

2020-2021
Capital University
Student Handbook

Student Handbook Table of Contents

Student Handbook Overview – p. 4 - 5

Section 1 - Student Code of Conduct – p. 5 - 17

- Code of Conduct, p.5
- Violation of Law and University Policy – p. 8
- University Jurisdiction – p. 9
- Conduct Definitions - p. 10
- Conduct Processes – p. 11
- Sanctions – p. 13
- Records – p. 15
- Appeals – p. 16
- Special Provisions – p. 16
- Interpretation and Revision – p. 17

Section 2 – Residential and Commuter Life – p. 17 – 32

- Residency Policy – p. 17
- Hall Safety and Security, p. 18
- Housing Agreement – p. 19
- Meal Plans – p. 20
- Check-in/Out Procedures – p. 20
- Break Housing – p. 21
- Work Orders – p. 21
- Roommates and Room Changes – p. 22
- Residential Living Policies – p. 22

Section 3 – Graduate and Family Housing Policies and Procedures – p. 32 - 33

- Eligibility – p. 32
- Alcohol – p. 33
- Pets – p. 33
- Parking – p. 33

Section 4 – Academic Policies – p. 34 - 43

- Academic Grievances – p. 34
- Academic Integrity – p. 35
- Privacy of Student Records (FERPA) – p. 41

Section 5 – Safety Policies – p. 43 - 55

- Alcohol and Drug Policies – p. 43
- Prevention & Treatment Resources for Drug and Alcohol Issues – p. 48
- Alcohol and Drug Programs: Biennial Review – p. 48
- Amnesty – p. 48
- Emergency Response and Evacuation Procedures – p. 49
- Human Dignity – p.49
- Involuntary Leave of Absence – p. 52
- Missing Student Notification – p. 52
- Non-Discrimination Policy – p.53

Weapons, p. 54

Section 6 – Title IX Policy – p. 55 - 79

Section 7 – Student Organization Handbook – p. 79 - 98

Student and Community Engagement Overview – p. 79

Student Organization Recognition and Benefits – p. 80

Publicity Policy – p. 83

Event Planning – p. 84

Student Organization Financial Information – p. 86

Student Organization Travel Policy – p. 88

Campus Contact Information – p. 89

Fraternity and Sorority Life Policies – p. 90

Section 8 – University Parking Regulations – p. 98

Section 9 General Policies, Procedures and Resources – p. 98 - 105

Complaint Process – p. 98

Entrepreneurship and Business Activities – p. 99

Good Neighbor Agreement – p. 102

Gambling – p. 102

Information Technology Acceptable Use – p. 102

Electronic Copyright Infringement – p. 103

STUDENT HANDBOOK OVERVIEW

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 expect 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 both on 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 of Conduct and be responsible members of the learning community. Although ultimate authority for student misconduct rests with the President, they delegate disciplinary authority to the Provost/Vice President of Learning to appoint a Chief Conduct Administrator. The Chief Conduct Administrator appoints conduct officers and determines the appropriate conduct officer or body to hear cases of student misconduct. The Code of Conduct is administered through the Division of Student Learning and Development. The Chief Conduct Administrator 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, 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 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 processes encourage 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 all 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.
6. Social Justice – Members of the community are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.

LEARNING OUTCOMES

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.

SECTION 1 STUDENT CODE OF CONDUCT

The University considers the behavior described in the following subsections as inappropriate for the University community and in opposition to the values as set forth in this document. These expectations and policies apply to all undergraduate, graduate students, and Law Students. The University encourages community members to report to University officials all incidents that involve the following actions.

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 operations/ activities including public service functions on or off campus or other authorized non-University operations/activities when the act occurs on University premises.
3. Behavior by any person that poses a clear and present threat to the health, safety, or well-being of any person in the Capital University community. NOTE: Violence in any form is inconsistent with the values of Capital University. As such, we believe that students have an obligation to de-escalate 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. 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.]
5. Knowingly initiating or causing to be initiated any false report, including a false warning, or threat of fire, explosion, or other emergency.
6. Tampering with, interfering with, or improperly engaging safety equipment including cameras, fire alarms, fire detection/control equipment, and door alarms, or intentionally or recklessly causing a fire which damages University or personal property or which causes injury, or failing to exit a University building during a fire alarm.
7. 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.
8. Unauthorized animals on campus: with the exception of animals that provide service, and pets as outlined in the Residential Life policies, animals are not permitted on campus except as permitted by law.
9. Hazing is 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.

10. Destroying, damaging, or littering of any property; intentionally or recklessly destroying, damaging, or littering personal or university property or other private or public property.
11. 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.
12. Unauthorized possession, duplication or use of keys/proximity cards, to any University premises; failure to report a lost or stolen University identification card or key; or unauthorized entry to or use of University premises or property.
13. Use, possession, manufacturing, or distribution of narcotic or other controlled substances including the possession of drug paraphernalia except as expressly permitted by law.
14. 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.
15. Illegal or unauthorized possession, use, or distribution of firearms, other weapons, explosives, fireworks, or other potentially dangerous chemicals on any University premises, including any items that fall within the category of a weapon in a vehicle parked on University property. 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.
16. 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, or inciting others to disrupt scheduled or normal activities within any campus building or area.
17. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions.
18. Gambling, as prohibited by the laws of the state of Ohio, including bookmaking, games of chance for profit, and/or technology or other devices that contribute to gambling.
19. Conduct which is disorderly, lewd, or indecent; disturbing the peace; aiding, abetting or procuring another person to disturb the peace on University premises or at functions sponsored, or participated in, by the University, whether or not on University premises. Disorderly conduct includes, but is not limited to, audio or visual depiction of any personnel while on University premises without their prior knowledge, or without their effective consent when such a depiction is likely to cause distress or injury. This also includes the display or distribution of any unauthorized audio or visual depiction without the subject's prior knowledge, or without the subject's effective consent when such a depiction is likely to cause distress or injury.
20. 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.
21. Use of intellectual property without authorization, including but not limited to:
- i. From the owner including downloading, uploading, or sharing copyrighted material without permission.
 - b. Use of computing facilities or resources to interfere with normal operation of the University computing systems of any other person or organization.
 - c. Unauthorized use of computing facilities or resources to support or advocate any commercial, political, or nonprofit organization.
 - d. Unauthorized operation or attempted operation of servers, routers, switches, bridges, wireless access points, or other network equipment.
22. Host responsibility is required of all students (on and off campus) and/or student organizations. 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.
23. 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 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.
24. 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.
25. 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. The University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint.

UNIVERSITY JURISDICTION

Capital University students are provided access to the Code of Conduct through the Capital University website. Students are responsible for reading and abiding by the provisions in the Code of Conduct. University jurisdiction relative to Student Conduct administration shall include conduct that:

- Occurs on University premises.
- Occurs at University-sponsored or University-supervised events regardless of where they occur.
- Occurs off University premises when the behavior may adversely affect the University community and its interests as an academic community.
- Relates to any facet of the relationship between the student and Capital University's study abroad/away and other off campus academic or other recognized programs.
- Occurs before a Leave of Absence, Withdrawal, or Graduation from the institution. Sanctions may be applied to students returning from a Leave of Absence or Withdrawal.
- Occurs online, via email, or through other electronic medium

For purposes of the Student Code of Conduct, a student is defined as someone who has accepted an offer of admission to the University with a monetary deposit and is in the process of enrolling, is enrolled, or was recently enrolled as a part-time or full-time student, or is auditing classes. Student status remains in effect during any semester in which a person is or has been enrolled; during break periods between consecutive semesters of enrollment; and when not officially enrolled for a particular term but a continuing relationship with the University is established (such as on a leave of absence).

There is no time limit on reporting violations of the Code of Conduct, however, the more time that has passed since the possible violation, the harder it may be for the University to obtain information, witness statements, etc.

CONDUCT DEFINITIONS

- A. Process Advisor- the term "advisor," refers to a faculty member, administrator, or student from the university, who may be present during a conduct hearing, assist in the preparation of a hearing, and consult with the student during a hearing.
- B. Campus Hearing Board - reviews student conduct, determines responsibility, and when appropriate, imposes sanctions for misconduct as defined in the Capital University Student Code of Conduct. 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 Student Code of Conduct or any other university policy.

- E. Conduct Review Sub-Committee - refers to a three-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. Conference or 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 a student organization.
- K. Guest refers to individuals or visitors on campus including, but not limited to, the host student's residential facility.
- L. 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, 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 someone who has accepted an offer of admission to the University with a monetary deposit and is in the process of enrolling, is enrolled, or was recently enrolled as a part-time or full-time student, or is auditing classes. Student status remains in effect during any semester in which a person is or has been enrolled; during break periods between consecutive semesters of enrollment; and when not officially enrolled for a particular term but a continuing relationship with the University is established (such as on a leave of absence).
- 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.

CONDUCT PROCESSES

The following section outlines the student conduct process for students at Capital University related to violations of the Student Code of Conduct, Residential and Commuter Life, 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 their 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 (via an Incident Report, contacting a staff member with Residential and Commuter Life, or contacting the Chief Conduct Officer) against a student, group, or student organization for misconduct. A report must be prepared in writing and directed to the Chief Conduct Administrator for distribution to a conduct officer.
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.
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 a Conduct Officer will assign sanctions.
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 Capital email address.
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 and Commuter Life professional staff designated as Conduct Officers may conduct conferences for most initial violations of policy and procedure. The hearing will be used to determine responsibility, and sanctions.
7. Once the incident/complaint is assigned to a conduct officer, the conduct administrator or her designee assumes the role of monitor, advisor and record keeper. All decision letters are kept in Maxient and a copy is forwarded to the Chief Conduct Officer.

A student who is alleged to have violated the Code of Conduct is entitled to the following:

- To be informed of the complaint and the alleged misconduct on which the complaint is based.
- To receive an expeditious hearing of the case.
- To be assured of confidentiality in accordance with the terms of the Federal Educational Rights and Privacy Act (FERPA).
- To the standard of a preponderance of the evidence to determine responsibility (i.e., it is more likely than not to have occurred).
- To appeal a decision of a Conduct Officer or Hearing Board.

Beyond the general conduct process described above, more specific processes can be used to adjudicate conduct including:

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. 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.

Board Hearings

Formal hearings conducted by the Campus Hearing Board will follow these 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 Respondent, the hearings concerning each student usually will be conducted separately.
3. The Complainant and the Respondent have the right to be assisted by any Process Advisor they choose, at their own expense. Both the Complainant and the Respondent are responsible for presenting their own case and therefore Process Advisors are not permitted to address the Hearing Board, although they may consult with the individual(s) to whom they are serving as a Process 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 Chief Conduct Administrator.
6. After the hearing, the Hearing Board will determine whether the student is responsible for engaging in any misconduct.
7. If the Hearing Board determines that the student is responsible for engaging in misconduct, it will also 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 placed in the Respondent's disciplinary file and will be made available to the Respondent to view, upon request.
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.

With Hearing Board proceedings, all students are entitled 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.
- 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.
- Be assisted by a Process Advisor of their choosing. During the hearing, the Process Advisor may speak only to the individual being advised and may not speak directly to the Hearing Board.
- Request that any member of the Hearing Board 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.

