching and learning community in which the ideals of freedom of inquiry and expression are sustained. Exercise and preservation of these freedoms require a respect for the individual as well as the rights of all in the community. As individuals grow and mature in communities we depend on the knowledge, integrity and the decency of all. Different ideas, opinions, and values help to build a “constructive community” where divergent ideas help to make for a more complete educational experience.

VALUES

1. **Integrity** - All members of our community are expected to exemplify honesty, respect for truth, and congruence with university standards and behavior expectations in all exchanges and interactions.

2. **Responsibility** - Members of our community are expected to take ownership of individual choices and any subsequent consequences.

3. **Respect** - All community members are expected to honor and esteem the rights and freedoms of each unique individual, and to understand the value and worth of college property and the property of others, and demonstrate care for individuals and property.

4. **Fairness** - Members of the community are expected to follow all published rules and guidelines in good faith as the university is committed to developing consistent, honest and just systems.

5. **Community** - Learning to live as a member of a community is an important part of the personal development of our students. Each individual must learn to respect others’ needs and expectations, voice their own expectations and concerns about community life, and resolve differences and conflicts peacefully.

LEARNING OUTCOMES

**Student Conduct Process:**

1. Students will be able to explain the student conduct process, University policy, and potential consequences for further violations.

2. Students will be able to articulate the impact of their behavior on themselves and other members of the Capital University community.

3. Students will identify strategies and resources to seek assistance when addressing concerns and avoiding future violations of University expectations.
STUDENT CODE OF CONDUCT

Any student or student organization found to have committed or attempted to engage in the following misconduct is subject to intervention and conduct action:

1. Acts of dishonesty, including but not limited to furnishing false information to any university employee or office; forgery, alteration, or misuse of any university funds, document, record, or instrument of identification; tampering with an election conducted by any recognized student organization.

2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other university activities including public service functions on or off campus or other authorized non-university activities when the act occurs on university premises.

3. Conduct which threatens or endangers the well-being of any person, including but not limited to sexual misconduct (including sexual harassment and sexual assault) and other forms of interpersonal violence (domestic violence, dating violence, stalking), physical abuse, verbal abuse, threats, intimidation, harassment, coercion, or violations of human dignity. [NOTE: violations of the university’s Sexual Misconduct policy will be handled according to the procedures of that policy. The Sexual Misconduct policy is reproduced in this handbook under the section on general policies and procedures, and is also located on the university website.] [NOTE: Violence in any form is inconsistent with the values of Capital University. As such, we believe that students have an obligation to deescalate conflict and/or remove themselves from dangerous situations if at all possible. If you have taken all prudent and precautionary measures to avoid an altercation, and violence is still unavoidable, you may use only the amount of force necessary to extricate yourself from the altercation. Failing to take advantage of an opportunity to remove oneself from the situation negates the claim of self-defense. Actions consistent with appropriate self-defense will be considered a mitigating factor in consideration of potential conduct action and/or sanctioning.]

4. Knowingly initiating or causing to be initiated any false report, warning or threat of fire, explosion, or other emergency.

5. Tampering with, interfering with, or improperly engaging safety equipment including cameras, fire alarms, fire detection/control equipment, and door alarms.

6. Attempted or actual theft of university property or property of a member of the University community or other private or public property. Knowingly taking or maintaining possession of stolen property.

7. Hazing is as an act which causes or creates a substantial risk of causing mental or physical harm, pain, discomfort, embarrassment, harassment or ridicule of a student or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in, a group or organization. The express or implied consent of the victim is not a defense. Apathy and acquiescence in the presence of hazing is not a neutral act; they constitute hazing for the purposes of this rule.

8. Destroying, damaging or littering of any property intentionally or recklessly destroying, damaging, or littering personal or university property or other private or public property.

9. Failure to comply with the directions of University officials or public safety officers acting in the performance of their duties and or failure to identify oneself to these persons when requested to do so.

10. Unauthorized possession, duplication or use of keys/proximity cards, to any University premises or unauthorized entry to or use of University premises or property.
11. Use, possession, manufacturing or distribution of narcotic or other controlled substances including the possession of drug paraphernalia except as expressly permitted by law.

12. Use, possession, manufacturing or distribution of alcoholic beverages except as expressly permitted by law and University regulations. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age. Public intoxication is expressly prohibited.

13. Illegal or unauthorized possession of firearms, other weapons, explosives, fireworks, or other potentially dangerous chemicals on any University premises. This includes acts which are related to fire safety endangerment including but not limited to setting a fire, misuse or tampering with fire and safety equipment.

14. Participation in an on-campus or off-campus activity which disrupts the normal operations of the University or infringes on the rights of other members of the University community; causing, participating, inciting others to disrupt scheduled or normal activities within any campus building or area.

15. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions.

16. Gambling, including bookmaking, games of chance for profit, and/or technology or other devices that contribute to gambling.

17. Theft or abuse of University electronic resources, including but not limited to:
   a. Unauthorized access of a file to use, read, or change the contents, or for any other purpose.
   b. Unauthorized transfer or duplication of a file.
   c. Use of another individual’s identification or password and use of computing facilities or resources to interfere with the work of another student, faculty or staff member.
   d. Use of computing facilities or resources to send obscene, abusive or harassing messages.
   e. Use of intellectual property without authorization from the owner including downloading, uploading or sharing copyrighted material without permission.
   f. Use of computing facilities or resources to interfere with normal operation of the University computing systems of any other person or organization.
   g. Unauthorized use of computing facilities or resources to support or advocate any commercial, political or nonprofit organization.
   h. Unauthorized operation or attempted operation of servers, routers, switches, bridges, wireless access points, or other network equipment.
18. Host responsibility is required of all students (on and off campus) and or organizations or groups. Host responsibility means that you may be liable or responsible for your guests’ (student or non-student) behavior. Non-members of the university community whose behavior is detrimental to the university function may have their visiting privileges revoked or be subject to no trespassing on University premises.

19. Abuse of the University’s conduct system, including but not limited to: failure to obey a notice to appear for a meeting or hearing; falsification, distortion or misrepresentation of information; disruption or interference with the orderly conduct of any conduct proceeding; knowingly instigating of any conduct proceeding without cause; attempt to use intimidation to discourage an individual’s rightful participation in or use of the conduct system; attempt to influence the impartiality of a member of a hearing body or officer prior to any proceeding, harassment of a member of hearing board or officer prior to, during or after a proceeding; failure to comply with sanctions imposed by an officer or hearing board, making public confidential information from a conduct proceeding.

20. Violation of any University policy, rule or regulation (including residential and housing policies) which are published in hard copy or available electronically on the university website.

21. Violation of any federal, state or local law.

**VIOLATION OF LAW AND UNIVERSITY POLICY**

Students may be accountable to both civil authorities and to the university for acts which constitute violations of law and of university policy. In some cases, students may be referred to civil authorities for arrest or prosecution resulting from actions that are also violations of university policy. The university is responsible for addressing allegations of policy violations regardless of and separate from any other proceedings. Student conduct meetings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

When a student is charged by federal, state or local authorities with a violation of law, the university will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also a violation of university policy, the university may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally within the university community. The university will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by the criminal courts for the rehabilitation of student violators.

**UNIVERSITY JURISDICTION**

University jurisdiction relative to student conduct administration shall include conduct:

- That occurs on university premises.
- That occurs at university-sponsored or university-supervised events regardless of where they occur.
- That occurs off university premises when the behavior may adversely affect the University community and its interests as an academic community.
- That relates to any facet of the relationship between the student and Capital University’s International study abroad/away and other off campus academic or other recognized programs.
CONDUCT DEFINITIONS

A. **Advisor** - the term “advisor,” refers to a faculty member, administrator, or student from the university, who may be pre-sent during a conduct hearing, assist in the preparation of a hearing, and consult with the student during a hearing.

B. **The Campus Hearing Board** - reviews student conduct, determines responsibility, holds students accountable, and imposes sanctions for misconduct as defined in the Capital University Student Code of Conduct. Applications are available to student in late fall. Faculty and staff are appointed in accordance with procedures approved by the Provost/Vice President of Learning.

C. **Conduct Administrator**—the conduct administrator will be to provide administrative and procedural support to the Campus Hearing Board. In no event shall the conduct administrator serve as a member of a hearing board, because the conduct administrator has no role in the process that would influence the decision of the campus hearing board, and is not a member of the campus hearing board. The conduct administrator cannot be removed from a hearing on allegation of personal bias, although specific interpretations or recommendations of the conduct administrator may be included in the justification for an appeal.

D. **Conduct Officer** - means a University official appointed by the Provost/Vice President of Learning, or by their designee, to impose sanctions upon students found to have engaged in misconduct as described in the Code of Student Conduct or any other university policy. Staff is designated by the Provost/Vice President of Learning as conduct officers who are responsible for hearing violations of the Student Code of Conduct.

E. **Conduct Review Sub-Committee** - refers to a 3 member subset of the campus hearing board that includes at least one faculty or administrator and at least one student to review results of a preliminary investigation by the conduct administrator. The sub-committee can determine whether or not to send the complaint to a full hearing and in cases where the respondent has claimed responsibility for the misconduct can issue sanctions.

F. **Complainant** refers to any person who submits a report alleging that a student violated the Student Code of Conduct.

G. **Hearing** is a formal meeting to determine whether violations of the Student Code of Conduct have occurred.

H. **IFC Hearing Board** reviews organization and new recruitment violations of conduct as stated in the IFC constitution. A decision can be made by the Conduct Officer to hear any case involving a member organization.

I. **Faculty member** refers to any person hired by Capital to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

J. **Group** refers to a number of persons who are associated with each other but who have not complied with university requirements for registration as an organization.

K. **Guest** refers to individuals or visitors on campus including, but not limited to, the host student’s residence facility.
I. **Member of the Capital community** includes any person who is a student, faculty member, university official or any other person employed by the university. Any question concerning a person’s status in a particular situation shall be determined by the Provost/Vice President of Learning or by their designee.

M. **Non-Student** refers to any person who is not enrolled part-time or full-time or auditing classes at Capital.

N. **Student Organization** refers to any number of persons who have complied with university requirements for recognition.

O. **Panhellenic Council Conduct Board** reviews organization and new recruitment violations of conduct as stated in their constitution. A decision can be made by the Conduct Officer to hear any case involving a member organization.

P. **Policy** is defined as the written regulations of the university as found in, but not limited to, the Student Code of Conduct, other policies in the Capital University Student Handbook, the Undergraduate Bulletin, or on the university website.

Q. **Respondent** refers to any person who is alleged to have violated the Student Code of Conduct.

R. **Sanction** refers to official university responses to violations of the Student Code of Conduct. Sanctions are intended to educate students and redirect inappropriate behavior toward a more acceptable pattern consistent with community standards, institutional values, and student success.

S. **Staff** or **administrative staff** refers to all full-time and part-time non-teaching employees.

T. **Student** refers to any person enrolled part-time or full-time taking or auditing classes at Capital. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the university or who have been notified of acceptance for admission are considered students.

U. **University** or **Capital** refers to Capital University.

V. **University Official** includes any person employed by the university who performs assigned administrative or professional responsibilities.

W. **University Premises** includes all land, buildings, facilities, and other property in the possession of or owned, used, leased, operated, controlled or supervised by the university.

X. **University Sponsored Activity** refers to any activity, on or off university premises that is directly initiated or supervised by the university.

Y. **Provost/Vice President of Learning** is the person designated by the university to be responsible for the administration of all aspects of student life, and shall be responsible for the administration of the Student Code of Conduct, although the President may assign another person to discharge those duties if the President deems it appropriate to do so.

Z. **Violation** refers to a formal allegation to a student misconduct of the Student Code of Conduct or other university policy. Violations are described in a letter sent to a student whose conduct is in question.
CONDUCT PROCESSES

A. Mediation: Mediation is encouraged as an alternative means to resolve some conduct cases, except those involving sexual misconduct. A conduct officer, conduct administrator, or hearing body may recommend mediation to resolve disputes within the University community. Mediation is appropriate only when all parties involved (complainants and respondents) voluntarily agree to engage in the mediation process. Shuttle Diplomacy Mediation may be used when the parties involved simply want to communicate a change in status or behavior between two parties or a previous mediated agreement; the parties do not seek facilitation from the mediator regarding a dispute. In cases where a complaint is filed by a University official serving solely in that role, mediation is not an option. Mediation will involve the resolution of the incident, including sanctioning when needed. If mediation fails, the case will be forwarded to a hearing board.

B. General Conduct Process: The following section outlines the student conduct process for students at Capital University related to violations of the Student Code of Conduct, Residence Life and Housing and all other University policies, procedures or regulations. In certain circumstances following an incident of serious misconduct by an individual or group, the Provost/Vice President of Learning or his /her designee, has the option to impose a suspension, dismissal, or other sanctions without a formal hearing process.

1. Any member of the University community may file a complaint (incident report) against a student, group, or student organization for misconduct. A report must be prepared in writing and directed to the Student Affairs Office for distribution to a conduct officer or administrator.

2. After reviewing and investigating a complaint, the conduct administrator or designated officer will determine whether or not the offense falls within the jurisdiction of a Conduct Officer or the Campus Hearing Board and/or Peer Review Board and whether or not a hearing is warranted.

3. Students involved in an alleged complaint are contacted to meet with a conduct officer within a designated period of time. During an investigation if a student takes responsibility for alleged misconduct the Conduct Administrator can comprise the Conduct Review Sub- Committee to review results of the preliminary investigation to determine whether or not the offense falls within the Campus Hearing Board’s jurisdiction and to determine whether a formal hearing is warranted. The Sub-committee may make a decision and impose sanctions although the student has a right to appeal the decision.

4. If a formal hearing is warranted the complaint will be presented to the responding student or student organization in written form. A time will be set for a hearing, not less than two and no more than 10 days after the student has received notification. Maximum time limits for scheduling of hearings may be extended at the discretion of the Conduct Administrator. Notice of conduct proceedings and related materials will be expediently sent to the student’s campus mailbox. Additionally, notice by e-mail will also be sent, where possible. It is the student's responsibility to provide accurate information to the university and to update this information anytime a student changes addresses.
5. Conduct Administrator or Officer may determine if the complaint has merit and/or if a complaint can be resolved by mutual consent of both parties involved. Such informal resolutions will be final and there will be no subsequent proceedings.

6. All Residential Life professional staff designated as Conduct Officers may conduct hearings for most initial violations of policy and procedure related to the residential facilities. The hearing will be used to determine responsibility, and potential sanctions.

7. Once the incident/complaint is assigned to a conduct officer, the conduct administrator or her designee assumes the role of monitor, adviser and record keeper. All decision letters are forwarded to the Office of Student Affairs.

C. Board Hearings

Formal hearings conducted by the Campus Hearing Board will follow the following guidelines

1. Admission of any person to the hearing will be at the discretion of the hearing board. Every attempt will be made to respect the confidentiality of the parties.

2. In situations involving more than one responding student, the hearings concerning each student usually will be conducted separately.

3. The complainant and the respondent have the right to be assisted by any advisor they choose, at their own expense. The complainant and or the respondent is responsible for presenting their own case and therefore advisors are not permitted to address the hearing board, although they may consult with the individual(s) to whom they are serving as an advisor.

4. The respondent is required to appear at a hearing. If the respondent fails to appear the hearing board reserves the right to conduct a hearing on the basis of the information submitted, or to postpone the hearing. Except in the case of a complaint against a student for failing to obey the summons of a hearing board or University official acting on behalf of the hearing board, no student may be found to have violated the Code of Student Conduct or other University policy or procedure because a student failed to appear before the hearing board. In all cases all information collected through the investigation will be presented and considered including a summary of past violations of misconduct.

5. All procedural questions are subject to the final decision of the Chair of the hearing in conjunction with the Conduct Administrator.

6. After the hearing, the hearing board will determine whether the student is responsible for engaging in misconduct.

7. If the hearing board determines that the student is responsible for engaging in misconduct, members will determine sanctions.

8. Formal rules of evidence are not applicable in hearings.

9. Any determination of responsibility will be supported by a written finding that is place in the respondent’s disciplinary file and will be made available to the respondent.

10. There will be a single record, kept in the form of an audio recording, a video recording or a hand transcription of all hearings before a hearing board, not including deliberations. Deliberations will not be recorded. The record is the property of the University.
11. All students involved in the conduct process are entitled to the following:
   a. To be informed of the complaint and the alleged misconduct on which the complaint is based.
   b. To receive an expeditious hearing of the case.
   c. To participate in the structured hearing process except during finals of each semester and during the summer sessions, during which the senior student life officer or her/his designee will address conduct matters.
   d. To have a reasonable time to prepare and present their own case. To speak on their behalf throughout the hearing. However, complainants and respondents are not required to make any statement to the hearing board.
   e. To bring persons having pertinent information to the hearing as witnesses, and to question any witness approved by the Conduct Administrator. The hearing board may ask for witnesses to be called in addition to the approved list.
   f. To be assisted by an advisor of their choosing. During the hearing, the advisor may speak only to the individual being advised and may not speak directly to the hearing board.
   g. To be assured of confidentiality in accordance with the terms of the Federal Educational Rights and Privacy Act.
   h. To request that any member of the hearing panel be removed from the processes because of personal bias provided, however, that except in extraordinary circumstances, such as the discovery of new information, this request is made prior to the beginning of the hearing.
   i. To the standard of a preponderance of the evidence to determine responsibility (i.e., it is more likely than not to have occurred).
   j. To appeal a decision of a Hearing Board.

**Non-Academic Grievances**

Capital University has established policies for students to pursue non-academic grievances against faculty members, administrators or hourly staff persons. A non-academic grievance is the formal expression by a student that they have been harmed by the malicious, arbitrary, capricious or discriminatory action (including a violation of the university’s nondiscrimination policy, human dignity policy or sexual misconduct policy) by a member of the faculty, an administrator or a staff member. Students who wish to file a non-academic grievance should contact the Provost/Vice President of Learning for information.
SANCTIONS

The following university sanctions may be assigned in response to students found in violation of the Student Code of Conduct. Sanctions may be imposed independently or in combination with other sanctions. Sanctions can be assigned to an individual student, group of students, and/or student organizations.

A. Warning: The official warning is notification to the student(s) that s/he has been found responsible for a violation and that any other violations will result in more serious sanctions. A warning can be time designated.

B. Probation: Probation is a sanction permitting a student to remain enrolled under prescribed conditions. The Probation is designated for a specified period of time and includes the probability of more severe disciplinary sanctions if the student is found to have engaged in any additional misconduct during the probationary period. A copy of the document imposing disciplinary probation will be sent to a dependent student’s parents or guardian.

C. Loss of Privileges: Denial of specific privileges for a designated period of time.

D. Fines: Previously established fines may be imposed.

E. Restitution: Compensation for loss, damage or injury. This may take the form of service, monetary or property replacement. Payments required may not exceed the cost of repair or replacement of the damaged or stolen item, but a lesser amount may be specified.

F. Discretionary Sanctions: Work assignments, essays, service to the university, learning outcome specific assignments or other related assignments.

G. Residential/Housing Relocation: If a student is living in a residence hall he or she may be required to move to another floor or into another residence hall.

H. Residential/Housing Probation: Residential probation is a sanction permitting a student to remain in residence under prescribed conditions. This probation is designated for a specific time with the conditions outlined.

I. Residential/Housing Suspension: Students who are suspended from university housing will be required to move out /check out within 24 hours of notification of the disciplinary action for the length of time specified by the hearing board or officer. Any student who receives a suspension from University Housing will lose eligibility to live in apartment style housing or group and/or organization housing privileges.

J. Residential/Housing Dismissal: Students who are permanently dismissed from housing will be required to vacate their residence halls within 24 hours of notification of the disciplinary action. In the event of suspension, students will be charged the full housing fee for the entire semester. The student may not reapply for residency.

K. University Disciplinary Suspension in Abeyance: This sanction is a suspension that is delayed pending a specified behavioral performance. A definite period of observation and review occurs during the deferred suspension period. If a student is again found responsible for violating the Student Code of Conduct, the suspension will take place immediately without appeal for any subsequent violation.

L. University Disciplinary Suspension: Separation of the student from the University for a defined period of time, exclusion from university premises, privileges and activities. Students will be removed from the university within 24 hours of notification of the disciplinary action. No refunds of tuition, fees, room and board will be made if a student is suspended. Notice of this action will appear on the student’s transcript until such time that the student is readmitted to the University.
The student will be required to apply for readmission at the end of the specified period of suspension. If a dependent student is suspended from the university, a letter will be sent to their parent(s) or legal guardians with notification of the suspension.

M. University Disciplinary Dismissal: Permanent separation of the student from the University and permanent exclusion from university premises, privileges, and activities. No refunds of tuition, fees, room and board will be made if a student is dismissed. A copy of the letter imposing disciplinary dismissal will be sent to a dependent student’s parents or legal guardians.

N. More than one sanction listed above may be imposed for any single instance of misconduct.

O. No Contact Order a No Contact Order may be imposed in instances where it is determined that a student poses a potential threat or the escalation of disruption to another person. It may be used as an immediate sanction in some cases. This means no contact in person, via phone, cell phone, text message, instant message, communication via friends or other third parties, etc. In the event that the individual meets by chance/other reasons with the student in question, they are instructed to refrain from making any contact. A violation of the No Contact Order could result in either a Housing or University Suspension.

P. Revocation of Admission: Admission to Capital University may be revoked for fraud, misrepresentation, or other violation of Capital University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

Q. The following sanctions may be imposed upon student organizations or groups:

1. Those sanctions listed above in Section A-F
2. Student Organization Suspension: loss of privileges, including University recognition, for a specified period of time. At the end of the period of suspension, the student organization or group is eligible to seek University recognition and privileges, subject to conditions for reinstatement that may be specified.
3. Student Organization Expulsion: permanent loss of University recognition
4. Accountability: Any group or organization may be held accountable for the actions of any of its members if the misconduct is described in this Code of Student conduct in any way related to the group or organization. Group misconduct need not have been officially approved by the entire membership in order to be considered grounds for possible disciplinary action against the group. There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the entire group. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire group. An appropriate test to determine whether a group may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals who have been involved in the incident if they were not members of the group or, if, by group action, the incident was encouraged, fostered, or might have been prevented.
5. In cases where a group or organization faces judicial action, a complaint may also be filed on an individual basis against each person participating in the misconduct. Such action will not constitute double jeopardy.
Other Sanctions
In certain circumstances following an incident of serious misconduct by an individual or group, the University’s Provost/Vice President of Learning or their designee, may impose a suspension, dismissal, or other sanctions without a formal hearing process. The Provost/Vice President of Learning or their designee may also take the following actions:

Interim Suspension: When imposed, the student may be temporarily separated from the University until such time as the incident is resolved before a Conduct Officer or Campus Hearing Board and until a final decision including any appeal is issued. This interim action may be imposed if there is any reason to believe that it is necessary
a. to ensure the safety and well-being of members of the Capital University community;
b. to ensure the student's own physical or emotional safety and well-being;
c. If the student poses a threat of disruption of or interference with the normal operations of the college; or when a felonious act has been committed. Interim suspension may also include other losses of privilege determined to be appropriate by the Provost/Vice President of Learning or their designee.

RECORDS
There shall a single record, kept in the form of an audio recording, a video recording or a hand transcription of all hearings. All individual records or notes taken during a hearing will be collected and destroyed after the hearing. The record is the property of Capital University. All student records pertaining to violations of the Student Code of Conduct, except those that resulted in the student receiving a sanction of Disciplinary Suspension or Disciplinary Dismissal from the University shall be destroyed seven years after graduation or withdrawal from the University.

Campus Notification: Timely Warnings
In the event that a situation arises, either on or off campus, that, in the judgment of the university’s Chief of Police and/or University Counsel, constitutes a serious criminal event or an ongoing continuing threat, a campus-wide “timely warning” will be issued. The warning may be issued through the CapAlert system (the university’s emergency alert system which includes text, email, and social media communications), the Campus Safety Bulletin, the university e-mail system, and/or bulletins posted throughout campus. When issuing “timely warnings” the university withholding the names of victims as confidential.
APPEALS

1. An appeal of the case outcome must be based on the following:
   a. New information or evidence, unavailable during the original hearing that could determine a different outcome
   b. Hearing procedures deviated from the written procedures in the Student Handbook which has significantly impacted the fairness of the hearing process
   c. Sanction(s) are perceived to be grossly disproportionate to alleged violation
   d. The findings are not aligned with the evidence.
   e. Bias on the part of a hearing board member that deprived the process of impartiality.

2. The appeal must be made in writing using the Appeal form.

3. The Student Affairs office must receive the appeal within three business days of receipt of the written hearing board case outcome.

4. If an appeal is not filed with the Student Affairs office within three business days of the date the parties received the initial case outcome/resolution, the right to appeal is waived and the original hearing outcome/resolution becomes final.

5. An appeal will be reviewed by the convened Appellate Board or appeals officer. The board will notify the appellant within 5-7 business days of the outcome of the appeal. The Appellate Board will take one of the following actions:
   a. Uphold the decision of the hearing board or conduct officer
   b. Grant the appeal with special provisions or with the removal of all or some sanctions
   c. Return the case to original hearing board with specifications.

6. The appeal outcome/resolution by the Appellate Board or appeals officer will be shared with all parties in the case, with the expectation for compliance with the case outcome/resolution.

7. All sanctions may remain in place until the appeal is decided.

SPECIAL PROVISIONS FOR THE CODE OF STUDENT CONDUCT

a. As necessary, the University reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct

b. Capital University will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

c. The Capital University community encourages the reporting of crimes by victims to university officials and, if appropriate, law enforcement authorities. Sometimes, victims are hesitant to report to university officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to university officials.

d. Amnesty. The welfare of members of our community is of paramount importance. At times, community members on and off-campus may need assistance. Capital University encourages students to offer help and assistance to others in need. Sometimes, students
may be hesitant to offer assistance to others out of fear that you may get into trouble. For example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to a residence life staff member or Public Safety. While policy violations cannot be overlooked, the University may provide educational options, rather than sanctions or to offer amnesty to those who offer their assistance to others in need.

INTERPRETATION AND REVISION
Any question of interpretation of the Student Code of Conduct or other University policy shall be referred to the Provost/Vice President of Learning or their designee for a final determination. The Student Code of Conduct shall be reviewed periodically under the direction of the Dean of Students. When changes are made to the Code of Student Conduct all students will be notified of such changes, such as through email notification and posting of changes to the university website.

SECTION 2 – RESIDENTIAL AND COMMUTER LIFE

RESIDENTIAL AND COMMUTER LIFE: COMMUNITY GUIDE
MISSION
In collaboration with campus partners, the Office of Residential and Commuter Life fosters safe, secure, and inclusive living and learning environments where students have the opportunity to:

- Explore personal values and identity in a diverse community of learners;
- Build meaningful and lasting relationships with peers, faculty and staff;
- Access the numerous resources offered at Capital and in the greater Columbus community.

LEARNING OUTCOMES
Students who participate in ORCL programs and services will…

- Demonstrate strong interpersonal skills including effective communication, conflict management, and emotional intelligence
- Learn personal accountability and how actions impact others
- Embrace individuals from diverse experiences and backgrounds
- Create healthy habits that promote holistic wellness (physical, emotional, and spiritual)
- Engage in the Capital, Bexley, and Greater Columbus communities through participation in community engagement and active citizenship
- Build personal practices that support academic and professional success
UNIVERSITY RESIDENCY POLICY

The Residency Policy states that all full-time undergraduate students must reside in University owned, on-campus living units and subscribe to a meal plan.

On-campus housing facilities currently include:

- Cotterman Hall
- Saylor-Ackermann Hall
- Lohman Complex
- Schaaf Hall
- College Avenue Hall
- Capital University Apartments
- Capital Commons
- Sheridan Avenue Apartments and Houses
- College Avenue Houses
- Trinity Apartments/Townhomes
- Trinity Suites

EXCEPTIONS TO THE RESIDENCY POLICY

A Resident student is defined as any student who is or will be housed within residences administered by Capital University’s Residential and Commuter Life Office as described above. A Commuter student is defined as any student who applies and is approved for an exception to the residency policy and receives a written release from the residency policy.

Students can apply for an exception to the residency policy if they are eligible based on one of the following criteria:

1) Live with parents or guardians within 30 miles of the Bexley campus;
2) Complete a minimum of 60 credit hours by the start of the following semester;
3) Have reached their 22nd birthday prior to the start of the following semester;
4) Are married (marriage certificate required);
5) Or have an extenuating circumstance for consideration (financial exigency, verification of a chronic health or other verified circumstances.

Those who fail to meet university criteria for residing off campus will be assigned to the university room and board plan, and billed accordingly, whether or not they choose to physically reside or dine on campus.

