

Student Code of Conduct

The term “student” includes all persons admitted to the institution through such time as they receive their diploma or officially withdraw from the University, including both full-time and part-time students taking undergraduate or graduate classes, whether pursuing a degree or auditing courses, and in break periods or on-going academic terms.

Students are responsible for knowing the policies and standards of conduct. Enrollment at Muskingum is considered acceptance of the standards specified herein. Muskingum University reserves the right to modify this document when needed.

Standards for Personal & Community Conduct

Muskingum University is an intentional community - one that is purposely set apart from the world around it. Its focus is on education, and it seeks increased development and integration of the “whole person” in the intellectual, spiritual, social, and physical aspects of life. As an educational community, it respects and encourages the development of individual virtues such as integrity, rationality, compassion, self-discipline, and personal responsibility. The University also places special emphasis on certain community ideals such as tolerance, civility, and respect for the person and conscience of others. Additionally, students are expected to participate in the building of a mutually supportive, responsible, and accountable community in which persons are expected to refrain from actions which are directly or indirectly harmful to other persons or to the community as a whole. Students are expected to actively participate in the process of deterring harmful conduct, through counseling others or reporting cases to the proper authorities. As a University related to the Presbyterian Church, it holds additional values such as honesty, the value and worth of each individual, the seriousness and inevitability of human shortcomings, and the hope for redemptive behavior. Such a community must depend upon the respect for certain principles and patterns of behavior by its members in order to function effectively.

The policies concerning academics provide the definitions, operation structure, and policies for the academic programs and are codified in the University Catalogue. The Code of Student Conduct provides the definitions, structure, and policies for community life on campus. Adherence to the policies and standard of behavior specified is an understood prerequisite for acceptance to and ongoing membership in the University community. Failure to comply with the expectations set will result in progressive disciplinary sanctions ranging from a warning to expulsion.

Authority, Scope, & Jurisdiction

Ultimate authority for student discipline is vested in the Board of Trustees of the University and operational authority is delegated through the President of the University to the Dean of Students for matters falling under the Non-Academic Code of Student Conduct and to the Provost for matters related to academic conduct. Students and organizations are expected to manage their individual and group behaviors. The Dean of Students empowers the Student Affairs staff with the responsibility to respond to behavior that is in conflict with the expectations of the University.

Behavior that may result in discipline through the University Student Conduct process may be conducted by an individual student, or a club or organization. Behavior that takes place on University property, at University events, and behavior occurring off-campus may result in University staff responding through the Student Conduct process. Students are also subject to external legal systems in addition to University policy. In such cases involving legal action, the University may pursue a conduct hearing and impose appropriate sanctions before, during, or after criminal or civil proceedings.

Due to the complexity of community responsibility, and the nature of human behavior, a complete list of prohibited behaviors is impossible to provide. The Code of Student Conduct sets out specific standards and expectations as examples, and is not intended to be exhaustive in scope nor detail.

Expectations

Muskingum University students are expected to exhibit appropriate, responsible behavior at all times when associated with University activities. Some of the characteristics of this behavior are:

1. **Respectful of Human Dignity**—It is expected that students will act with concern for the physical and emotional well-being of others.
2. **Building a Caring Community**—Students are expected to participate in the building of a mutually supportive, responsible, and accountable community. Students are expected to refrain from actions which are directly or indirectly injurious to other persons or to the community as a whole. They are expected to actively participate in the process of deterring injurious conduct, through counseling others, and where other means fail or are inappropriate, reporting cases to the proper authorities.
3. **Encouraging Individual Fulfillment**—Students' primary goal is education. Muskingum University is firmly committed to the basic premise that the academic program, with the individual student as the focal point, is the heart and pulse of the University. The educational program assumes individual and group responsibility. The willing and enthusiastic acceptance of this responsibility by every student will broaden the scope of opportunities available. Studying at Muskingum is a privilege that can best be safeguarded by each student through continued use of good judgment. Development of the "whole person" - intellectual, spiritual, social, and physical is encouraged.
4. **Positive Action**—Students are expected to know the minimum standards of behavior required as members of this community and to be personally responsible for conducting themselves in ways appropriate to these standards. As a church-related, liberal arts University with a Christian purpose, Muskingum aims high in its standards. The regulations and traditions are not designed to legislate the morals of individual students. They are, however, intended to set a high level of expectation and to describe the general conditions under which learning is to take place at Muskingum.
5. **Personal Responsibilities**—When students enroll at Muskingum University, they accept the personal responsibility to uphold the honor and ideals of the University in all areas of University life and to maintain high standards of personal behavior. It must be understood that students are held responsible for their behavior at all times, both on and off campus. By their registration for academic credit students agree to adhere to the policies detailed in this handbook.