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 they have 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. 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 may be assigned.

- G. Residential/Housing Relocation If a student is living in a residence hall, they 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 of /check out of University housing within 24 hours of notification of the disciplinary action for the length of time specified by the Hearing Board or Conduct Officer. Housing fees for the full semester in which the suspension occurs will still be charged. Any student who receives a suspension from University housing will lose eligibility to live in apartment style housing or theme learning communities.
- J. Residential/Housing Dismissal: Students who are permanently dismissed from housing will be required to vacate their residential facility within 24 hours of notification of the disciplinary action. Housing fees for the full semester in which the dismissal occurs will still be charged. 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, or board will be made if a student is suspended. 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, any form of social media, 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:
 - a. Those sanctions listed above in Section A-F
 - b. 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 is eligible to seek University recognition and privileges, subject to conditions for reinstatement.

- c. Student Organization Expulsion: permanent loss of University recognition
- d. Accountability: Any student organization may be held accountable for the actions of any of its members if the misconduct is in any way related to the student 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 student organization. There is no minimum number of student organization members who must be involved in an incident before disciplinary action may be taken against the entire student organization. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire student organization. An appropriate test to determine whether a student organization 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 student organization, or, if, by student organization action, the incident was encouraged, fostered, or might have been prevented.
- e. In cases where a student organization faces conduct 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 including:

- 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 University; 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

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 withholds the names of victims as confidential.

APPEALS

1. A student found in violation of the Code of Conduct may appeal the disciplinary decision only once. An appeal of the conference/ hearing 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 and significantly impacted the fairness of the hearing process or altered the outcome
 - c. Sanction(s) are grossly disproportionate to violation
2. The appeal must be made in writing.
3. The Chief Conduct Administrator must receive the appeal within three (3) business days of receipt of the written hearing board case outcome.
4. If an appeal is not filed with the Chief Conduct Administrator within three (3) business days of the date the party received the initial case outcome, the right to appeal is waived and the original hearing outcome becomes final.
5. An appeal will be reviewed by the convened Appellate Board or appeals officer, who will determine whether the outcome was clearly erroneous based on one or more of the grounds for appeal. The board will notify the appellant within seven (7) business days of the outcome of the appeal. The Appellate Board will take one of the following actions:
 - a. Deny the appeal and uphold the decision of the Hearing Board or Conduct Officer
 - b. Grant the appeal as to the sanction, uphold the finding of responsibility and reduce the sanction
 - c. Grant the appeal and return the case for a new hearing by a new hearing board or new conduct officer
6. All sanctions may remain in place until the appeal is decided.

SPECIAL PROVISIONS FOR THE STUDENT CODE OF CONDUCT

- a. As necessary, the University reserves the right to initiate a complaint, to serve as the Complainant, or 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 violations of policy and 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 Chief Conduct Administrator. When changes are made to the Code of Student Conduct all students will be notified of such changes through email notification and posting of changes to the university website.

SECTION 2 RESIDENTIAL AND COMMUTER LIFE POLICIES

Residential and Commuter Life aims to develop, foster, and support environments and opportunities that educate and engage the CapFam. Professional and student staff strive to create a campus community that lives connected regardless of their physical location.

LEARNING OUTCOMES

- Health & Safety: Students will gain knowledge of and develop the behaviors to ensure personal and community health, safety, and well-being.
- Diversity & Inclusion: Students will gain the knowledge and develop the behaviors necessary to engage in inclusive relationships.
- Student Success: Students will develop the knowledge of and be connected with resources that contribute to their retention and persistence at Capital University.
- Community Engagement: Students will develop an understanding of their identity and gain a sense of cohesion through participation in residential and third space communities.

UNIVERSITY RESIDENCY POLICY

All full-time undergraduate students must reside in University owned housing, unless they meet the criteria for housing release as defined later in this document. Meal plans are required of all students living in traditional residence halls and suite style halls.

University Housing currently includes:

Traditional Residence Halls

- Cotterman Hall
- Saylor-Ackermann Hall
- Lohman Complex
- Schaaf Hall

Suite Style Residence Halls

- College Avenue Hall
- Trinity Suites

Neighborhood Housing (apartments and houses)

- Capital Commons
- Capital University Apartments
- Sheridan Avenue Apartments and Houses
- College Avenue Houses
- Trinity Apartments and Townhouses

EXCEPTIONS TO THE RESIDENCY POLICY

A residential student is defined as any student who is or will be housed within University housing as described above. A Commuter student is defined as any student who applies and is approved for a housing release. Students will receive approval in writing from the Office of Residential and Commuter Life. Students can apply for a housing release if they meet one of the following criteria:

1. Live with parents or guardians within 30 miles of the Bexley campus;
2. Have completed a minimum of 60 credit hours by the start of the following semester;
3. Are 22 years of age or older 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.

Housing release requests 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

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.

AD On Duty: A professional staff member is available 24 hours a day to assist with any emergency situation which might occur. In case of emergency the RA on Duty or Public Safety Office will contact the AD on Duty for assistance.

Office of Residential and Commuter Life: 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 residencelife@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 University housing. They can be reached at any time, 24 hours a day, by calling 614- 236-6666 or through the Rave Guardian App (<https://www.raveguardian.com/>).

CAMPUS HOUSING AGREEMENT

This **Campus Housing Agreement** must be completed and submitted by each individual requesting student housing prior to being placed in a Capital University residential facility. It applies to all residence halls, apartments, and houses operated through the Residential and Commuter Life Office. The Agreement to reside in University facilities is between Capital University and the individual student. The Agreement is not a lease.

FINANCIAL RESPONSIBILITY

Students are held responsible for the payment of room and board charges for the entire academic year upon entering into a Campus Housing Agreement. Students who agree to the terms of the Agreement and are registered for classes but fail to occupy the assigned housing will be responsible for the payment of room and board charges FOR THE ENTIRE ACADEMIC YEAR.

TERM

A standard 9-month Agreement applies to all residence halls, apartments, and houses operated through the Residential and Commuter Life Office. Residence hall rooms are only available during fall and spring semesters, and not during periods between semesters or during scheduled university breaks. The Agreement will be from August 2020 to May 2021. Please note: Summer housing has a separate housing agreement and application process.

REQUEST FOR A RELEASE

A student requesting a release from the Agreement and the University Residency Policy must complete the Housing Intent Form (please select commuter) before July 1 for the fall semester and December 1 for the spring semester. Those students who apply for release from the Agreement but who are denied a release will be responsible for payment of room charges for the entire academic year. A mid-year request for a residency release from the Agreement will only be considered for students with extenuating circumstances supported by the appropriate formal documentation. Students who are approved for release from the 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.

CANCELLATION

In the event that a student leaves his/her housing assignment due to an official Withdrawal, the student will be responsible for a \$300 Cancellation Fee. Students may qualify for prorated room and meal plan charges based on the date of check-out and key return. Students who are graduating, studying abroad in a university-sponsored program, or called for active military duty are exempt from the Cancellation fee.

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.** Changing from full-time status does not terminate the Agreement. Students falling below full-time academic status during a semester will be responsible for the payment of all room and board fees. 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 a housing application or Agreement. Capital University reserves the right to deny housing to individuals who may have been convicted of violent crimes and other felonies. Capital University will consider each application on a case-by-case basis. Students are required to disclose criminal record information to the Student Affairs office, prior to completion of the

Housing Intent Form.

RESIDENTIAL POLICIES

Students who enter into this Agreement understand that they agree to abide by the Student Code of Conduct and the residential policies and procedures established by Capital University. Failure to follow these rules may impact eligibility for housing.

DINING/MEAL PLANS

Meal plans are required of all students living in traditional and suite style residence halls. Students living in Neighborhood housing (as defined above) may choose to select a meal plan. 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 or purchased separately 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 prorated basis as determined by the Office of Residential and Commuter Life and in accordance with the University's policies.

All First-Year and transfer (those entering Capital with 15 or fewer credit hours) undergraduate students living on campus are required to have the Ultimate Plus meal plan for the entire year. Upper-class students residing in residence halls requiring meal plans can choose from different residential meal plans, ranging from the Ultimate Plus to the 125 Block plan. Additionally, commuter students and students residing in Neighborhood housing (defined above) that do not require meal plans may select a Freedom 100 or Freedom 50 plan in addition to the residential meal plans. 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 photo 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 submit an electronic Room Condition Report (RCR). It is the student's responsibility to complete the RCR and report any existing damage.

When any student moves out of University housing, a formal check-out with a residential life staff member must occur. Check-out requires that the room be returned to its original check-in condition. Students will disclose any damages to their housing assignment, return all issued keys, and complete

necessary paperwork with a Residential and Commuter Life staff member. 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 University housing during breaks and/or in between semesters must apply for break housing. Available applications can be found at (<https://www.capital.edu/break-housing>). Students may request to remain in the University housing 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 verification to the Office of Residential and Commuter Life). 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. Verification 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 be permitted to stay in break housing. Verification must be received by the break housing application deadline in order for your application to be processed.
3. Must reside out of state or outside the United States.
4. Students experiencing housing insecurity or homeless.

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.

- Applications Submitted by Deadline \$15 per day
- Applications Submitted Late \$20 per day
- Application Not submitted prior to Hall Closing \$35 per day

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/fixit> (**Account #:** 924322674 **Password:** password). 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

ROOM CHANGES

Students can initiate a room change by completing the Room Change Request form located at <https://capital.erezlife.com>. Room changes are not permitted during the first and last two weeks of the semester. Prior to submitting a Room Change Request form, students should review their concerns with their RA and in some case may be asked to participate in a roommate mediation. If it is determined that a room change is appropriate, room changes will be facilities with your Area Director.

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

HEALTH AND SAFETY 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.

ABANDONED ITEMS POLICY

Any item left behind by a resident after check-out will be considered abandoned. Capital University does not accept responsibility for the storage or safekeeping of property abandoned in University housing.

- Articles of clothing, bedding, toiletries, cleaning supplies and food items will be disposed of or donated immediately.
- Furniture, electronics, computers, or other large items will be removed and stored for 30 days from the day the items were considered abandoned. After 30 days the items will be discarded.
- 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, room number where the items were removed from, and the date the items were removed.
- Abandoned belongings that must be removed will result in a minimum \$100 improper check-out charge to the individual responsible for abandoning their belongings.
- If 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 all individuals 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 2021

Upper-Class Students: November 6, 2020

First-year/Transfer/readmitted students: December 4, 2020

Fall Semester 2021

Upper-Class Students: January 31, 2021 (Deadline for renewals, including requests for changes to current accommodations)

Upper-Class Students: February 14, 2021 (Deadline for first time requests)

First-year/Transfer/readmitted students June 15, 2021

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

ALCOHOL IN UNIVERSITY HOUSING

The possession and consumption of alcoholic beverages in University housing 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, or lawns, 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, in compliance with room occupancy restrictions, and any other applicable housing or university policies.
4. Students may not possess excessive amounts of alcohol; Kegs, trash cans, or other large vessels that contain alcoholic beverages are prohibited in University housing.
5. Residents are responsible for the actions of their guests at all times. Alcohol use/misuse does not excuse disruptive, excessively noisy or indecent behavior.