Applications for an Exception are available on the Residential and Commuter Life website. Please complete a Housing Release Form at http://www.capital.edu/housing-policy/

- Fall Semester Releases: Completed on-line forms must be submitted on or before June 15th of the Fall Semester for which you are applying.
- Spring Semester Releases: A Spring Release will only be considered for those students who have documented extenuating circumstances which demonstrate a possible risk or hardship. Completed on-line forms must be submitted on or before December 1
COMMUTER LIFE: I WILL BE A GOODNEIGHBOR
If you have been released from the University Residency requirement (having applied and met the criteria) and are looking forward to this next step in your college journey there is one thing you and your new roommates should remember: When you move off campus, what you gain in freedom is matched with new responsibilities! Have you considered your budget for housing and living expenses? Do you know how to safely live in your new neighborhood? Have you chosen compatible roommates, and do you know how to be a good roommate and neighbor? The following guidelines and standards are designed to assist students who are living off campus in rental units for the first time. As a reminder to all Capital students, even those residing in off-campus housing are subject to The Code of Student Conduct, the City of Bexley ordinance & laws, as well as all state and federal laws.

Doing the Homework before Renting:
You may never have read the residence life housing agreement but you must read your lease before you sign it. Some additional items to consider completing before you sign your lease:

- Check crime statistics; will you be comfortable living in the neighborhood?
- Visit the unit you are considering during the day and at night to see the difference in environment.
- Talk to current tenants if possible
- Is there sufficient lighting? Is everything in good working condition?
- Know your rights and responsibilities under the Ohio Tenant-Landlord Law found at http://codes.ohio.gov/orc/5321
- Have you identified the costs associated with living off campus? Remember that off campus living can change your financial aid award so be certain to check before you sign a lease.
- You are highly encouraged to purchase renter’s insurance. Renter’s insurance is a reasonable cost against potential loss.

Rental Roommates:
When living with another person, each person has rights and responsibilities for making the roommate relationship work. You probably learned much of this from living in a residence hall but there are differences when you move off campus and often students overlook this challenge. Communication is of critical importance before you decide to live with someone.

- Talk to your potential roommates about what the atmosphere of the house/apartment is going to be like? Also, be sure to ask about significant others/partners staying over-what is acceptable?
- How are bills going to be shared? Example: whose name will appear on the electric bill, cable bill etc.? How will this person be paid/reimbursed for the utilities?
- Will food be shared?
- How will chores be split?
- Who will purchase general items for the house? (Dish soap, paper towels, toilet paper, etc.)?
- You are strongly encouraged to use or fill out an Off-campus/apartment roommate agreement.
In the Neighborhood:
Once you move into your new community neighborhood try to meet your neighbors as soon as possible! This will preferably happen within the first week of moving into your new house or apartment. It is a good idea to know your neighbors' names and telephone numbers in case of an emergency or if any other issues arise. Also, make sure to give your neighbors your phone number in case they need to contact you. Other things to consider:

- Before you have a gathering of any kind, contact your neighbors to let them know. Be sure to let them know that they can contact you if the noise is too loud or if they have general concerns.
- Offer to assist your neighbors if they need help (shoveling driveway, assisting with carrying out the garbage, etc.).
- Notify neighbors when you are on vacation or break and ask them to keep an eye on the house for you.
- Be aware of noise levels (music, television, guests), especially early in the morning or at night.
- If you have more cars than spaces, do not use the yard as extended parking.
- Park in appropriately marked spaces—never park your car in the yard.
- Keep your place looking nice—be aware of trash on the porch, lawn etc.
- Pick up any trash in the yard—do so for your neighbor’s yard as well.
- Put up the trash can within 12 hours after garbage is collected.
- Don’t overflow your garbage can or recycling unit.
- Get involved in your neighborhood!

Questions about life off campus can be directed to the office of Residential and Commuter Life.

HALL SAFETY AND SECURITY
To ensure the safety of all residential students, a number of staff members are available throughout the day. For the most part, your Resident Assistant will be able to assist with questions or concerns. However, in the event that an RA is not available and you are in need of assistance please contact the following:

RA on Duty: Each night of the week an RA is available within your hall from 8pm until 8am the next morning. RA’s conduct safety and security walkthroughs to check for maintenance and housekeeping issues that may arise within the building. Information on who is on duty and how to reach them is available at each lobby desk area in the residence halls. Neighborhood RA’s are located on the first floor of College Avenue Hall, and in the lounge of Trinity Suites.

AD On Duty: A professional staff member is available 24 hours a day to assist with any emergency situation which might occur. The AD Duty phone number is 614-323-3282.

Residential and Commuter Life office: If a resident has concerns or questions which might not need immediate attention, they should contact the Area Director for their building. Residents can also email residenclife@capital.edu or call 614-236-6811. A response in most cases, can be expected within the next business day. The office, located in the Student Union, is open between the hours of 8:30 am and 5:00 pm. Monday through Friday.

Public Safety: The Residential and Commuter Life staff works very closely with Public Safety to ensure safety in the residence halls. They can be reached at any time, 24 hours a day, by calling 614-236-6666.
HOUSING AGREEMENT
The Campus Housing Agreement is an academic-year document that is submitted prior to placement in a Capital University residence hall. It applies to all residence halls and is an agreement to reside in University facilities between Capital University and the individual student. The Campus Housing Agreement is not a lease agreement. Students are held responsible for the payment of room and board charges for the entire academic year upon entering into the Campus Housing Agreement. Those students who have signed a Campus Housing Agreement and are registered for classes but fail to move into the residence halls will be responsible for the payment of room and board charges for the academic year.

Cancelling an Agreement and Fee
A student may cancel their Campus Housing Agreement if one or more of the following criteria apply: Academic dismissal or suspension from the University; Disciplinary suspension or dismissal from Capital University; Withdrawal; Leave of Absence; Military service; Study abroad or other university sponsored programs (must notify Residential and Commuter Life) or Graduation. Students who cancel an agreement for the following reasons: Withdrawal, Leave of Absence, Disciplinary or Academic Dismissal or Suspension, are responsible for a $300 cancellation fee. Students are eligible to receive a credit for prorated room and meal plan charges only if they check out and return the room key. The date of check-out is used for the credit of any prorated amounts for room and board. Students who are graduating, studying abroad or in a university-sponsored program, or who have been called for active military duty will be exempt from this fee.

Mid-year cancellation of a Campus Housing Agreement will only be considered for those students who have extenuating circumstances supported by the appropriate formal documentation. Students who are approved for release from the Campus Housing Agreement will be responsible for payment of the $300 Cancellation Fee and prorated room and meal plan charges based on the date of key return and check-out from the residence halls.

Eligibility
Only full-time undergraduate students enrolled for 12 or more credit hours at Capital University are eligible for housing. Students who are not registered for classes will not be permitted to move-in or remain in campus housing. It is unacceptable for students to change their enrollment status to part-time and change it back to full-time status before or after the add/drop deadline as a means of terminating the housing agreement. Students will still be responsible for the payment of all room and board fees for the academic year upon signing this agreement and submitting it to the Residential and Commuter Life Office. In addition, all students living in university housing must demonstrate proof of required immunizations, prior to check-in.

Capital University reserves the right to deny housing or cancel housing for students who: are not in good conduct or financial standing with the University, violate the Student Code of Conduct, have a criminal record, or falsify information on their housing application or Campus Housing Agreement. Capital University will consider each application on a cases-by-case basis. Students are required to disclose criminal record information to the Student Affairs Office, prior to completion of the Campus Housing Agreement.
DINING/MEAL PLANS
Meal Plans are required of ALL students living in residence halls, except for the Capital Commons, the Capital University Apartments, College Avenue Houses, Sheridan Avenue Apartments and Houses, and the Trinity Apartments/Townhomes. Meal Plans are only available during fall and spring semesters when classes are in session, and not during periods between semesters.

All funds and plans purchased for use in the Capital Dining program are for the personal use of the account owner and are non-transferrable. Unused meal plans expire at the end of each semester. Cap Bucks associated with meal plans and those purchased above and beyond those associated with meal plans, will carry over from the Fall to the Spring Semester, expiring at last day of spring term.

All meal plan and student Cap Bucks purchases are non-refundable. All purchases are considered final. Exceptions will be made for processing errors. All refunds for processing errors will be refunded to the credit card used for the purchase. Contact Aladdin Dining Services for processing error issues.

For students who withdraw from the University, meal plans will be refunded on a pro-rated basis as determined by the Office of Residential and Commuter Life and in accordance with the University’s policies.

ALL First Year (freshman) and Transfer (those with 15 or fewer hours) undergraduate students living on campus are required to have the Ultimate Plus meal plan for the entire year. Upperclass students can choose from different meal plans, ranging from the Ultimate Plus to the 7 Plus. No meal plan changes will be accepted after the second week of classes of each semester. Changes must be requested via the Residential and Commuter Life website at https://www.capital.edu/meal-plan-change/

For those living in the residence halls with a meal plan, in the event that you lose your student ID, temporary meal passes are available through the Residential and Commuter Life Office which is located in the Student Union. To receive a temporary meal pass you must bring a picture form of ID.

ROOM/UNIT CHECK-IN/OUT PROCEDURES
When a student moves into campus housing, they will be issued a key(s) AND have the opportunity to review an electronic Room Condition Report (RCR) that has been completed prior to their arrival. It is the student’s responsibility to review the RCR and report any existing damage that was not properly documented. Any damage beyond that which is recorded at the time of check-in will be assessed as damage and charged to the students account at time of check-out.

When any student moves out of a room or unit for any reason, a formal check-out with a residence life staff member must occur to avoid an improper check out fee. Check-out requires that the room be returned to its original check-in condition. Students will complete the check-out portion of their electronic room condition report (RCR), return all issued keys, and complete necessary paperwork with a Residential and Commuter Life staff member in the assigned residence hall. Failure to appropriately check-out may result in a $100 Improper Checkout fine, and/or a $150 lock change fee.
BREAK HOUSING

All students wishing to remain in residence halls during breaks and/or in between semesters must apply for break housing. Available applications can be found at [https://www.capital.edu/break-housing/](https://www.capital.edu/break-housing/). Students may request to remain in the residence halls during the following break periods: November Break, Winter Break, Spring Break, Easter Break, and Extended Stay (the period after the halls close in May). All requests are reviewed for eligibility.

Students who are eligible for break housing must have no record of serious conduct violations (alcohol or substance abuse, residence hall or conduct probation, vandalism, security or safety violations, etc.) within the past 2 semesters. Such violations will result in the immediate denial of your application, regardless of reason for applying. Students applying for break housing must meet one of the following qualifications:

1. Must be an approved participant in a university-sponsored activity such as athletics, student activities, etc. If you are an athlete you MUST apply for break housing (coaches will submit a roster to the ORCL for verification). If the student is on campus at the request of a department, the fee will be paid by the student or by the department. Students are encouraged to clarify the expectations for the break housing fee payment prior to making a commitment to return to campus early.

2. Must have a work study job at the University and/or a job off campus and have permanent residency more than 60 miles from Capital University. Documented proof of employment will be required. Acceptable documented proof is a letter from your employer on company letterhead including a contact name, phone number, and the dates that the student is required to work. If this is not provided the student will not permitted to stay in break housing. Verification must be received by break housing application deadline in order for your application to be processed.

3. Must reside out of state or outside the United States.

The cost to stay in the halls during break periods is $15 per day. This fee will appear as early/break housing fee on your e-bill. This fee will be applied from the first evening that the residence halls close through the first day that students are permitted to return to the residence halls. Any application received after the deadline will be subject to an increased per day charge (See Chart Below). If a student is remaining on campus as part of a student group (and whose cost is being covered) submits a late application, the student will be responsible for any charge above the standard $15 per day charge.

<table>
<thead>
<tr>
<th>Applications Submitted by Deadline</th>
<th>$15 Per Day</th>
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<tbody>
<tr>
<td>Applications Submitted Late</td>
<td>$20 Per Day</td>
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<tr>
<td>Application Not Submitted prior to Hall Closing</td>
<td>$35 Per Day</td>
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WORK ORDERS
When something in your residential space breaks or is in need of repair, please complete a work order at: http://www.capital.edu/facilities-management/. If you need help filling out a work order form the first time your RA will be happy to assist you. If your work order has not been completed in a timely manner please contact your RA.

- After Hours Emergency Maintenance: 614-746-6068
- Daytime Office Only: 614-236-6400

ROOMMATES AND ROOM CHANGES
The Residential and Commuter Life office designates a room change period when students may relocate to another room with the written authorization of their Area Director. No room changes are to be made until the announced room change period (after the first two weeks of fall and spring semesters). Requests for the room relocation after the designated room change period will be permitted only in extreme cases, and must be approved by the Area Director. Residents will be subject to disciplinary referral for any unauthorized room changes.

PERSONAL PROPERTY
The university does not assume any legal or financial obligation for any resident’s personal property that may be lost or damaged in its buildings or on its grounds. Students and/or their parents are encouraged to carry renters’ insurance to cover such losses.

RESIDENTIAL LIVING
SAFETY, HEALTH, AND SECURITY POLICIES
Living in community is built on the foundation of respect: respect for self, other students, the facility and the staff. It is the responsibility of all students to contribute to a positive environment that support the living and learning of all students. The policies and procedures listed on the following pages are applicable to all Capital University housing, including the Capital Commons Apartments, Capital University Apartments, College Avenue Houses, Sheridan Apartments and Houses, and Trinity Suites and Apartments.

ABANDONED ITEMS POLICY
- Any item left behind by a Resident after their checkout day shall be considered abandoned. Capital University does not accept responsibility for the storage or safekeeping of property abandoned in Residence Halls. Articles of clothing, bedding, toiletries, cleaning supplies and food items shall be disposed of or donated immediately.
- Furniture, electronics, computers, or other large items shall be removed and stored for 30 days from the day the items were considered abandoned. After 30 days the items shall be disposed of. In this case, disposal will include donating the items to charity or throwing the items away.
- Students will be notified in writing by their Area Director with instructions on collecting their belongings.
- When storing items, staff will carefully log all items and label with the name of the owner if known and room number where the items were removed from, as well as the date the items were removed.
- Abandoned belongings that must be removed will result in a minimum $100 Improper Checkout Charge to the individual responsible for abandoning their belongings.
- If we are unable to determine who is responsible for abandoning the items, this charge will be split amongst the residents assigned to that unit.
ACCOMMODATIONS
Capital University welcomes individuals with disabilities to be an integral part of the university community. To ensure access to participate in our programs, and in accordance with the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act of 1973, Capital University provides reasonable accommodations and support services to qualified individuals with disabilities.

The Office of Disability Services (ODS) provides individualized services for students, faculty/staff, and other community members with disability related needs. Service areas include admissions, academics, housing, employment, facilities accessibility, and social/personal issues related to disability. Individuals with disabilities who wish to receive services from ODS are responsible for disclosing their disability to ODS and should complete the registration process at least 6 weeks prior to the desired start date for most services.

Registration Steps
• Submit Accommodation Request form
• Submit Certificate of Professional Authority form or equivalent diagnostic documentation
• Schedule appointment to meet with Disability Services Coordinator

Accommodations Application Deadlines:

Spring Semester 2019
Upper-Class Students November 2, 2018
First-year/Transfer/readmitted students December 3, 2018

Fall Semester 2019
Upper-Class Students January 31, 2019 (Deadline for renewals, including requests for changes to current accommodations) February 15, 2019 (Deadline for first time requests)
First-year/Transfer/readmitted students June 15, 2019

**Requests received after the above identified dates cannot be guaranteed for placement**

ALCOHOL IN ON-CAMPUS RESIDENCES
(See complete policy in the General policy section). The possession and consumption of alcoholic beverages in the residence halls is a privilege extended to those residents of legal drinking age. The following specific restrictions expand those described in the University Alcohol Policy to ensure resident clarity and help maintain individual rights to privacy, safety, sleep and study by all residents.

1. Alcohol may be possessed or consumed, but not sold, in the privacy of student rooms by those residents and their invited guests who are of legal drinking age as long as the door to the room is closed. Appropriate disciplinary and/or civil action will be taken in cases where persons of legal age are found providing alcohol to persons less than 21 years of age.

2. Possession and/or consumption of alcoholic beverages is not permitted on porches, balconies, lawns (adjacent to campus residences) or in hallways, lounges, stairways, courtyards, community bathrooms, parking lots or any public areas on campus. All alcohol that is transported through public areas must be unopened and inconspicuous (i.e. carried in a bag or sack, etc.). NO ALCOHOL IS PERMITTED IN THE COMMON AREAS OF ANY SUITE, APARTMENT OR HOUSE UNLESS ALL OF THE ASSIGNED RESIDENTS ARE 21 OR OLDER.
3. Private gatherings held in student rooms must be confined to the specific room and the door must be closed. These gatherings must adhere to Courtesy and Quiet Hour restrictions and any other applicable housing or university policies.

4. Students may not possess excessive amounts of alcohol; “excessive” according to the discretion of the residence hall staff. Kegs, trash cans or other large vessels that contain alcoholic beverages are prohibited in the residence halls.

5. Residents are responsible for the actions of their guests at all times: host behavior. Alcohol use/misuse does not excuse disruptive, excessively noisy or indecent behavior.

6. Progressive drinking parties are not allowed due to the potential for injury, damage, noise violations, illegal consumption, etc. Drinking and/or consumption games are a form of binge drinking that promotes intoxication and puts student at risk for making careless decisions. Examples of prohibited drinking and/or consumption games include power hour, chugging, initiations, funneling, beer pong, quarters, and flip cup, etc. Drinking and/or consumption games are prohibited on campus. Paraphernalia related to or used for drinking games such as funnels and Beirut tables are strictly prohibited and will be confiscated.

7. Possession or use of false identification to obtain alcohol will result in disciplinary and/or civil action.

8. Alcoholic beverage containers (whether empty, open, or not open) are prohibited in the rooms of residents less than 21 years of age. Containers include wine and shot glasses even if they are being used for decorative purposes. Students who are 21 years of age may have decorative alcohol containers. Alcoholic beverage signs are not allowed as window displays, per university guidelines. No posters, fliers, etc. promoting the use of alcohol may be posted in any public area.

9. Alcohol will not be served at residence hall functions. Possession or use of alcohol at residence hall functions will result in appropriate disciplinary and/or civil action.

10. Possession or use of alcohol in violation of the above policies will result in the immediate disposal or confiscation of the alcohol and appropriate disciplinary and/or civil action.

11. Situations in which the illegal or excessive consumption of alcohol takes place off campus and the resident and/or their guests then returns to the halls (i.e. under age residents return under the influence of alcohol or a resident over 21 returns inebriated) will also result in disciplinary and/or civil action when brought to the attention of the staff.

**BALCONY, ROOF and WINDOW SAFETY**

For safety, no more than two persons are permitted at any time on the balconies of the Capital University and Sheridan Apartments. Students are permitted to place personal patio-style furniture on the balcony, provided that these items are in good working order and are maintained. No items should be hung or thrown from the balcony areas.

Due to concerns for personal safety and potential property damage, students are prohibited from entering onto or throwing/tossing items upon university rooftops.

Throwing, causing to fall, or allowing any object or substance to fall out of a window of a residence hall is prohibited

**BASEMENTS or ATTICS**

Students are not permitted to reside in the basements or attic spaces of any of the Capital Commons Apartments or Sheridan Avenue Houses. Storage of personal items is not permitted.
BATHROOMS
All residence hall bathrooms are designated as single gender use unless otherwise indicated. Residents are not allowed in the bathrooms during scheduled cleaning times.

BICYCLES & RECREATION
Bicycles are not permitted in the common areas or hallways of residence halls. They may be stored inside student rooms or on provided bike racks outside the residence halls.

In order to prevent damage or injury to residents and/or residence hall facilities running, speed walking, jogging, scooters (motorized or not) hoverboards, rollerblading, skateboarding, skating, roughhousing, scuffling, using water or toy guns, waterballoons and the throwing, bouncing, or kicking of objects in halls, stairwells and other common areas is prohibited.

Darts and dartboards are prohibited in the residence halls due to their potential danger to both persons and property. Velcro dartboards are an acceptable alternative.

CHILDREN and CHILDCARE
The University does not provide housing for children with the exception of those registered to live in our graduate and family housing areas. Those who bring young children into the residence halls while they are visiting a resident have an obligation to supervise them closely to ensure that they do not disrupt the residential environment. If there is reasonable evidence that a child’s behavior is detrimental to the residential community, residence life staff may request that the visitors leave the building. Students who accept childcare responsibilities are not permitted to provide this service in university residence halls. No individual guests under the age of 18 years of age are permitted to stay in the residence halls overnight, with the exception of those guests who are registered with an approved university event.

CONFISCATION
Illegal substances and items found to represent a health and safety violation or which in other ways constitute a violation of University policies will be immediately removed by residence life staff and or Public Safety.

COURTESY and QUIET HOURS
University housing units are group living environments. Therefore, it is expected that every student respect other students’ rights to study, be in a quiet environment and sleep.

Courtesy Hours
Courtesy hours are enforced 24-hours each day. During courtesy hours, residents are expected to act in a manner that demonstrates respect for the rights of others to study and sleep in their rooms. Residents are expected to work cooperatively to establish acceptable and respectable noise levels. The right to reasonable quiet shall, at all times, supersede noisemaking.

Quiet Hours
During quiet hours, noise should not be audible outside of a resident’s room with the door closed.

Quiet hours during the academic year are as follows: Sunday-Thursday 10 p.m. - 8 a.m. & Friday and Saturday 12:00 midnight – 10 a.m.
24 Hour Quiet - Quiet hours are in place 24 hours a day during finals due to the nature and need for the environment to be free from distraction while residents complete the semester.

DAMAGE and FEES
Residents, who remove, destroy or deface personal property of another student or any property or area of the University or Residence Life (including vandalism committed in the elevators, or on the ceilings, walls or grounds surrounding the buildings) will be subject to disciplinary action and required to pay for any damages and/or fines. Common areas may be temporarily closed because of vandalism. Every effort will be made to identify the individual(s) responsible for any campus vandalism. In the event that vandalism occurs in a common area and no individual(s) can be identified, residents living in that area may be subject to billing for the damages.

At the end of the academic year, residents will check out of their residence hall room with a Resident Assistant. The Resident Assistant will examine the room and check to see that all furniture is present and note any damages. Please note: Resident Assistants provide a preliminary inspection of the room and DO NOT determine billing. At the time of checkout, residents should note any damages for the Resident Assistant and discuss responsibility for those damages. After the halls close, Area Directors will complete final inspections of each residence hall room and communicate damage bills to student emails. Students will have two weeks from the date of bill notification to appeal the damages.

Please note, students that do not follow proper checkout procedure will be charged $100 for Improper Checkout.

FIRE SAFETY
Students are expected to comply with emergency procedures and fire policies including but not limited to the following prohibitions on:
1) Intentionally or recklessly causing a fire which damages University or personal property or which causes injury.
2) Failure to evacuate a University-controlled building during a fire alarm
3) Improper use of fire safety equipment
4) Tampering with improperly engaging a fire alarm or fire detection/control equipment

Failure to do so can result in immediate disciplinary referral.

FURNITURE
Each student room is provided with certain items of furniture and furnishings as verified by a room inventory at the time of moving in. Students may NOT move additional university items into their rooms from public areas of the residence halls or other resident rooms, nor remove items that are placed in that room by the University. Personal Mattresses are not permitted in University housing unless approved in advance through Residential and Commuter Life.

University furniture is not permitted outdoors on balconies, decks or porches of the Capital University Apartments, Sheridan and College Ave. apartments or houses, and Trinity Apartments. Students may place appropriate personal furnishings on balconies, decks or porches provided they are in compliance with local ordinance.

GARAGES
Students living in Sheridan Ave. and College Ave. apartments and houses are prohibited from parking in, or
storing any personal items in garages. Garages are for University use only.

**KEYS, CARD ACCESS, and LOCKS**

Each resident is issued a key to their room. Visitors and guests will not be issued room, security keys or card access. In some cases, a student ID will serve as a key; ID’s may never be given to other residents, especially to gain access to a facility. Cipher codes issued to students are non-transferrable and misuse will be subject to disciplinary action. Duplication of keys is not permitted. Residents assume full responsibility for the use of the keys until returned to the Residential and Commuter Life Office.

**LOCK CHANGES AND FEES**

Residents that lose room keys should report the loss to their Area Director as quickly as possible. For security reasons, lock changes will be processed the next business day after the loss is reported. In some cases, an immediate lock change may be completed to ensure the safety of residents. Residents that lose keys will be charged $150 for the lock change and new keys, charged to their Student Account via the E-Bill system.

**LOCKOUT FEES**

Residents that lock themselves out of their rooms can be let in by a Resident Assistant or Area Director. Residents will be charged $5 per lockout, charged to their Student Account via the E-Bill system.

**PETS**

Fish are the only pets permitted in the any University residential facility. Aquariums must be 5 gallon tanks or less and must be unplugged during semester breaks.

**POSTINGS**

The posting of materials in public areas must be approved and stamped by the Student and Community Engagement Office. Residential and Commuter Life reserves the right to refuse any postings that contain rude, vulgar, indecent, or obscene expressions. Hallways and bathrooms are considered public areas and are subject to the same restrictions as other public postings.

**Special Displays**

In recognition of special events on campus, groups of students may obtain permission to erect hall displays or decorations. In such instances, the following procedures must be used: The plan should be reviewed by the Area Director of the building or area, and the displays or decorations must be removed within 24- hours after the event.

**PROHIBITED ITEMS**

Prohibited items found in a student room, suite, or apartment will be deemed the responsibility of all assigned occupants unless an individual claims responsibility for the item(s). **The following ARE NOT permitted to be used in residence halls:**

**Fire Safety**

A. **Touchier**, halogen, lavalamps, sun lamps
B. **Open-faced electrical or heating items**, coffee pots*, hot plates, broilers, toasters*, toaster ovens*, rice-cookers, woks, electric skillets and other similar appliances are not acceptable.
C. **Grills and stoves**: Due to the risk of fire, grills are not permitted on the porches and
balconies of the residence halls. Camp Stoves, Indoor grills, Hibachi, and Foreman-type grills* are not permitted.

D. **Candles and scentsy warmers (or any similar wax warmers)** are not allowed in any residential facility.

E. Space Heaters and Immersion heaters are not permitted

F. **Open flames** including Bunsen burners, bonfires, fire pits, and camp fires are not permitted.

G. **Holiday string lights** are prohibited outside or inside a resident’s room and outside of apartments and houses.

H. **Extension Cords** are not permitted per the Ohio Fire Safety Code. Students must use multiple outlet power strips, which are U/L listed for 15 amps/120 volts, and have a heavy duty cord and built-in circuit breaker.

**Appliances & Devices**

Use of electrical appliances is permitted in the residence halls within certain guidelines. Appliances used in the residence halls must be safe in design and structure (such as UL-approved appliances) and must be properly maintained. Specific limitations include:

A. **Refrigerators** that have a maximum capacity of 3.3cu. ft. are permitted in the residence halls. Refrigerators should bear the Underwriters Laboratory (UL) label and draw no more than 3.6 amps. No full-size refrigerators are permitted within the residence halls.

B. **Air conditioners**, are not permitted except as provided by the University

C. **Microwave** ovens, are not permitted except as provided by the University*. Micro-fridge combinations can be rented exclusively through bedloft.com. Mico-fridge units are ONLY permitted in the following areas: Schaff Hall, Cotterman Hall, and Saylor-Ackermann Hall. Microwaves are provided for community use in each residential facility.

D. Ceiling fans are not permitted

E. **Motorized items** Drones, and remotely controlled devices, Hoverboards, self-balancing scooters, Segways, mopeds, motorcycles, etc., may not be operated, charged, or stored inside any residence halls.

**Other Items**

A. **Hookahs** are not allowed to be used or stored in a resident’s room or common space.

B. **Vaping Devices**: Use of devices and materials for vaping is prohibited

C. **Hypodermic Needles** Improper disposal of hypodermic needles creates a medical waste hazard. Contaminated needles and other contaminated sharp instruments should be placed in appropriate containers. Containers should be closeable, puncture resistant, color-coded red or labeled with a biohazard symbol, leak-proof on the side and bottom, maintained in an upright position, replaced routinely, not allowed to over fill and be closed immediately.

D. **Street signs** are NOT permitted in residence halls or student rooms.

E. **Video Surveillance items**: The installation and use of video surveillance and recording equipment is prohibited.

F. **Waterbeds**: Waterbeds are not permitted in student rooms.

* Permitted use in the Capital Commons, Capital University Apartments, College Avenue Houses, Sheridan Apartments & Houses, and Trinity Apartments.

**Permitted use in the Capital Commons, College Avenue Hall, College Avenue Houses, Capital University Apartments, Sheridan Apartments and Houses, and Trinity Apartments.
ROOM ALTERATIONS and ADDITIONS
Construction and Room Decorations
Maximum care must be taken to ensure the safety of the interior of the rooms. It is recommended that masking tape, painters tape, Plasti-tak and Hold-it be used for affixing items. Students may not use screws or nails in walls or furnishings. The installation of shelves, paneling and wallpapering of walls or other architectural changes is prohibited.

Decorations and Room Alterations
Students are encouraged to decorate as long as they do not create health or fire hazards or cause damage to the room. Students may be asked to take items down if they are offensive, create a hostile living environment or are deemed inappropriate (see Code of Student Conduct)

b. Painting of student rooms is not permitted.

a. All items must comply with all university policies and must not block vents or peepholes.

d. Tapestries, posters, etc., may not be hung or draped from the ceiling. Tapestries and posters need to be two feet from the ceiling.

c. The postings cannot be painted on or be permanently affixed to the windows.

e. The postings cannot be on the outside of a window.

f. Items cannot be displayed in windows that are visible from the exterior of the building.