Alcohol Policy Information

The Alcohol Policy is in direct compliance with the laws of the State of Ohio, Muskingum County and the Village of New Concord, prohibiting possession or consumption of alcohol by persons under 21 years of age. Alcohol will only be allowed on campus in the areas designated in this policy. Students or groups who fail to comply with this policy will be subject to disciplinary action. Muskingum University has based the Alcohol Policy on the recognition that:

- The majority of Muskingum University students cannot legally consume alcohol;
- A number of students who are of legal age to consume alcohol choose not to do so;
- Healthy alcohol consumption is one alcoholic drink per hour; and
- Alcohol abuse is a health concern on University campuses around the country.

Given these facts, the University acknowledges the desire of those students who are of legal age to consume alcohol responsibly while also ensuring the social life of the campus does not revolve around an activity in which a majority of the students cannot participate.

Muskingum University neither forbids nor encourages members of its community regarding drinking alcoholic beverages. However, the University discourages binge drinking or unhealthy consumption of alcohol as an irresponsible act. The decision to consume alcohol or not is a value judgment on the part of each individual.

Expectations

Under no circumstance is a person of legal age permitted to provide alcoholic beverages to an individual under 21 years of age. Students and guests who are at least 21 years old are permitted to possess wine and malt beverages (beer, ale, hard lemonade, etc.). Students or guests are allowed to possess a maximum of six 12 oz. containers of malt beverage, or up to one 750ml bottle of wine on their person or in their control (room, backpack, car, etc.) for personal consumption. No liquor or other intoxicating liquid is permitted. For BYOB events, individual may only bring the number of beers equal to the number of hours the event is being held. For example, for a four hour event, an individual can bring four beers.

Constructive possession occurs when a student is in close proximity to prohibited items, and a hearing could conclude that the prohibited items could have belonged to them. Accountability based on constructive possession often results when prohibited items are found in a residence and more than one person is present who could arguably be the owner of the prohibited items. This approach prevents students in violation from merely removing prohibited items from their personal possession upon confrontation by University officials. Practically speaking, as it relates to University students, constructive possession means that students should be aware of their surroundings and avoid situations where prohibited items may be present, even if the student does not actually intend to use or handle the prohibited items personally.

Students and guests are not permitted to drink alcoholic beverages in open or public spaces, including stairwells, porches, lawns, balconies, and residence hall hallways and lounges. Students who are at least 21 years old may not consume or possess alcohol in the residence of a student who is under the legal drinking age.

If an organization is affiliated with a national group, it is the responsibility of the local chapter to comply with the rules and regulations of their national governing bodies. If Muskingum University policies are more stringent than the national policies, the local chapter is expected to abide by University policy.

Alcohol Risks

The safety risks resulting from the abuse of alcohol and other drugs are significant, especially for University age students. The leading cause of death for University age students is alcohol-related car crashes. The number one reason for hospital admissions for University-age students is alcohol-related injury and overdose. University age students represent 25% of all automobile passenger fatalities. Higher blood alcohol levels for drivers and passengers result in higher likelihood of permanent injury or death. In addition, the statistics measuring adult drowning, death by fire, and violent crime including sexual violence, are strongly related to the abuse of alcohol and other drugs.