6. Drinking games and other progressive drinking parties are not permitted 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 students 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. Paraphernalia related to or used for drinking games such as funnels and beer pong 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. Possession or use of alcohol at University housing functions, including hall or area programming, 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 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 University housing (i.e. underage 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, PORCH, ROOF and WINDOW SAFETY

Students are permitted to place personal patio-style furniture on porches and balconies, provided that these items are in good working order and are maintained. No items should be hung or thrown from the porch or 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 University housing is prohibited

BASEMENTS or ATTICS

Students are not permitted to reside in the basements or attic spaces of any University housing. Storage of personal items and University furniture is not permitted in basements or attic spaces.

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. Students are responsible for following all posted signage in bathrooms.

BICYCLES & RECREATION

Bicycles are not permitted in the common areas or hallways of University housing. They may be stored inside student rooms or on provided bike racks outside University housing.

In order to prevent damage or injury to residents and/or housing facilities, running, speed walking, jogging, scooters (motorized or not) hover boards, rollerblading, skateboarding, skating, roughhousing, using water or toy guns, water balloons and the throwing, bouncing, or kicking of objects in halls, stairwells and other common areas is prohibited. Darts and dartboards are prohibited in University housing 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 University housing 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 housing. 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 all students 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

After checking in to their residence, students are expected to complete a Room Condition Report (RCR) on eRezLife (www.capital.erezlife.com). On this form, students will indicate the condition of furniture (beds, mattresses, desks, etc.) and fixtures (walls, floors, windows, ceilings, lighting, appliances, etc.) in their residence within 48 hours of check-in. Students who do not complete their RCR will accept that all furniture and fixtures within their residence are in new, good, or fair condition. Furthermore, students who do not complete their RCR will accept that they will be billed for repair or replacement of furniture and fixtures found to be missing or in poor condition at checkout.

In the case of withdrawal from the university, an approved room change, an emergency residential closure, or the end of a student's housing contract term, students are required to check out of their residential assignment. Students who fail to properly check-out of their residential assignment will be charged a \$100 improper check-out fine, and may be charged additional fees for missing or broken furniture and fixtures, as well as excessively dirty residences that require extra cleaning.

Students may be charged for:

- damage to the building, including fire damage;
- missing or damaged furniture, keys, and other property;
- labor costs associated with above repairs or replacements.

Where two or more residents occupy the same room and responsibility for damage or loss in the room cannot be ascertained by the Office of Residential & Commuter Life, the cost of damage or loss will be divided and assessed equally among the residents of the room. The Office of Residential & Commuter Life reserves the right to assess common area damage between residents of an apartment, house, floor, and/or hall.

FIRE SAFETY

Students are expected to comply with emergency procedures and fire policies including but not limited to:

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 or 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 furnishings, as verified by a room inventory at the time of move-in. Students may not move additional university items into their rooms from public areas of University housing 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 University housing. 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.

KEYS, CARD ACCESS, and LOCKS

Each resident is issued specific key(s) to their room. Students should not switch keys with roommates or housemates. Visitors and guests will not be issued room or card access. In some cases, a student I.D will

serve as a key; ID's may never be given to other residents, especially to gain access to a facility. Pin 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

Lost keys should be reported to the 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. Lost keys will be charged \$150 per 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 a residential and commuter life staff member. Residents will be charged \$5 per lockout, charged to their Student Account via the E-Bill system.

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)

PARKING AND STORAGE OF MOTOR AND RECREATIONAL VEHICLES

According to the Bexley City Code Section 1266.08: No automotive vehicle or trailer of any kind or type without current license plates shall be parked or stored on any residential property other than in completely enclosed buildings. A maximum of one boat or one unoccupied recreational vehicle may be stored in the rear yard on any residentially zoned property if it has a current license, meets the requirements of this [Bexley] Zoning Code for accessory structures and is adequately screened by a seventy-two-inch high solid fence or non-deciduous landscape material.

No commercial vehicle shall be parked or stored on any property in a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools and materials to premises where labor using such tools and materials is to be performed during the actual time of parking. A commercial vehicle is a commercial tractor, commercial car, truck, motorbus, house trailer or semitrailer, as defined in Ohio R. C. 4501.01 or Chapter 402 of these [Bexley] Codified Ordinances.

No commercial motor vehicle repair and/or service shall occur in the City of Bexley, Ohio, other than in a completely enclosed building on any commercial property. (Ord. 29-16. Passed 11-15-16.)

PETS

Fish are the only pets permitted in University housing. Aquariums must be 5-gallon tanks or less and must be unplugged during semester breaks. For students in the accommodations review process, no animals are permitted until written approval is received by the Residential and Commuter Life Office. Residents with approved assistance animals are required to clean up and properly dispose of animal waste.

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. Postings should be hung using blue painters' tape.

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, lava lamps, sun lamps
- B. Open-faced electrical or heating items, coffee pots* (Keurig style are acceptable), hot plates, broilers, toasters*, toaster ovens*, rice-cookers, woks, electric skillet, air fryers, waffle makers, 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 University housing. Camp Stoves, Indoor grills, Hibachi, and Foreman-type grills* are not permitted.
- D. Candles, incense, 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 campfires are not permitted.
- G. All string lights (including but not limited to any holiday, LED or any other types of string lights) are not permitted in any university housing. The only lights permitted in university housing are battery operated "twinkle" lights.
- 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 University housing 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. Micro-fridge units are ONLY permitted in the following areas: Schaaf 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, hover boards, self-balancing scooter boards, two-wheeled 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 cannot be used in University housing.
- 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

Maximum care must be taken to ensure the safety of the interior of the rooms. It is recommended that masking tape, painters' tape, and Command strips and hooks 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 hazards, 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.

- A. Painting of student rooms is not permitted.
- B. All items must comply with all university policies and must not block vents or peepholes.
- C. Tapestries, posters, etc., may not be hung or draped from the ceiling. Tapestries and posters need to be two feet from the ceiling.
- D. Postings cannot be painted on or be permanently affixed to the windows.
- E. 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 not 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.

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/

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. Room changes request forms can be completed at <https://capital.erezlife.com>

Roommate Conflict

If a roommate conflict occurs, students will work with Residential and Commuter Life staff to resolve the issue. This could include mediation and or student relocation.

Occupancy Violation

Room assignment changes must be initiated and approved by the Area Director. Students who move without approval may be subject to disciplinary referral. Unapproved occupancy of a space will result in immediate removal from the space. In addition, they will be subject to possible disciplinary referral. Students are not permitted to live in the basements of apartments or houses located in the Neighborhood.

ROOM CONDITION AND UPKEEP

Students will be responsible for the upkeep of their residential space. Periodic health and safety inspections will be performed by members of the University staff. 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 (including during breaks), and when a member of the University staff 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,

SMOKING

All residential facilities are smoke and tobacco free. Smoking within University housing 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.

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 the upcoming year.

TRASH

Trash must be disposed of in dumpsters or in designated areas. Disposal of personal trash 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.

Students living in Sheridan Ave. and College Avenue apartments and houses are responsible for placing trash and recycling containers at the curb for collection, and removing them from the curb after collection. Trash and recycling are collected each Monday morning between 5am-Noon.

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.
- Individuals who are not students at the University, whose behavior is detrimental to the University, may be prohibited from entering any University housing 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, including replicas, is not allowed in University housing. This includes tasers, knives (except for standard kitchen knives), and swords, (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. All residents are responsible for adherence to the Capital University Student Handbook: Section 2—Residential and Commuter Life, listed above.

ELIGIBILITY

Graduate Students

- Full time enrollment at Trinity Lutheran Seminary, Capital University, or Capital University Law School graduate program.
 - Residents wishing to share their residence with their spouse or children must provide appropriate documentation (as listed below) 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

- Full time enrollment at Capital university
 - Undergraduate Students seeking family housing should complete the Graduate and Family Housing Intent Form, and schedule a meeting with the Director of Residential Life.
- Students who are married
- Students with dependent children
 - Residents wishing to share their residence with their spouse or children must provide appropriate documentation (as listed below) prior to move-in:
 - Marriage Certificate
 - Birth Certificates or proof of guardianship for all children residing in the housing unit.

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.

PETS

- Pets are not permitted in University owned housing.
 - Residents who entered during the FA18 semester or prior, are permitted to retain those animals. No additional pets can be added. Pets must be registered with the Office of Residential and Commuter Life, and be in compliance with any local, state or federal regulations.

FURNITURE

Furniture is not provided in Graduate and Family housing units.

PARKING

The online purchase options have been updated and are now available:

1. Students will pay the total amount (\$200 online, \$220 at the Finance Office) to register their vehicle. To register additional family vehicles:
 - The student may register the first additional family member vehicle for \$50. This can be done via online registration under family member. Additional vehicles at no cost, by stopping Public Safety.

Please note:

1. The student must register all family members' vehicles.
2. The 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.
4. Any vehicle impounded for parking violations or any other infractions of the law, will be towed at the owner's expense.
5. 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 ACADEMIC POLICIES

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 myCAP. 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.

RESOLUTION PROCESS

- Level I: Student/Faculty or 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 Engagement and Success informing them of the nature of the grievance within three (3) business 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/Vice President of Learning. The Dean of Engagement and Success 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 Engagement and Success 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/Vice President of Learning within five (5) business days requesting the formation of a grievance committee. This letter should state the grievance and inform the Provost/Vice President of Learning that no resolution has been reached prior to this point and a grievance committee is requested. The Provost may reject the request, 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 member's Chair or Dean, and the Provost/Vice President of Learning.

APPEAL PROCESS

The committee's decision may be appealed to the Provost/Vice President of Learning 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) business days of the receipt of the original committee's decision. The Provost/Vice President of Learning 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 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, they delegate disciplinary authority to the Provost/Vice President of Learning 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 framework 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
- Obtaining unauthorized digital access to an administered or non-administered test or course assignments
- 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
- Putting 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.
- Bribing 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 Student Code of 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 one is 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
- 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.

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 (5) business 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 and significantly impacting the fairness of the hearing process or altered the outcome.
- C. Sanction(s) are grossly disproportionate to the violation.

The Provost/Vice President of Learning, 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/Vice President of Learning such a meeting is necessary to decide the appeal.

An appeal will be reviewed by the Provost, who will notify the Director of Academic Integrity within five (5) business days of the outcome of the appeal. The Provost will take one of the following actions:

1. Deny the appeal and uphold the decision of the Director of Academic Integrity or the Academic Integrity Board
2. Grant the appeal as to the sanction, uphold the finding of responsibility, and reduce the sanction
3. Grant the appeal and return the case for a new hearing by the Director of Academic Integrity or the Academic Integrity Hearing Panel

The Provost/Vice President will notify in writing the student seeking the appeal, the faculty member, and the Director of Academic Integrity of their decision.

RECORDING 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 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 styles utilizes footnotes and endnotes to cite sources and references. 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. Again, if you are ever in doubt, err on the side of over- documentation.