Holiday Decorations

a. All materials used (i.e. paper, foil) must be flame resistant and/or retardant.

b. Trees and other greenery must be artificial and must have proof of flame resistance.

c. Holiday string lights are prohibited outside or inside a resident’s room.

d. Fire alarm pull stations, fire extinguisher cabinets, smoke detectors, sprinkler heads and exit signs must not be covered and exits must not be blocked.

c. All decorations are to be removed within two days following the holiday or prior to the last day of semester finals, whichever occurs first.

Loft Policy
Students are able to rent lofts exclusively through BedLoft.com for use in their residence hall room. The University will not provide any lofting kits, nor are students able to bring self-constructed lofts or lofts purchased from other entities. Lofts are not permitted in the following areas: Capital University Apartments, Capital Commons, Trinity Townhouses, Houses/Apartments on Sheridan or College Avenue, or the Trinity Suites. For more information about renting a loft, please visit www.capital.edu/residence-life/.

MAINTENANCE

Facilities personnel will enter properties to complete maintenance when:
1. There is a facilities emergency and immediate attention is needed. (facilities will knock and announce prior to entering the property)
2. A work-order has been submitted by the resident (facilities will knock and announce prior to entering the property)
3. Routine maintenance needs completed (Facilities will notify residents 24 hours in advance. Upon arrival will knock and announce prior to entering the property)
ROOM CHANGES and ROOMMATES
The Residential and Commuter Life Office reserves the right to change room assignments, assign roommates, and consolidate vacancies at any time. All requests for housing changes must be approved by the Area Directors and/or the Office of Residential and Commuter Life. Students requesting a room change due to a conflict with their roommate will be asked to participate in mediation with a member of the Residential and Commuter Life staff.

Occupancy Violation
Room assignment changes must be initiated and approved by the Area Director. Students who move without approval will be identified as illegally occupying a space without official notification to Residential and Commuter Life staff, and may be subject to disciplinary referral. If a resident or non-resident occupies a room without the consent of the Office of Residential and Commuter Life, the student/individual will be required to vacate the residence hall room. In addition, they will be subject to possible disciplinary referral. Students are not permitted to live in the basements of any University Housing, except in designated rooms as assigned by Residential and Commuter Life.

Roommate Conflict
If an intentional roommate conflict occurs in the residence hall, where a resident purposefully acts in a hostile manner toward their roommate(s), the “hostile” roommate(s) is subject to re-location or removal from housing, as well as potential conduct violations.

ROOM CONDITION AND UPKEEP
When the condition of a student room/suite/apartment/house is determined to be hazardous to the health of residents or could cause long term damage to the facility, students may be asked to remedy the situation. This could include trash removal, removal of hazardous items, mandated cleaning, etc. Residents could also be subject to further inspection and or disciplinary action.

SAFETY INSPECTION AND ROOM ENTRY
The University reserves the right to enter rooms, for the purpose of making routine administrative and safety inspections, and when an authorized agent of the University has reasonable cause to believe:
1. An occupant may be physically harmed or endangered,
2. Significant damage is being done to university property,
3. University policy or an applicable law has been or is being violated,
4. Housekeeping, maintenance and/or repair is necessary,
5. During vacation break housing

SMOKING
All residential facilities are smoke and tobacco free. Smoking within residential facilities is prohibited at all times without exception; this includes e-cigarettes, electronic nicotine delivery systems (ENDS), and all other devices associated with “vaping”. Outdoor smoking is permitted 20 feet from all residential facilities. If a student is unsure of the area where smoking is allowed please contact your Resident Assistant or Area Director.
SPRINKLERS
The Capital University Apartments and College Avenue Hall are equipped with a sprinkler system. The sprinkler will activate if there is a fire in progress or if a sprinkler head is tampered with. Students are prohibited from hanging any items from or around the sprinkler head. Students found responsible for setting off a sprinkler head will be responsible for any damage that occurs.

STORAGE
Students may not store furniture over the summer. The Residential and Commuter Life Office is not responsible for any items left in housing after a student has checked out of their space for the summer. This includes apartments and houses, and any units that students will resume residence in during upcoming year.

TRASH
Trash must be disposed of in dumpsters or in recycling rooms. Disposal of personal trash in receptacles located in common areas or bathrooms should be minimal and only include appropriate trash for those areas (example – an empty toothpaste container is appropriate trash to put in the bathroom). Abuse of the common area and/or bathroom trash receptacles will result in referral for student conduct.

VISITORS and GUESTS
Roommates must develop a mutual agreement regarding visitors and/or guests. All students are expected to know, understand, and develop a plan to implement the Visitor and Guest Policy as outlined below. Students are reminded that the roommate’s right to privacy in their room supersedes the right to host guests in all situations. In addition, guests must be accompanied by their Capital University host at all times

- Overnight guests of students are permitted in residence halls for a maximum of two (2) nights in a seven Day period, and no more than four (4) nights in a one (1) month period.
- Events and/or circumstances requiring additional nights must be approved in advance by the Area Director of the respective building.
- This policy is designed to accommodate the occasional guest and/or visitor, and not to provide temporary housing for students or non-students.
- For safety and fire code reasons, students are not permitted to have guests that equal more than two times the maximum occupancy of the room at any one time.
- No individual guests under the age of 18 years of age are permitted to stay in the residence halls overnight, with the exception of those guests who are registered through an approved university event. Students are responsible for their visitors and guest’s behavior. Failure to fulfill host responsibilities will result the review of the student’s conduct, and possible removal of privileges, and assessment of fines and/or charges.
- A non-member of the Capital community whose behavior is detrimental to the university may be prohibited from entering any residence hall unless approved by the Residential and Commuter Life staff. If the guest or visitor’s behavior represents a threat to the Capital University community, they will be issued a Persona Non Grata and subject to trespassing charges by the Department of Public safety.
- The Residential and Commuter Life Office will address individual cases of resident abuse of guest and/or visitor privileges.
WEAPONS
Possession, storage or use of any type of firearm or weapon or replica is not allowed in any residential property. This includes tasers and knives, except for standard kitchen knives (See also University Weapons Policy)

Use or possession of projectiles such as slingshots, water balloons, water guns, paintball guns, air-soft guns are prohibited. Pepper spray/mace is permitted as a safety tool, any other use would be subject to a violation of this policy.

SECTION 3 – GRADUATE AND FAMILY HOUSING POLICIES AND PROCEDURES
Unless otherwise noted, all policies listed in this section are a clarification of, amendment to, or reiteration of the policy written above. Policies in the section only apply to students living in our Graduate and family Housing. Residents are responsible for all policies listed above, unless clarified or expanded upon below. All residents are responsible for adherence to the Capital University Student Handbook: Section 2—Residential and Commuter Life, listed above.

ELIGIBILITY
• Residents wishing to share their residence with immediate family members, appropriate documentation (as listed below) must be provided prior to move-in.
• Marriage Certificate (if spouse will be residing in the housing unit)
• Domestic Partnership Declaration Form (if non-University affiliated partner will be residing in the housing unit)
• Birth Certificates or proof of guardianship for all children residing in the housing unit.
• Undergraduate Students
• Must be enrolled Full Time (12 or more credits)
• Cannot pull other undergraduate students into the living unit.
• Undergraduate Students seeking family housing should complete the Undergraduate Housing Intent Form, and schedule a meeting with the Director of Residential Life. Final eligibility will be determined by the Director of Residential and Commuter Life

Students who are not registered for classes will not be permitted to move-in or remain in campus housing. Capital University reserves the right to deny housing or cancel housing for students who: are not in good conduct or financial standing with the University, violate the Student Code of Conduct, have a criminal record, or falsify information on their housing application or Campus Housing Agreement. Capital University will consider each application on a cases-by-case basis. Students are required to disclose criminal record information to the Dean of Students Office, prior to completion of the Campus Housing Agreement. If the student is determined to be ineligible for housing, the family members sharing the housing are also ineligible to remain in campus housing.

AVAILABILITY
Graduate and family housing is limited, and is available on a first come, first serve basis. Housing is available in 1-4 Bedroom houses and apartments.
ALCOHOL IN CAMPUS RESIDENCES
• Residents are permitted to possess and consume alcohol in their residence with minors present IF minors are family members or under the supervision of their parent or guardian.
• Alcohol may be possessed and consumed at the weekly common meal held in the intentional living community.

PETS
• Residents with pet during the FA18 semester will be allowed to have pets during the duration of their stay. Pets must be registered with the Office of Residential and Commuter Life, and be in compliance with any local, state or federal regulations.
• Residents beginning occupancy after the FA18 semester will not be permitted to have pets in University owned housing.

FURNITURE
All graduate and family housing units come unfurnished.

PARKING
The online purchase options have been updated and are now available. The group has agreed to the following:

1) The family member student has to pay the total amount ($200 online, $220 at the Finance Office) to register his/her vehicle.
2) The family member student has to register the first family members’ vehicle for $50 (Online registration under Family Member).
3) The family member student has to register any additional vehicles at no cost, by stopping at CUPD, 8:30 am – 4 pm (M-F).

Very important information the student needs to know:

1) The family member student has to register all family members’ vehicles.
2) The family member student should explain all parking rules and regulations to family members operating vehicles on campus https://www.capital.edu/uploadedfiles/content/campus_safety/forms/campus%20parking%20regulations.pdf?n=7517
3) The student is responsible for all parking violations committed by their family members. Any vehicle impounded for parking violations or any other infractions of the law, will be towed at the owner’s expense.
4) Capital University shall assume no liability or responsibility for theft, damage, or loss that may occur during use of parking facilities or services. Individuals choosing to park at Capital University do so at their own risk. Damage due to, misuse or defacing of Capital University property or facilities is prohibited and subject to citation and/or criminal prosecution.
SECTION 4 - GENERAL POLICIES AND PROCEDURES

The following section is for detailed policies as outlined in the Student Code of Conduct and additional policies not covered in the Student Code of Conduct or Residential and Commuter Life portions of the Student Handbook.

ACADEMIC GRIEVANCE PROCEDURES

The Academic Grievance Procedure must be initiated, by the student, within eight (8) weeks following the posting of the grade in Web Advisor. This time frame is the same for each spring, summer, and fall term.

The following section describes the formal process for addressing undergraduate student academic grievances. A student academic grievance exists when a student alleges that he/she has suffered a capricious or unfair application of university academic policies and regulations or has been unfairly or capriciously evaluated with respect to academic performance. Where procedural provisions in the following are inconsistent with provisions in the faculty and administrative/staff handbooks governing the conduct of university employees, the provisions of those handbooks shall be controlling.

RESOLUTIONPROCESS

Level I:
Student/Faculty/Staff Discussion Level- The student should begin at this level by contacting the faculty member in question to develop an informal discussion and reconciliation. A student grievance should be worked out at the first level for better understanding of all those concerned. If a solution cannot be obtained at this level, the student has the right to proceed to Level II.

Level II:
Student/Mediator/Faculty Discussion Level- The student must send a letter to the Dean of Students informing her/him of the nature of the grievance within three (3) academic days after the completion of the discussion at the student/faculty level (Level I) and the student’s intention to proceed to Level II. A copy of this letter is to be forwarded to the Provost. The Dean of Students will appoint a mediator (faculty or staff) satisfactory to both the student and the faculty member to attempt to resolve the matter. If the grievance cannot be resolved through mediation, the student must contact the Dean of Students to discuss whether to proceed to Level III. If the faculty member is unable to participate, the appropriate Department Chair will serve or appoint a faculty member to serve in their place.

Level III:
Committee Level- A letter must be submitted by the student to the Provost within five (5) academic days requesting the formation of a grievance committee. This letter should state the grievance and inform the Provost that no resolution has been reached prior to this point and a grievance committee is requested. The Provost may reject the appeal, or if the Provost believes that there is potential merit to the student's case, a committee will be appointed to hear the case.

The Provost will appoint a committee consisting of three (3) faculty members from the school of the student and two (2) students. The Provost contacts the committee regarding the student’s intent and calls the committee into session within a reasonable time of the receipt of the student’s letter requesting the committee hearing. Both sides present their arguments and a
decision is reached. The student and the faculty member have the right to be present throughout, and the hearing is not open to the public. If the committee believes, as a result of this review, that there is merit to the student’s appeal, the committee may suggest to the faculty that some other action be taken.

**It is the faculty member who makes the final decision as to the grade awarded.** The decision of the committee will be reported in writing to the student, the faculty member, the faculty’s Assistant Dean, the College Dean, and the Provost.

**Appeal Process**
The committee’s decision may be appealed to the Provost by either the student or the faculty member. The request for a new hearing must be made in writing by the student or faculty member to the Provost within five (5) academic days of the receipt of the original committee’s decision. The Provost may affirm the committee’s decision or determine that the hearing may have procedural errors or a misapplication or misinterpretation of university policies or procedures. The Provost may, after hearing the student’s or faculty member’s allegations and reviewing all factors involved, determine that the hearing at Level III involved unfair or capricious proceedings and request the Chair of the College Faculty to convene a new committee to evaluate the original grievance. The final decision of the new committee will be reported in writing to the student, the faculty member, the College Dean, and the Provost.

**ACADEMIC INTEGRITY POLICY**
At Capital University all students are expected to be responsible members of a learning community and to know the Academic Code of Conduct. Although ultimate authority for addressing issues of student misconduct rests with the President, s/he delegates disciplinary authority to the Provost/Vice President of Academic and Student Affairs to appoint a Director of Academic Integrity. The Academic Integrity Policy is administered by the Academic Standing and Student Affairs Committee (ASSA) and its Director under the auspices of the Provost’s office. The Academic Integrity Policy is academic in nature and thus encourages education on issues of academic integrity in addition to ensuring that the policy is followed throughout the community. The Faculty created the frameworks for the Academic Integrity Policy and the Academic Integrity Board. The extension of this policy covers all undergraduate and graduate programs of the University.

Cases of reported academic misconduct are adjudicated by the Academic Integrity Board, whose responsibilities include education, deterrence, and imposition of sanctions as appropriate. The Academic Integrity Board membership includes students and faculty representing the University. Students will be appointed through an application and interview process.

**Policy**
Capital University affirms the principle that all individuals associated with the academic community have a responsibility for establishing, maintaining, and fostering an understanding of and appreciation for academic integrity. Academic integrity engenders trust that a student’s work submitted to faculty or university personnel for academic evaluation will be the student’s own. Students are expected to be honest and ethical in their academic endeavors when incorporating the intellectual ideas of others to support their academic work. A violation of Academic Integrity is considered to be any action or attempted action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member or members of the academic community.
Values
Capital University, building on the principles of The Center for Academic Integrity (CAI) defines academic integrity “as a commitment, even in the face of adversity, to five fundamental values”:

1) Honesty: An academic community of integrity advances the quest for truth and knowledge by requiring intellectual and personal honesty in learning, teaching, research, and service.

2) Trust: An academic community of integrity fosters a climate of mutual trust, encourages the free exchange of ideas, and enables all to reach their highest potential.

3) Fairness: An academic community of integrity establishes clear standards, practices, and procedures and expects fairness in the interactions of students, faculty, and administrators.

4) Respect: An academic community of integrity recognizes the participatory nature of the learning process and honors and respects a wide range of opinions and ideas.

5) Responsibility: An academic community of integrity upholds personal accountability and depends upon action in the face of wrongdoing.

Capital University requires all students to cite or reference the source of any work or ideas being represented in their work to avoid being charged with academic misconduct. The guiding principles of citing sources include the following:

Honesty: Acknowledging that the words or ideas are not originally yours, as well as giving credit to the originator;

Critical Thinking: Encouraging students to clearly represent their thoughts, ideas, and opinions with supporting evidence from the recognized work of others;

Evidence: Providing support from other sources for your thoughts; and Guidance: Enabling the interested reader to locate the information in question.
Academic Code of Conduct

Capital establishes expectations, policies, and procedures that are designed to protect individual freedoms and build an ethical and just community of learners. The Academic Code of Conduct outlines the expectations for student conduct on our campus and within our community.

*Academic work* comprises all activities including (but not limited to) examinations, tests, assignments, group work, projects, and presentations. *Academic work* also incorporates timeframes of before, during and after an academic activity. *Academic honesty* means the use of one's own thoughts and materials in the writing of papers, taking of tests, and other classroom related activities.

Any student or group of students found to have committed or attempted to engage in the following misconduct is subject to intervention and conduct action. **Below are types of academic misconduct with examples of each. Please note that this list is not exhaustive.**

**Alteration or attempted alteration of University documents**
- Entering a University building or office for the purpose of obtaining an administered or non-administered test
- Any unauthorized action taken for the purpose of changing a grade or grade record
- Changing, altering, or being an accessory to the changing and/or altering of a grade in a grade book, on a test, a "change of grade" form, or other official academic record of the University that relates to grades
- Forgery of an instructor’s signature on a letter of recommendation or any other document
- Submitting an altered transcript of grades to or from another institution or employer
- Altering your name on another person’s exam or assignment
- Altering a previously graded exam or assignment for purposes of a grade appeal or of gaining points in a re-grading process

**Cheating**
An act or an attempted act of deception by which a student seeks to misrepresent that one has mastered information or a skill on an academic evaluation instrument, such as (by example, not limitation) a test, exam, or quiz, that has not in fact been mastered.
- Copying or attempting to copy from another student’s examination paper or assignment
- Communicating answers with another person during an exam.
- Allowing another student to copy from your examination paper, text, quiz, or similar evaluation instrument
- Unauthorized use of a course textbook or other materials, such as (by example, not limitation) a notebook, to complete an examination or other assignment
- Collaborating on an examination, test, quiz, or other project with any other person(s) without authorization
- Using or processing specifically prepared materials during an examination such as (by example, not limitation) notes, formula lists, notes written on the students clothing, calculators, and/or smart devices, that are not authorized
- Taking an examination for someone else or permitting someone else to take an examination for you
- Submission of the same assignment for more than one course without prior approval of all the instructors involved
- Stealing, buying, or otherwise obtaining all or part of an administered or non-administered examination
• Selling or distributing all or part of an administered or non-administered test, including questions and/or answers
• Buying or otherwise acquiring in any way a theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic art work, and submitting it as your own work to fulfill academic requirements
• Selling, distributing, or otherwise supplying in any way a theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic art work to another

Collusion
The act of collaborating with someone else on an assessment exercise that is intended to be wholly your own work, or the act of assisting someone else to commit plagiarism (Maguire, 2003). Below are some examples:

• Unsanctioned collaboration with another person or persons in preparing any academic work offered for credit.
• Bribery a person to obtain an administered or non-administered test or any information about the test
• Online exams
• Lending your assignment to another student(s)
• Any member of the group project shares submitted work with another group
• Allowing others to copy your work or share your answer to an assessment task
• Allowing someone else to write or edit your work (except for the use of a scribe approved by the Office of Disability Services)
• Writing or editing work for another student
• Offering to complete work or seek payment for completing academic work for other students.

Departmental or course regulations

• Violation of course rules
• Violation of program regulations

Disturbances in the classroom
Disturbances in the classroom can also serve to create an unfair academic advantage for oneself or disadvantage for another member of the academic community. Below are some examples of events that may violate the Code of Student Conduct:

• Interference with the course of instruction to the detriment of other students
• Disruption of classes or other academic activities in an attempt to stifle academic freedom of speech
• Failure to comply with the instructions or directives of the course instructor
• Phoning in falsified bomb threats Unnecessarily activating fire alarms

Fabrication/Falsification
Using “invented” information or falsifying research, data, or findings with the intent to deceive, such as the following:

• Citing information not taken from the source indicated: misleading documentation of secondary source materials
• Listing sources in a bibliography not directly used in the academic exercise
• Submitting lab reports or clinical data that contains fictitious/falsified information; concealing/distorting the true nature, origin, or function of such data

Misrepresentation
Misrepresenting or misusing one’s relationship with the University, including the following:
• Falsifying, misusing, omitting, or tampering with information such as test scores, transcripts, or letters of recommendation
• Altering, changing, forging, or misusing academic records regarding oneself or others
• Failing to be fully cooperative and truthful if ones interviewed regarding an alleged violation of academic integrity
• Signing in, swiping in, or logging in as someone else or permitting someone to sign in, swipe in, or login for you in any academic setting such as, but not limited to, classes or common exams
• Reporting a false accusation of an academic integrity violation

Plagiarism
Plagiarism occurs when you represent the work or ideas of another person as your own. Some examples of plagiarism include the following:
• Quoting verbatim another person’s words (published or unpublished) without acknowledgement of the source
• Paraphrasing another person’s idea(s), opinions, or theory(ies) without giving sufficient reference
• Including facts, statistics, or other illustrative materials that are not common knowledge without acknowledgement of the source; students are expected to clarify with their instructor appropriate criteria for “common knowledge”
• Submitting another person’s term paper, essay test answer, computer program, and/or project as one’s own
• The presenting of one’s own previously published work as though it were new; referring to your work from previous classes or assignments without appropriate citation

Sabotage
The unauthorized interference with, modification of, or destruction of the work of others. Examples include but are not limited to the following:
• Acts that deny others access to scholarly resources or deliberately impede the progress of another student or scholar
• Tampering with laboratory experiments or research
• Giving misleading information
• Knowingly deceiving other members of a project team or group
• Disrupting class work
• Making library material unavailable to others
• Altering the computer files of another

Unauthorized Use of an Electronic Device
• Using an unauthorized electronic device during a testing period for any reason.
Academic Integrity Procedures – Flow Chart

Faculty evaluates the situation

Faculty will notify the Director of Academic Integrity (DAI) via email

Faculty will meet with the student(s) to gather more information

Academic Integrity Report is sent to DAI

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<th>NO MISCONDUCT FOUND</th>
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<td>Academic Integrity Report is Filed by DAI, Case Closed</td>
<td>Student(s) will participate in an Academic Conduct Conference with the DAI (or designee)</td>
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<tr>
<td>Student elects to have Academic Integrity Case heard by DAI (or designee)</td>
<td>Student elects to have Academic Integrity Case heard by Academic Integrity Board</td>
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<td>*Students with multiple violations will automatically be referred to the Academic Integrity Board</td>
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No Appeal submitted to Provost

Appeal submitted to Provost

Notification Sent to Faculty

Appeal Denied

Appeal Granted

Notification Sent to Faculty

Documentation is Filed, Case Closed

Documentation is Filed, Case Closed

Notification Sent to Faculty

documentation is Filed, Case Closed
Appeals Process

A student who has been found responsible for a violation of Academic Integrity by the Director for Academic Integrity or the Academic Hearing Panel may appeal the decision to the Provost. A formal letter of appeal must be submitted within five calendar days of the written notification of the decision and must establish that the decision was clearly erroneous based on one or more of the following grounds:

A. New information or evidence, unavailable during the original hearing and that could determine a different outcome, is discovered by or made available to the Academic Hearing Panel
B. Hearing procedures deviated from the written procedures in the Student Handbook, thereby significantly impacting the fairness of the hearing process
C. Sanction(s) are perceived to be grossly disproportionate to the alleged violation
D. The findings are not aligned with the evidence
E. Bias on the part of the Director of Academic Integrity or Academic Hearing Panel member that deprived the process of impartiality

The Provost considering an appeal will render a decision based on a review of the written appeal and may meet with the person filing the appeal or others to discuss the appeal if in the judgment of the Provost such a meeting is necessary to decide the appeal.

An appeal will be reviewed by the Provost, who will notify the appellant within five business days of the outcome of the appeal. The Provost will take one of the following actions:
1) Uphold the decision of the hearing board or conduct officer
2) Grant the appeal with special provisions or with the removal of all or some sanctions
3) Return the case to the original Hearing Board with specifications

The Provost will notify in writing the student seeking the appeal and the Director of Academic Integrity of his/her decision.

Record Keeping

All records regarding alleged violations and academic judicial procedures are confidential. Records will be maintained by the Director of Academic Integrity.
HOW TO AVOID PLAGIARISM

Plagiarism is "submitting material that in part or whole is not entirely one's own work without attributing those same portions to their correct source."

Plagiarism can occur in many forms besides writing: art, music, computer code, mathematics, and scientific work can also be plagiarized. This document pays special attention to plagiarism in writing, but it is important to understand that unauthorized collaboration in a math or science assignment is also plagiarism. In all academic work, and especially when writing papers, we are building upon the insights and words of others. A conscientious writer always distinguishes clearly between what has been learned from others and what he or she is personally contributing to the reader's understanding. To avoid plagiarism, it is important to understand how to attribute words and ideas you use to their proper source.

Attributions or Citations

The most commonly used attribution systems—Modern Language Association (MLA) and American Psychological Association (APA) -- consist of two parts: (a) a reference or works cited list at the end of the document, giving precise information about how to find a source and (b) parenthetical citations immediately following the material you are citing. The Chicago/Turabian is listed as a footnote or endnote of the paper. Professors and disciplines may vary as to the preferred style for documenting ideas, opinions, and facts, but all methods insist upon absolute clarity as to the source and require that all direct quotations be followed by a citation. The best solution is to ask which method your instructors prefer.

It is sometimes difficult to judge what needs to be documented. Generally, knowledge which is common to all of us or ideas which have been in the public domain and are found in a number of sources do not need to be cited. Likewise, facts that are accepted by most authorities also do not require a citation. Gray areas, however, exist and sometimes it is difficult to be sure how to proceed. Many people wrongly assume that if they find material on the web, that material is in the public domain and does not need to be cited. However, the same guidelines apply to all sources you use in your work: electronic or print, signed or unsigned. If you are in doubt, err on the side of over-documentation.

Common Knowledge

There is no clear boundary on what is considered common knowledge. Even experts on plagiarism disagree on what counts as common knowledge. For instance, many sources only consider facts — current and historical events, famous people, geographic areas, etc. — to be potentially common knowledge. Others also include nonfactual material such as folklore and common sayings. Some sources limit common knowledge to only information known by others in your class, while other sources look at what is common knowledge for the broader subject area.

The two criteria that are most commonly used in deciding whether or not something is common knowledge relate to quantity. These are (1) the fact can be found in numerous places and ubiquity and (2) it is likely to be known by a lot of people. Ideally both conditions are true. A third criterion that is sometimes used is whether the information can be easily found in a general reference source.
Quick Guide to Integrating Sources  
(MLA, APA, and Chicago/Turabian)

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<td>More than 10 lines or one paragraph</td>
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</table>

For further information on integrating your sources using the above citation methods, consult these standard references:


**Turabian:** Turabian, Kate L. *A Manual for Writers of Term Papers, Theses, and Dissertations.* 6th ed. Chicago: The University of Chicago Press, 1996.

*Created 10/28/04 by CRH; updated 3/10/11 by BAE*

**ALCOHOL POLICY**

The health, safety, and welfare of our students are critical to personal and academic success. Capital University is located in a state and community where laws and ordinances pertaining to the sale, possession and consumption of alcoholic beverages are promoted and enforced. Under Ohio law, a person must be 21 years old in order to consume and/or purchase beer or any other alcoholic beverage. In addition, possession, distribution or use of alcoholic beverages by a minor, drinking any alcoholic beverage in public areas of university premises that is not approved for such activity, public intoxication, and driving while under the influence of alcohol are expressly prohibited.
Health Risks Associated with Illicit Drug Use and Abuse of Alcohol.

A. General indications of drug or alcohol abuse (these are symptoms or suggestions, not confirmation of use):
   1. Physical condition: eyes red; glassy pupils abnormally large or small; motor in coordination; frequent cold or flu-like symptoms; stomach pains or cramps; headaches or dizziness; weight change (plus or minus six pounds); change in personal appearance and hygiene
   2. Eating and sleeping change: fluctuating appetite; change of activity level from day to day.
   3. School or job performance: unexcused absences; decrease in performance or evaluations; low motivation to complete tasks; dropped out of community or extracurricular activities; frequent arguments with colleagues, friends, students, professors or supervisors

B. Effects of Alcohol:
   1. After a couple or more drinks: mood changes – intensified feelings of anger, jealousy or depression; may include more sociability or dis- inhibition
   2. Loss of judgment—less power of concentration and ability to think as clearly as normal. This contributes to impulsive actions.
   3. Loss of coordination—slurred speech; loss of balance; poor eye, hand, and feet coordination. Blackouts may occur.
   4. Results of long-term excessive drinking: internal organs affected by change in structure and function. Some examples are: heart muscle damaged and disease is more likely; liver tissue can be inflamed and destroyed through disease; mental disorder and brain damage occur; and there is loss of sexual functioning.

C. Effects of Drug use:
   Everyone is cautioned that mixing drugs or a drug with alcohol can cause severe complications, beyond what the reaction would be if the substances were taken separately. Mixing drugs and alcohol is dangerous! Also, even if a drug is legally obtained through a prescription, giving it to a different person without medical evaluation may be dangerous and is another sign of drug abuse.