The general health risks related to alcohol and other drug abuse may be immediate or build for some time. Some of the physical effects of alcohol or other drug abuse can include: damage to the liver, heart and pancreas; malnutrition; sexual problems; high blood pressure; brain damage and mental impairments (including negative effects on perception, information processing, learning, judgment, reaction time, sound processing and peripheral vision); increased risk of cancer, heart attack and stroke; and infections in general.

Alcohol is the drug of choice for many students who abuse drugs. Alcohol is a central nervous system depressant which slows down respiration. Alcohol abuse/ dependence can ultimately rob a person of self-

control which eventually can lead to broken relationships, loss of jobs, self-esteem, self-respect and even suicide. Alcohol problems can also lead to legal problems such as domestic violence and even criminal offenses and incarceration. Pregnant women who drink may produce a fetus with fetal alcohol syndrome, or has defects of the heart or other organs.

University students who engage in alcohol/other drug abuse also report experiencing other unpleasant consequences and behaviors including hangovers, vomiting, injuries, blackouts, fights, missing classes, lower grades, damaging property, pulling fire alarms and other disciplinary problems which can result in suspension from school. Thus, alcohol/other drug abuse can contribute to academic failure and misconduct.

Controlled Substance Policy Information

Muskingum University is committed to encouraging compliance with all state and local laws. Muskingum University is opposed to the possession and use of hallucinogens, drugs, and narcotics by all members of the University community. In keeping with Ohio and federal laws which prohibit the use, possession, sale or offering for sale of narcotics and hallucinogens, including marijuana, and other drugs, Muskingum University will encourage and cooperate in the enforcement of these laws including possible prosecution of its students or employees by local law enforcement agencies.

Expectations

Students may not possess or use any controlled substances, including narcotics, hallucinogens, or any other drugs, including prescription drugs without a prescription. Smells or sounds related to use of controlled substances are reasonable evidence to initiate a drug search or for use in a student conduct hearing. Students may not possess any drug paraphernalia, including constructive possession of paraphernalia.

Students may not sell, provide, or give controlled substances to any individuals. Due to the severity of the impact on the community, trafficking controlled substances is considered a serious violation of the Code of Conduct.

Students may not use or abuse any substance in a manner that alters one's mental state, including abuse or misuse of prescription drugs.

A major consequence of alcohol or other drug abuse may cause the development of an addiction. While almost anyone may develop an addiction, some students are more vulnerable than others due to inherited biological factors. In particular, students whose parents or grandparents had an alcohol or other drug problem may develop an addiction more quickly and easily than other students.

Alcohol or drug addicted students often suffer from arrested development with the onset being at the age they began using. Alcohol or drug addicted students may cease growing intellectually and emotionally and may never learn to cope with problems constructively, but attempt instead to avoid and compound problems by getting "high".

Muskingum University is committed to increasing awareness about alcohol/drug issues, to prevention strategies that discourage irresponsible and illegal use, and to providing ongoing support for those individuals who have decided not to use alcohol and illegal drugs.

Amnesty Policy

For the purpose this policy, amnesty is defined as exempting a person(s) from the conduct process for a policy violation. The University's primary concern is the health and safety of all community members. Generally, in the event of a health or safety emergency, the University may offer amnesty to the reporting parties and/or person(s) at risk. Emergencies caused by consumption, use or ingestion of alcohol or drugs will fall under this policy. Those who are found to have coerced, forced, laced or hazed others into using intoxicating substances will not be granted amnesty.

In circumstances where an organization is found to be hosting an event where a health and safety emergency occurs and medical attention is sought for a guest, the organization (depending upon the circumstances) may be held responsible for policy violations. However, the organization's willingness to seek medical assistance for a member or guest will be viewed as a mitigating factor in determining a sanction for any violations.

Muskingum University believes all students can learn and grow from their choices. A student who is offered amnesty may still be required to go through an educational process with educational outcomes. This process will not be punitive or be included in a student's conduct record.

Code of Student Conduct

The Code of Student Conduct consists of specific standards and expectations, though they are not exhaustive in scope or detail.