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

APA: American Psychological Association. (2019). *Publication Manual of the American Psychological Association*. 7th ed. Washington, D.C.: American Psychological Association, 2019.

Chicago: The Chicago Manual of Style. 17th ed. Chicago: The University of Chicago Press, 2017.

MLA: The Modern Language Association of America. *MLA Handbook*. 8th ed. New York: The Modern Language Association of America, 2016.

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 or 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))
5. “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.

SECTION 5 SAFETY POLICIES

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:

- General indications of drug or alcohol abuse (these are symptoms or suggestions, not confirmation of use):
 - 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

- Eating and sleeping change: fluctuating appetite; change of activity level from day to day.
- 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
- Effects of Alcohol:
 - After a couple or more drinks: mood changes – intensified feelings of anger, jealousy or depression; may include more sociability or dis- inhibition
 - Loss of judgment—less power of concentration and ability to think as clearly as normal. This contributes to impulsive actions.
 - Loss of coordination—slurred speech; loss of balance; poor eye, hand, and feet coordination. Blackouts may occur.
 - 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.
- 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.

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)

- I. 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.

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 licensed professional clinical counselors and counselor trainees.

The Center for Health and Wellness provides alcohol and other drug education, awareness, outreach programming, crisis intervention, grief focused counseling, and group counseling for 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

- a. Alcohol (Note: Ohio law includes wine in its definition of liquor or beer.)
- b. Driving under the influence (.08 blood alcohol content): M-1
 - i. 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.
 - ii. 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.
- c. Using false ID or license to purchase beer or liquor:
 - i. 1st offense -- minimum fine of \$250, up to \$1000 plus up to 6 months in jail M-1
 - ii. 2nd offense – minimum fine of \$500, up to \$1000 plus up to 6 months in jail and possible license suspension up to 60days.

- B. 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
- C. Consuming beer or liquor in a motor vehicle: up to 30 days in jail and \$250 fine.
- D. 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:

1. A container or device used for packaging, storing or concealing a controlled substance
2. A hypodermic syringe, needle or instrument for parentally injecting a controlled substance into the human body
3. An object, instrument, or device 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.

AMNESTY POLICY

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.

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:

- Capital web site—www.capital.edu; the emergency page — www.capital.edu/emergency; and the Campus Safety Bulletin www.capital.edu/safety-bulletin.
- 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.
- 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.

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
https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=17194

Human Resources
Mark Pringle, Director
614-236-6168
Yochum Hall – lower level
hr@capital.edu

Title IX Coordinator
Dr. Jennifer Speakman
614-236-7127
Ruff Learning Center
jspeakman@capital.edu

Bias Education and Response Team

Bexley Campus:

Ralph Cochran
Office of Diversity and Inclusion
Student Union 110
614-236-6181
rcochran@capital.edu

Law School/Columbus Campus:

Assistant Dean for Student Affairs
Marcelius Braxton
388 Law School
614-236-6402
mbraxton4@law.capital.edu

Office of Diversity and Inclusion
Jasmine Marks
384 Law School
614-236-6392
jmarks20@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) or through the Rave Guardian App (<https://www.raveguardian.com/>).

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.

INVOLUNTARY 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

All students are requested to provide and keep updated in myCAP 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), the Associate Director and/or 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

Capital University is an equal opportunity institution committed to a diverse and inclusive university community. Capital 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

Mark Pringle

614-236-6168

hr@capital.edu

Office of the Provost

Dr. Jody Fournier

614-236-6108

jfournier@capital.edu

Dean, Law School (Law School/ Columbus Campus)
Reynaldo Valencia
614-236-6702
rvalencia@law.capital.edu

Bias Education and Response Team

Ralph Cochran
Office of Diversity and Inclusion
Student Union 110
614-236-6181
rcochran@capital.edu

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

EthicsPoint (anonymous reporting) 888-238-1063 or
https://secure.ethicspoint.com/domain/en/report_cus tom.asp?clientid=17194

For further information on the notice of non-discrimination visit
<http://wdcrobcop01.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.

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. 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.

SECTION 6 TITLE IX

Policy Number: 300

Date Issued: June 24, 2015

Section: Human Resources

Revised Date: August 6, 2020

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

Review Date: Annually

Effective Date: August 14, 2020

Responsible University Officer: Provost and Vice President for Learning

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, and the University's objective is to provide a transparent, thorough, and fair process.

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
Marcelius Braxton
mbraxton4@law.capital.edu
614.236.6402

D. Summary of Process

Upon receipt of a report of prohibited conduct under this policy, the University will take prompt and effective action that includes: notification and implementation of reasonably available supportive measures to individuals who make a report or seek assistance under this policy; conduct a review of the conduct reported; and, as appropriate, initiate a resolution through an Information Resolution or Formal Resolution Process. Regardless of whether a complainant pursues a resolution through the Informal or Formal Resolution process, the University will offer reasonably available supportive measures to ensure safety and protect the parties involved.

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. Scope of Policy

This policy applies to all students, faculty, staff, guests, and visitors, and reaffirms the University's commitment to ensuring equal access to education and fostering an environment that is free from sex discrimination, harassment, and misconduct. 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, 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 resources, reasonably available supportive measures, and support including counseling and assistance on how to file a criminal complaint with the appropriate law enforcement agency. The University has other policies and procedures that may be applicable if the conduct does not meet the definition of prohibited conduct under this policy or otherwise fall within the scope of this policy. Please refer to the University's Student, Faculty, or Staff Handbook for non-Title IX complaint and grievance procedures.

II. Definitions

A. Definitions of Prohibited Conduct

In accordance with obligations under the Title IX Regulations of 2020, the University prohibits sexual harassment, which is conduct on the basis of sex that includes one or more of the following definitions:

1. **Quid Pro Quo Sexual Harassment.** An employee conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.
2. **Unwelcome Conduct.** Unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity;
3. **Sexual assault.** Any sexual act directed against another person, without consent of the individual or where the individual is incapable of giving consent because of age or temporary or permanent mental incapacity.
 - 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/Fondling:** intentional touching of the intimate body parts of another person for the purpose of sexual gratification, without the consent of the individual.

- c. **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Ohio this means that individuals who are closer in relationship than second cousins cannot have sexual intercourse.
 - d. **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent. In Ohio, state law prohibits sex with any individual under the age of 13; additionally, individual over the age of 18 may not have sex with individuals under the age of 16.
4. **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.
5. **Domestic violence.** A felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child, 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
6. **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. For the purposes of this definition:
- a. **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
 - b. **Reasonable person** means a reasonable person under similar circumstances and with similar identifies to the complainant; or
 - c. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
7. **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.

8. **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.
9. **Sex or Gender-Discrimination:** Adverse action or other conduct directed at an individual or group because of the individual's or group's sex or gender that unreasonably interferes with the individual's or group's participation in the University's educational or work environment, including hiring, admissions, corrective action or discharge, promotions, job or educational opportunities, evaluation, employee compensation, or other terms and conditions of an individual's or group's education and/or employment.
10. **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. The following 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.
 - Persistent, unwelcome attempts to change a working or academic relationship into a romantic or sexual relationship.
 - Inappropriate remarks about sexual activity or sexual experience.
 - 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).
- i. Hostile Environment discrimination based on other protected characteristics is covered by the University's Nondiscrimination Policy.

11. Retaliation: Any form of intimidation, threat, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege established by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Retaliation also includes filing a complaint against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege under this Policy.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

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. Supportive Measures: At the time of a report of prohibited conduct under this policy, the University may implement supportive measures as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent. Supportive measures are designed to restore or preserve equal access to the University’s education programs and activities without unreasonably burdening the other party. Supportive measures are non-disciplinary, non-punitive individualized services and may include measures designed to protect the safety of all parties or the University’s educational environment, or to deter sexual harassment. Supportive measures are available to both the complainant and respondent regardless of whether the complainant chooses to file a formal complaint.

Supportive measures are services, accommodations, or other assistance that the University puts in place after receiving notice of alleged conduct prohibited under this policy 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.
- Mutual No Contact directive; 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.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. 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.

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

1. **Complainant:** an individual who is alleged to have experienced conduct that could constitute prohibited conduct under this policy.
2. **Respondent:** an individual or organization who has been reported to have committed prohibited conduct under this policy.
3. **Reporter or Reporting Party:** an individual who notifies the University that a violation that prohibited conduct under this policy may have occurred.
4. **Advisor of Choice:** a person chosen by the Complainant or the Respondent, if desired, to provide assistance during the complaint and resolution process. The advisor may be someone else chosen by the individual and can be someone from inside or outside the University community. The advisor of choice may be, but is not required to be, an attorney. If a formal complaint is addressed through an Informal Resolution, the parties are encouraged but not required to have an advisor. If a formal complaint is addressed through a Formal Resolution, the complaint and respondent must have an advisor for the purposes of conducting cross-examination at the live hearing. If either party does not have an advisor for the live hearing of the Formal Resolution, an advisor of the University's choosing will be assigned at no cost to the party.
5. **Title IX Coordinator:** the University employee responsible for overseeing all grievance procedures related to prohibited conduct under this policy, to ensure prompt, fair, and impartial investigation and resolution. This person will coordinate the in-take, investigation, adjudication, and review of all complaints that fall within this policy. Investigation and review of complaints may be delegated to the **Title IX Deputy Coordinator, Title IX investigators, Decision Makers,** 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 prohibited conduct under this policy. 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.

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 the Title IX Coordinator or Title IX Deputy Coordinator have the authority to institute supportive measures and coordinate grievance procedures on behalf of the University. 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
614.236.7127

Title IX Deputy Coordinator (Law School): Assistant Dean of Student Affairs
Marcelius Braxton
mbraxton@law.capital.edu
614.236.6402

1. 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 prohibited conduct under this policy to the Title IX Coordinator or Deputy Title IX Coordinator, unless employees fall under the “Confidential Reports” option outlined previously. Student employees who have responsibility for the welfare of other students, including Resident Assistants (RA), Orientation Leaders (OL), and Smooth Transition Mentors (ST), are required to report known conduct under this policy.
2. All members of the University community have the right to and should expect a prompt and equitable response to reports of prohibited conduct under this policy.
 - a. **Response to a Report to the Title IX Coordinator or Deputy Coordinator.** At the time of a report of prohibited conduct under this policy, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant’s wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.
 - b. **Information Packet.** Upon a receipt of a report of prohibited conduct under this policy, the University shall provide an information packet that contains procedures to follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about:
 - i. The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;
 - ii. How and to whom the alleged offense should be reported;

- iii. Options regarding law enforcement and campus authorities, including notification of the option to:
 - a. notify proper law enforcement authorities, including on-campus and local police;
 - b. be assisted by campus authorities in voluntarily notifying law enforcement authorities; and
 - c. decline to notify such authorities;
 - iv. Where applicable, their rights and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;
 - v. Information about appropriate and available services both at the institution and in the community; and
 - vi. Options for, available reasonably available assistance and accommodations and how to request them.
- c. **Report Resolution.** A report to the Title IX Coordinator is not the same as a formal complaint. For resolution of a report, a formal complaint must be filed in writing alleging prohibited conduct under this policy against a respondent and request that the University officially investigate and resolve the allegation. The complaint may be resolved through either Information Resolution (See Section IV, A) or Formal Resolution (See Section IV, B).
- d. **Formal Complaint.** A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment or misconduct against a Respondent and requesting that the University investigate the allegation of sexual harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University with which the Formal Complaint is filed.
- e. **Emergency removal.** Nothing in this part precludes the University from removing a Respondent from University's education program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.
- f. **Administrative Leave.** The University reserves the right to place a non-student employee Respondent on administrative leave during the pendency of a grievance process.
- g. **Dismissal of a Formal Complaint.** The University shall investigate the allegations in a Formal Complaint, except as follows:

- i. The University shall dismiss the Formal Complaint if the conduct alleged in the Formal Complaint:
 - a. would not constitute sexual harassment as defined by this policy, even if proved;
 - b. did not occur in University's education program or activity, or
 - c. did not occur against a person in the United States.
 - d. This dismissal does not preclude action under another policy or procedure of the University.
 - ii. The University may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:
 - a. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
 - b. The Respondent is no longer enrolled or employed by the University; or
 - c. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.
 - iii. Upon a dismissal required or permitted under this section, the University shall promptly send written notice of the dismissal and reason(s) for dismissal simultaneously to the parties.
- h. **Consolidation of Formal Complaints.** The University may consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

C. Reporting of Sexual Violence (Sexual Assault and Interpersonal Violence)

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.