   Capital University expects students of legal drinking age to act responsibly when consuming alcoholic beverages (more details for residential students are outlined in the Residential and Community Standards section of this publication). We encourage students to assist other students whose health and safety is threatened due to irresponsible use and/or abuse of alcohol.
AMNESTY: The welfare of members of our community is of paramount importance. At times, community members on and off-campus may need assistance. Capital University encourages students to offer help and assistance to others in need. Sometimes, students may be hesitant to offer assistance to others out of fear that you may get into trouble. For example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to a residence life staff member or Public Safety. While policy violations cannot be overlooked, the University may provide educational options, rather than sanctions or to offer amnesty to those who offer their assistance to others in need.

In compliance with the law in the State of Ohio, and in the interest of the safety of all students, Capital University enforces the following alcohol policies:

a) A person must be 21 years old to possess and/or consume alcoholic beverages.

b) In university residences, if you are 21 years of age or older, you may not consume alcohol in your room with the door open.

c) Empty alcohol beverage containers, even as decorations, are not permitted within university owned property by students under the age of 21.

d) Persons serving or providing alcohol to minors are in violation of the university alcohol policy.

e) Public intoxication and/or disorderly conduct are prohibited.

f) Common source containers such as kegs and beer balls are prohibited, except where approved by university officials.

g) All high risk activities and drinking games such as quarters, beer pong, boat races, etc. are prohibited.

h) Devices for rapid consumption, such as funnels, are prohibited.

i) Alcohol related signs and posters are prohibited.

j) A person is not permitted to carry an open container of alcohol on the street, in a motor vehicle, on a motorcycle, or in public areas of the university, except when approved by university officials.

k) Capital University prohibits the sale, possession, manufacture and consumption of alcoholic beverages in public areas of the university, including, but not limited to, areas outside university buildings, bathrooms, hallways, classrooms, stairwells, balconies/porches, and lounges, except where approved by university officials. (See alcohol usage in the Campus Center below)

l) In accordance with state law, grain alcohol is prohibited.

University Procedures for Intoxicated Students, Guests, and Visitors If a student, guest or visitor is intoxicated and the Capital University staff believes the person is unable to care for him/herself, the staff will contact emergency personnel. If the individual is unable to care for him/herself, he/she will be transported to the hospital. This action will be taken to protect the student and the community. All associated hospital costs will be the financial responsibility of the student, guest, or visitor. The university maintains the right to dispose of alcohol in instances when a person under 21 is consuming, even if a person over 21 years of age is present. Driving under the influence is both a violation of campus policy and an offense for which referrals for prosecution can be made to local law enforcement authorities.
**Sanctions**

Students found responsible for violating the policy on will be subject to fines, community service, residential or disciplinary probation, removal from the residence halls, required residence in University-approved housing as a condition of continued enrollment, suspension or dismissal. In conjunction with other penalties, students may be required to participate in an alcohol and other drugs education course or a chemical-abuse assessment/evaluation.

The Center for Health and Wellness (CHW) is committed to educating individuals about the impact of the choices they make regarding their use of alcohol and drugs on their health and on the community. The goal is to focus on alcohol and other drug awareness, education, and interventions and offer services designed to address various difficulties in a time-limited manner. The CHW offers individual and group counseling services. The CHW is staffed by a clinical psychologist, a licensed professional clinical counselor, and counselor-trainees.

The Center for Health and Wellness provides alcohol and other drug education, awareness, outreach programming, crisis intervention, brief focused counseling, and group counseling to eligible students. Individual counseling is designed to resolve the individual’s presenting concern in a limited number of sessions and may be augmented by alcohol education, group counseling, and medication. When an individual’s need for care exceeds what can be safely provided at the Center for Health and Wellness, providers assist with the referral process to a more appropriate setting consistent with recommended levels of care.

**Possible Sanctions for Violations that are imposed by State and Federal Authorities.** (Note: This is an overview and is not intended to be all-inclusive. Please refer to the applicable codes or a lawyer for more information or legal advice.)

A. **State Sanctions**

   i. **Alcohol** (Note: Ohio law includes wine in its definition of liquor or beer.)

      1. Driving under the influence (.08 blood alcohol content): M-1
         a. 1st offense – minimum fine of $250, up to $1000 plus either 3
            consecutive days in jail or an alcohol Intervention Program. Possible
            90-day license suspension.
         b. 2nd offense – minimum fine of $300, to a maximum of $1500 plus a
            minimum of 5 days in jail and a monitored House Arrest or jail for one
            full year.

      2. Using false ID or license to purchase beer or liquor:
         a. 1st offense -- minimum fine of $250, up to $1000 plus up to 6 months in jail M-1
         b. 2nd offense – minimum fine of $500, up to $1000 plus up to 6
            months in jail and possible license suspension up to 60 days.

      3. Selling to, buying for, or furnishing to, a person under 21 any beer or liquor
         (exception made for parents giving to their children): up to 6 months in
         jail and $500-1000 fine

      4. Consuming beer or liquor in a motor vehicle: up to 30 days in jail and $250 fine.

      5. Purchase, share cost, order or consume beer or liquor by a person under
         21: up to 6 months in jail and $500-1000 fine.
The State of Ohio and City of Columbus may also impose a wide variety of penalties for alcohol-related offenses. For example, a first driving-while-intoxicated offense may be punished by mandatory imprisonment of at least three consecutive days and a fine ranging from $375 to $1000. Subsequent offenses lead to increased sanctions. Illegal purchase, possession, use, or sale of intoxicating liquor by a minor may be punished by fines ranging from $25 to $1000 and up to six months in jail, depending on the circumstances.

**DRUGS AND CONTROLLED SUBSTANCES POLICY**

Capital University prohibits the manufacture, possession, sales, and use of illegal drugs, controlled substances, and drug paraphernalia. The more commonly used drugs include, but are not limited to the following:

- Amphetamines, Anabolic and other steroids, Barbiturates and other stimulants/depressant (unless prescribed), Cocaine, Hallucinogens and other LSD compounds, Heroin, Inhalants, Marijuana, Mescaline, psilocybin, DMT, and other narcotics/opiates, Meth- amphetamine
- Prescription Drugs: Prescription drugs are considered controlled substances, and are permitted as long as being used by the person to whom the drug is prescribed in accordance with the directed use
- Medical Marijuana in all forms is prohibited at Capital University in accordance with Federal Law and in compliance with the Drug Free School and Communities Act

**Prohibited Drug Paraphernalia:** Common examples of prohibited drug paraphernalia are as follows:

- Bongs
- Roach clips/rolling papers
- Miniature spoons
- Various types of pipes

NOTE: Marijuana pipes and bongs, hookahs etc., frequently carry a misleading disclaimer indicating that they are intended to be used only with tobacco products, but are prohibited.

**Sanctions**

Students involved in the use or possession of drugs will face substantial sanctions, which could include suspension or dismissal from the University. In addition, students may be required to enroll and actively participate in a drug or alcohol counseling program or a rehabilitation program as a condition of continued enrollment. Students involved in any way in the distribution or sale of any amount of controlled substances will be suspended from the University as a minimum sanction, even on a first offense. The University reserves the right to remove students from the residence halls for use or possession of a controlled substance at any time during the academic year. The student will be responsible for the full-term of the housing agreement, including all associated housing fees. The Capital University policies and procedures are in addition to, not substitutes for, criminal sanctions provided for in municipal, state and federal laws. When required by law, violations of federal, state, and local statutes will be reported to the appropriate law enforcement agencies.
External Sanctions
Unlawful possession, use, manufacture, sale, or distribution of alcohol or illicit drugs may lead to referral to the appropriate federal, state and/or local authorities for prosecution. Depending on the nature of the offense, it may be categorized as a misdemeanor or a felony and may be punished by fine and/or imprisonment.

Federal law prohibits the trafficking and illegal possession of controlled substances (see 21 United States Code, Sections 811 and 844). Depending on the amount, first offense maximum penalties for trafficking marijuana range from five years imprisonment and a fine of $250,000 to imprisonment for life and a fine of $4 million. Depending on the amount, first offense maximum penalties for trafficking class I and II controlled substances (methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl analogue) range from five years to life imprisonment and maximum fines range from $2-$4 million. First offense penalties for the illegal possession of a controlled substance range from up to one year in prison and a fine of at least $1,000, but not more than $250,000, or both.

The State of Ohio and the City of Columbus also may impose penalties for trafficking and illegal possession or use of controlled substances. State and local penalties for trafficking illicit drugs include fines that range from $1,000 to $50,000 and mandatory jail sentences that range from six months to 10 years. Illegal use or possession of a controlled substance or drug paraphernalia may warrant fines ranging from $100 to $5000 and jail sentences ranging from 30 days to 10 years, depending on the amount and substance possessed. Violations may also lead to forfeiture of personal and real property and the denial of federal benefits such as grants, contracts, and student loans.
**Possible Sanctions for Violations that are imposed by State and Federal Authorities.** (Note: This is an overview and is not intended to be all-inclusive. Please refer to the applicable codes or a lawyer for more information or legal advice.)

**Drugs**

1. Furnish or cause another to use drugs:
   a. If drug is included in Schedule III, IV or V: 3 years in jail (second degree felony). <$15,000 fine
   b. If drug is marijuana: 3 months in jail (fourth degree felony). <$5,000 fine

2. Knowingly obtain, possess or use a controlled substance:
   a. If drug is in Schedule III, IV or V: up to 90 days in jail and $750 fine.
   b. If drug is more than 10 grams of marijuana: up to 30 days in jail and up to $250 fine.
   c. If less than 100 grams of marijuana: up to $100 fine.

3. Knowingly permitting felony drug offense on property owned, controlled, or supervised by a person:
   a. Up to six months in jail and $1000 fine. M-1

4. Knowingly sell, possess, manufacture or advertise the sale of drug paraphernalia:
   a. A violation of this prohibition is “illegal use or possession of marijuana drug paraphernalia,” a minor misdemeanor. In addition to any other sanction imposed upon an offender, the court must suspend for not less than six months or more than five years the offender's driver's or commercial driver’s license or permit.
   b. Drug paraphernalia means any equipment, product or material of any kind that is used by the offender, intended by the offender for use or designed for use and includes, but is not limited to the following:
      i. A container or device used for packaging, storing or concealing a controlled substance
      ii. A hypodermic syringe, needle or instrument for parentally injecting a controlled substance into the human body
      iii. An object, instrument, or devised for ingesting, inhaling or otherwise introducing into the human body a controlled substance, such as a pipe, punctured metal bowl, roach clip, bong, rolling papers

**Prevention and Treatment for Drug and Alcohol Issues**

The university provides drug and alcohol awareness information and counseling services to all students through the Center for Health and Wellness.

The Center for Health and Wellness (CHW) is committed to educating individuals about the impact of the choices they make regarding their use of alcohol and drugs on their health and on the community. The goal is to focus on alcohol and other drug awareness, education, and interventions and offer services designed to address various difficulties in a time-limited manner. The CHW offers individual and group counseling services. The CHW is staffed by a clinical psychologist, a licensed professional clinical counselor, and counselor trainees.
The Center for Health and Wellness provides alcohol and other drug education, awareness, outreach programming, crisis intervention, brief focused counseling, and group counseling to eligible students. Individual counseling is designed to resolve the individual’s presenting concern in a limited number of sessions and may be augmented by alcohol education, group counseling, and medication. When an individual’s need for care exceeds what can be safely provided at the Center for Health and Wellness, providers assist with the referral process to a more appropriate setting consistent with recommended levels of care.

In addition, local and state resources can be accessed through the following contacts:

- **Alcohol, Drug and Mental Health (ADAMH) Board of Franklin County**
  447 East Broad Street Columbus, OH 43215 P (614) 224-1057
  F (614) 224-0991

- **Ohio Department Of Alcohol and Drug Addiction Services**
  280 North High Street, 12th Floor Two Nationwide Plaza Columbus OH 43215-2537
  P: 614-466-3445
  TDD: 614-644-9140
  F: 614-752-8645

**ALCOHOL AND DRUG PROGRAMS: BIENNIAL REVIEW**

Assessment and evaluation help the university determine how successful current approaches are at decreasing alcohol and other drug abuse on campus and in the campus community. The director of the Center for Health and Wellness will lead a biennial review of the university’s Alcohol and Drug Prevention Programs and policies in conjunction with the Office of Student Affairs. This review will evaluate the university’s sources of assessment and evaluation data (such as program evaluations and surveys) and result in a biennial report which will review the current programs and make suggestions for improvements.

**ALCOHOL USE IN THE STUDENT UNION**

Social gatherings of Capital University that include alcohol are permitted when they provide opportunities for socialization. Alcohol use is primarily the responsibility of individuals. However, students, faculty, staff and guests are required to make legal and responsible decisions about the service and consumption of alcohol.

The objectives of the Capital University Harry C. Moores Student Union Alcohol Usage Policy are as follows:

1. To promote the safety of members of the University community and the public;
2. To encourage self-responsibility and respect for others in the use of alcohol
3. To discourage high-risk alcohol related practices that endanger individuals, interfere with academic and other University activities, and/or result in damage to University property
4. To encourage responsible decisions
Aladdin Dining Services maintains a liquor permit that allows for the sales and service of certain alcoholic beverages in the Student Union. Dining Services is authorized to purchase various forms of alcohol, and to sell and allow consumption as indicated below. Dining Services will be responsible for ensuring that any alcohol service is in accordance with all governing laws and University policies. Fully trained bartending staff that has completed the appropriate alcohol service training programs will be employed to ensure that alcohol is managed and served in accordance with these policies.

Alcohol may be served at other locations within the Harry C. Moores Student Union as designated by Dining Services and Student Engagement. Only alcohol sold or served in the Student Union can be consumed on the premises. The owner of the permit, Dining Services, has sole authority to sell and serve alcohol on the premises.

Procedures: All patrons must be able to produce a valid State Issued Driver’s License or other government issued ID, displaying birth date, to purchase and consume alcohol. Alcohol shall not be provided or sold to any person under the legal drinking age of 21 years. Patrons are not allowed to leave the permitted area with alcohol. Consumption of alcoholic beverages is permitted only within the approved area for the event. Non-alcoholic beverages will be made available and featured as prominently as the alcoholic beverages. Food must be made available in a reasonable quantity and promoted to those attending. Service practices have been established to help detect intoxicated individuals, as it is an offense under state law to serve alcohol to an intoxicated person. Individuals whose behavior becomes disorderly will be refused alcohol service and may be removed from the premises. Under state law and University policy, no activity shall be permitted that would promote high-risk consumption of alcohol, including drinking competitions, drinking games etc. Possession and consumption of alcohol in areas not designated for such activities, including parking lots, are prohibited.

Service Guidelines: The following guidelines are established for Dining Services staff responsible for serving alcoholic beverages:

- Serve only one beverage at a time.
- Serve only patrons who are 21 years or older. Dining Services reserves the right to implement a wristband or other identification policy.
- Alcohol servers have the right to request from patrons, at any time, a valid State issued Driver’s License or other government issued ID, displaying birth date
- Alcohol servers have the right to refuse service to anyone.
- Alcohol servers or ID checkers are not permitted to drink any alcoholic beverages prior to or during their shift.

Dining Services and Capital University will comply with all Federal, State and Local laws pertaining to the use and service of alcohol. For more information, please visit the Ohio Division of Liquor Control at http://com.ohio.gov/liqr/. The University reserves the right to make amendments to this policy.
COMPLAINT PROCESS
Capital University takes very seriously complaints and concerns regarding the institution. Most complaints or concerns of a specific nature should be initiated and resolved at the campus level directly with the supervisor for the department involved whenever possible. Below is information on university policies and procedures for specific types of complaints:

Non-Academic Grievances
The grievance procedure for complaints against staff or administrators that involve a possible violation of university policy or an employment related action is found at page 10 of the Administrative Handbook (http://www.capital.edu/Policies-and-Handbooks).

The grievance procedure for non-academic complaints against faculty members is found at page 27 of the Faculty Handbook (http://www.capital.edu/Policies-and-Handbooks).

Title IX and Sexual Harassment Complaints
The university is committed to responding promptly and effectively when it learns of any form of possible discrimination based on sex. The contact information for the university’s Title IX Coordinator and the Sexual Misconduct policy is found at http://www.capital.edu/Title-IX-and-Sexual-Harassment/.

Anonymous Complaints
Concerns about alleged violations involving financial and accounting issues, human resources concerns, fraud, conflicts of interest, risk and safety, harassment including sexual harassment or assault, data privacy and related issues may be made at the EthicsPoint website. The EthicsPoint Hotline is available 24 hours a day, 7 days a week, and allows for non-retaliatory, anonymous reporting online or by calling 888-238-1063 as provided on the EthicsPoint website (https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=17194).

Complaints on Academic Program Quality and Accrediting Standards
Complaints associated with the institution’s compliance with academic program quality and accrediting standards may be directed to the Higher Learning Commission (HLC), following their complaint process which is published at http://www.ncahlc.org/information-for-the-public/complaints.html.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES
The university emergency response policies are described and available on the university website at: http://www.capital.edu/emergency/. Procedures exist for general emergencies as well as specific types of incidents such as utility outages, tornado/severe weather, fire, flooding, gas leaks, hazardous materials, bomb threats, lockdowns, evacuations, and pandemics.

In addition, the university has a “Critical Incident Management Plan.” A critical incident, or emergency, is a sudden, unforeseen occurrence of a serious and urgent nature that requires immediate action to protect lives and/or property associated with Capital University. It has the potential to cause significant injury or death, or to shut down the university, disrupt operations, cause physical or environmental damage, or threaten Capital's reputation or financial standing.
In the event of an emergency, the Capital Police Chief will serve as the first point of contact. The Police Chief will determine the emergency level and will communicate to the appropriate individuals. In the event that Capital’s Police Chief is not on duty, the officer on duty or the dispatcher will assume responsibility for contacting the Police Chief.

It is impossible to anticipate every emergency that can occur on a college campus. The actual circumstances — the nature, scope and duration of the incident — will determine the appropriate response.

During a critical incident, the university will use the following tools as its primary means of communicating official university information:

- CapAlert, an emergency notification system that provides notification of an emergency on campus by sending a text message to Short Message Service (SMS) devices (Ex: cell phone, pager, Blackberry, etc.) and/or e-mail accounts.
- Call-in numbers — The University has a call-in phone number that acts as inbound voice bulletin board and will give callers the latest information on the status of a critical incident. To access the system, call 614-340-1017.
- Big Voice, a commercial public address system installed a central campus building, which allows the broadcast of prerecorded or live messages and announcements. The system is designed to be clearly heard throughout the campus grounds.
- The university also will rely on local media to help deliver the latest information about an emergency or a change in the status of campus operations to the public.

ENTREPRENEURSHIP and BUSINESS ACTIVITIES

The university administration recognizes that there may be activities within academic departments and units and educational courses which involve entrepreneurial business and/or operations as part of the educational experience, the private sponsorship of activities and/or the production and sale of a product on a limited basis and for a specified period of time. Capital permits undergraduates to undertake modest levels of entrepreneurship and business activities on campus. Activities are limited to those learning experiences which do not compete and/or interfere with existing university auxiliary operations such as dining service, campus bookstore, etc.

The use of Capital meeting and residential buildings, rooms, spaces, and grounds must be approved and all regulations concerning safety must be observed. Student Organizations must use the event approval procedures as outlined in the Student Organization Handbook.

Competition with Existing University Contracts

All business auxiliaries operated on a campus shall be under the direct management, control and supervision of the Vice President of Business and Finance. The sale and distribution of products and services includes any method of marketing by way of direct selling or indirect selling, including the use of posters, flyers, handouts, or other promotional literature. Such activities shall be subject to the provisions of this policy.
Items sold or to be offered for sale may be in violation of existing university contracts, i.e. University Food Service, Campus Bookstore, etc. Please contact the Office of Student and Community Engagement at (614)236-6904 for more information. Students may be required to move businesses entirely off-campus should they disrupt residential life, compromise the educational environment, or jeopardize the nonprofit status of the university or any exemption of its income or property from federal, state or local taxation.

**Bexley Codified Ordinances**

No person and/organization shall sell, barter, offer for sale or expose for sale, at retail or wholesale, any goods, wares, substances for human consumption or any commodity or other article, upon public streets or alleys, or in entrances to buildings or other premises, or upon vacant lots or other tracts of land within 500 feet of the property line of any *school, between the hours of operation on days when the school is in session, except at events conducted by the or authorized by the school authorities. (Bexley Mayor's Office, Codified Ordinances, 832.03: Sales From or Adjacent to Public Property)

**Common Definitions:**

**Business Activity:** A "business activity" is any activity carried on by a student that is intended to or does generate revenue or trade, whether or not for profit, and is not an individual employment or independent contractor relationship.

**Fundraising:** Fundraising is an important source of income for a student organization and also an opportunity to aid various worthy non-profit organizations or foundations. Fundraising activities must have clear and specific purpose(s). Fundraising activities that provide a service are encouraged over fundraisers that involve the sale of products. Fundraising activities involving product sales must ensure that students involved in product sales are informed of the purpose of the sale and should be able to articulate the reason for the fundraiser to students, faculty, and staff.

**Sales and Solicitation:** Solicitation is defined as requesting money or goods, seeking agreement to pay, taking subscriptions, selling merchandise or tickets or offering any other comparable event admission, materials and privileges. This includes actions taken to promote sales in person or by handbills, through e-mail and/or internet, or by posters or similar materials.

Soliciting and selling for private or commercial gain is not permitted on Capital University’s campus unless approved by the Committee on Student Business Activities. Concern for the privacy of students, general building security and the protection of property has led to stringent regulations about selling and soliciting on campus in general and in residential areas specifically. Sales or solicitation for the purpose of supporting or contributing to any recognized student organization or non-profit community organization must be sponsored by a recognized student organization, and must be approved in accordance with the Student Organization Sales and Solicitation policy and by the Director of Student and Community Engagement.

**Business Communications:** Care must be taken to avoid excessive use of university resources, misuse of university facilities and information provided primarily for Capital's teaching and research missions, and activities that might jeopardize the tax-exempt status of the university or its property. Students must establish a means of communication with customers separate from those provided by the university for educational purposes.
No student may list his or her residence hall address, campus mailing address or telephone number, Capital email or Internet address, or Capital Web site in conjunction with any business enterprise, or in any way suggest that Capital endorses or sponsors the business. Student organizations must follow the listed student organization room policies found in the Student Handbook.

**Organization Policies and Guidelines:**
Capital reserves the right to restrict or control student business use of its resources, facilities, academic product, copyrighted materials, and institutional data.

**Approval for Campus Postings**
Campus posting in the Student Union is provided as a service to the university community. Students or student organizations must contact the Office of Student Involvement at least two weeks in advance to obtain approval for a campus posting.

**Mass and Bulk Mail**
University Mail Services was established to provide general post office services, information on postal regulations and cost effective mail processing for university offices. Mass mailing to students is provided as a service to university offices only. Exceptions to this policy are granted by the Director of Student Involvement. Students or student organizations must submit a formal request in writing with a detailed outline of the rationale for the exception to the mass mailing policy to the Director of Student Involvement a minimum of 2 weeks in advance of the planned mailing. All student or student organization mass mailings must have written approval by the Director of Student and Community Engagement prior to the planned mailing.

**Information Technology**
Use of university computing and electronic communication resources requires each user to adhere to standards of acceptable use. Use of the university’s computer resources is only for university-related purposes for which they were authorized. As with all university equipment, the use of computer resources, including the University Network, for private or commercial purposes is prohibited, except as expressly authorized. Reasonable minimal personal use is permissible within the guidelines of this policy when it does not consume a significant amount of those resources, does not interfere with the performance of the user’s job or other university responsibilities, and is otherwise in compliance with university policy. Further limits may be imposed on personal use by units or departments. Use of those resources by faculty or staff for approved consulting or other approved professional activities is not a violation of this policy. Additional guidelines and information on these resources are set forth at www.capital.edu/cc/it, and may be amended by the university from time to time.

**Residence Halls Solicitation and Posting**
For safety reasons and to protect residents from unwanted disturbances, **soliciting in the residence halls is prohibited.** The residence halls may not be used as a place of business. Concern for the privacy of students, general building security and the protection of property has led to stringent regulations about selling and soliciting on campus and in residential areas. Thus, solicitation/sales or promotion is not permitted in a student’s and/or student organization’s room.
Students and campus organizations desiring to sponsor information tables in the halls may contact their residence hall coordinator 2 weeks prior to the event for permission. Due to the fact that a number of tables can be overwhelming to the residents only one table will be permitted in the residence halls on a daily basis in the hall.

Only staff members may post items on these bulletin boards unless express permission has been given for a student to post something. Postings are limited to student organizations, housing events and university events. Leasing opportunities, rental property, sale of items, and other similar postings are not permitted. The Student Union is the appropriate avenue for such postings, with approval from the Student and Community Engagement Office.

**General Compliance**

Student business enterprises must comply with the following general restrictions:

1. The use of university resources for personal gain is prohibited.
2. Use of the Capital name or logo in conjunction with a business enterprise is prohibited.
3. The use of Capital meeting and residential buildings, rooms, spaces, and grounds must be approved and all regulations concerning safety must be observed.
4. The printed or electronic compilation or redistribution of information from university directories is prohibited.
5. Use of library resources for commercial purposes is prohibited.
6. General regulations concerning the use of computers and networks for personal financial gain must also be observed by students with personal business enterprise(s). Additional guidelines and information on these resources are set forth at www.capital.edu/cc/it, and may be amended by the university from time to time.

**GOOD NEIGHBOR AGREEMENT**

The Good Neighbor Policy was developed between the City of Bexley and Capital University regarding apartments and rental units occupied by students living west of the Capital University in the Southwest Bexley area. Students living in rental units on Sheridan and College Ave are held to a high civic standard as neighbors of Bexley residents. In many cases the students are living in close proximity to Bexley families. According to the agreement all student renters must comply with the following: apartment properties must be kept clean, free from trash and debris, music must not interfere with neighbors, and parking is permitted only in designated spaces or on street as authorized by the City of Bexley. Students living in rental units who violate the Code of Student Conduct and found responsible may have additional sanctions that include community service for the Southwest Bexley area.
**GAMBLING POLICY**

In accordance with the City of Bexley, the university prohibits gambling, including bookmaking, games of chance for profit, and/or technology or other devices that contribute to gambling. Gambling, including Internet gambling will not be tolerated on the Capital University campus. Groups and/or individuals violating the Gambling Policy will be subject to disciplinary action in accordance with the Student Code of Conduct. The following outlines the City of Bexley Codified Ordinances (section 630.02 GAMBLING): that subject individuals to possible criminal prosecution.

No person shall do any of the following:
1. Engage in bookmaking, or knowingly engage in conduct that facilitates bookmaking;
2. Establish, promote or operate, or knowingly engage in conduct that facilitates any scheme or game of chance conducted for profit;
3. Knowingly procure, transmit, exchange or engage in conduct that facilitates the procurement, transmission or exchange of, information for use in establishing odds or determining winners in connection with bookmaking or with any scheme or game of chance conducted for profit;
4. Engage in betting or in playing any scheme or game of chance, except a charitable bingo game, as a substantial source of income or livelihood;
5. With purpose to violate subsection (a) (1), (2), (3), or (4) hereof, acquire, possess, control or operate any gambling device.

For purposes of subsection (a)(1) hereof, a person facilitates bookmaking if he in any way knowingly aids in an illegal bookmaking operation, including without limitation placing a bet with a person engaged in or facilitating illegal bookmaking. For purposes of subsection (a) (2) hereof, a person facilitates a scheme or game of chance conducted for profit if he in any way knowingly aids in the conduct or operation of any such scheme or game, including without limitation playing any such scheme or game.

**HUMAN DIGNITY POLICY**

Capital University prepares individuals to be knowledgeable, independent, and critical thinkers, educated in leadership, and committed to service in an increasingly diverse society. All members of Capital University are expected to learn how to navigate a diverse society appropriately. As we come to learn and grow together, acts of intolerance may occur and result in harm to others, therefore the university has established this Human Dignity Policy.

Members of the Capital University community must respect all persons regardless of age, ancestry, color, disability, gender identity or expression, genetic information, military status, national or ethnic origin, race, religion, sex, sexual orientation, protected veteran status, or any other characteristic protected by law (hereafter “protected status”). Capital University deems it unacceptable for its students, faculty and staff to engage in conduct (words or actions) that is intended to be, or that is reasonably foreseeable to be, threatening, abusive or intimidating to any member of the university community including students, faculty, staff, guests and contracted services employees.

Conduct that violates this policy typically:
A. Has the purpose or effect of unreasonably interfering with an individual or individuals’ work or educational environment; or
B. Is directed at an individual or individuals on the basis of their protected status; or
C. Is abusive or severely humiliating.

Bias incidents and hate crimes are antithetical to the standards and values of the University, violate University policy and, in some instances, state and federal law, and will not be tolerated.
Complaints of such conduct shall be heard and disciplinary action may be taken consistent with the provisions of
the student handbook, the faculty handbook, or the administrative and staff handbook.

Policy Details

Academic Freedom and Freedom of Expression
Capital University is a private, non-profit, academic institution. As such, its main functions of teaching,
research, practice and learning are protected by academic freedom.

Capital recognizes that excellent education experiences include and must allow for divergent viewpoints and
perspectives, some of which may challenge individual beliefs, values, or cultural norms. As a university
community, we value and protect academic freedom and the open exchange of ideas. This policy is not
intended to undermine or weaken these precepts; rather it is meant to address those incidents that fall
beyond professional and academic discourse.