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Section A

Alcohol

Underage possession or constructive possession of alcohol- Students who are under the age of 21 cannot possess, distribute, or consume alcohol. Constructive possession occurs when multiple students are present in a space with a prohibited item that could reasonably belong to any of the students, but no student claims responsibility for the item.

Unauthorized possession of alcohol- Students and guests who are at least 21 years old are permitted to possess wine and malt beverages (beer, ale, hard lemonade, etc.). Students or guests are allowed to possess a maximum of six 12 oz. containers of malt beverage, or up to one 750ml bottle of wine on their person or in their control (room, backpack, car, etc.) for personal consumption. No liquor or other intoxicating substance is permitted.

Public consumption of alcohol- Students and guests who are at least 21 years old are not permitted to drink alcoholic beverages in open or public spaces, including stairwells, porches, lawns, balconies, and residence hall hallways and lounges.

Intoxication- Students who choose to consume alcohol are expected to do so in a responsible manner. Intoxication presents a threat to oneself and potentially others, and is not permitted. Intoxication may be determined through various means, including field sobriety tests conducted by University Police, and physical signs of intoxication (slurring speech, alcoholic odor, etc.).

Providing alcohol to underage persons- Students who are over the age of 21 are not permitted to provide alcohol to an individual under 21 years of age. Providing alcohol to underage persons could occur constructively when, for example, a single of age student is present with multiple underage persons in the presence of multiple open containers of alcohol.

Driving under the influence- The University prohibits the operation of a motor vehicle while intoxicated or impaired.

For purposes of this policy, “driving under the influence” is defined as a situation in which the operator of any motorized vehicle is determined by admission, by testing for blood alcohol content, or by commonly accepted behavioral observations (e.g., slurred speech, staggering, etc.), to be driving such vehicle after having consumed alcoholic beverages or ingested other drugs or legally controlled substances to a degree that has altered, inhibited or impaired the student’s ability to think and/or act.

Drinking games- Drinking games of any kind are not permitted on campus, including those without alcohol present.

Common source- Students may not possess alcohol in a common source, including punch bowls, kegs, and so on. If a clear possessor is not able to be determined, the students responsible for the space may be held accountable.

Consumption in an unauthorized location or at an unauthorized event- Students who are of legal age to consume alcohol may not consume or possess alcohol in the residence where all assigned occupants are under the legal drinking age, any public space unless expressly allowed, or at any event that prohibits alcohol.

Possession of alcohol paraphernalia- Students may not possess alcohol paraphernalia used to ingest alcohol at an increased rate, including funnels, beer bong, drinking game items, etc. Shot glasses, flasks, beer mugs, wine glasses, etc. are only permitted when they are empty and dry.

Alcohol displays- Students may not display alcohol containers, empty or full (beer can pyramids, liquor bottles, all or any part of cardboard cases, etc.).

Alcohol Policy Enforcement Outcomes

Violations of the Alcohol Policy *may* result in the following minimum sanctions, or some combination of these sanctions, or additional sanctions as determined by the Hearing Officer through the Student Conduct process:

- **Non-Disruptive Violations**
 - Written warning, probation or other status sanction

- Educational assignment and restorative component
- **Disruptive or Repetitive Violation**
 - Restorative assignment
 - Participation in substance abuse counseling assessment, follow-up substance abuse treatment plan inclusive of individual and/or group therapy as determined appropriate
 - Parental contact letter detailing incident written by the student (if under 21)
 - Minimum of one semester conduct probation (may be suspension or deferred suspension based upon specific situation)

Organization and Event Violations

If an individual is not wearing a wristband at an event or is underage and caught drinking alcohol at a social event, that individual will face sanctions in accordance with the guidelines above as well as being prohibited from attending another event where alcohol is present for a minimum of 90 academic school year days.

Sanctions for a recognized student organization or group that is found to be responsible for hosting a registered event that violates the alcohol policy a period of social probation during which the organization or group may not have an event where alcohol is present on campus for a minimum of 3 months to be served immediately during the current or subsequent academic year.