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

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.

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 harassment and misconduct. **It is the policy of this University that all 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 prohibited conduct 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

Victims 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 victim'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 or 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 for Resolving Complaints of Prohibited Sexual Harassment

A. Informal Resolution

The Informal Resolution may only be pursued after a formal complaint has been filed. The Informal Resolution may occur with voluntary and written consent of both parties and the Title IX Coordinator. Informal Resolution is not permitted to resolve allegations that an employee engaged in sexual harassment against a student.

Consistent with the requirements of this section, prior to initiating an Informal Resolution, the University will provide to the parties a written notice disclosing:

1. The allegations;
2. The requirements of and procedures for the Information Resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and resume the grievance process with respect to the Formal Complaint; and

3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The University does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of sexual harassment under this policy.

The Title IX Coordinator retains the discretion to determine the type of Information Resolution that may be appropriate and may refer a complaint to a Formal Resolution at any time. The Informal Resolution process will be completed within 30 working days of receiving the Formal Complaint, unless unusual or complex circumstances exist. Information Resolution agreements are signed by the parties and the Title IX Coordinator. Any violation of an Information Resolution agreements will be referred by the Title IX Coordinator and may be referred to Formal Resolution or Student Conduct for further review. Informal Resolutions may result in agreed-upon disciplinary action, such as probation, suspension, or dismissal, against the respondent.

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.

B. Formal Resolution

The Formal Resolution may only be pursued after a formal complaint has been filed.

Notice of Charges

1. **Initial Notice of Charges.** Upon receipt of a Formal Complaint, but prior to commencing the investigation, the University shall provide the following written notice to the parties. The notice will be provided reasonably in advance of any interview with the investigators to allow sufficient time for meaningful preparation. The notice shall include:
 - a. The Title IX policy;
 - b. The specific section of the policy allegedly violated;
 - c. The specific conduct alleged to constitute potential violation under this policy;
 - d. The identities of the parties involved in the incident;
 - e. The date and location of the alleged incident;
 - f. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Formal Resolution;
 - g. Notification to the parties that they may have an advisor of their choice;
 - h. Notification to the parties that they may inspect and review evidence, as set forth in this policy;
 - i. The names of the investigators and the ability to challenge their participation for conflict of interest or actual bias;
 - j. The appropriate policy language that prohibits a party from knowingly making false statements or knowingly submitting false information;

- k. Notice of the preponderance of evidence standard;
 - l. List of all possible sanctions the institution may impose if there is a finding of responsibility; and
 - m. Notice that Retaliation is prohibited.
2. **Amended Notice of Charges.** If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of charge, the University must provide notice of the additional allegations to the parties.
3. **Principles for the Grievance Process.** The University's Title IX Coordinator will appoint two investigators who will conduct a thorough, reliable, and impartial investigation of the reported allegation. Title IX investigators are employees of the University who have received training on how to conduct an investigation in a manner that is equitable and impartial. The University may engage external investigators as one or both of the assigned investigators. Under this grievance process, the University shall:
- a. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties;
 - b. A person's medical, counseling, or treatment records are privileged, and confidential documents are not required to be disclosed. Should a party wish to provide a confidential record as evidence, the party will provide written voluntary consent to share the medical, counseling, or treatment record as part of the investigation, and the record should be limited to the portion directly related to the allegations raised in the Formal Complaint. The record will be included in the file for review by the other party and for use in the investigative process.
 - c. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
 - d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
 - e. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
 - f. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

- a. Each party will have their own pre-hearing conference. The Title IX Coordinator will communicate to the parties, their advisors, and the Hearing Chair the date, time, and format for their Pre-Hearing Conference. The Title IX Coordinator, the Hearing Chair, and the advisor must be in attendance. While the parties are strongly encouraged to attend, they are not required to do so.
- b. During the Pre-Hearing Conference, the advisors must share with the Hearing Chair their list of witnesses to appear at the hearing, the identity of any requested witnesses that were not questioned during the investigation, the request for any new evidence to be considered that was not submitted previously to the investigators, and the availability of the advisor and the party for hearing dates.
- c. Evidence and witnesses may only be presented at the hearing if they were submitted to the investigators and made available to the parties for review, unless they were unavailable at the time of the investigation or the relevance was unknown until the investigative report was submitted.
- d. The Hearing Chair will address any requests to present new evidence and new witnesses at the Pre-Hearing Conference.
- e. The advisor is strongly encouraged to discuss lines of questioning with the Hearing Chair at the Pre-Hearing Conference to obtain guidance from the Hearing Chair on relevancy prior to the hearing. The Hearing Chair will discuss the expectations and guidelines for appropriate behavior and decorum during the hearing.
- f. After reviewing each party's witness list, the Hearing Chair may, at their discretion, add names of other witnesses contained in the report for the purpose of appearing at the hearing and submitting to cross examination.
- g. After the conclusion of the Pre-Hearing Conferences, the Title IX Coordinator will provide each party and their advisor with written notice of the date, time, and manner for the hearing, which will typically occur no less than five (5) working days after the conclusion of the final pre-hearing conference.

7. Live Hearings Under the Grievance Process

a. Requirement of a Live Hearing for Fact-Finding and Determining Responsibility

- i. Following the investigation, within 30 working days of sending the final investigative report to the parties, unless unusual or complex circumstances exist, the University shall conduct a live hearing for the purposes of determining responsibility for allegations of sexual harassment in the Formal Complaint.
- ii. The decision-maker will not be the same individuals as the Title IX Coordinator or the Title IX investigators.
- iii. If a party does not have an advisor present at the live hearing, the University shall provide without fee or charge to that party, an advisor of the University's choice to conduct cross examination on behalf of that party. The University is obligated to ensure each Party has an advisor, either of the

Party's or University's choice regardless of whether or not the Party is present at the hearing.

- iv. Live hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- v. At the request of either party, the University shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness answering questions.
- vi. The University shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

b. Questioning at the Live Hearing

- i. At the live hearing, the decisionmaker must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- ii. Only relevant cross examination and other questions may be asked of a party or witness.
- iii. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the University's ability to otherwise restrict the extent to which advisors may participate in the proceedings.
- iv. Before the Complainant, Respondent, or witness answers a cross-examination or other question, the decision-maker must first determine whether the question is relevant. The decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- v. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

c. Use of Witness Statements.

- i. If a party or witness does not submit to cross examination at the live hearing, the decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; and

- ii. The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

8. Written Determination of the Decision-Maker

- a. The decision-maker shall issue a written determination regarding responsibility within 15 working days following the conclusion of the live hearing. To reach this determination, the decision-maker shall apply the preponderance of evidence standard. The written determination will include:
 - i. Identification of the allegations potentially constituting violation of conduct as defined by this policy;
 - ii. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - iii. Findings of fact supporting the determination;
 - iv. Conclusions regarding the application of the University's policy to the facts;
 - v. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the complainant; and
 - vi. The procedures and permissible bases for the Complainant and Respondent to appeal, as set forth in this policy.
- b. The University shall provide the written determination to the parties simultaneously.
- c. The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

9. **Sanctions:** Sanctions are actions that 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.

10. Appeal

- Timeline for Appeal.** Either party may appeal the outcome, including a finding of responsibility or no responsibility and/or the sanction. The appealing party must submit the appeal within

five (5) calendar 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) calendar days, the administrative disposition of the resolution becomes final and the sanctions/recommendations shall be implemented.

b. Appeals Process

- i. **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 10(a) above. The four possible grounds for appeal are as follows:
 - 1) Procedural irregularity that affected the outcome of the matter;
 - 2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
 - 3) The Title IX Coordinator, investigators, or decision-makers had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and
 - 4) The sanctions imposed are substantially disproportionate to the severity of the violation.
- ii. Within three (3) calendar 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.
- iii. 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.
- iv. The **Appeals Officer** will be a neutral and impartial decision maker. The parties shall be informed, in writing, of the specific Appeals Officer. Within one (1) calendar day from the date the notice was sent out with the identity of the Appeals Officer, the Complainant and Respondent may submit a written request to the Title IX Coordinator to replace the named Appeals Officer if there are reasonable articulable grounds to establish bias, conflict of interest, or an inability to be fair and impartial. The Title IX Coordinator may grant or deny requests from either party.
- v. **Final Outcome:** Typically, within ten (10) calendar days from receipt of the appeal documents, 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**) simultaneously. The following are the potential outcomes of the appeal process: determine whether the appeal satisfies the grounds for an appeal; affirm the findings from the Formal Resolution process; alter the findings from the Formal

Resolution process; alter the sanctions from the Formal Resolution process; or request additional steps to be taken.

V. Required Trainings

The Title IX Coordinator, Title IX Investigators, Decision-Makers, and any person who facilitates an informal resolution process (whether internal or external) shall receive training on the definition of sexual harassment under this policy, the scope of the University's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. These individuals shall receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Title IX Investigators shall receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Decisionmakers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

Any materials used to train Title IX Coordinators, Title IX Investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of sexual harassment.

VI. 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.

VII. Resources

Appendix A: Rights of Complainants and Respondents

VIII. Related University Policies

Nondiscrimination Policy

Student Records Policy

IX. 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

August 14, 2020: Policy revised by the University's Title IX team

SECTION 7 STUDENT ORGANIZATION HANDBOOK

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 interpret 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), the Cap Cupboard, Community Engagement, Fraternity and Sorority Life (FSL), Leadership, Major Events and Weekend Programming, the Mezz Fitness Center, 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 projectors, at no charge. Laptops may be reserved for student organization use through their campus advisor with IT;

- Reserve rooms throughout campus;
- Reserve and use university vans that are available 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 and Engage, the student involvement online platform;
- Access to Student Government funding;
- Have a University financial student organization account;
- Advertise for events on campus TV screens; and
- Use facilities throughout campus.