The university faculty adhere to the 1940 Statement of Principles on Academic Freedom and Tenure
formulated by the Association of American Colleges and the American Association of University
Professors, which states that teachers are entitled to full freedom in their research, and to freedom in the
classroom when discussing their subject but should be cautious of controversial or persistently intruding
material which has no relation to the teaching subject. Therefore, actions and words used in the context of
the academic curriculum and teaching environment that serve legitimate and reasonable educational
purposes will not be evaluated as violations of this policy.

Capital University values freedom of expression within its community as an essential component of open
dialogue, the exchange of ideas, and critical thinking, all of which support student learning.
However, as a private institution, the constitutional legal standards of the First Amendment do not directly
apply.

Nothing in this policy is intended to restrict academic freedom, protected speech, or lawful protest. Yet with
freedom comes responsibility for the consequences of our actions, as we live together in a community with
standards of conduct and a society with rules of law.

Definitions

Bias Incident: Completed, attempted or threatened abusive or hostile acts against persons, property or an
institution, where such acts manifest evidence that the target was intentionally selected on the basis of the
target’s actual or perceived protected status. Includes any hate crimes.

Bias Harassment: A Bias Incident that has the purpose or effect of unreasonably interfering with a
person’s employment or education, or creating a hostile employment or educational environment, and has
no legitimate relationship to the subject matter of a course or academic research. In evaluating whether such
an environment has been created, the University will consider the alleged conduct from both a subjective
and objective perspective. Specifically, it will evaluate the alleged conduct from the perspective of a
reasonable person in the target’s position, considering all the circumstances.

Hate Crime: Criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle
theft, arson, larceny-theft, simple assault, intimidation, or destruction/ damage/vandalism of property,
where such crime manifests evidence that the target was intentionally selected because of the
perpetrator’s bias related to the target’s actual or perceived protected status.
**Protected Status:** Protected status is defined by federal law/executive order, state law, local law, and Capital University policy. It includes age, ancestry, color, disability, gender identity and expression, genetic information, military status, national and ethnic origin, race, religion, sex, sexual orientation, protected veteran status, and any other characteristic protected by law.

**Reporting** - Reports of violations of this policy may be made to:

**All Campuses:**

- EthicsPoint (anonymous reporting)
  888-238-1063 or
- Human Resources
  Mark Pringle, Director
  614-236-6168
  Yochum Hall – lower level
  hr@capital.edu
- Title IX Coordinator
  Dr. Jennifer Speakman
  614-236-7127
  jspeakman@capital.edu
- Bias Education and Response Team
  Bexley Campus:
  Dean of Students
  Jennie Smith
  Student Union – 1st floor
  614-236-6367
  jsmith13@capital.edu
  Office of Diversity and Inclusion
  Almar Walter
  Student Union – 1st floor
  614-236-6181
  awalter@capital.edu

  Law School/Columbus Campus:
  Assistant Dean for Student Affairs
  Robin Goodstein
  388 Law School
  614-236-6402
  rgoodstein@law.capital.edu
  Office of Diversity and Inclusion
  Branden Smith
  384 Law School
  614-236-6392
  bsmith10@law.capital.edu

If the incident involves a possible violation of the University’s Sex or Gender Based Harassment, Discrimination and Sexual Misconduct Policy, you may report the incident directly to the University’s Title IX Coordinator.

If the incident involves a Hate Crime or presents safety concerns, please contact the Capital Public Safety Department at: 614-236-6666 (located at 661 College Avenue on the Bexley Campus)

Conduct that rises to the level of Bias Harassment is covered by the University’s Nondiscrimination, Harassment and Retaliation Policy and will be handled in accordance with that policy.
INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY
The use of the University’s computing facilities in connection with University activities and minimal personal use is a privilege extended to various members in good standing of the Capital University community; it is not a right. Users of the University’s computing resources are required to comply with the Acceptable Use Policy. By using these resources, all users are also subject to, and required to comply with, the User Accounts Policy, Password Policy, Information Security Policy, and other policies that apply to their specific role with the University. Users also agree to comply with all applicable federal, state, and local laws and to refrain from engaging in any activity that is inconsistent with the University’s tax-exempt status or would subject the University to liability.

Standards of Acceptable Use
Use of University computing and electronic communication resources requires each user to adhere to the following standards of acceptable use:

- Observe all federal and state laws, as well as policies of Capital University in the use of University computing and electronic communication resources. Do not use the University’s computer resources for any unlawful purpose, such as the installation or distribution of fraudulently or illegally obtained software. The University may take any immediate steps necessary to deal with alleged violations of law or policy, including removing illegal material from the University server or other University computing or electronic communication resources.

- Respect the privacy and personal rights of others by ensuring that use of University computing and electronic communication resources does not constitute invasion of privacy, harassment, defamation, threats, intimidation, unwarranted annoyance or embarrassment, or discrimination based on race, sex, national origin, disability, age, religion, or sexual orientation.

- Respect and preserve the performance, capacity, integrity, and security of University computing and electronic communication resources. Ensure that use of those resources does not circumvent system security and does not achieve or aid others to achieve unauthorized access. The University may take any immediate steps necessary to deal with threats to performance or degradation of its computing and electronic communication resources.

- Protect the purpose of University computing and electronic communication resources to carry out the University's primary mission. Use the University’s computer resources only for the University-related purposes for which they were authorized. As with all University equipment, use of the computer resources, including the University Network, for private or commercial purposes is prohibited, except as expressly authorized. Reasonable minimal personal use is permissible within the guidelines of this policy when it does not consume a significant amount of those resources, does not interfere with the performance of the user’s job or other University responsibilities, and is otherwise in compliance with University policy. Further limits may be imposed on personal use by units or departments. Use of those resources by faculty or staff for approved consulting or other approved professional activities is not a violation of this policy.

- Respect the intellectual property rights of others by ensuring that use of University computing and electronic communication resources does not violate any copyright or trademark laws, or University licensing agreements (including licensed software).

Violation of Policy
Violations of acceptable use of University computing and electronic communication resources include, but are not limited to:

- Use of another person’s User account
- Providing one’s user account and password to someone else to use;
- Accessing or transmitting information that belongs to another user or for which no authorization has been granted;
- Any attempt to make unauthorized changes to information stored on the University’s computer systems;
- Viewing data that one does not have security rights to, or should not have rights to view;
- Unauthorized copying of information stored on the University’s computer systems;
- Any action that jeopardizes the availability or integrity of any University computing, communication, or information resource;
- Use of IT resources that interferes with work of other students, faculty, or staff or the normal operation of the University computing systems;
- Any attempt to bypass the University IT security systems including the Network Access Control system (NAC);
- Copying or distributing software licensed to Capital University without proper authorization;
- Stating or implying that one speaks on behalf of the University or using the University name, marks or logos without proper authorization, and not using suitable disclaimers on personal websites and other electronic communications;
- Violation of federal, state or local laws, including copyright infringement;
- Use of University-owned IT resources for personal commercial purposes; and
- Using University computing resources irresponsibly or in a way that might needlessly interfere with the work of others. This includes transmitting or making accessible offensive, annoying, or harassing material, or materials such as chain letters, unauthorized mass mailings, or unsolicited advertising; intentionally, recklessly, or negligently damaging any system, material, or information not belonging to the user; intentionally intercepting electronic communications or otherwise violating the privacy of information not belonging to or intended for the user; intentionally misusing system resources or making it possible for others to do so; or loading software or data from untrustworthy sources on to administrative systems.

**ELECTRONIC COPYRIGHT INFRINGEMENT POLICY and PROCEDURES**

Copyright infringement occurs when intellectual property is used without authorization from the rightful owner. Downloading, uploading or sharing copyrighted material without permission is illegal. Copyright infringement is a violation of the University’s Acceptable Use Policy (AUP) and this Electronic Copyright Infringement Policy (ECIP).

Capital University will comply with all federal, state and local laws in regards to copyright infringement and takes this violation and behavior very seriously. Legally, the university is bound and required by the Higher Education Opportunity Act (HEOA) to take action against such activities when a notice of violation is received.

**Peer-to-Peer File Sharing**

Illegal Peer-to-Peer (P2P) file sharing has become an issue for campus communities. P2P file sharing is the distribution of digital media such as software, videos, music, and images through an informal network in order to upload and download files. Typically, P2P software (such as LimeWire, BitTorrent, or iMesh) allows users to select which files to share. These files are indexed on a central server, making them available for other users to find and download.

Sharing media is not illegal if you have the right to distribute the content. However, **many file sharing applications are used to illegally access copyrighted material.** Additionally, there are some of the risks associated with P2P file sharing including the distribution of malware, personal privacy breaches and various financial penalties.
**Intellectual Property**

Intellectual property rights protect the interests of creators. Intellectual property is usually divided into two categories:

- Industrial property such as inventions, trademarks and commercial names; and
- Copyright such as books, musical compositions, movies and artistic works

The Recording Industry Association of America (RIAA) and the Motion Picture of America Association (MPAA) use legal tools provided by the U. S. Digital Millennium Copyright Act (DMCA) of 1998 to track down and legally confront those who commit copyright infringement.

**Copyright Infringement**

Copyright infringement occurs when intellectual property is used without authorization from the owner. Downloading, uploading or sharing copyrighted material without permission is illegal. These actions are considered a form of theft of the copyrighted work of a director, producer or artist. Capital University is legally required by the Higher Education Opportunity Act to take action against such activities when we receive a notice of violation for electronic copyright infringement.

**Notification Process for Copyright Infringement**

Capital University will receive a formal notice of copyright infringement from a copyright owner or person representing the owner. The notice will state the specific claim and/or identify the information residing on the Capital University computer systems or network. CapIT will retrieve the illegally downloaded information, and send a formal written “Notice of Alleged Copyright Infringement” with detailed evidentiary information to the student account holder. The student account holder’s network access will be temporarily suspended pending the outcome of the student administration conduct process.

**Removal of Copyright Information**

The university reserves the right to remove or block access to any copyrighted materials, and/or temporarily disable access to the campus network pending the outcome of an investigation of an alleged copyright infringement violation. Capital University will inform the student account holder of any action taken to maintain compliance with federal and state copyright infringement laws.

**Notification to Copyright Owner**

The university designated agent will draft a summary response to the copyright owner indicating the outcome of the investigation as appropriate. All removed materials and/or disabled network access will be restored to the student account holder within 10 business days of the case outcome.

**Legal Consequences for Continued Violations**

Violations of the copyright infringement laws may result in a formal criminal charge for a violation of law, formal court case proceedings, and fines up to $150,000 per work/property misappropriated.

**Report Copyright Infringement**

All members of #CapFam are expected to exemplify honesty, respect for truth, and congruence with university values and behavior expectations in all exchanges and interactions. Students may confidentially report an electronic copyright infringement violation via abuse@capital.edu.
SAFE COMPUTING
All students should take some time to learn how to protect their identity, information, accounts and their computing devices:

- **Be a Good Digital Citizen** – Protect yourself and use appropriate security measures, such as spam filters, anti-virus software, and secure browser settings. Don’t over share online. Protect your privacy. Assume anything you share can and will be seen, and possibly shared by others. Remember to respect others’ personal information and privacy. Make sure you have permission to download or re-share other people’s information or works before you do so.

- **Don’t get Phished - Avoid the Click-Bait:** Your Capital username and password are to be used only by you! Never share your passwords with anyone. No one at Capital will ever send you an email asking you to verify your ID, username or password. You can always send emails you suspect might be fraudulent to: abuse@capital.edu.

- **Keep your computer and smartphone updated and patched:** Patching or updating your computer’s operating system and software is the single most important security step you can perform. There are a myriad of blogs, websites and feeds that describe how to keep your computing devices patched and up-to-date. Here is one example: https://securityinabox.org/en/.

- **Respect the #CapFam:** All safe computing starts with respect for our community and adherence to Capital’s Human Dignity Policy.

IN VOLUNTARY LEAVE OF ABSENCE POLICY
In order to provide a safe environment conducive to the achievement of the University mission, the University may require a student to withdraw involuntarily when their behavior renders them unable to effectively function in the residential or University community. This policy applies to students who are a danger to others/threaten to harm others, or whose behavior is severely disruptive to the University community and to the educational mission of the institution. An Involuntary Leave of Absence is normally for a minimum of one semester. A student may re-enroll with the appropriate documentation to be provided following the Leave of Absence period.

MISSING STUDENT NOTIFICATION POLICY

**Policy**
In compliance with the Missing Student Notification Policy and Procedures 12 USC 1092 C; (section 488 of the Higher Education Opportunity Act of 2008), it is the policy of the university’s department of Residential and Commuter Life to actively investigate any report of a missing student who is enrolled at the University as either a full or part-time student. Each resident will be notified of the missing students’ policy and procedures that will be followed in the event that they are reported missing.

**Procedures**
Each resident is requested via the Housing Application to identify the name and contact number of the individual(s) that is to be contacted in case of an emergency, including in the event that the resident has been reported missing for a period of 24 hours. For any resident under the age of 18, and not emancipated, the institution is required to notify a custodial parent or guardian, in addition to any listed confidential contact person, no later than 24 hours after the time that the resident is determined to be missing by Public Safety and University staff. Only authorized campus officials and law enforcement officers, in furtherance of a missing person investigation, will have access to the confidential contact information.

If a member of the University community has reason to believe that a student is missing, a missing student
report should be made to a Public Safety officer or to the Residence Life staff, including Resident Assistants (RAs), the Area Directors (ADs), and/or the Director of Residential and Commuter Life. If the initial report of a missing person is not made to the University’s Department of Public Safety, the report must be referred immediately to Public Safety. All efforts will be made immediately (no waiting period) to locate the student to determine his or her state of health and well-being. These efforts include, but are not limited to, investigation by Public Safety, checking the resident’s room, class schedule, friends, ID card access, locating the resident’s vehicle, and calling the resident’s cell phone number.

If upon investigation by Public Safety and Residential Life Staff, it is determined that the resident has been missing for a period of at least 24 hours, the Director of Residential Life and Commuter Life will contact the resident’s designated confidential contact or custodial parent/legal guardian, if under the age of 18 or the student has failed to designate a confidential contact. Local law enforcement will be notified, unless the local law enforcement agency was the entity that made the determination that the student is missing. This notification to the confidential contact, custodial parent/legal guardian, or local law enforcement will occur within 24 hours after the resident has been determined to be missing. Public Safety will continue to investigate utilizing established police investigative procedures and in collaboration with staff from Student Affairs and Residential Life. Public Safety will also coordinate its efforts with outside law enforcement agencies in compliance with legal obligations and police practice.

NON-DISCRIMINATION POLICY
Capitol University is an equal opportunity institution committed to a diverse and inclusive university community. Capitol is committed to providing a working and learning environment that is free from discrimination, harassment, retaliation and other unlawful conduct and that assures the fair and equitable treatment of all individuals. The University abides by all applicable federal, state and local laws that prohibit discrimination based on any legally protected statuses, and that prohibit retaliation.

Capital University does not discriminate on the basis of age, ancestry, color, disability, gender, gender identity or expression, genetic information, military status, national origin or ethnicity, race, religion, sex, sexual orientation, protected veteran status, or any other characteristic protected by law (hereafter “protected status”) in its admissions, educational programs or activities, and employment.

Capital University will not tolerate discrimination, harassment and retaliation (hereafter “prohibited conduct”) by or against its employees, faculty, students, vendors, volunteers or visitors through words or actions based upon an individual’s or group’s protected status. Prohibited Conduct includes sexual harassment and sexual violence; however, all sex and gender-based discrimination is handled under the University’s Sexual Misconduct Policy.

Also prohibited is retaliation against any individual who seeks relief or participates in a proceeding under this policy or through other legal means. Retaliation is an offense separate from the complaint of discrimination or harassment and will be considered independently from the merits of the underlying matter. Retaliation is a serious violation of this policy and, like other Prohibited Conduct, will, upon a finding that retaliation has occurred, subject the individual to disciplinary action up to and including separation from the University.

The University will take prompt and effective measures to assure that Prohibited Conduct does not occur. All charges of Prohibited Conduct in violation of this policy will be taken seriously. Any person found to have engaged in Prohibited Conduct will be subject to corrective action up to and including dismissal. The University strongly urges employees, faculty students, vendors, volunteers or visitors to report all possible violations of this policy.
This policy against discrimination, harassment and retaliation applies to all University students and to all faculty, administrators, and staff members (collectively “University employees”), as well as vendors and guests. This policy is not intended to impair or limit the right of anyone to seek a remedy available under state or federal law.

Contacts for reporting under this policy are:

Director of Human Resources  Office of the Provost
Mark Pringle  Dr. Jody Fournier
614-236-6168  614-236-6108
hr@capital.edu  jfournier@capital.edu

Dean of Students (Bexley Campus)  Dean, Law School (Law School/ Columbus Campus)
Jennie Smith  Rachel Janutis
614-236-6367  614-236-6383
jsmith13@capital.edu  rjanutis@law.capital.edu

Bias Education and Response Team

Title IX Coordinator (sex or gender-based complaints)
Dr. Jennifer Speakman
614-236-7127
jspeakman@capital.edu

EthicsPoint (anonymous reporting) 888-238-1063 or

For further information on the notice of non-discrimination visit
http://wdcrobcopolp01.ed.gov/CFAPPS/OCR/contactus.cfm for the address and phone number of the regional U.S. Department of Education, Office of Civil Rights, that serves your area, or call 1- 800-421-3481.

PARKING REGULATIONS 2018-2019

Section A. INTRODUCTION

1. The parking regulations of Capital University have been created for the benefit and safety of the university community. This parking and traffic program ensures the optimum use of all university parking areas, provides emergency access to all parts of the campuses, and allows for orderly traffic flow and equitable parking conditions at the university.

2. The operation and parking of a motor vehicle on Capital University, Capital University Law School and Trinity Lutheran Seminary property is a privilege granted to students, faculty, staff, and guests. The Capital University Police Department reserves the right to make and enforce regulations in the best interest of the university community. Motor vehicle privileges may be denied, suspended or withdrawn, at any time, by the Capital University Police Department. Motor vehicles may be towed at the owner's expense as deemed necessary by the Capital University Police Department.
Section B. GENERAL PERMIT GUIDELINES

Registration

1. All faculty, staff, student and guest vehicles (including motorcycles) parked on Capital University, Capital University Law School and Trinity Lutheran Seminary property must be registered with the Department of Public Safety and display a valid permit at all times.

2. Each student, faculty, or staff member may register up to three vehicles to which their family holds the title, however at any given time only one registered car per permit may be parked on campus.

3. Acceptance of a Department of Public Safety parking permit is an acknowledgement by the registrant that these regulations have been read, and understood, and constitutes an agreement by the registrant to abide by the regulations. If the registrant provides information that is false or misrepresented the permit may be revoked and, if the registrant is a student, they may be referred to the appropriate office for further action consistent with the Code of Conduct.

4. Issuance of a parking permit does not ensure the driver a parking space in a university lot. It gives the driver the right to park in any properly marked parking space of any lot appropriate to that permit. Vehicles must park in lots appropriate to what is displayed on their parking hangtag.

5. All vehicles parking in a university handicap parking space must display both a State of Ohio handicap parking permit (in accordance with Ohio Revised Code 4511.69) and a Capital University parking lot hangtag appropriate to their permit. A vehicle displaying a state permit without a University permit will be considered an unregistered vehicle.

6. All permits are issued by the authority of the Capital University Police Department and remain the university’s property.

Parking Permit Hangtags

1. Parking permit hangtags must be displayed from the rearview mirror facing forward and clearly visible any time a vehicle is parked on Capital University property. Motorcycles and mopeds must be registered with the Department of Public Safety.

2. A parking hangtag shall only be displayed in a vehicle to which it is registered. Ownership of the hangtag is not transferable.

3. Reproducing or altering a parking permit in any way is forbidden. It is a violation to manufacture or alter any parking permit, document or device that provides eligibility to park on campus. Permits will be confiscated without refund, and violators will be subject to loss of parking privileges. Anyone found manufacturing or altering a parking permit may be prosecuted.

4. Use or possession of a reported lost or stolen parking permit is forbidden. No person should use or possess a parking permit without proper Public Safety authorization.
Expiration
1. Faculty and staff parking permits do not expire until the employee ceases to be employed by Capital University, the Capital University Law School or Trinity Lutheran Seminary.
2. All student parking permits expire on August 15 of each year, or when a student ceases to be enrolled with Capital University, the Capital University Law School or Trinity Lutheran Seminary.

Section C. PERMIT TYPES AND PERMIT SPECIFIC GUIDELINES

1. Visitor Permits
   a. Bexley Campus
      i. All guests need to register their vehicles with the Capital University Department of Public Safety. Guests will receive a temporary parking permit at no charge.
         • Daytime visitors (visiting campus between the hours of 8 a.m. and 4:30 p.m. on weekdays) may park in the spaces provided in the Visitor parking lot on Mound Street west of Pleasant Ridge Avenue, or in the Visitor parking section at Trinity Lutheran Seminary. There is no overnight parking in the Visitor parking areas; parking from 2 a.m. to 6 a.m. is prohibited.
         • Evening visitors (visitors staying after 4:30 p.m.) will be issued a temporary “S” parking permit from the Public Safety Office and may park in any “S” parking lot.
   ii. University faculty and staff inviting a guest to campus are responsible for the acquisition of a guest pass from the Public Safety Office. By submitting a request to publicsafety@capital.edu, the faculty or staff member will receive a single day digital parking permit for their guest.
      b. Law School
         i. Visitor parking is at the discretion of the Law School Security Staff and issuance of a temporary permit, if applicable.

Faculty, staff and students, with or without a permit, are not visitors and may not park in spaces designated for visitors.

2. Student Resident Permits
   a. On Campus Parking
      i. “S” Lot Permits: Sophomore, Junior and Senior students may purchase an “S” parking permit and are permitted to park in any “S” lot on campus during non-restricted hours.
      ii. Housing Specific Permits: Certain student housing has designated parking restricted to those residents only. These spaces are limited, and permits are issued on a first come, first served basis. With the exception of “D” lot permits, once these lots are full the student may purchase an “S” lot permit. These passes may not park in any “S” parking space before 4:30 p.m. Monday – Friday.
         • “D” Lot Permits: Students who live in the Capital Commons apartments may purchase a “D” parking permit. Students who live at the Capital Commons are not permitted to purchase “S” permits.
         • “W” Lot Permits: Students who live in the Capital University Apartments may purchase a “W” permit.
         • “T” Lot Permits: Students who live in the Trinity Seminary North Apartment may purchase a “T” parking permit.
         • “H” Lot Permits: Students who live in the Capital University Houses on Sheridan Avenue and College Avenue may purchase an “H” parking permit.
   iii. Bexley campus students with a valid parking permit who are enrolled in any Capital University Law School program are permitted to park in Law School Lot 1 or Lot 3.
b. Off Campus Parking
   i. “O” Lot Permits: First-year and other residential students may purchase an “O” parking permit which provides permission to park in the Nelson Road “O” lot located at 1955 E. Rich Street, Columbus, OH 43205. These permits are issued on a first come, first served basis. A waiting list will be started when the “O” lot sells out.
   ii. Work Exceptions: First-Year students who are employed at a position that routinely requires work hours outside the times that the “O” shuttle operates, may apply to be considered for a work exception and a “D” lot pass. Students must provide proof of off campus employment to the Office of Public Safety.
      • Proof of off campus employment that will be accepted is a typed and signed letter (on official company letterhead or displaying an official stamp) from the employer stating the work schedule (days and times to be worked each week). The letter must include a supervisor’s name and signature, as well as a business phone number for verification. Handwritten letters, emails, or phone calls will not be accepted in lieu of an official letter.

   c. Campus Shuttle – The University provides shuttle service to the “O” lot. The shuttle leaves main campus from NW corner of Schaaf Hall. The University shuttle will run on the following schedule when classes are in session.
      i. Monday through Thursday – 8-10 a.m. and 2-6 p.m.
      ii. Friday – 8-10 a.m. and 2-8 p.m.
      iii. Sunday – 5-8 p.m.
      iv. The shuttle does not run on Saturdays.
      v. Students are encouraged to call 614-236-6505 or 614-236-6666 if they wait more than 15 minutes for the shuttle to arrive.
      vi. Hours for breaks and holidays will be posted in the shuttle

3. Student Commuter Permits
   a. Bexley Campus
      i. Student Commuter – Day
         • “S” Lot Permits: Students that commute to campus, living or renting further than three-tenths (3/10) of a mile from campus may purchase a “S” permit, and park in any of the “S” parking lots on campus during non-restricted hours. Students living within the 3/10-mile zone must park at their residence (from campus that would be north to Bryden Rd.; east to Cassingham; south to Charles Ave.; west to Alum Creek).
      ii. Student Commuter – Part-Time and Evening
         • “S” Lot Permits: Students enrolled in the part time and evening programs may purchase an “S” parking permit and may park in any of the “S” lots on campus during non-restricted hours.

b. Law School
   i. “L” permits are granted for full and part time students attending any education program at Capital Law School.
   ii. “L” parking permits may park in Lot 1 and Lot 3 during non-restricted hours.
   iii. “L” parking permits may only park in Lot 2 after 4:30 p.m. Monday – Friday and on weekends.
   iv. Students are only allowed parking in law school parking lots for relevant law school activities.
   v. Students, staff, and faculty may not, at any time, park in Lot 1 or Lot 2 during the hours of 2-6am.
   vi. Alternative parking options for evening students may be obtained through the Law School Business Operations Office.
vii. Motorcycle parking is designated in Lot 2.

viii. “L” parking permits may park in the student “S” lots on the Bexley campus.

4. Student Summer Permits
   a. “S” Lot Permits: Students enrolled in summer classes may purchase an “S” parking permit valid from May 1st – August 15 during non-restricted hours. Students who already possess an “S”, “O”, “W”, “H”, “D”, “T”, or “L” parking permit do not need to purchase a summer parking permit.

5. Faculty and Staff Permits
   a. “F” Lot Permits: Faculty and Staff will be issued an “F” parking permit and may park in any “F”, “S”, “L” or “D” lot on campus during non-restricted hours. “F” permit holders are prohibited from parking in “H”, “T”, “W”, and the Visitor Parking Lots. Children of Faculty members may not use their parents “F” permit at any time.
   b. “F Contractor” Lot Permits: Personnel with “F-Contractor” permits must park in either the Public Safety lot (“S6”), S/W portion of Campus Center (by tennis court) (“S3”), or the South end of the Capital Center lot (“S2”).

Section D. PERMIT PURCHASING DETAILS

Permits are issued Monday through Friday, 8 a.m. to midnight, at the Capital University Public Safety Office. Parking permits will not be mailed; they must be picked up in person.

1. Permit types and cost

   There is a $20 discount for all permits purchased online

   Student permits may only be purchased from the Capital University online store found at www.capital.edu/safety and are priced as follows:

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Yearly Fee</th>
<th>Online Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Resident Permits</td>
<td>$220</td>
<td>$200 online</td>
</tr>
<tr>
<td>Student Resident “O” Lot Permits</td>
<td>$180</td>
<td>$160 online</td>
</tr>
<tr>
<td>Student Commuter – Day Permits</td>
<td>$180</td>
<td>$160 online</td>
</tr>
<tr>
<td>Student Commuter – Part-Time and Evening Perm</td>
<td>$120</td>
<td>$100 online</td>
</tr>
<tr>
<td>Student Summer Permits</td>
<td>$70</td>
<td>$50 online</td>
</tr>
<tr>
<td>Faculty and Staff and “L” Permits</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Replacement of Parking Permit Hangtag</td>
<td>$20</td>
<td></td>
</tr>
</tbody>
</table>

Permits are available for purchase for the Spring Semester only and are one half of the price listed above.

Contact Public Safety for information for graduate student housing family permits.

2. Refunds
   a. Application requests for a refund of parking fees will be accepted by the Public Safety Office only within the first two weeks of each semester, or upon graduation. Applications must include the appropriate paperwork proving the change in status, plus the parking permit.
Section E. PARKING REGULATIONS AND VIOLATIONS

All parking and permit regulations are enforced 24 hours a day, 365 days per year. Any violation of these guidelines may result in a citation, towing at the owner’s expense with associate storage fees, or other disciplinary action deemed necessary by Capital University and its Department of Public Safety.

The registrant is responsible for all parking violations regardless of who operated the vehicle at the time the violation occurred.

1. Parking Regulations
   a. Lack of a space, or illegal parking by others, is not considered a valid excuse for violation of the Capital University Parking Regulations.
   c. Students, staff and faculty may not at any time, park in the Visitor Parking Lot.
   d. In specific lots there is No Parking during the hours of 2-6 a.m. This is enforced for the purpose of maintaining open spaces for incoming commuter students, snow emergencies, and/or special University events. These hours are enforced in the following lots:
      i. North “S1”, middle of “S3”, “S7”, and the east half of “S8”
      ii. “F3,” “F4,” “F7” lots
      iii. Visitor parking lots
      iv. Law School Lot 1 and 2
   e. Students may not, at any time, park in any “F” lot. This includes students with “W,” “T,” “H,” “O,” “D,” “S,” and “L” permits, or registered students without a current parking permit.
   f. “W,” “T,” “H,” “O,” “D” and “L” permits may park in any main campus student “S” lot after 4:30 p.m. Monday–Friday, until 8 a.m. the next University business day, except in restricted areas.
   g. “S,” “H,” “T,” “W,” and “F” permits are permitted to use the parking spaces west of the apartment units on the Alum Creek side portion of the Capital Commons “D” lot for overflow parking.
   h. Authorized Vehicle Only spaces are designated for any university owned vehicle. This are the only vehicles permitted in an Authorized Vehicle Only space. Any non-university vehicle parking in an Authorized Vehicle space will be cited.
   i. 15-minute parking areas may be used by anyone with or without a university permit for the designated 15 minutes time limit unless it has been posted as reserved for a university Guest.
   j. Any parked vehicle which represents a hazard or obstruction may be towed away at the owner’s expense. A vehicle at rest may in no way impede the flow of traffic, block service drives, loading zones, walkways, or the entrances or exits of parking lots.
   k. Only vehicles with special permission from the University Police are authorized to drive on campus grounds or walkways. Vehicles without special permission are not permitted to drive on campus grounds even if the access to these areas is available.
   l. Only authorized vehicles may park in reserved spaces, such as those reserved by the CUPD or the Facilities department for special functions.
   m. The maximum speed on University property is 10 MPH.

2. Parking Violations
   Violators of the parking rules and regulations can receive warning citations, a Capital University parking citation, a City of Bexley traffic/parking citation, or a City of Columbus traffic/parking citation. You, the student, staff, or faculty member, are responsible for all citations issued to your vehicle or permit. Habitual or flagrant disregard of the rules and regulations is grounds for suspension of campus parking privileges or stronger action by the university.
   a. Citations can be issued for any of the following violations:
<table>
<thead>
<tr>
<th>Violation</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counterfeiting, altering, defacing, or for giving false information in an application or for misuse of any permit</td>
<td>$100</td>
</tr>
<tr>
<td>Unauthorized transferring a parking permit to another vehicle for which the permit is not issued</td>
<td>$45</td>
</tr>
<tr>
<td>Blocking driveways, entrances or parking in restricted areas</td>
<td>$45</td>
</tr>
<tr>
<td>Taking the space of two or more vehicles</td>
<td>$45</td>
</tr>
<tr>
<td>Use of a lost or stolen permit</td>
<td>$45</td>
</tr>
<tr>
<td>Parking without a CU permit, failure to register with Public Safety</td>
<td>$45</td>
</tr>
<tr>
<td>Permit issued, but not displayed</td>
<td>$45</td>
</tr>
<tr>
<td>Permit issued, not valid for area</td>
<td>$45</td>
</tr>
<tr>
<td>Parking on any lawn, sidewalk, landscaped area, or any area outside of clearly delineated parking spaces, where parking can cause or potentially cause damage</td>
<td>$45</td>
</tr>
<tr>
<td>Vehicle towed for any traffic or parking violation</td>
<td>Unclassified</td>
</tr>
<tr>
<td>Overtime parking in a 2 a.m.-6 a.m. zone or 15-minute space</td>
<td>$45</td>
</tr>
<tr>
<td>Parking in a loading zone</td>
<td>$45</td>
</tr>
<tr>
<td>Parking in a posted or reserved parking</td>
<td>$45</td>
</tr>
<tr>
<td>Parking in a space designated for disabled parking</td>
<td>$250</td>
</tr>
<tr>
<td>Law School Only: Failure to leave keys when buddy parking</td>
<td>$45</td>
</tr>
</tbody>
</table>

**b. Definitions of Violations**

i. **Counterfeiting, altering, defacing, or for giving false information in an application or for misuse of any permit $100.00.**
   1. Reproducing or altering a parking permit in any way is forbidden. It is a violation to manufacture or alter any parking permit, document or devices that provide eligibility to park on campus. Permits will be confiscated without refund, and violators will be subject to lose his/her parking privileges. Anyone found manufacturing or altering a parking permit may be prosecuted.

ii. **Transferring (Unauthorized) a parking permit to another vehicle for which the permit is not issued $45.00**
   1. A parking permit shall only be displayed in a vehicle to which it is registered. **Ownership is NOT transferable.** The vehicle displaying a parking permit authorized to another registered owner will be in violation of this section.

iii. **Blocking driveways, entrances; parking in restricted areas $45.00**
    1. A vehicle at rest may in no way impede the flow of traffic, block service drives, loading zones, walkways, or the entrances or exits of parking lots.

iv. **Taking the space of two or more vehicles $45.00**
    1. A vehicle must be parked in an appropriate parking space. A vehicle will be in violation if parked in more than one marked space, or the officer considers the vehicle is parked beyond a permitted parking space area, or if the vehicle is taking unnecessary spaces.
v. Use of lost/stolen permit (marked in system as no longer valid)  $45.00
   1. Use or possession of a reported lost or stolen parking permit is forbidden. No person should use or possess a parking permit without proper DPS authorization. “No person shall knowingly use or operate the property of another without the consent of the owner or person authorized to give consent.” 2913.04 (a)

vi. No CU permits / Failure to register with DPS  $45.00
   1. All vehicles (including Visitors) parking on university property should register with the Department of Public Safety and display a permit appropriate for the lot in which the vehicle is parked. Visitors/Guests with properly displayed permits unable to find a spot in the Visitor Lot may park in any student “S” lot.

vii. Permit issued, not displayed  $45.00
   1. Permits must be displayed from the rearview mirror facing forward and clearly visible. The vehicles must have a valid parking permit displayed at all times when parked in university parking lots.

viii. Permit issued, not valid for area  $45.00
   1. A vehicle must be parked in a lot appropriate to the permit it displays. If an “S” (Student) permit is parked in an “F” (Faculty/Staff) lot it is considered parked outside its permitted area.
   2. Faculty, staff and registered students, with or without a permit, are not visitors and may not park in spaces designated for visitors. A person enrolled in any University-sponsored program, or course of instruction, using Capital University facilities, and/or a faculty/staff member, is not considered a visitor.
   3. Visitor lot parking violations are not appealable.

ix. Parking on lawn, sidewalks, campus landscaped areas or any area outside clearly delineated parking spaces where such parking causes actual or potential damage to natural or landscaped features. This is in addition to cost of damage to property  $45.00
   1. Only vehicles with special permission from the University Police are authorized to drive on campus grounds or walkways. Vehicles without special permission are not permitted to drive on campus grounds even if the access to these areas is available.

x. On university property, vehicle towed for any traffic or parking violations.
   Unclassified
   1. University law enforcement officer will remove the vehicle at the owner’s expense.

xi. Overtime parking: lot signs posted prohibiting parking 2 a.m. to 6 a.m., 15-minute zones $45.00
   1. A vehicle may occupy posted parking spaces for a maximum of 15 minutes. Overtime parking in time restricted spaces, loading zones, or No Parking 2-6 a.m. areas are not permitted.

xii. Loading zone  $45.00
    1. Only authorized vehicles are allowed to actively load and unload in loading zones.
    2. Designated loading zones are not intended for use by Capital Faculty, staff, students and contractors without prior approval from the DPS.

xiii. Posted or reserved parking  $45.00
    1. Only authorized vehicles may park in reserved spaces, such as those reserved by the CUPD or the Facilities department for special functions. These reserved spaces are enforced 24 hours a day, 7 days a week. Violators may be cited and/or towed.

xiv. Parking in space designated for disabled parking  $250.00
    1. Vehicles occupying disabled parking spaces must display proper registration such as a hang tag and disabled license plate or a temporary disabled permit. Due to the severity of this violation, the fine for this violation will not be reduced and is non-appealable.
    2. All vehicles parking in a university handicap parking space must display both a State of Ohio Handicap parking permit (in accordance with Ohio Revised Code 4511.69) and a Capital
University parking lot appropriate to their permit. Violation of the handicapped parking regulation is punishable by a fine of $250.00 and towing at the owner’s expense. A vehicle displaying a state permit without a University permit will be considered an unregistered vehicle.

**xv. Law School Only: Failure to leave keys when buddy parking $45.00**

1. When parking behind another vehicle in the buddy parking rows (nearest to the building in Lot 1), the driver must leave their keys with a member of the security staff in the guard shack. Violation of this regulation is punishable by a fine of $45.00 and towing at the owner’s expense.

Section F. PARKING VIOLATION PAYMENT INSTRUCTIONS

a. Payment Instructions

i. **Online:** Using a credit card, you may pay online at [http://www.capital.edu/safety/](http://www.capital.edu/safety/)

ii. **In-Person:** To pay with cash or check, please see the Cashier in the Finance Office. The Finance Office is located in the first floor of Yochum Hall and is open Monday-Friday 9:00am-5:00pm. You must have the ticket with you in order to pay; at the Law School you may pay in the Law School Business Services Office.

iii. After 5 days, a one-time late fee of $3.00 will be assessed.

b. **Late Instructions**

i. Students
   1. After 7 days, a one-time late fee of $3.00 will be assessed, and the parking ticket will be added to the individual’s student account.

ii. Faculty and Staff
   1. Payroll deduction: After 7 days, parking tickets will be deducted from the employee’s payroll.

iii. Non-students
   1. After 7 days, a one-time late fee of $3.00 will be assessed.
   2. After 3 notices, the parking ticket will be managed through a collections agency.

c. **Persistent Violators**

i. Persistent and/or flagrant violation of the parking regulations by a student will be referred to the Dean of Students for further action.

ii. Persistent and/or flagrant violation of the parking regulations by an employee will be referred to the employee’s supervisor.

iii. If a student, staff or faculty person, or guest, whose parking privileges have been revoked continues to park a vehicle on campus, that vehicle will be towed and impounded at the owner’s expense and the case referred to the appropriate university authority.

d. **Appeals**

**Filing an Appeal:** An appeal form may be obtained from the Public Safety office or by going to [www.capital.edu/safety](http://www.capital.edu/safety) and clicking on “Forms.” The Department of Public Safety must receive the completed appeal form within five (5) business days from the date the citation is processed. Visitor Lot parking violations and Handicapped Parking violations are not appealable.

**Administrative Evaluation:** Public Safety will perform an administrative evaluation of all appeals.

**Parking Appeals Committee:** The committee will notify the appealing student of the hearing date, time and location at least three days in advance, normally via campus mail or email. The person appealing has the choice at the bottom of the form to attend or not attend their hearing. Once notification is sent, the case will be heard whether the appealing individual is present or not. At the hearing the committee will allow any additional pertinent testimony in the case; then by majority, render a decision. The decision of the committee is final.

*Capital University shall assume no liability or responsibility for theft, damage, or loss that may occur during use of parking facilities or services. Individuals choosing to park at Capital University do so at*
their own risk. Damage due to, misuse or defacing of Capital University property or facilities is prohibited and subject to citation and/or criminal prosecution.

PRIVACY OF EDUCATIONAL RECORDS (FERPA)

Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights in connection with educational records maintained at Capital University. For purposes of compliance with FERPA, the University considers all students independent. These rights include:

1. The right to inspect and review the student’s education records within 45 days after the day Capital University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the records(s) the student wishes to inspect. The school 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 school 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 is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student’s 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 provide written consent before the University discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Capital University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Capital University who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for Capital University. The University reserves the right to notify parents or guardians of "dependent" students, regardless of the student’s age or status, of conduct in health and safety emergencies, hospitalization, or where in the University’s judgment the health or well-being of the student, or others, is, or may be at risk.
4. FERPA permits the disclosure of PII from students’ education records, without consent of the student, if the disclosure meets certain conditions found in 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, 99.32 of FERPA regulations require the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student:

a. To other school officials, including teachers, with Capital University whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in 99.31(a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (99.31(a)(1))

b. To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student’s enrollment or transfer, subject to the requirements of 99.34. (99.31(a)(2))

c. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U. S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the University’s State-supported educational programs. Disclosures under this provision may be made, subject to the requirements of 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (99.31(a)(3) and 99.35)

d. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (99.31(a)(4))

e. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (99.31(a)(6))

f. To accrediting organizations to carry out their accrediting functions. (99.31(a)(7))

g. To comply with a judicial order or lawfully issued subpoena. (99.31(a)(9))

h. To appropriate officials in connection with a health or safety emergency, subject to 99.36. (99.31(a)(10))

i. Information the school has designated as “directory information” under 99.37. (99.31(a)(11))
j. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (99.31(a)(13))

k. To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (99.31(a)(15))

2. “Directory Information” can be furnished without the students’ permission and is listed below:

   a. Name
   b. Address – campus and home
   c. Telephone numbers – campus, home, and/or cell phone
   d. E-mail address – campus
   e. Enrollment type
   f. Date and place of birth
   g. Field of study
   h. Participation in officially recognized activities and sports
   i. Dates of attendance at Capital University
   j. Degrees and awards received while attending Capital University
   k. Most recent educational agency or institution attended by students
   l. Weight and height of members of athletic teams
   m. Photograph
   n. High school of student
   o. Greek affiliation
   p. Class-level of student
   q. Student identification number may be displayed on Student ID Card
Instructions for Filing A Complaint
Students have the right to file a complaint with the U. S. Department of Education concerning alleged failures by Capital University to comply with the requirements of the Family Educational Rights and Privacy Act (FERPA). The name and address of the Office that administers FERPA is:

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

Authorization to Release Education Record Information
Students may grant their parents (or others) permission to access their educational records by filing an Authorization to Release Education Record Information form with the Registrar's Office. The form is available online and may be submitted to the University Registrar.

Instructions to Prevent Disclosure of Directory Information
You have the right to withhold the disclosure of directory information. As long as a hold is in place, directory information will not be made publicly available. The form is available online and may be submitted to the University Registrar.

STUDENT ORGANIZATION HANDBOOK

THE OFFICE OF STUDENT AND COMMUNITY ENGAGEMENT
SCE Mission Statement

The Office of Student and Community Engagement provides an inclusive environment for growth and development through extra and co-curricular learning experiences, both on campus and in the community, for all students. By providing a place to be and do, the SCE helps students find their home at Capital.

SCE Learning Outcomes
Students cultivate personal interests, values, and identities.
Students build an inclusive community which respects the human dignity of others.
Students articulate the value of their Capital experience.
Students utilize their leadership skills to affect positive change in their personal and professional pursuits.

The functional areas within the Office of Student and Community Engagement are Activity Management and Programming (AMP), Community Engagement, Fraternity and Sorority Life (FSL), Leadership, Major Events and Weekend Programming, Parent and Family Programs, Student Government (SG), Student Organizations, and Transition Programs.

STUDENT ORGANIZATION RECOGNITION AND BENEFITS
- Importance of Being a Recognized Student Organization
- Student organizations must register with the Office of Student and Community Engagement to be eligible for the following benefits:
- Request audiovisual equipment, including DVD players, TV's, easels, and overheads, at no charge. Laptops may be reserved for student organization use through their organization advisor with IT;
- Reserve rooms throughout campus;
• Reserve and use university vans for a nominal fee;
• Participate in the annual Student and Community Engagement Fair held each semester to recruit new members;
• Apply for the usage of an organization room, as rooms are available;
• Be acknowledged on the Capital University website;
• Access to Student Government funding;
• Have a University financial student organization account;
• Advertise for events on campus bulletin boards and TV screens

Assistance for Student Organizations
Consultation and Presentation – The staff of the SCE is available to consult with student organizations on any topic related to the operation of the organization. The SCE has numerous presentations and information on topics such as: motivation, organizational communication, diversity, leadership styles, conflict resolution, delegation, time management, publicity, fundraising, budgets, parliamentary procedure, creative programming, rewards and recognition, etc. You can also request a SCE staff member to present at your organization’s meetings or events or to facilitate workshops on social change, reflection, community service and more.

Community Engagement and Volunteer Opportunities – Groups and individuals can find assistance and information about local community needs and volunteer opportunities by visiting the SCE.

Leadership Development – Groups and individuals can find assistance and resources for leadership development by visiting the SCE. Staff can recommend and evaluate training workshops, connect you with leadership development activities, or consult with your organization on skill building programs like fundraising, public speaking, program planning, implementation, evaluation and related leadership development skills.

SCE Event Calendar – This resource can be used to consult, in addition to the SCE staff, as you plan your event to learn of other events and programs scheduled. The calendar also serves to notify other groups to reduce conflicts. The calendar only includes events programmed by university recognized organizations. Events are added to the calendar when an Event Registration Form has been submitted and approved.

Student Organizations Records and Directory – the SCE maintains records on recognized student organizations. These records include constitutions and current officers, including the faculty/staff advisor(s). The SCE will provide student organization contact information to any student wishing to learn more about a group on campus.

Contract Review – To protect individuals, the organization, and the institution, all contracts must be reviewed by a member of the SCE, and then approved by University Legal Counsel and signed by a professional staff member in accordance with University policy. Students may never sign a contract on behalf of the University.

Photocopies – Student organizations can make copies in the SCE free of charge.

Student Organization Advisors
Every student organization is required to have a faculty or staff member serve as an advisor. A student organization may have additionally advisors from the community or alumni base of their organization. The on campus advisor is responsible for signing off on Student Organization paperwork, including, but not limited to, Travel Forms, Budget Contracts, etc. If a student organization’s advisor leaves Capital or chooses to no longer be an advisor, the organization must recruit a new advisor. If no new advisor is immediately available, a SCE staff member will serve in an interim role and will help the student organization recruit a new, permanent
advisor.

**Starting a New Student Organization**

Students interested in creating a new student organization should work with a member of the SCE staff to fulfill the steps below. These steps have been created to ensure proper growth and success of the organization(s).

- Meet with a professional staff member in the Office of Student and Community Engagement to discuss your group and how it will benefit student life;
- Complete the Student Organization Registration form. All groups are required to have an advisor that is a full-time Capital University faculty or staff member;
- Submit a complete roster based on the roster template available here on the Student Organization Resource page and e-mailed to sce@capital.edu. To be a recognized student organization, the organization must have at least 10 members;
- Submit a constitution to sce@capital.edu. A sample constitution will be given upon request; Registration paperwork & constitution will be reviewed by the Office of Student and Community Engagement. A recognition status letter will be sent to the group president and advisor by the Office of Student and Community Engagement. Once an organization is registered, it is the responsibility of the members to re-register every year by the fall semester deadline to maintain your recognition.

**Nondiscrimination Policy**

Capital University believes that the principles of diversity and inclusion are paramount to creating informed, productive citizens. Student Organizations shall not discriminate based on race, religion, age, gender, nationality, ancestry, marital status, disability, sexual orientation, or other identities. Federal and state law provide no clear or consistent definition of gender, therefore the Office of Student and Community Engagement in an effort to prevent exclusion defines male and female:

Female is defined as any individual who self-identifies as a female, regardless of assigned sex at birth, expression, or perceived express of gender.

Male is defined as any individual who self-identifies as a male, regardless of assigned sex at birth, expression, or perceived expression of gender.

**Student Organization Registration**

Registration is the process student organizations go through in order to be recognized by the university as a student organization. Existing student organizations must compete requirements for registration each year during the organization’s registration window to maintain active status and to receive access to funds and resources.

To maintain recognized status, a student organization must:

- Have active membership of 10 members
- All members must be enrolled at Capital University. Alumni, faculty, and staff are eligible for associate, honorary, or alumni status, but not full membership.
- Student organizations have the right to select members based on their mission and constitution.
- Have a president, treasurer and secondary leader, typically a vice president
- To hold an executive board position, students must maintain a 2.5 cumulative grade point average or the minimum set by your organization, whichever is higher. GPAs can be verified in the Office of Student and Community Engagement, by having potential executive board members sign a grade release form.
- Have an on campus faculty or staff advisor
- President or designee attend required meetings put for the by hosted by Student Government and/or the SCE
• Comply with all rules, regulations, and policies of the University
• Must be in good standing (i.e. no disciplinary issues) with the institution
• Complete any sanctions planned on an organization in the event of misconduct
• Be timely in due dates/deadlines of information
• Reapply for active status annually

Registration Windows and Important Dates
Registration for each academic year will begin in the April preceding. Detailed information will be emailed to student organization presidents and advisors each spring semester. Student Organizations should register as early as possible to receive the most benefits of being a student organization. A student organization must be registered with the SCE to apply for funding through the Student Activity Fee.

PUBLICITY
No publicity is permitted until an Event Registration Form has been submitted and approved.

Flyers
• Flyers must be approved to be hung on campus. Student Organizations may bring a copy to the SCE or email the flyer to the SCE for approval (email is preferred). If flyers are distributed outside of campus, they must follow brand guidelines set by the University.
  • There are set bulletin boards on campus for student organization promotion. The following is the number of flyers that are posted:
    • Residence Halls – 47 copies (to be divided and place in residence life mailboxes
    • Academic Halls – 20 copies
• Flyers are only allowed on approved bulletin boards and should never be placed on doors, windows, or painted surfaces. If flyers are placed on non-approved surfaces, the organization may lose their privilege to post flyers anywhere on campus, at the discretion of the SCE staff.
  • SCE staff will place flyers on approved bulletin boards twice weekly.
  • Flyers approved the same week as the event advertised must be hung by the student organization in approved locations.
  • Maximum size of 11x17 paper.
  • Any paper aside from traditional white printer paper should be provided by the organization to SCE.

Banners in the MDR
• To request for banner space in the MDR, organizations must bring the banner to the SCE for approval.
• Banner(s) must be removed by the student organization within 24 hours of the approved event.

Television Slides
• Student organizations may create and have slides on the televisions throughout the Student Union by e-mailing sce@capital.edu with the slide (in portrait style, Power Point format, saved as a jpg).
• Slides may be requested two weeks before the event and will be removed after the event.
Side Walk Chalk

- Student organizations may request to chalk campus sidewalks. Student organizations must email the SCE to receive approval. Chalking any bricks and University buildings is prohibited and could result in disciplinary actions towards the organization.

Stall Talks

- Stall Talks are created from events listed as open to campus on the Event Registration Form. Stall Talks will be updated regularly. For specific date information, please see a staff member in the SCE.

EVENT PLANNING

All student organizations must register all events and meetings by filling out the Student Event Planning Form at http://www.capital.edu/student-org-resources. Only recognized student organizations may reserve university facilities for their activities. There is no charge for space. Any need for equipment not normally in the room, (blackboard, PA system, projector, room arrangement, lobby signs, tables, etc.) should be included as part of the room reservation so appropriate arrangements can be made.

Should your scheduled activity be cancelled, please notify the SCE and Conference Services as soon as possible. This allows another group to schedule the room and allows for notification to the campus personnel. Events that release balloons are prohibited due to the dangerous implications for animals. If balloons are used in a different way (ie: water balloon fight, decoration, etc), it is the responsibility of the student organization to make sure all balloon remnants are cleaned up.

For tips on how to plan an event see Appendix A – Student Organization Event Planning and Meeting Tips. Feel free to also schedule a meeting with a staff member in the SCE for assistance at any time. Once your event has been approved by the SCE, your event request is sent to Conference Services to book space on campus. Once that is completed, you will receive from Conference Services. All details and set up and/or catering needs should be provided no later than 2 weeks prior to your event.

Clean-up

- After the event closes down, the sponsoring student organization should:
- Pick up all trash and dispose it in trash cans.
- Check the public areas (lobbies, restrooms, stairwells) and pick up and throw away trash.
- Assist Conference Services staff in moving tables and chairs to restore the room to the original set-up.
- Return all equipment to its original location.

If an organization is found to have prohibited items at an event, privileges regarding scheduling other events may be reconsidered and the organization may be suspended from campus. There are several instances in which housekeeping will be scheduled by Conference Services to come in after the event. From more information on cleaning required, please contact Conference Services. Any combination of the following may result in a cleaning fee billed to your student organization:

- If the event is large-scale (larger than 100);
- If the event is open to the public;
- If prohibited items are found;
- If the room is not returned to its original condition; and/or
- If there is excessive trash or litter.
Planning an On-Campus Social Activity/Gathering with Alcohol
Start planning your social activity/gathering with a SCE staff member and Conference Services at least forty-five (45) days in advance of the social event (party). To begin, indicate that you would like to have alcohol at your event when filling out the Event Request form. After that, the SCE will contact you to set up a meeting to discuss your event. If alcohol is approved, you will work with the SCE, Conference Services, Dining Services, and Public Safety to ensure a successful, safe event.

After Hours Programming Policy
After Hours Programming is considered any social event that is held on- or off-campus after 10:00pm. All event activities must conclude by 2:00am. Please consult with the SCE as you plan these events to help ensure success. Breakdown and “moving the crowd” from the social area should begin at 1:45am. Two organization officers may be present at all times and they must stay until all attendees have left. Because the hours of the event may go past the open hours of the event location, Public Safety officers may be required.

Staff/Advisor in Attendance
Capital University organizations sponsoring an “After Hours” event must have a staff member or organizational advisor in attendance. Failure to do so may cause future events to be cancelled.

Security at Events
When planning an on-campus event, it is important to make sure that the event is safe for all participants. In the event that something goes wrong, it is important to make sure that the situation stays controlled. The following are times when a university security officer may be required at your event:

- Event is open to the public outside of Capital University;
- If you expect more than 100 participants;
- If alcohol is served at your event;
- If tickets for admission and/or a cash box at your event;
- If an outside speaker has bodyguards or brings firearms; and/or
- As determined by Conference Services, SCE, and/or other University administration. Exceptions may be granted dependent on event and other specific details.

Dining Services
- Student organizations have a variety of options from Aladdin Foods for small and large events alike. Please contact Marissa Houle at mhoule3@capital.edu, the Catering Director, so that she can share with you all your options.
- If spending less than $200, student organizations are permitted to provide their own food.
- Grills can be reserved through Conference Services by indicating the need for one on your Event Request form. Student organizations must supply their own charcoal, lighter fluid, and matches. Conference Services will provide a fire extinguisher and hose.

Acknowledgement of Risk at Events
Due to the high-risk nature of certain events, the University may require that all submit a Risk Release Form (Appendix D). All organizations will be notified by the SCE prior to the event, if they must complete the release form. All Risk Release forms must be completed and submitted (in-person or electronically), before the event in question may occur.
**FINANCIAL INFORMATION**

**Contracts**
Organizations must have a signed contract for each performer, artist, or external vendor no matter the intended cost of service provided. Organizations are not authorized to sign University contracts and therefore, may not enter into any contracts on behalf of the organization or the University. Organizations can request contracts through the Office of Student and Community Engagement, if one is not provided by external contact, by filling out the online request form. Please note that the contract process may take up to three weeks. All contracts should be submitted to the SCE for approval. Organizations cannot request checks or payments until the contract has been approved.

**Deposits**
Deposit all money into your student organization account immediately. This will allow for less confusion and insure that the correct amount is being deposited into the account. Never allow any member or officer to take the money home or deposit it into their personal account – this is a violation of university policy. To deposit the money into the student organization account, complete the deposit slip and submit it with your cash or check to the Finance Office. It is important for processing procedures that all checks be made payable to Capital University. The deposit transaction will be promptly credited to your organizations account. The Finance Office will give you a copy of the deposit receipt for the organization’s records.

**Cash Boxes**
Cash boxes may be checked in and out, within the SCE on a first come, first served basis. The student organization is responsible for the return of the cash box with the correct amount of money returned. No large bills will be accepted; change should be made available for the next organization that wishes to use them.

**Financial Support from Student Activity Fee**
Budget Requests forms are sent to Presidents, Treasurers, and Advisors at least 4 weeks before the due date. Organizations may utilize the Student Activity Fee to present campus programming, open to all of campus. Receipts must be submitted following the procedure outlined below within 30 days of the event.

**Reimbursements**
There are 4 modes of reimbursement for organizations, depending on how they paid for an activity or event.

- **Option 1: Personal Reimbursement and no Student Activity Fee Reimbursement**: Use this option if you or a member of your organization used your personal money (via cash, credit, check, etc.) to make a purchase not using Student Activity Fee funds.
  - Fill out the payment requisition form (found at capital.edu/student-org-resources)
  - Get advisor signature as approval of purchase
  - Turn in to the Finance Office

- **Option 2: Personal Reimbursement and Student Activity Fee Reimbursement**: Use this option if you or a member of your organization used your personal money (via cash, credit, check, etc.) to make a purchase funded through Student Activity Fee.
  - Fill out the payment requisition form (found at capital.edu/student-org-resources), leave account number blank. Please write student organization name as department.
  - Make two copies of Payment Requisition Form and the receipt
  - Turn in one copy to the SCE where it will be reviewed and submitted to the Finance Department
  - Keep second copy for your records
- **Option 3:** Use of SCE Credit Card and Student Activity Fee Reimbursement: Use this option if you or a member of your organization used the SCE credit card to make a purchase funded through Student Activity Fee.
  - Fill out the credit card check out form on the iPad in the SCE
  - After use, fill out the credit card check-in form on the iPad in the SCE
  - Make a copy of the receipt(s) for your records
  - Return credit card and original receipt to the SCE.