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 presentation and information files 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, searching for events on Engage, or emailing sce@capital.edu.
- **Leadership Development** – Groups and individuals can find assistance and resources for leadership development by visiting the SCE and looking for opportunities on Engage. 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.

- **Engage** – Engage is Capital’s Student Engagement platform where student organizations manage their organizations, keep their rosters, request events, and utilize other features! Engage also holds the University’s events calendar and students can use Engage to get connected to student organizations and other offices or departments on campus. Any Capital member (student, faculty, or staff) can access Engage by visiting <https://capital.campuslabs.com/engage> and signing in with their Capital email and password.
- **Corq** – Corq is the app directly connected to Engage. To sign into this app, members of the Capital community should use their Capital email and password. Corq mainly serves as the events calendar and it allows individuals to easily RSVP to events and add them to their personal calendars. The event pass is also a feature in Corq and this QR code will check individuals into events. Corq also has an Organizations feature that shows a directory of student organizations on Capital’s campus. Students can directly contact student organizations through this app.
- **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 and students can also utilize Engage to contact any registered student organization.
- **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 the Vice President of Business and Finance.
- **Photocopies** – Student organizations can make copies in the SCE free of charge.

Student Organization Advisors

Every student organization is required to have a full-time faculty or staff member serve as their on-campus student organization advisor. A student organization may have additional 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.

Creating a Student Organization

Process for creating a new student organization: students interested in forming a new organization must abide the appropriate steps. These steps have been created to ensure proper growth and success of the organization(s).

1. Meet or communicate with a professional staff member in the Office of Student and Community Engagement to discuss your group and how it will benefit student life;
2. Complete the Student Organization registration process on Engage. Students can find the registration for through the following steps:
 - a. Log in to Engage – <https://capital.campuslabs.com/engage>
 - b. Select Organizations
 - c. Select Register an Organization
 - d. Scroll to the Register New and select Register a New Organization

- e. Register your organization under the Student Organizations branch
 - f. Complete the registration form. Student organizations will need:
 - i. 1 full-time faculty or staff member as the on-campus advisor
 - ii. At least 10 student members on the roster including a president, vice president, and treasurer
 - iii. A constitution (sample constitution available under Documents on the SCE Engage page)
3. A professional staff member will review the student organization registrations and approve the organization if it meets all requirements. When the student organization is approved, the student will receive a notification through Engage. If the student organization is not approved, the application will be denied and sent back to the student for revisions.

Reregistration Policy

Once a student organization is registered, it is the responsibility of the members to re-register every year by the start of the fall semester deadline to maintain their 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 and Expectations

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:

- A. Have active membership of 10 members
 - a. All members must be enrolled at Capital University. Alumni, faculty, and staff are eligible for associate, honorary, or alumni status, but not full membership.
 - b. Student organizations have the right to select members based on their mission and constitution.
- B. Have a president, treasurer and secondary leader
 - a. 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.
- C. Have an on-campus faculty or staff advisor
- D. Participate in the Annual Leadership Conference

- E. Comply with all rules, regulations, and policies of the SCE
- F. Be in good standing (i.e. no disciplinary issues) with the institution
- G. Complete any sanctions planned on an organization in the event of misconduct
- H. Be timely in due dates/deadlines of information
- I. Reapply for active status annually

Registration Windows and Important Dates

Every Spring semester, student organizations must register for the following school year.

For all existing organizations:

- April 1 – August 1: Fall Registration Window; priority deadline is June 1
- October 1: Updated Fall Roster Due in Engage (All student organizations)
- February 1: Updated Spring Roster Due in Engage (All student organizations)

After March 15, all interested new student organizations must wait until the Fall Registration Window to open on April 1.

PUBLICITY POLICY

No publicity is permitted until a student organization event request has been submitted and approved on Engage.

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 (sce@capital.edu) for approval. The SCE will collaborate with student organizations to ensure copies are distributed around campus.
 - COVID-19 update: Flyers may not be distributed
- If flyers are distributed outside of campus, they must follow brand guidelines set by the University.
- Numbers of flyers to be posted
 - Residence Halls – 48 copies (to be divided and place in residence life mailboxes)
 - Academic Halls – 12 copies
 - Throughout all of campus (both academic and residence halls) – 60 copies
 - If an organization wants flyers only placed in specific buildings (i.e. certain residence halls or academic) the organization must ask to do so
- 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 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.

Television Slides

- Student organizations may create and have slides on the televisions throughout the Student Union. To do so, e-mail 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.
- You may advertise up to two weeks prior to your 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 Engage. Stall Talks will be updated regularly. For specific date information, please see a staff member in the SCE.

EVENT PLANNING

Due to COVID-19, additional guidelines for meetings and events have been implemented. Please review the full document; all events must adhere to these requirements as a basis for minimal acceptable practices.

All student organization event planning must begin by filling out an event request through their student organization's Engage page (<https://capital.campuslabs.com/engage>).

- 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 cancel the event in Engage and notify the SCE and Meeting and Event Services (MES) as soon as possible. This allows another group to schedule the room and allows for notification to the campus personnel.
- For tips on how to plan an event see Appendix A – Student Organization Event Planning and Meeting Tips.

A student organization's event request will be reviewed and approved by the SCE. Once the event has been approved by the SCE, a notification from Engage will be sent to the requestor and a confirmation will be forwarded to you by MES. A MES representative will be assigned to your event (614-236-6200). 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 organization should:

- Pick up all of the cups and trash and dispose of them in trash cans.
- Check the public areas (lobbies, restrooms, stairwells) and pick up and throw away trash.
- Assist MES 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 Meeting and Event Services to come in after the event. 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 Meeting and Event Services at least forty-five (45) days in advance of the social event (party).
- Indicate that you will be having alcohol at your event when filling out the event request form.
- Meet with your advisor to discuss your plans. Be sure to cover the following topics:
 - The alcohol policy/other applicable University policies that pertain to your event
 - Date and time of the proposed event
 - Refreshments to be served – prices, quantity, ordering.
 - Control arrangements – I.D.'s, doors, Underage consumption, behavior, beer dispensing.
 - Location of the social event – Checking the university Calendar with Meeting and Event Services.
 - Theme of social event – decoration, entertainment, set-up, admission price
 - Anticipated attendance
- Public Safety is required for all events with alcohol. Please note there is an additional charge.
- Clear all publicity with the SCE.

After Hours Programming Policy

After Hours Programming is considered as any social event that is held on- or off-campus after 10:00pm. All event activities must conclude by 2:00am.

- Breakdown and “moving the crowd” from the social area should begin at 1:45am.
- Two organization officers may be present at all times.
 - They must stay until all attendees have left.

Entrance into After Hours Event

- Event attendees must present some form of photo identification, preferably a University ID card. Failure to do will be grounds for removal from the social space.
- Unless pre-approved alcohol is not permitted. Illegal substances are never permitted on the premises. Individuals who appear to be “under the influence” upon entry are not permitted to enter the social space. They should be asked to leave immediately.
- There should only be one entry and one exit. However, the organization officers should be aware of all emergency exits in case of emergency.

Entry Cover for Events

Organizations are advised to decide on the cost of an event entry cover well in advance, and it should be communicated to all attendees!

For instance, if the event is free for the first hour, then the group (and those collecting money), need to know what the cost is after the first hour. Take a moment to ponder—does the cost go to \$10.00 at 11:00 p.m. until 12:30 a.m.; and, then \$20 afterwards?

Security at Events

When planning an on-campus event, it is important to make sure that everything runs smoothly. 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 body guards or brings firearms; and/or
- As determined by Meeting and Event Services, SCE, and/or other University administration. Exceptions may be granted dependent on event and other specific details.

Dining Services

- Work directly with Meeting and Event Services in regard to catering at 614-236-6200.
- Student Organizations have a variety of options when it comes to catering for events. To speak with a representative from Aladdin, please contact Liz Hernandez (liz.hernandez@aladdinfood.com).
- Student Organizations are permitted to provide their own food at events and/or use an outside caterer.
- Grills are reserved through Meeting and Event Services. You are responsible for your own charcoal, lighter fluid and matches. Each grill will also come with a fire extinguisher.

Acknowledgement of Risk at Events

Due to the high-risk nature of certain events, SCE or organization advisors may require that all participating members of an organization to submit a Risk Release Form (Appendix D).

All

organizations will be notified by the SCE or their advisor, 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 this [form](#). The Dean of Engagement and Success is authorized to sign contracts up to \$250. Contracts \$251 or more require additional signatures. 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, checks, change, anything that is to be deposited 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.

Completing a deposit slip:

- Fill in the total of cash and coins in the “currency and coin” lines.
- Itemize each check number and value of check. Add the total of all checks together. Put the total of the currency and check into the “total” box
- Make sure to add your organization name and account number in the correct spot. A deposit without an account number cannot be processed.
- Specify where the funds are coming from, i.e. fundraiser
- The name of the individual completing the transaction should fill in their name on the “Deposited by” line
- Place the deposit slip and money in an envelope and submit to the Finance Office advisor

Cash Boxes

Due to COVID-19, cash boxes are not currently available to students. Please review the document for more details; all events must adhere to these requirements as a basis for minimal acceptable practices.

Student organizations wishing to use a cash box may come to the SCE to reserve one. 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 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 available through Engage. 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.

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 Planning Form available online through Meeting and Event Services 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.

Reimbursements

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

- A. Option 1 – Personal Reimbursement and no SG 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.
 - a. Fill out the payment requisition form (found on the SCE Engage page)
 - b. Get advisor signature as approval of purchase
 - c. Turn in to Jason Davis in Finance on the first floor in Yochum Hall.
- B. Option 2 – Personal Reimbursement and SG 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.
 - a. Fill out the payment requisition form (found on the SCE Engage page), leave account number blank. Please write student organization name as department.
 - b. Make a copy of Payment Requisition Form and the receipt(s)
 - i. Turn in the original Payment Requisition Form and the receipt(s) to the SCE where it will be reviewed and submitted to the Finance Department on the next Wednesday.
 - ii. Keep second copy for your records
- C. Option 3 – Use of SCE Credit Card and SG Reimbursement: Use this option if you or a member of your organization used the SCE credit card to make a purchase funded through Student Government.
 - a. Reserve the credit card for a specific time frame (Reservation form is available on the SCE Engage Page)
 - b. Check out the credit card using the check-out form on the iPad in the SCE
 - c. After use, check in the credit card using check-in form on the iPad in the SCE
 - d. Make two copies of the receipt(s)
 - i. Keep one for your records
 - ii. Give the other copy, original receipt(s), and credit card to SCE staff
- D. Option 4 – Use of other University Credit Card and SG 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 Student Government.
 - a. Make three copies of the receipt(s):
 - i. Keep one for your records
 - ii. Give the other to SCE with a SG Receipt form
 - iii. Give original receipt and credit card to the card owner

STUDENT ORGANIZATION TRAVEL POLICY

Due to COVID-19, additional guidelines for traveling to meetings and events have been implemented. Please review the full document; all events must adhere to these requirements as a basis for minimal acceptable practices.