- **Option 4:** Use of other University Credit Card and Student Activity Fee Reimbursement: Use this option if you or a member of your organization used a university card, other than a SCE staff member’s credit card to make a purchase funded through the Student Activity Fee.
  - Make two copies of the receipt(s) Keep one for your records
  - Give the other to the SCE, indicating whose credit card was used, student organization, and event that the funds went towards
  - Give original receipt and credit card to the card owner
  - SCE will provide staff member with appropriate account for credit card report.

**Fundraising**
Recognized student organizations can sponsor a wide variety of projects to raise funds for the organization or for charitable activities. Fundraising is defined as generating money or items for a drive, donation, or collection. All student organization fundraising events must be registered through the Event Registration Form available online and must be filled out to reserve a date for your organization's fundraiser. This is to ensure that no organization is performing that same fundraiser and to enable the organization maximize their fundraising efforts. The money that is made from these fundraisers must be deposited to their student organization account in the Finance Office. The balance at the end of the year automatically rolls forward to the new fiscal year for the student organization.

**STUDENT ORGANIZATION TRAVEL POLICY**
The safety of Capital students, faculty, staff, and our community is of the upmost importance to Capital University. The policies governing the use of University owned, rented, or leased vehicles by students, faculty, and staff are designed to support the safety of vehicle occupants and prudent use of the vehicles.

All formal off-campus events (i.e. meetings, conference, social functions, etc.) must be registered by completing the Student Organization Event Request form. Before leaving campus for an event, the student organization must submit the Travel Form, which should be submitted to the Office of Student and Community Engagement. The form must be filled out completely for approval. All trips must have a coordinator participating in the trip and serve as a person of contact. Once the organization has returned to campus, an Off-Campus Travel Check-in form must be completed. The student organization travel policy form to be filled out is available at [http://www.capital.edu/student-org-resources](http://www.capital.edu/student-org-resources).

**University Owned Vehicles/Approved Drivers**
The student organization must work with Public Safety to reserve a van or other vehicles which must be driven by an approved driver. To be an approved driver, the student must complete the process as outlined by Public Safety. Please see the Public Safety webpage for the most up to date process. To utilize a University owned vehicle, student organizations must follow all policies and procedures set forth by Public Safety.
Title IX -Sexual Misconduct Policy

Sex or Gender-Based Harassment, Discrimination and Sexual Misconduct Policy

Policy Number:  300    Date Issued: June 24, 2015
Section: Human Resources    Revised Date: August 23, 2017
Title: Sex or Gender-Based Harassment, Discrimination, and Sexual Misconduct Review Date: Annually
Policy Effective Date: July 1, 2015

Responsible University Officer: Provost/Vice President for Academic and Student Affairs

Responsible Office: Office of the Provost

Applies to: Faculty, Staff, Administrators, Students, Visitors, Guests

I. Policy
   A. Policy Statement
   The University is committed to ensuring a safe environment free from all forms of sex or gender-based harassment, discrimination, and sexual misconduct. All members of the University community, including students, faculty, staff, guests, and visitors, are expected to conduct themselves in a manner that does not infringe upon the rights of others. The University takes the position of zero tolerance for sex and gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the individual whose rights have been violated as well as the effects on the community are remedied, including serious sanctions when a responding party is found to have violated this policy.

   This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

   Capital University uses preponderance of the evidence (also known as “more likely than not”) as the standard of proof to determine whether a violation of this policy occurred. Legal terms, such as “guilt,” “innocence,” and “burdens of proof” are not applicable, as individuals are either found “responsible” or “not responsible” for a violation of this policy and it is neither party’s burden to prove their case. The University never assumes a responding party is in violation of the University policy. Rather, trained investigators conduct a thorough, neutral, and impartial investigation into the
incident, and the totality of all available evidence and information from all relevant sources are considered before rendering a decision regarding responsibility.

B. Notice of Nondiscrimination
The University is committed to providing a safe and nondiscriminatory environment for all students and employees. The University does not discriminate on the basis of race, color, national and ethnic origin, sexual orientation, religion, sex and gender, age, disability, veteran status, or any other characteristic protected by law in its admission policies, scholarship and loan programs, athletic and other university-administered programs or activities, in employment, or in its policy administration. The University reaffirms its long-standing philosophy and principles of non-discrimination, non-harassment and non-retaliation for protected characteristics for all members of the University community. This policy addresses discrimination on the basis of sex and gender. Please refer to the University’s Nondiscrimination Policy for all other forms of discrimination.

The University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sexual misconduct, including sexual harassment, as defined in this policy is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972, which requires that “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 VII of the Civil Rights Act of 1964.

C. Title IX Team
The University’s Title IX Coordinator oversees compliance with all aspects of the sex or gender-based harassment, discrimination, and sexual misconduct policy. The Title IX Coordinator reports directly to the Provost and Vice President for Academic and Student Affairs. The Title IX Deputy Coordinator supports the Title IX Coordinator in compliance efforts. Members of the University community are encouraged to contact a member of the Title IX team if they have any questions regarding Title IX or this policy. Confidential and non-confidential reporting options are outlined later in this policy.

Title IX Coordinator: Assistant Provost and Title IX Coordinator Jennifer Speakman, Ph.D. jspeakman@capital.edu 614.236.6138

Title IX Deputy Coordinator (Law School): Assistant Dean of Student Affairs Robin Goodstein rgoodstein@law.capital.edu 614.236.6402

D. Summary of Process
Upon receipt of a complaint of sex or gender-based harassment, discrimination or sexual misconduct, the University’s process involves an immediate initial investigation to determine if there is reasonable cause
to believe this policy has been violated. If so, the University will initiate a prompt, thorough, fair and impartial investigation. This investigation is designed to provide a fair and reliable determination about whether the University’s Sex or Gender-Based Harassment, Discrimination and Sexual Misconduct Policy has been violated. If so, the University will implement a prompt and effective remedy designed to end the misconduct, prevent its recurrence, and address its effects. After the initial investigation, and prior to a finding of Responsible or Not Responsible, the parties may have an opportunity to resolve the complaint through an Informal Administrative Resolution process. The informal process may be utilized only when the Title IX Coordinator determines that this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use of the informal administrative resolution process. The informal process cannot be used to resolve sexual assault (non-consensual sexual intercourse or contact) or sexual violence allegations.

Through the publication and dissemination of this policy, the University provides written notification to students and employees about existing counseling, health, mental health, survivor advocacy, and other services available both within the University and in the community for survivors of sexual misconduct.

E. Covered Programs and Activities

The University has jurisdiction to investigate and remedy all types of misconduct that fall under this policy and that: occur on University premises; occur at University-sponsored or University-supervised events regardless of where they take place; that occur off University premises when the behavior may adversely affect the University community and its interests as an academic community; or that concern any facet of the relationship between a student or employee and the University’s off campus academic and other recognized programs. Specifically, this includes academic, educational, study abroad, extracurricular, athletic, and any other University programs, whether those programs take place in the University’s facilities, on University provided transportation, at a class or training program sponsored by the University at another location, or elsewhere. Additional examples include University-sponsored field trips, University-recognized theme houses, athletic team travel, debate team travel, moot court team travel, and events for University clubs and extra-curricular activities that occur off campus.

If the incident does not occur in a covered program or activity, the University may still provide support including counseling and assistance on how to file a criminal complaint with the appropriate law enforcement agency. The University will address off-campus misconduct that creates a hostile environment on campus.

II. Definitions

A. Definitions of Prohibited Conduct

1. Sexual Misconduct: contact of a sexual nature without clear, knowing and voluntary consent, or offensive sexual or other behavior that exploits another person on the basis of sex or gender, including the following:
a. **Non-consensual sexual intercourse:** any sexual penetration (anal, oral or vaginal), however slight, with any body part or object by any person upon any person without consent.

b. **Non-consensual sexual contact:** any intentional sexual touching, either by the offender or when the complainant is forced to touch, with any body part or object without consent.

c. **Sexual Harassment:** unwelcome conduct, based on sex or gender that creates a hostile environment or otherwise results in individuals being denied equal opportunity in the terms and conditions of their education or employment. It is defined in two broad categories:

i. **Quid pro Quo:** involves promises (e.g., high grades, raises, promotions) based on an individual’s willingness to submit to unwelcome behavior, including sexual favors or activities or relationship or other unwelcome attention based on the person’s sex or gender. It can also involve threats (e.g., demotion, bad grades, corrective action, etc.) based on an individual’s refusal to submit to unwelcome behavior, including being involved in a sexual or romantic relationship, granting sexual favors or engaging in other sexual or unwelcome activities based on sex or gender. The promise or threat does not necessarily need to be overt.

**Examples of “Quid pro quo” Sexual Harassment:** Submission to unwelcome conduct on the basis of sex or gender is made either explicitly or implicitly a term or condition of an individual’s employment, academic status, participation in any program or activity, or living environment.

ii. **Hostile Environment:** ordinarily exists when there are incidents of verbal or nonverbal behavior in the academic environment or workplace that focus on the gender of a person, that are unwelcome, that are severe or pervasive enough to adversely affect a person’s academic environment or work, and that are outside the realm of appropriate academic study or work practices.

**Examples of “Hostile Environment” Sexual Harassment.** These are examples of the types of conduct that, if severe or pervasive enough, can create a hostile work or educational environment on the basis of sex or gender:

- Inappropriate comments of a sexual nature, including sexually explicit comments, questions, or jokes; Inappropriate remarks about sexual activity or sexual experience.
- Persistent, unwelcome attempts to change a working or academic relationship into a romantic or sexual relationship.
- Abusive or derogatory remarks about individuals or classes of individuals on the basis of their gender.
- Persistent and unwelcome forms of attention toward another member of the
University community such as requests for dates, flirtations, sexual advances, phone calls or other communications, or unwanted gifts.

- Touching, patting, hugging, brushing against an individual’s body, or repeated or unwanted staring.
- Display of inappropriate sexually oriented or derogatory materials in a location where others can see them.
- Sexual violence or assault (can also be a criminal violation subject to the criminal justice system).

iii. Hostile Environment discrimination based on other protected characteristics is covered by the University’s Nondiscrimination Policy.

d. Sexual Exploitation: taking non-consensual, unjust, or abusive sexual advantage of another. Examples include, but are not limited to, prostituting another student or employee, non-consensual video or audio-taping of sexual activity, purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person’s full knowledge or consent, going beyond the boundaries of consent (such as knowingly allowing another to surreptitiously watch otherwise consensual sexual activity), engaging in non-consensual voyeurism, and knowingly transmitting or exposing another person to a sexually transmitted infection (STI) without the knowledge of the person.

e. Stalking: engaging in a course of conduct directed at a specific person, based on sex or gender that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

f. Domestic Violence: violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child, by a person who is or was cohabitating with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant, and/or by any other person against an adult or youth victim who is protected from that person under the domestic or family violence laws.

g. Dating Violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant, and where the existence of such a relationship is determined based on the following factors: length of the relationship, type of relationship, and frequency of interaction between the persons involved in the relationship.

h. Indecent Exposure: the exposure of the private or intimate parts of the body in a lewd manner in public or in private premises when the accused may be readily observed.

2. Retaliation: is prohibited conduct under this policy and the University will not tolerate retaliation in any form against any student, faculty, or staff who reports sexual misconduct (Reporter), files a complaint (Complainant), against whom a complaint has been filed.
(Respondent), serves as a witness, assists the Complainant or Respondent, or participates in the University’s resolution of a misconduct claim. The University will take immediate and responsive action to any report of retaliation.

Retaliation includes any form of intimidation, threat, coercion or any other type of discrimination because of the individual’s complaint or participation in the University’s resolution process. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the sexual misconduct allegation.

3. False Reporting: Any false report of behavior or incidents alleging sexual misconduct, with intent to mislead, is a violation of this policy. A good faith complaint that results in a finding of not responsible is not considered a false or fabricated report.

B. Amnesty Policy: The University is committed to facilitating an environment that supports reporting incidents of sexual misconduct. Individuals may be hesitant to report to University officials or participate in the resolution process because they fear that they themselves may be accused of a policy violation, such as underage drinking at the time of the incident. To encourage reporting, the University has an Amnesty provision, as delineated in Section 1, part D (Special Provisions for the Code of Student Conduct) of the Student Handbook, in which the University will attempt to provide educational options rather than formal sanctions for minor policy violations related to the incident.

C. Definition of Consent: Consent is informed, freely and actively given, mutually understandable words or action, which indicate a willingness to engage in mutually agreed upon sexual activity.

- Consent is active, not passive.
- Silence, in and of itself, cannot be interpreted as consent.
- Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in the conditions of sexual activity: who, what, when, where, why, and how sexual activity will take place.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Consent can be withdrawn at any time by word or action.
- Previous relationships or prior consent cannot imply consent to current or future sexual acts.

To be effective, consent cannot be obtained by use of physical force, compelling threats, intimidating behavior, or coercion.

- Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion.
- Coercion is unreasonable pressure for sexual activity. When a person indicates by words or actions that they do not want to engage in sexual activity, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
• Intimidation is implied threats, including the exertion of perceived or actual power resulting from position or stature.
• A person must be of legal age (16) to give consent.

An incapacitated person cannot give consent. Sexual activity with someone who one should know to be mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout) is not consented sexual activity and therefore is a violation of this policy.

• Incapacitation is a state where someone cannot make rational, reasonable decisions.
• Incapacitation may result from mental disability, sleep, involuntary physical restraint, and alcohol or drug impairment, including taking “rape drugs.” A rape drug is any drug intentionally used to incapacitate another person to assist in the execution of drug facilitated sexual assault.
• Possession, use and/or distribution of any so-called “rape drug” is prohibited and administering these drugs to another person is a violation of this policy.
• Being under the influence of alcohol or other drugs will not excuse behavior that violates this policy.

D. Definition/Identification of Parties as used in this Policy:

1. Complainant: an individual who invokes the University’s investigation and resolution process to determine if the Sex or Gender-Based Harassment, Discrimination and Sexual Misconduct Policy has been violated and identifies as a victim/survivor of the alleged misconduct. In some circumstances, the University may assume the role of Complainant.

2. Respondent: an individual or organization alleged to have violated the Sex or Gender-Based Harassment, Discrimination and Sexual Misconduct Policy.

3. Reporter or Reporting Party: an individual who notifies the University that a violation of the Sex or Gender-Based Harassment, Discrimination and Sexual Misconduct Policy may have occurred.

4. Advisor: a person chosen by the Complainant or the Respondent, if desired, to provide assistance during the complaint and resolution process. The advisor can be someone from inside or outside the university community, but cannot be involved in the Title IX process such as serving as a witness. Either party may also choose to proceed without an advisor. The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present. The advisor may consult with the advisee quietly or in writing or during breaks in the meeting, but may not speak on behalf of the advisee. (See additional information in “Part IV Procedures, C. Investigation Process” of this policy.)

5. Title IX Coordinator: the University employee responsible for overseeing all investigations related to sexual misconduct, to ensure prompt, fair, and impartial investigation and resolution. This person will coordinate the in-take, investigation, and review of all complaints that fall within this policy. Investigation and review of complaints may be
delegated to the **Title IX Deputy Coordinator, the Title IX investigators**, or other qualified individuals as deemed appropriate by the Title IX Coordinator.

III. **Reporting under this Policy:** Having an awareness of your resources and reporting incidents promptly is important to addressing sex or gender-based harassment, discrimination and sexual misconduct at the University. This section outlines reporting options, including confidential and non-confidential reporting, to assist students and employees with making an informed decision about reporting violations of this policy.

When a student or employee reports to the University that the student or employee has been subjected to sexual misconduct, whether the incident occurred on or off University property, the University will provide the student or employee written notification of the student’s or employee’s rights and options under this policy, about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for survivors both on-campus and in the community, and about the importance of preserving evidence.

A. **Confidential Reports**

1. **Confidentiality Generally**
   The University will make every effort reasonably possible to preserve the privacy of an individual who makes an official report and to protect the confidentiality of the information reported. When a Complainant requests that no action be taken or that their name not be used, the Complainant will be advised that the University’s ability to respond will be limited but that the University will take all appropriate action consistent with the request. However, there will be situations in which the University may decide to override a request for confidentiality or that no action be taken in light of the nature of the incident or perceived threat to the University community. Such considerations include the risk of additional attacks, the use of weapons or drugs, multiple attackers, past conduct, and whether the attack was accompanied by other crimes or threats. Therefore, Complainants desiring to make truly confidential reports should review the confidential reporting section below.

2. **Confidential Reports**
   The degree to which confidentiality can be protected depends upon the professional role of the person being consulted. The professional being consulted should attempt to make every reasonable effort to clearly share these limits before any disclosure of facts. The individuals/offices below are recognized by the University as being able to receive confidential reports.

   **Off-Campus Confidential Resources for Employees:**
   Employee Assistance Program 800.854.1446
   (available to benefit-eligible employees)

   **On-Campus Confidential Resources for Students:**
   Center for Health and Wellness Mental Health Counselor 614.236.6114
   Dean of the Chapel/University Pastor 614.236.7737
Off-Campus Confidential Resources for Employees and Students:
SARNCO (Sexual Assault Response Network of Central Ohio) 614.267.7020
CHOICES 24 Hour Domestic Violence Hotline 614.224.4663
Buckeye Region Anti-Violence Organization (BRAVO) 614.294-7867
Rape, Abuse, & Incest National Network (RAINN) 800.656.4673
(National hotline that connects callers to their nearest rape crisis line.)

Anonymous Reporting for Employees and Students:
The following resources provide anonymous reporting options. Anonymous reporting may limit the University’s ability to fully investigate and resolve the complaint.
Campus Conduct Hotline (EthicsPoint) 888.238.1063
Or EthicsPoint reporting website: www.ethicspoint.com

As required by law, all disclosures to any Capital employee of an on-campus sexual assault are tabulated for statistical purposes without personal identifying information.

B. Non-Confidential Reports: The following options for reporting are not confidential in that other University employees with a need to know so as to stop the conduct, conduct an investigation, and resolve the matter will know of the complaint.

Employees and students are encouraged to report complaints to the Title IX Coordinator or Title IX Deputy Coordinator:

Title IX Coordinator: Assistant Provost and Title IX Coordinator
Jennifer Speakman, Ph.D.
jspeakman@capital.edu
614.236.6138

Title IX Deputy Coordinator (Law School): Assistant Dean of Student Affairs
Robin Goodstein
rgoodstein@law.capital.edu
614.236.6402

Employees and students are encouraged to speak to University officials to make formal reports of incidents. All University employees are required, as Responsible Employees, to report details related to sex or gender-based harassment, discrimination or sexual misconduct to the Title IX Coordinator or Deputy Title IX Coordinator, unless employees fall under the “Confidential Reports” option outlined previously. Notice to a University employee is official notice to the institution. You have the right and can expect incidents of sexual misconduct to be taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through administrative procedures.
C. Reporting of Sexual Violence Including Sexual Assault, Dating Violence, Domestic Violence, or Stalking

Survivors of sexual assault and sexual violence, such as domestic/dating violence and stalking, are encouraged to get to a safe place and obtain immediate medical treatment. Calling Capital University Police or 911 is important to obtain immediate medical assistance and medical support, and to preserve evidence. Students and employees are encouraged to report sexual assaults to the Capital Police Department or the Columbus or Bexley Police Departments immediately following the incident if possible. If reported to Capital Police, an officer from the Capital Police Department will meet with the Reporting Party to take a report. On the Bexley Campus, Capital Police will typically involve the Bexley Police Department in the investigation. The Reporting Party can make decisions about their level of involvement in an investigation and potential criminal or University action, including declining to be involved. Capital Police will provide assistance in preserving relevant materials and may assist in obtaining, securing, and maintaining evidence needed for criminal and University proceedings. Capital Police will also assist the survivor in obtaining an order of protection or a restraining order issued by a court, or in obtaining a “no contact” order issued by the university. The university will honor a survivor’s request for a “no contact” order, and will comply with court orders. A survivor should provide Capital Police with information about any court orders of protection that have been issued so that the police can assist the university in complying with the order.

Contact Information Includes:
Capital University Police 614.236.6666
Bexley City Police 614.559.4444 or 911
Columbus City Police 614.645.4545 or 911

For survivors who choose to notify the police, it is important to know the immediacy of reporting the incident and the importance of preserving physical evidence, at the crime scene and on the survivor, that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. In cases of sexual assault, within the first 96 hours is the best time for evidence to be collected. Under certain circumstances, it may be collected after this time frame. If possible, a survivor of sexual assault should not wash, douche, use the toilet or change clothing before a medical/forensic examination. The gathering of physical evidence can provide important evidence and support of criminal charges if the survivor chooses to make a criminal report. Survivors who are reporting an immediate assault can receive a sexual assault evidence collection exam at most hospitals, and such exam can be paid for by a fund within the Ohio Attorney General’s office rather than by insurance. Two area hospital that are nearby are:

Mount Carmel East Hospital 6001 E. Broad Street Columbus, OH 43213 614-134-6000
OhioHealth Grant Medical Center 111 S. Grant Avenue Columbus, OH 43215 614-566-9000
Due to the sensitive nature of sexual misconduct, a Reporting Party may choose to turn to Residential Life staff or another staff/faculty member with whom they are comfortable. Information disclosed by a Reporting Party to any University faculty or staff or Residential Life employee must be shared with the Title IX Coordinator and/or Title IX Deputy Coordinator and possibly others to address the complaint.

See “Information and Resources” (APPENDIX C) for additional resource information regarding sexual assault and violence. Individuals with complaints of this nature also have the right to file a formal complaint with the United States Department of Education:

Office of Civil Rights (OCR)
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline: 800.421.3481
TDD# 877.521.2172
Email: OCR@ed.gov
Web: http://www.ed.gov.ocr

Any false report of behavior or incidents alleging sexual misconduct, with intent to mislead, is a violation of this policy. A good faith complaint that results in a finding of not responsible is not considered a false or fabricated report.

D. Employee Responsibility

Responsible Employees: For the purposes of this policy, a “responsible employee” is a University employee who is obligated to report incidents of sexual misconduct. It is the policy of this University that all employees (including student employees), who are not confidential reporting resources, are responsible employees.

When an individual tells a responsible employee about an incident of sexual misconduct, that individual has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. A responsible employee must report to the Title IX Coordinator or Deputy Title IX Coordinator all relevant details about the alleged sexual misconduct shared by the Reporting Party and that the University will need to determine what happened – including the names of the survivor and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report. A responsible employee should not share information with law enforcement without the survivor’s consent unless the survivor has also reported the incident to law enforcement.

Before a Reporting Party reveals any information to a responsible employee, the employee should
make every reasonable effort to ensure that the Reporting Party understands the employee’s reporting obligations – and, if the individual wants to maintain confidentiality, direct the individual to confidential resources as designated in this policy.

If the Reporting Party wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the Reporter that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the individual’s request for confidentiality.

Responsible employees will not pressure an individual to request confidentiality, but will honor and support the individual’s wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure an individual to make a full report if the individual is not ready to do so.

E. Federal Statistical Reporting Obligations

As required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), Capital University Police and Law School security maintain a daily crime log that is available to the public for inspection. The crime log includes all incidents reported to the police department or security personnel. No personally identifying information of any party involved will be shared in the daily crime log.

Also pursuant to the Clery Act the University annually prepares and disseminates an Annual Security Report in which it shares aggregate data as required by the law. Certain campus officials – those deemed a Campus Security Authority (or CSA) – have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes. Statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses need to be given) for publication of the Annual Security Report. No personally identifying information is included in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. Mandated federal reporters (the CSAs) include: student/conduct affairs, campus law enforcement, local police, coaches, athletics directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category.
F. Federal Timely Warning Obligations

Reporters of sexual misconduct should be aware that University administrators must issue timely warnings for incidents reported to them that are confirmed to pose a substantial and on-going threat of bodily harm or danger to member of the campus community. The University will ensure that a Complainant’s name and other personally identifying information are not disclosed, though still providing enough information for community members to make safety decisions in light of the danger.

G. Duty to Report

Ohio has a general reporting statute, Ohio Rev. Code § 2921.22, which states "no person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities."

H. Reporting of Instances Involving Minors

Sexual harassment, sexual misconduct, or interpersonal violence involving a minor who is a student will be processed consistent with this Policy. Ohio has a reporting statute (Ohio Rev. Code § 2151.421) that requires anyone who knows, or has reasonable cause to suspect, abuse of child “under eighteen years of age, or a person, under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse of neglect of the child.” Any violations should be reported to the Title IX Coordinator and the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred.

IV. Procedures (See also Appendix B: Flowchart of Investigation Process)

A. Timeline for Sexual Misconduct/Title IX Investigation Process

The timelines outlined below are anticipated timeframes in cases that do not present extraordinary circumstances, such as the temporary unavailability of evidence or witnesses. The University will inform parties of more specific dates to the extent it can and of any deviations in previously established timelines.

Interim Measures: If warranted, as soon as reasonably practicable under the circumstances.

Commencement of Investigation: Ordinarily, within seven (7) working days of receipt of the complaint.

Notice of Outcome: Ordinarily, within sixty (60) working days of receipt of the complaint.

Deadline for Filing an Appeal: The appealing party must submit an appeal within five (5) working days of the receipt of the written decision.
**Decision on Appeal:** Ordinarily, within ten (10) working days from the date any response to an appeal was due.

**Informal Administrative Resolution Process:** After the initial investigation, and prior to a finding of Responsible or Not Responsible, the parties may have an opportunity to resolve the complaint through an Informal Administrative Resolution process. The informal process may be utilized only when the Title IX Coordinator determines that this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use the process. The informal process cannot be used to resolve sexual assault (non-consensual sexual intercourse or contact) or sexual violence allegations.

**B. Interim Measures**

Through the publication of this policy, at the time of reporting a violation to the Title IX Coordinator or Deputy Coordinator, the University provides written notification to Complainants about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or other protective measures. The University will make such accommodations or provide such protective measures if the University deems it necessary and appropriate or if the Complainant or Respondent makes such a request to the Title IX Coordinator or Deputy Coordinator and if the measures are reasonably available, regardless of whether the Complainant chooses to report the sexual misconduct to Capital Police or local law enforcement.

**Interim Measures:** services, accommodations, or other assistance that the University puts in place after receiving notice of alleged sexual misconduct but before any final outcomes — investigatory, disciplinary, or remedial—have been determined. The following are examples of interim measures and are not expected to be all-inclusive:

- Academic accommodations for Complainant or Respondent.
- Medical and mental health services, including counseling, for Complainant or Respondent.
- Change in university housing.
- Assistance in finding alternative housing.
- Assistance in arranging for alternative University employment arrangements and or changing work schedules.
- No Contact directive pending the outcome of an investigation. Such a directive serves as a notice to the parties that they must not have verbal, electronic, written, or third party communication with one another.
- Provide escort so the individual can move safely between school programs and activities
- Respondent placed on administrative leave (employee) or interim suspension (student).
- Voluntary leave of absence.
- University-imposed leave or separation.

Appropriate measures will also be taken to avoid retaliatory action.

The University will maintain as confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality will not impair the ability of the University to provide the accommodations or protective measures.
C. Investigation Process
Both the Complainant and the Respondent may choose to have an advisor of their choice to provide assistance during the investigation and resolution process. The parties may select whomever they wish, from inside or outside the university community, to serve as their advisor as long as the advisor is available and not otherwise involved in the resolution process, such as serving as a witness. Either party may also choose to proceed without an advisor.

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present. Advisors are expected to advise ethically, with integrity and in good faith. The advisor may consult with the advisee quietly or in writing or outside during breaks in the meeting, but may not speak on behalf of the advisee. Any advisor who steps outside of this defined role will be given one warning and then be asked to leave the meeting. (A substitute advisor will not be permitted at this meeting, and the meeting will typically continue without the advisor present.) The advisor may be allowed to attend additional investigative meetings at the discretion of the Title IX Coordinator.

If the University becomes aware of a possible sexual misconduct violation, the University may conduct an investigation and impose sanctions for the protection of the University community. The University reserves this right even if a Complainant decides not to pursue charges, either criminally or through the University’s process.

During the investigatory period, the University will take steps to assure that the alleged misconduct does not continue and that the Complainant is safe from further improper conduct and all parties are safe from retaliation.

The Title IX Coordinator will appoint two investigators who will conduct a thorough, reliable, and impartial investigation of the reported allegation. Any official designated to conduct an investigation will, at a minimum, receive annual training on the issues related to sexual misconduct and on how to conduct an investigation and process in a manner that is equitable and impartial.

Investigation Steps:

1. Preliminary Investigation: The Title IX Coordinator will meet with the Complainant or Reporting Party to gather initial information about the allegation. The Title IX Coordinator will gather information for a possible formal complaint which should include: the name of the Respondent, if known; the name of the Complainant (victim/survivor) of the alleged conduct; a description of the alleged conduct; the date, approximate time and location of the alleged conduct, if known.

Before proceeding further, the Title IX Coordinator will determine whether the conduct or language referenced in the complaint would, if true, constitute a violation of this policy.

- If the conclusion is that the conduct or language referenced in the complaint, even if true, would not constitute a violation of this policy, there will be no further investigation. The University will take any steps needed to remedy inappropriate conduct that does not constitute a violation of this policy.
• If the conclusion is that the conduct would, if true, constitute a violation of this policy, the investigation will proceed. A Notice of Investigation will be sent to both the Complainant and Respondent.