The safety of Capital students, faculty, staff, and the public is of the utmost 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 off-campus events (i.e. meetings, conference, social functions, etc.) must have an approved event request from the SCE. On the day of the event and before a student organization departs from campus, they must track their participants' attendance using the tools provided by Engage, Corq, and the Campus Labs Check-in app.

Here's how to scan in attendance using these tools:

- A leader from the student organization should get the event/access code from the Event Details on Engage.
- Type this code into the Campus Labs Check-in app.
- Ensure the correct event is pulled up and scan in participants' event pass.
 - Their event pass is the QR Code found in Corq or on Engage.
 - Participants can also be checked into the event by entering their Capital email.
- Once everyone's attendance has been logged, the student organization can depart for their trip.

Once the student organization returns to campus, they must complete the Off-campus travel return form which can be found on the SCE Engage page under forms.

University Owned Vehicles/Approved Drivers

The student organization must work with Public Safety to reserve a van and must be an approved driver. Once approved to drive by the Department of Public Safety, the faculty, staff, or student drivers must submit a Vehicle Usage Authorization form prior to each trip, signed by their department head or advisor.

CAMPUS CONTACT INFORMATION

Office of Student and Community
Engagement 614236-6901,
sce@capital.edu

The SCE provides support for our student organizations, fraternities and sororities, and community engagement programs and initiatives.

Meeting and Event Services
614-236-6200, events@capital.edu

Student Organizations needing to reserve rooms, tables, and/or request media equipment must complete an event request on Engage. The SCE will review the request, approve it, and the room reservation will be coordinated and reserved by Meeting and Event Services.

Public Safety
614-236-6504 (non-emergency line)
614-263-6666 (emergency line)

FRATERNITY AND SORORITY LIFE POLICIES

Social Fraternity and Sorority Relationship Policy

Social fraternities and sororities are a subset of registered student organizations at Capital University. These organizations are values based and founded on the principles of scholarship, leadership, civic engagement, and brotherhood/sisterhood. These ideals along with the support of Fraternity and Sorority Life will promote the highest standards for the principles of which these organizations strive to achieve. Capital University recognizes and supports the members and chapters of the social fraternity and sorority community as crucial part of Capital's mission of inspiring lives through higher education. A recognized social fraternity or sorority will complement the curricular and co- curricular aims of Capital University by enhancing student growth and development. The University is committed to assisting fraternities and sororities to achieve their potential. Through the endeavors of the institution, the University will assist fraternities and sororities in accomplishing their goals.

Capital University recognizes the authority of the Interfraternity Council, National Pan- Hellenic Council, and the Panhellenic Council. These councils will regulate matters of fraternities and sororities subject to their governance and university policies. According to the Office of Student and Community Engagement policies university recognition requires student organization registration to be completed in the appropriate guidelines.

Section I – Definition

Social fraternities and sororities are expected to follow and embrace the educational purposes of their respected (inter)national organization, local organization, university, governing councils, and local policies, guidelines and values. Activities of social fraternities and sororities must not interfere with academic endeavors. Chapters must also adhere to Capital University's mission.

- A. Social fraternities and sororities will follow the United States of America Department of Education outline of guidelines, which include:
 - a. do not limit membership to persons pursuing or having interest in a particular field of study or profession;
 - b. do not serve as an honorary society for leadership, academics, or other purposes;
 - c. do not allow members to hold concurrent membership in other social fraternities and sororities; and
 - d. be tax-exempt under Section 501(c)(7) of the Internal Revenue Code.
- B. All social fraternities and sororities must comply with local, state and federal law, university policies and guidelines, and Fraternity and Sorority life guidelines. Specific Fraternity and Sorority Life guidelines regarding:
 - a. Chapter Event;
 - b. Expansion;
 - c. Fraternity and Sorority Life Standards of Excellence;
 - d. New Member/Intake.
- C. In accordance to the mission and initiatives of Capital University, Fraternity and Sorority Life believes the strength and validity from diversity of all people. Federal and state law provides no clear or consistent definition of gender, therefore Fraternity and Sorority Life in an effort to prevent exclusion defines male and female:
 - a. Female is defined by any individual who self identifies as a female, regardless of assigned sex at birth, expression, or perceived expression of gender.

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

Section II – Authority to Register & Continued Recognition

- A. Fraternities and sororities must adhere to the following:
 - a. authority to annually register a social fraternity or sorority is in the jurisdiction of the Office of Student and Community Engagement;
 - b. membership to applicable governing council;
 - c. all social fraternities and sororities seeking initial registration must complete expansion guidelines; and
 - d. Capital University may withdraw registration from a social fraternity or sorority that is not in good standing based off of annual results from the Fraternity and Sorority Life Standards of Excellence program, in addition to not being in good academic, disciplinary, or financial standing with the university or the (inter)national organization.
- B. Per semester, the fraternity or sorority president, advisor, and advisory board president (if applicable) must sign the Recognition & Anti-Hazing Compliance Form (Appendix B) and return to the Office of Student and Community Engagement as an agreement of recognition. Failure to abide by this policy and guidelines (as outlined in Section 1B) and/or return of the form in the appropriate timely fashion will result in loss of compliance at Capital University which includes, but not limited to, suspension or removal of the organization.

Section III – Benefits

There are standard privileges granted to all student organizations that complete the registration process. These privileges include:

- A. Reserve rooms throughout campus;
- B. Reserve and use university vans that are available for a nominal fee;
- C. Participate in the annual Student and Community Engagement Fair held each semester to recruit new members;
- D. Request audiovisual equipment, including DVD players, TV's, easels, and overheads, at no charge. Laptops may be reserved for organization use through their campus advisor with IT;
- E. Apply for the usage of an organization room, as rooms are available;
- F. Be acknowledged on the Capital University website;
- G. Have an organization page on the Engage platform
- H. Access to Student Government funding;
- I. Have a University financial student organization account;
- J. Advertise for events on campus bulletin boards and TV screens; and
- K. Use facilities throughout campus.

Risk Management Policy

Capital University's Fraternity and Sorority Life (FSL) seeks to promote meaningful membership experience for all members of our fraternity and sorority life community. To this end, the Capital University fraternity and sorority community commits to provide a safe, enjoyable, and educational experience for members throughout their time at Capital. The guidelines outlined in this document exist to ensure the safety of all individuals and organizations during their Capital FSL experience. As

many of our recognized social fraternities and sororities our members of the Fraternal Information and Programming Group (FIPG). Capital University utilizes the FIPG Policy (Appendix C) as a guide to best assist our social fraternities and sororities in regards to risk management.

Section I – Definition of a Chapter Event

- A. An event will be defined as anything a reasonable observer would associate with the chapter;
- B. if the event can be reasonably associated with the chapter, the organization will be held responsible for any actions or behaviors of any participants at the event whether the event takes place on or off campus;
- C. all chapter events must be registered with Capital University's Fraternity and Sorority Life following the procedures outlined in this policy; and
- D. as registered student organizations at Capital University, all chapter events are subject to the policies for registered student organizations outlined in the Capital University Office of Student and Community Engagement policies.

Section II – Eligibility for Holding Chapter Events

- A. All groups must be registered as social fraternities/sororities with the University;
- B. all groups must be in good standing with Fraternity & Sorority Life, and their (inter)national headquarters; and
- C. at least one representative of the chapter is required to attend the Risk Management workshop sponsored by Fraternity & Sorority Life each semester.

Section III – Event Planning Pre-Approval Process

- A. Chapters are required to submit the Chapter Event Management Form to FSL at least 2 weeks prior to any event that meets the following criteria:
 - a. the event takes place over 20 miles off campus or out of the State of Ohio;
 - b. alcohol will be present at the event; and
 - c. money, including donations, will be collected at the event.
- B. Designated officer(s) must communicate with a Student and Community Engagement staff member. This meeting must take place at least 1 week prior to the event date.
- C. At a minimum, your Chapter Event Management Plan should include:
 - a. an overview of the event;
 - b. a detailed description of the event activities;
 - c. an itemized budget for the event;
 - d. an overview of roles and responsibilities for all attendees;
 - e. a risk assessment and risk management plan for the event;
 - f. copies of any contracts related to the event;
 - g. cash handling procedures (if applicable);
 - h. alcohol management policy;
 - i. list of attendees (can be submitted as an addendum 1 week prior to the event);
 - j. any necessary documentation required by Inter/national headquarters for the planning of the event (licenses, third party vendor forms, etc.).

Section IV – Capital University Office of Student and Community Engagement Requirements

As registered student organizations at Capital University, all chapter events are subject to the policies for registered student organizations outlined in the Capital University student handbook.

Section V – Violations

- A. Violations of the chapter event policy may result in a referral to the University Conduct Officer or a staff member in the Office of Student and Community Engagement or respective governing bodies for conduct violations against the chapter and/or individual members, and the loss of registration as a fraternity/sorority at Capital University. Loss of recognition will prevent the organization from participating in/hosting any social functions (on or off campus), participating in philanthropies, reserving space on campus, or otherwise functioning as a student organization.
 - a. Violations include, but are not limited to:
 - i. submission of improper paperwork or the lack of submitting required paperwork;
 - ii. holding chapter events without adhering to the procedures outlined by Capital University Fraternity and Sorority Life;
 - iii. hazing: Any violations of the event policies outlined in the Capital University Student and Community Engagement policies and Fraternity and Sorority Life policies;
 - iv. any conduct violations against the chapter during chapter events.

New Member Education/Intake Guidelines

Fraternity and Sorority Life (FSL) at Capital University is committed to the success of the new member education and intake programs throughout our FSL community. In an effort to encourage development of our fraternity and sorority community, these procedures will require all IFC, NPHC, and Panhellenic member organizations to report their new member education/intake processes to Fraternity and Sorority Life to ensure the safety and well-being of our students, fraternities and sororities, local community, and the University.

Each fraternity and sorority conducting membership recruitment or intake will keep the office informed of all activities each semester. The steps outlined below must be completed in addition to the corresponding (inter)national organization's policies and procedures for the membership recruitment, education, and intake processes.

Members, new members/neophytes, alumni, chapter/campus advisors, and members of graduate chapters are responsible for their actions during the new member/intake process, because their actions may have repercussions on the chapter. Chapters are responsible for communicating Fraternity and Sorority Life procedures and the Capital University Hazing Policy to all members, new members, alumni, advisors, and members of graduate chapters.

Section I - Eligibility

- A. All groups must be registered social fraternities/sororities with Capital University Fraternity and Sorority Life;
- B. all groups must be in good standing with Capital University, Fraternity and Sorority Life, and their (inter)national headquarters. Good standing is defined by a fraternity or sorority not having a suspension or expulsion status and having any ongoing sanctions which prohibits fraternity and sorority functions;
- C. all fraternities and sororities must submit a New Member/Intake Program Plan to the Office of Student and Community Engagement at least three weeks prior to the beginning of any new member education/intake activities. The new member/intake plans are kept confidential and are not shared with other fraternities or sororities;

- D. all fraternities and sororities must submit the Recognition & Anti-Hazing Compliance Form (Appendix B) each semester; and
- E. at least one representative of the chapter is required to attend the Risk Management workshop sponsored by Fraternity and Sorority Life each semester.

Section II – General Requirements

- A. Your new member education/intake program will support and mirror the Capital University mission statement;
- B. new member education/intake programs will support first and foremost a student's academic endeavors (i.e. no late nights, excessive programs, and etc.);
- C. all new member/intake programs will be alcohol and illegal substance free;
- D. any new member/candidate tests and/or homework will be those which are approved by your (inter)national new member/intake programs;
- E. new members/candidates will understand what is expected of them during the new member/intake period and additionally, will be told when their initiation will take place;
 - a. Per Section II.D and E, if an organization is a local fraternity/sorority, approval must be done by the Office of Student and Community Engagement
- F. all active chapters will be educated on Capital University's hazing policy and will agree to adhere to it by signing the Recognition & Anti-Hazing Compliance Form (Appendix B);
- G. new member/neophyte events, meetings, and programming cannot take place over university recognized breaks/holidays; and
- H. because of the importance of scholarship within the fraternity and sorority community, all new member/neophyte events, meetings, and programming must end by the following times:
 - a. Sunday – Thursday by 10:00 p.m.
 - b. Friday – Saturday by 11:00 p.m.; and
 - c. First day of Finals Week.

Section III – Meetings and Documentation

- A. Documentation of the proposed New Member Education/Intake Program must be provided to Capital University's Fraternity and Sorority Life at least 3 weeks prior to any new member education/intake activities or designated date by the campus FSL professional; and
- B. all chapters participating in new member education/intake activities are required to submit the following forms:
 - a. Capital University's Fraternity and Sorority Life Recognition & Anti-Hazing Compliance Form (Appendix B); and
 - b. updated roster information as determined by deadlines.

Section IV – Presentation of New Members/Neophytes

This policy also applies to icebreaker and step show events:

- A. All new member/unveiling shows must adhere to the following guidelines:
 - a. All participants must be treated with respect during the event and all activities should align with the core values of Capital University's fraternity and sorority community;
 - b. groups need to confirm with Fraternity and Sorority Life the details of the event at least 2 weeks in advance of the show;

- c. security or staff must be present for the entire duration of the show;
- d. during the show there will be no disrespecting acts, actions, and verbiage of other fraternity and sorority members or any other peoples;
- e. Fraternity and Sorority Life would like to publicize these shows to the campus staff and faculty so that they have the opportunity to support our fraternities and sororities; and all coming out shows, icebreakers, step shows if deemed to be "after hours" (i.e. between 10:00pm to 2:00am) must abide by Capital University's After-Hours Programming Policy (refer to pages 9 and 10).

Section V – Hazing

A. Ohio Hazing Law:

- a. As used in this section, "hazing" means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. No person shall recklessly participate in the hazing of another. The negligence or consent of the plaintiff or any assumption of the risk by the plaintiff is not a defense to an action brought pursuant to this section. No administrator, employee, or faculty member of any primary, secondary, or post-secondary school or of any other educational institution, public or private, shall recklessly permit the hazing of any person.

B. Capital University Hazing Policy:

- a. Any action or activity, regardless of location, intent, or willingness of the participant, which:
 - i. does not contribute to the positive development of a person;
 - ii. inflicts or causes physical or mental harm or anxieties;
 - iii. demeans, degrades, disgraces, harasses or ridicules a person;
 - iv. intentionally or unintentionally endangers a student's admission to or affiliation with any student organization;
 - v. Hazing can occur on-campus or off-campus and to both new members/neophytes and active members; and
 - vi. to report hazing, call Public Safety and e-mail hazing@capital.edu. Please be advised that while information of hazing allegations are crucial to Capital University's investigation(s), the knowledge of who alleged victims are is vital for completion.

Section VI – Violations

Violations of the new member education/intake procedures may result in a referral to the University Conduct Officer, conduct violations against the chapter and/or individual members, and the loss of registration as a fraternity/sorority at Capital University. Loss of recognition will prevent the organization from participating in/hosting any social functions (on or off campus), participating in philanthropies, reserving space on campus, or otherwise functioning as a student organization.

A. Violations include, but are not limited to:

- a. submission of improper paperwork or the lack of submitting required paperwork;
- b. holding new member education programs/intake without adhering to the procedures outlined by Capital University Fraternity and Sorority Life;
- c. hazing: Any violations of the Capital University Hazing Policy will result in an immediate referral to the university conduct processes;

- and
- d. any conduct violations against the chapter during new member/intake programs.

Expansion Guidelines

Capital University adheres to conditional growth. This growth promotes the restricted and evaluated expansion of all social fraternities and sororities and maintaining campus-based authority over the processes to ensure success for all constituencies involved. No local fraternities or sororities are permitted to colonize.

Outlined will be the guidelines for expansion. These guidelines are:

- position statement and documentation that meets the Social Fraternity and Sorority Relationship Policy;
- presentation and support from the Capital University Expansion Team; and
- benefits and expectations of newly colonized or chapters of fraternities and sororities
 - Any specific guidelines from the North American Interfraternity Conference, National Pan-Hellenic Council, National Panhellenic Conference, and other national governing councils will be followed and completed.

Section I – Position Statement

Any social fraternity and sorority seeking recognition at Capital University must file the proper documentation to the Office of Student and Community Engagement. In this documentation, which is outlined below, the new fraternity or sorority must identify which governing council it wishes to join in order for those policies to be followed, as well as processes from its national counterpart. In order for a fraternity or sorority to continue with the expansion process the following must be documented:

- A. documentation of tax status as stated in the Social Fraternity and Sorority Relationship Policy;
- B. any possible contact information with the following:
 - a. alumni with interest of helping and guiding expansion processes
 - i. specifics include a formation of an alumni advisory board and
 - ii. list of alumni in a 30-mile radius of the city of Columbus, Ohio
 - b. full names and student identification numbers of the Capital University students interested in the expansion
 - c. proper documentation from the organization of policies such as:
 - i. risk management;
 - ii. recruitment/intake process;
 - iii. new member education/intake curriculum;
 - iv. national and proposed local constitution and bylaws;
 - v. plan of action/timeline. This includes when the first new member class is to be inducted, tentative date for organization to be chartered, etc.;
 - vi. rules or policies from the national or international colonization process; and
 - vii. any further documentation that may be requested from Fraternity & Sorority Life
 - d. In the event of a fraternity or sorority receiving its charter from its national or international organization a partnership must be established with Capital University for a chartering event. Specifics of the event will be completed by the (inter)national office, local chapter of the fraternity or sorority, and the university

Section II – Expansion Team

An expansion team or committee will conduct the review and evaluation of any fraternity or sorority for consideration. The Expansion Team will be approved every semester by the Director for Student and Community Engagement. The committee will also review all presentations of the potential new fraternity or sorority.

- A. Expansion Team Membership – The Expansion Team will consist of the following positions:
 - a. Dean of Students or Dean of Studies;
 - b. Director and Assistant Director for Student and Community Engagement;
 - c. designated selected advisors each affiliated with one social fraternity or sorority;
- B. designated student representatives which are representatives of IFC, NPHC, and PHA;
- C. Adjustments to committee membership may be done if deemed necessary by the Office of Student and Community Engagement

Section III – Initial Reviews and Formal Presentations

All initial reviews and formal presentations will be heard and reviewed by the Expansion Team. The committee will review all documentation as mentioned above to determine if the proposed fraternity or sorority will continue with a formal presentation. The presentation must consist of topics such as:

- reason for expansion
- alumni support
- resources from national or international office to assist with colonization and expansion
- explanation of process from the national or international organization
- risk management, educational, and event planning information
- explanation of how Office of Student and Community Engagement can be of assistance
- financial standing and resources
- recruitment/intake plans and processes
- explanation of how the new organization will benefit students at capital university, the local community, and the fraternity and sorority community.

After a formal presentation is made, the Expansion Team will provide feedback or offer plans to the professional staff of the Office of Student and Community Engagement or designee. An approved timeline from expansion to chartering based from the national or international organization's headquarters as well as national governing council's guidelines will be provided as well.

Section IV - Recognition

A recognized social fraternity or sorority will receive the standard privileges granted to all registered student organizations. There privileges include:

- Reserve rooms throughout campus;
- Reserve and use university vans and cars that are available for a nominal fee;
- Participate in the annual Student and Community Engagement Fair held each semester to recruit new members;
- Request audiovisual equipment, including DVD players, TV's, easels, and overheads, at no charge. Laptops may be reserved for organization use through their campus advisor with IT;
- 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; and
- Use facilities throughout campus.

A recognized fraternity or sorority must adhere to the following expectations:

- A. student code of conduct;
- B. membership to applicable governing council;
- C. constitution and bylaws of the fraternity or sorority's governing council;
- D. Fraternity & Sorority Life's policies and standards:
 - a. chapter event;
 - b. expansion
 - c. Fraternity and Sorority Life Standards of Excellence
 - d. new member/intake; and
 - e. any other administrative policies, guidelines, or decisions as determined by Fraternity & Sorority Life;
- E. residence life housing policies (if applicable);
- F. national organization constitution and bylaws; and
- G. all other applicable federal, state, university, state, and local laws and policies.

SECTION 8 PARKING REGULATIONS

PARKING REGULATIONS

University Parking Regulations are maintained by the Public Safety Department. The 2020-2021 academic year guidelines can be found here:

https://www.capital.edu/uploadedfiles/content/campus_safety/forms/campus%20parking%20regulations.pdf?n=5553.

SECTION 9 GENERAL POLICIES, PROCEDURES, and RESOURCES

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>.

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/or 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. 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 by the Dean of Engagement and Success.

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 their 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 and across campus is provided as a service to the university community. Students or student organizations must contact the Office of Student and Community Engagement 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 Dean of Engagement and Success. 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 <https://www.capital.edu/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 Area Director two (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 residence hall bulletin boards unless express permission has been given. 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 Office of Student and Community Engagement.

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 Avenues 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 Student Code of 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.
6. 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.

INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

Overview

The computing and electronic communication resources that Capital University provides for faculty, staff, and students are essential to carrying out the University's primary mission. Protecting and preserving University computing and electronic communication resources is a cooperative effort that requires each member of the University community to act responsibly and guard against abuses.

Thousands of users share the computing resources at Capital University. These resources must be used responsibly by everyone, since misuse by even a few individuals has the potential to disrupt University business or the work of others. Users are required to exercise responsible, ethical behavior when using the University's computing resources.

Acceptable use of University computing and electronic communication resources demonstrates respect for unobstructed access, intellectual property rights including copyright, trademark, and applicable licenses, truth in communication, ownership of data, system security and integrity, and individuals' rights. Acceptable use includes, but is not limited to, respecting the rights of other users, sustaining the integrity of systems and related physical resources, and complying with all relevant policies, laws, regulations, and contractual obligations.

Please visit the university website for the full Policy.

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 reshare 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.