2. **Investigation:** The formal investigation process will proceed as follows:

• Upon receipt of a Notice of Investigation, the investigators will interview the Respondent and Complainant.

• The investigators will develop the charge stating the specific aspect of the policy alleged to have been violated and the Complainant and Respondent will both be given Notice of the Charge;

• Either party may provide a written response to the Notice of the Charge;

• In conducting the investigation, the investigators will also gather other pertinent information and conduct witness interviews, and follow up with the Complainant, Respondent, and witnesses as needed;

• While the allegation is under investigation, the investigators will encourage all parties and witnesses to provide any additional information (including statements, e-mails, documents, or other facts) that may assist the investigation. The investigators will continue to receive and review this information until the investigation is closed;

• Upon completion of the investigation, the investigators will compile a draft report that will include a narrative of the interviews that took place and other pertinent information considered.

• Both the Complainant and Respondent will have the opportunity to review the draft report and provide additional information or responses for consideration by the investigators.

• After receiving any responses and investigating any further information provided, the investigators will submit the report, with findings and recommendations, to the Title IX Coordinator for review and to finalize the report.

D. **Administrative Disposition of Investigative Findings, Conclusions and Recommendations:**

The Title IX Coordinator shall forward the final investigation report, with findings, recommendations for resolution, sanctions, or other appropriate action, to the respective Vice President, Provost, or Law School Dean for disposition. The possible outcomes are:

1. **Violation/Responsible and Sanction:** If the Vice President’s, or Provost’s, or Law School Dean’s conclusion is that it is more likely than not (a preponderance of the evidence) that a violation of this policy has occurred, the Respondent will be advised in writing (Notice of Outcome) of the finding of a violation, the sanction, and the procedure for appeal. The
Complainant will simultaneously be advised in writing (Notice of Outcome) that the investigation is complete, a violation was found, the sanctions against the Respondent, and the procedure for appeal.

2. No Violation/Not Responsible: If the investigation does not support a violation of any University policy, both the Complainant and the Respondent will be simultaneously advised in writing of this outcome (Notice of Outcome) and the procedure for appeal.

E. Appeals:

1. Timeline for Appeal

If the Complainant or Respondent disagrees with the outcome of the investigation (either the finding or sanctions imposed), either one may submit an appeal. The appealing party must submit the appeal within five (5) working days from the date the written decision is sent out. The appeal must be submitted in writing to the Title IX Coordinator. An appeal may not be filed on behalf of a Complainant or Respondent by a third party. If no appeal is submitted within the five (5) working days, the administrative disposition of the investigation becomes final and the sanctions/recommendations shall be implemented.

The Title IX Coordinator does not decide the appeal but acts as the administrator of the appeal process – e.g., providing notice to the parties and forwarding the appeal documentation to the Appeals Officer designated by the University President.

2. Appeals Process

a. Request for Appeal: The written request for appeal must identify the reasons and evidence supporting the appeal, state the result sought, and be submitted to the Title IX Coordinator within the appeal timeline set forth in E(1) above. The four possible grounds for appeal are as follows:

i. A procedural error occurred that significantly impacted the outcome of the investigation (e.g., material deviation from established procedures);

ii. New evidence unavailable during the original investigation that could substantially impact the original finding or sanction. The appealing party must submit a summary of the new evidence and its potential impact must be included;

iii. Specific bias of the investigators; or

iv. The sanctions imposed are substantially disproportionate to the severity of the violation.

b. Within three (3) working days, the Title IX Coordinator will provide a copy of the written appeal request to the non-appealing party, who may submit to the Title IX Coordinator a written response to the appeal request within five (5) working days from the date the appeal request was sent out.
c. The Title IX Coordinator will forward the report, the file, the request for appeal, and the response (if any) to the Appeals Officer designated by the University President.

d. The Appeals Officer shall review the appeal and determine if it satisfies the grounds for appeal. The following are the potential final outcomes:

   i. If the appeal does not meet the grounds for an appeal, the Appeals Officer will issue both parties a written decision that the appeal did not meet the grounds for the appeal and that the underlying decision was decided reasonably and appropriately. The Appeals Officer’s decision to deny the appeal is not appealable and the underlying decision will be the final outcome.

   ii. If the Appeals Officer determines that a material procedural error occurred, the Appeals Officer may return the complaint to the investigators and appropriate Vice President, Provost, or Law School Dean, with instructions to cure the error. The result of the revised decision of the investigators and the appropriate Vice President, Provost, or Law School Dean is not appealable and becomes the final outcome.

   iii. If the Appeals Officer determines that new evidence should be considered, the Appeals Officer may review the new evidence or refer the case to the investigators to reconsider in light of the new evidence only. The investigators will review the new evidence and submit an addendum to the original report for review by the appropriate Vice President, Provost, or Law School Dean. The reconsideration of the investigators and appropriate Vice President, Provost, or Law School Dean is not appealable and becomes the final outcome.

   iv. If the Appeals Officer determines that the investigators were biased, the Appeals Officer may refer the case to a new investigator to review the evidence and submit a new report within thirty (30) calendar days to be reviewed by the appropriate Vice President, Provost, or Law School Dean. The charge of bias must be rooted in a specific bias of the investigator(s) rather than a general objection (e.g., race, religion, gender, etc., generally). The reconsideration of the investigation by the new investigator and the appropriate Vice President, Provost, or Law School Dean is not appealable and becomes the final outcome.

   v. If the Appeals Officer determines that the sanctions imposed are disproportionate to the severity of the violation, the Appeals Officer may increase, decrease or otherwise modify the sanctions. The Appeals Officer’s decision is not appealable and will be the final outcome.

   e. Final Outcome: Typically, within ten (10) working days, the Appeals Officer will issue the decision. Both the Complainant and Respondent will be advised in writing of the Appeal Officer’s decision (Notice of Final Outcome). If a new investigation was ordered, additional time may be needed to complete that investigation and reach the final outcome.
F. Sanctions: Sanctions are actions the University will take against the Respondent that are proportionate to the violation(s). Sanctions may be issued individually, or a combination of sanctions may be imposed. The determination of sanctions is based upon a number of factors, including: the harm suffered by the Complainant; any ongoing risk to either the Complainant or the University community posed by Respondent; the impact of the violation on the University community, its members, or its property; any previous sexual misconduct violations; any pattern of sexual misconduct behavior; and any mitigating or aggravating circumstances.

When the Respondent is an employee, examples of sanctions include:
- Warning – Written or Verbal
- Performance Improvement Plan
- Mandatory Training or Education
- Probation
- Demotion
- Suspension (paid or unpaid)
- Termination (If for a faculty member, the additional procedures set forth in the Faculty Handbook, Section 7.5 Dismissal for Cause, will be followed.)

When the Respondent is a student, examples of sanctions include:
- Monetary Fines/Restitution
- Warning – Written or Verbal
- Mandatory Training or Education
- Restricted Access
- Restriction from extracurricular and/or co-curricular activities
- Alcohol/Drug/Anger Assessment
- Residence Hall Probation or Dismissal
- Disciplinary Probation
- Suspension
- Dismissal
- Withholding Diploma
- Revocation of Degree
- Organizational Sanctions

First time student Respondents who are found responsible for nonconsensual sexual intercourse may receive a sanction to include at minimum the following:
- Suspended from the University for a least one semester or up to dismissal;
- Not allowed on University property during the period of suspension, or permanent exclusion from University property if dismissed;
- Contact with the survivor is strictly forbidden;
- Must submit documentation of a qualified assessment of the student’s ability to return to the University without threatening the safety of others.

Second time student Respondents who are found responsible for nonconsensual sexual
intercourse may receive a minimum of the following sanction:
  - Dismissal from the University;
  - Permanent exclusion from University property.

Separate from the University process, individuals should be aware that criminal liability can be incurred from a sexual misconduct violation in penalties established in the Ohio Revised Code for all offenses deemed criminal. (See Appendix D: Ohio Criminal Law Violations.)

G. Informal Administrative Resolution Process: The informal process may be utilized only when the Title IX Coordinator determines this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use the process. Informal resolution may be used where, based on the conduct at issue, the likely outcome in the full formal investigatory process would not alter the individual’s or organization’s status with the University. Sexual assault (non-consensual sexual intercourse and contact) and sexual violence allegations cannot be resolved using the informal process. The University does not require any sexual misconduct complaint to utilize the informal process.

The Informal Administrative Resolution Process will be facilitated by the Title IX Coordinator or designee. The resolution achieved in each incident will be based upon the specific incident under consideration and the resolution must be agreed upon by all participants. The Title IX Coordinator or designated facilitator will work with the Title IX Team to ensure that all complaints are handled in a consistent manner. The outcome of the Informal Administrative Resolution Process will consist of a written report of the outcome that includes specific details about the complaint and any resolution. If the issues are not resolved, the report should include a statement of the facts that are under dispute, which may form the basis for the complaint in the formal process.

Because the outcomes of the informal resolution conversations are mutually developed and agreed upon by the parties involved, an appeal of the process and its result is not permitted. If the parties are unable to agree on the outcomes of the informal resolution proceeding, any party may request that the matter be resolved through the formal process.

If information is shared that clearly suggests that this policy’s definition of non-consensual sexual intercourse, non-consensual sexual contact, or domestic or dating violence has been violated, then the informal resolution process must end immediately and the formal process initiated.

The University reserves the right to take additional actions that it deems necessary to ensure that the alleged misconduct ends, its recurrence is prevented, the University community is protected, and the outcome is appropriate and consistent.
No statements made during the informal resolution process may be used during the formal process. Informal resolution is an administrative process and matters resolved through this method of resolution are not part of a student’s conduct file, except that such records can be used in reviewing any additional sexual misconduct proceedings or developing sanctions in such proceedings, and would then become part of a student’s conduct record. For employees, informal resolution records would be kept by the Title IX Coordinator in the same manner as findings from the formal investigation process.

V. Records and Privacy

All proceedings under this policy are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, and University policy.

Student Records: The Title IX Coordinator will keep appropriate records of sexual misconduct complaints and outcomes. Access to these records will only be granted with the consent of the individual(s) involved, or as required by law in a legal proceeding, or to address a pattern of repeat behavior. Complaints under this policy that result in a finding of responsibility are made part of a student’s disciplinary conduct record. Such records shall be used in reviewing any further conduct, or developing sanctions. Student conduct files are confidential as they are protected under the Family Educational Rights and Privacy Act. In general, no information shall be released from the proceedings under this policy except as required or permitted by law and University Policy, or with the consent of the student(s). FERPA allows schools to disclose student records, without consent, in situations including, but not limited to: school officials with legitimate educational interest, other schools to which a student is transferring, to comply with a judicial order or lawfully issued subpoena, to parents when there is a health or safety emergency involving the student, to parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure, to the victim of an alleged perpetrator of a crime of violence or a non-forcible sexual offense concerning the final results of a disciplinary hearing. Please see the University’s Student Records policy for further information. Student conduct files are maintained in accordance with the University’s Record Retention Policy, typically for a period of seven (7) years.

Students who declare an interest in studying abroad are subject to a conduct record check. Information that is shared with the International Education Office includes, but is not limited to, determinations of sexual misconduct violations. It is within the sole discretion of the University to determine whether a student who has violated University policy is eligible to study abroad. Consideration and qualification for study abroad are not disciplinary determinations but may be affected by a student’s disciplinary record.

Employee Records: The University will keep appropriate records of complaints and outcomes. In order to protect the innocent and to assure Complainants and Respondents that there will be no recrimination or retaliation, these records will be closed and kept by the Human Resources Department and the Title IX Coordinator. Access to these records will only be granted with the consent of the individual(s) involved, or as required by law in a legal proceeding, or to address a pattern of repeat behavior.
The Title IX Coordinator should be alert to repetitive patterns of documented harassment over time. Should a possible pattern of behavior be detected, the matter will be brought to the attention of the Title IX Team and a course of action determined after such consultation. A pattern of behavior may be considered in determining recommendations for sanctions.

VI. Resources

Appendix A: Rights of Complainants and Respondents
Appendix B: Flowchart of Investigation Process
Appendix C: Information and Resources
Appendix D: Ohio Criminal Law Definitions

VII. Related University Policies

Nondiscrimination Policy
Student Records Policy

VIII. History

This policy replaces the University’s former Sexual Harassment Policy (1990) and the Student Sexual Misconduct Policy (Student Handbook 2014-15 and prior years).
June 24, 2015: Policy Approved by President’s Cabinet as the University’s interim Title IX policy on Sexual Misconduct pending faculty governance review and comment.
July 13, 2016: Policy revised by the University’s Title IX team
August 23, 2017: Policy revised by the University’s Title IX team
APPENDIX A: Rights of Complainants and Respondents

- To have all allegations of sexual misconduct taken seriously and to be given a timely and respectful response.
- To be informed of all allegations of sexual misconduct in a timely and respectful manner.
- To be informed of immediate measures for medical care and preservation of evidence if applicable.
- To be informed about University and community support services and resources.
- To be told about criminal and University reporting options and the right to be assisted by University authorities.
- To learn about possible interim or protective measures, including but not limited to, change in class schedules, alternative housing assignments, change in employment, and restricted contact (No Contact orders).
- To have related policy, process and support information explained clearly and fully at every stage of the University process.
- To suggest names of witnesses to be interviewed during the investigation process.
- To be informed in writing of the outcome of the University investigation and appeal procedure, with the Complainant and Respondent to be informed at the same time.
- To be notified of any change in the investigation results prior to when they become final.
- To be notified when the results become final.
APPENDIX C: Information and Resources

What to do if you are a victim/survivor of sexual assault:

- Get to a safe place.
- Contact someone who can help:
  - Columbus or Bexley Police Department - 911 for immediate threat
  - Capital Police Department - 614.236.6666
  - Law School Security Desk – 614.236.6161
  - SARNCO (Sexual Assault Response Network of Central Ohio)
    24-hour-rape helpline at 614.267.7020
  - RAINN (Rape, Abuse and Incest national Network) 800.656.4673
  - A friend
- Seek medical attention. Trained volunteer advocates are available at local emergency rooms. Sexual Assault Nurse Examiners, who specialize in collecting evidence, are also available at many emergency rooms.
- For the best evidence collection results: consider waiting to shower, bathe, douche, brush your teeth, urinate, defecate, smoke or change clothes until after going to the hospital. If you need to change your clothes, consider bringing the clothes you were wearing at the time of the assault with you, in a paper bag if possible.
- Consider calling a friend, family member, or religious leader whom you trust.
- Give yourself time to heal. What happened to you is not your fault.

How to support a friend who has been sexually assaulted:

- Listen. Focus on what your friend is saying without thinking about your response. Take a moment to gather your thoughts before responding - a little silence is okay.
- Remind your friend that it is not their fault.

Here are some examples of what you should NEVER say:
  - What were you wearing?
  - What did you do to lead them on?
  - Were you drunk?
  - Were you flirting with him? Did you give him the wrong impression?
  - Why didn’t you fight back?
  - Are you lying?
  - Avoid any variation of those phrases that puts the blame on them.

- Ask questions in a sensitive way.
  - A good way to communicate your intention before asking a question is, “I’m going to ask you some questions because I want to better understand how I can help, is that okay?”
  - It’s generally a good idea to avoid asking questions that start with “why”, because it seems so loaded with judgment. A better way to start is “help me understand …”

- Honor your friend’s autonomy.
At the time of the assault, your friend was violently stripped of the ability to make decisions, to be in control of their life.

It isn’t your intent, but when you say that they “need” to do something, you are taking away their power, just as their perpetrator did.

Asking with genuine curiosity if they have ever considered talking to a counselor is a great place to start, but make sure you are open to whatever answer they give you.

- Understand that how a survivor responds is complex and varied.
  - Everyone experiences sexual assault in different, complex ways. Your friend’s response will be multi-layered and their recovery will not follow a straight path. A survivor may feel completely numb one day and angry the next.
  - Survivors frequently experience severe feelings of anxiety, stress, or fear, known as Post-Traumatic Stress Disorder (PTSD). This neurobiological impact may be noticeable in the survivor’s inability to recall information in a linear manner. Recollection of the assault may be communicated in “bits and pieces” as the survivor struggles to recall a clear and comprehensive memory of the incident.
  - It helps the survivor to go through three sleep cycles to be able to provide clear details. However, it may take much longer for a survivor to fully recall the traumatic incident in its entirety.

- Help to establish safety.
  - Physical safety will become a major factor in the way that your friend is able to re-navigate their life. Are they afraid to walk to class or work alone? Can they feel safe getting in and out of the car, on the bus, in a crowd, or alone?
  - Offer to accompany your friend on whatever errand or task seems daunting or scary. When you walk your friend home, turn on the lights in their apartment before they walk in.

- Offer resources.
  - But only if your friend wants them – ask first. If they aren’t interested, don’t offer resources.
  - If your friend is interested, here are a few to get started:
    - SARNCO (Sexual Assault Response Network of Central Ohio) 24-hour-rape helpline: 614.267.7020
    - RAINN (Rape, Abuse and Incest national Network): 800.656.4673
    - BRAVO (Buckeye Region Anti Violence Organization: 866.862.7286

- Take care of yourself.
  - To fully help your friend, you need to take care of yourself: sleep, eat well, try to stick to some type of routine, and/or talk with a confidential friend or support person.
  - Consider contacting any of the above resources to learn how you can best support your friend and to address the feelings you are experiencing. Caring for a loved one who has survived a trauma can be exhausting and emotionally draining.
**Alcohol/Drugs and Sexual Assault.**

Alcohol and drugs are involved in a large percentage (estimated up to 85%) of sexual assault on college campuses. Drugs and alcohol can lower inhibition and impact the ability to make decisions, including whether or not to engage in sexual activity with someone else.

Alcohol and drugs can interfere with communication and increases misperception about the sexual intentions of others.

A person who is incapacitated by alcohol or drugs is not able to give consent.

Drug-facilitated sexual assault involves the intentional use of drugs or alcohol to incapacitate another to help facilitate sexual assault. Specific information includes:

- Drugging someone on purpose is considered a felony in most states. This includes someone putting a drug or alcohol into your drink or food without your knowledge.
- Some drugs used to commit sexual assault include Rohypnol ("roofies"), GHB ("liquid ecstasy") and Ketamine ("special K"). Recreational drugs may also be used to facilitate assault.
- Many of these drugs are tasteless, odorless, colorless and difficult to detect in a drink. They are just as dangerous when put into water as they are in alcohol.
- These drugs may be taken voluntarily by the sexual assault survivor (and then the offender takes advantage of resulting vulnerability - seeking out the most wasted person in the room).

**Bystander Intervention:**

**Bystander Intervention is a philosophy and strategy for prevention of various types of violence.** It involves safe and positive options to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

What can bystanders do to make a difference?

- **Believe someone** who discloses a sexual assault, abusive relationship, or experience with stalking or cyberstalking.
- **Be respectful** of yourself and others. Make sure any sexual act is OK with your partner if you initiate.
- **Watch out for your friends** – if you see someone who looks like they are in trouble, ask if they are okay. If you see a friend doing something shady, say something.
- **Speak up** – if someone says something offensive, derogatory, or abusive, let them know that behavior is wrong and you don’t want to be around it.

Other Bystander Intervention Strategies:

- **Silent Stare** - A disapproving look can be powerful.
• **Humor** - Reduces the tension of an intervention and makes it easier for the person to hear you.

• **Group Intervention** - There is safety and power in numbers.

• **We’re friends, right….?**
  o Reframes the intervention as caring and non-critical.
  o Example: “Hey Chad….as your friend I’ve gotta tell you that getting a girl drunk to have sex with her isn’t cool, and could get you in a lot of trouble. Don’t do it.”

• **Distraction:**
  o Snaps someone out of their “sexist comfort zone.” Example: Ask a man harassing a woman on the street for directions or the time.
  o Allows a potential target to move away and/or to have other friends intervene. Example: Spill your drink on the person or interrupt and start a conversation with the person.

  (Adapted from Men Can Stop Rape, [www.mencanstoprape.org](http://www.mencanstoprape.org),)

**Risk Reduction Tips:**
Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual assault are responsible for those actions, these suggestions may help to reduce the risk of experiencing a non-consensual sexual act. Below, suggestions to avoid committing a non-consensual sexual act are also offered:

• If you have limits, make them known as early as possible.

• Tell a sexual aggressor “NO” clearly and firmly.

• Try to remove yourself from the physical presence of a sexual aggressor.

• Find someone nearby and ask for help.

• Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.

• Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

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

• Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.

• Understand and respect personal boundaries.

• **DON’T MAKE ASSUMPTIONS** about consent; about someone’s sexual availability; about whether they are attracted to you; about how far you can go or about whether they are
physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.

- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

- Don’t take advantage of someone’s drunkenness or drugged state, even if they did it to themselves.

- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don’t abuse that power.

- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.

    (From ATIXA Model Sexual Misconduct Policy)

**Recognizing Warning Signs of Relationship Abuse:**
Relationship abuse is not uncommon, and it is a serious issue. Relationship abuse is real and happens more often than you think. Relationship abuse is not just violent acts. Relationship abuse is manifested in physical, emotional, psychological, and verbal acts with the desired outcome being control over another person. Although most commonly a crime against women, anyone can be a victim of abuse and it can occur in both heterosexual and same sex relationships. Relationship abuse is not a private matter. Isolation can be one of the most powerful tools an abuser can use to control a partner. All too often we fail to get involved because we either think their relationship is not our business, or we are afraid and don’t know who to turn to for help. Unfortunately, this only reinforces the abuser’s sense that they have the right to treat a partner that way. Only by speaking out and recognizing abuse as an unacceptable social behavior can the cycle be broken. (From itsabuse.com)

**Signs of an Abusive Relationship:**
There are many signs of an abusive relationship. Here are some of them:

- One partner criticizing, humiliating or yelling at the other
- One partner treats the other so badly that it is embarrassing in front of friends or family.
- One partner has a bad and unpredictable temper.
- One partner acts excessively jealous and possessive.
- One partner keeps the other from seeing friends or family.
- One partner threatens to commit suicide if the other leaves.
- One partner forces the other to have sex.
- One partner is constantly checking up on the other.

Healthy relationships are based on equality and respect. Partners make decision together and openly
discuss issues like relationship problems and sexual choices. They enjoy spending time together, but can be happy apart.

Unhealthy relationships are based on attempts to control the other person. One person tries to make most of the decisions. They may pressure a partner about sex or refuse to see how their actions can hurt. In an unhealthy relationship, individuals may feel like they should spend time only with their partner.

Abusive relationships are based on power and control. One person makes all of the decisions – about sexual choices, friend groups, boundaries, even what’s true and what’s not. Partners spend all of their time together and one may feel like they cannot talk to others. (From loveisrespect.org)

APPENDIX D: Ohio Criminal Law Definitions

The definitions in Ohio criminal law are not the definitions of violations under this policy; this is provided as information about the state provisions for consideration when filing a criminal complaint.

Chapter 2907 of the Ohio Revised Code contains the criminal law definitions in Ohio regarding various sex offenses. Below are the Ohio general definitions of sex offenses (§2907.01) and the Ohio definition of rape (§2907.02). All of the Ohio definitions for sex offenses in Chapter 2907 of the Ohio Revised Code can be accessed at: http://codes.ohio.gov/orc/2907

Chapter 2907: SEX OFFENSES

2907.01 Sex offenses general definitions.

As used in sections 2907.01 to 2907.38 of the Revised Code:

(A) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

(B) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

(C) "Sexual activity" means sexual conduct or sexual contact, or both.

(D) "Prostitute" means a male or female who promiscuously engages in sexual activity for hire, regardless of whether the hire is paid to the prostitute or to another.

(E) "Harmful to juveniles" means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply:

(1) The material or performance, when considered as a whole, appeals to the prurient interest of
juveniles in sex.

(2) The material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.

(3) The material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.

(F) When considered as a whole, and judged with reference to ordinary adults or, if it is designed for sexual deviates or other specially susceptible group, judged with reference to that group, any material or performance is "obscene" if any of the following apply:
(1) Its dominant appeal is to prurient interest;
(2) Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite;
(3) Its dominant tendency is to arouse lust by displaying or depicting bestiality or extreme or bizarre violence, cruelty, or brutality;
(4) Its dominant tendency is to appeal to scatological interest by displaying or depicting human bodily functions of elimination in a way that inspires disgust or revulsion in persons with ordinary sensibilities, without serving any genuine scientific, educational, sociological, moral, or artistic purpose;
(5) It contains a series of displays or descriptions of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose.

(G) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(H) "Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than a full, opaque covering, or of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(I) "Juvenile" means an unmarried person under the age of eighteen.

(J) "Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound, or touch and includes an image or text appearing on a computer monitor, television screen, liquid crystal display, or similar display device or an image or text recorded on a computer hard disk, computer floppy disk, compact disk, magnetic tape, or similar data storage device.

(K) "Performance" means any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.

(L) "Spouse" means a person married to an offender at the time of an alleged offense, except that
such person shall not be considered the spouse when any of the following apply:

(1) When the parties have entered into a written separation agreement authorized by section, 3103.06 of the Revised Code;

(2) During the pendency of an action between the parties for annulment, divorce, dissolution of marriage, or legal separation;
(3) In the case of an action for legal separation, after the effective date of the judgment for legal separation.

(M) "Minor" means a person under the age of eighteen.

(N) "Mental health client or patient" has the same meaning as in section 2305.51 of the Revised Code.

(O) "Mental health professional" has the same meaning as in section 2305.115 of the Revised Code.

(P) "Sado-masochistic abuse" means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained.

Effective Date: 01-01-2004; 08-03-2006; 08-17-2006; 2007 SB10 01-01-2008

2907.02 Rape.
(A)

(1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

(a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.

(c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.

(2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

(B) Whoever violates this section is guilty of rape, a felony of the first degree. If the offender under division (A)(1)(a) of this section substantially impairs the other person's judgment or control by administering any controlled substance described in section 3719.41 of the Revised Code to the other person surreptitiously or by force, threat of force, or deception, the prison term imposed upon the offender shall be one of the prison terms prescribed for a felony of the first degree in section 2929.14 of the Revised Code that is not less than five years. Except as otherwise provided in this division, notwithstanding sections 2929.11 to 2929.14 of the Revised Code, an offender
under division (A)(1)(b) of this section shall be sentenced to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code. If an offender is convicted of or pleads guilty to a violation of division (A)(1)(b) of this section, if the offender was less than sixteen years of age at the time the offender committed the violation of that division, and if the offender during or immediately after the commission of the offense did not cause serious physical harm to the victim, the victim was ten years of age or older at the time of the commission of the violation, and the offender has not previously been convicted of or pleaded guilty to a violation of this section or a substantially similar existing or former law of this state, another state, or the United States, the court shall not sentence the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, and instead the court shall sentence the offender as otherwise provided in this division. If an offender under division (A)(1)(b) of this section previously has been convicted of or pleaded guilty to violating division (A)(1)(b) of this section or to violating an existing or former law of this state, another state, or the United States that is substantially similar to division (A)(1)(b) of this section, if the offender during or immediately after the commission of the offense caused serious physical harm to the victim, or if the victim under division (A)(1)(b) of this section is less than ten years of age, in lieu of sentencing the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, the court may impose upon the offender a term of life without parole. If the court imposes a term of life without parole pursuant to this division, division (F) of section 2971.03 of the Revised Code applies, and the offender automatically is classified a tier III sex offender/child-victim offender, as described in that division.

(C) A victim need not prove physical resistance to the offender in prosecutions under this section.

(D) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

(E) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(F) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

(G) It is not a defense to a charge under division (A)(2) of this section that the offender and the victim were married or were cohabiting at the time of the commission of the offense. Effective Date: 06-13-2002; 01-02-2007; 2007 SB10 01-01-2008
WEAPONS

The students, faculty, and staff of Capital University can best learn, work, and live in an environment free from the dangers and constraints, both physical and psychological, which can arise from the presence or use of weapons, firearms, ammunition, fireworks, explosives, and dangerous chemicals on the campus. It is therefore the policy of Capital University to prohibit or strictly regulate the possession or use of any of these items or any replica of such items in university buildings, parking lots, university vehicles, or on any other university properties.

Except as expressly provided in this policy, no person is allowed to possess, display, or use firearms, weapons, ammunition, or fireworks on campus at any time. Pepper spray/mace is permitted as a safety tool, any other use would be subject to a violation of this policy.

This policy applies to all university faculty, staff, students, and visitors. Exceptions to this policy include positions which mandate the possession and operation of a firearm including university Public Safety Officers and ROTC cadre. Capital University Public Safety Officers and those who have been called to assist or to perform law enforcement duties on campus may possess or use firearms, ammunition, or weapons in a manner consistent with professional standards.

Individuals with a reasonable basis for believing an individual is in possession of or carrying a firearm or other weapon in violation of this policy have a responsibility to report the suspected act in a timely manner, unless doing so would subject the individual or others to physical harm. Knowingly filing a false workplace weapons complaint is prohibited and shall be a violation of this policy and shall constitute misconduct subject to disciplinary action. Retaliation against anyone who in good faith brings a complaint alleging a violation of this policy, or who in good faith participates in the investigation of a complaint is prohibited.