Sanctions for an unregistered event or for subsequent registered event offenses during a calendar year or while on probation, may result in suspension or revocation of the group's charter and they may be prevented from hosting an event on campus for a minimum of six months to be served immediately during the current or subsequent academic year, as appropriate. Sanctions are to be served during months which are in the academic year and may be carried over to the following academic year. (For example, a sanction of three months set in April will apply for 90 school days in April, May, August and September.)

If the offense involves other violations of the Code of Student Conduct, additional sanctions may be imposed.

Section B

Controlled Substances

Possession, constructive possession, or use of controlled substances- Students may not possess or use any controlled substances, including narcotics, hallucinogens, or any other drugs, including prescription drugs without a prescription. Smells or sounds related to use of controlled substances are reasonable evidence to initiate a drug search or for use in a student conduct hearing.

Possession or constructive possession of drug paraphernalia- Students may not possess any drug paraphernalia. Any item that is or has been used for use of drugs or masking use will be considered paraphernalia.

Trafficking controlled substances- Students may not sell, provide, or give controlled substances to any individuals. Due to the severity of the impact on the community, trafficking controlled substances is considered a serious violation of the Code of Conduct.

Inhaling or ingesting any mind-altering substance- Students may not use or abuse any substance in a manner that alters one's mental state, including abuse of prescription drugs.

Controlled Substance Policy Enforcement Outcomes

- Participation in substance abuse counseling assessment, follow-up substance abuse treatment plan inclusive of individual and/or group therapy as determined appropriate
- Restorative Assignment
- Parental contact letter detailing incident written by the student (if under 21)
- Educational assignment and reflective component
- Minimum of one semester conduct probation (suspension may be sanctioned based upon the circumstances of the incident).

Section C

Disorderly or Disruptive Behavior

Failure to comply with local, state or federal law- Students are expected to know and comply with all local, state, and federal laws. If the University is aware of unlawful behavior on or off campus, students can be held accountable through the Student Conduct Process.

Failure to comply with University staff- Students are expected to comply with University faculty and staff, including University Police and Student Affairs professional or student staff. This expectation includes showing identification, stopping concerning behavior when requested, and granting access to any person, place, or thing involved in an investigation.

Failure to comply with classroom behavioral expectations- Faculty may set standards of behavior for their classrooms and prohibit the use of specific items or behaviors. This may include use of smokeless tobacco, cell phones, chewing gum, or other items and behaviors. Students are expected to comply with such expectations and requests.

Disrupting University operations- Students should be respectful of the daily operations of the University. Behavior should never intentionally or recklessly disrupt teaching, research, administration, University events or activities, or infringe on the rights of members of the University community.

Negative impact on the University Community- Students are expected to refrain from conduct that has, or threatens, a negative impact on the health, safety, rights, educational mission, and property of the University community, its members, or visitors.

Pattern of misconduct- Students are expected to learn from their past mistakes or bad choices in order to become more productive members of the community. Students who show signs of failing to learn from these past incidents may find themselves facing consequences for their pattern of behavior above and beyond a single incident.

Vandalism- Students may not destroy, damage, tamper with, or deface property of the University, its community members or guests.

Attempting to violate University Policies- Students are expected to refrain from attempting any behavior that could be a violation of the Code of Conduct. Even if unsuccessful, attempting a violation may result in the same outcomes as if the act had been completed.

Threatening University staff- Students are expected to refrain from any physical, verbal, or written threats or abuse toward University staff, including student staff. Threats or abuse directed toward any University staff will not be tolerated and will constitute a serious violation.

Aiding or encouraging a policy violation- Students are expected to refrain from aiding or encouraging others to violate any University policies.

Retaliation- Students should expect to take action to address community concerns without retaliation. Retaliation is defined as anything that would negatively impact someone's ability to participate in an investigation (such as filing a report or participating in an investigation or conduct hearing). Retaliation will not be tolerated and will constitute a serious violation.

Unauthorized pictures or recording- Taking photos or making audio or video recordings without permission in any context in which the person has a reasonable expectation of privacy is prohibited. Such physical areas on campus include but are not limited to on-campus housing, private offices and restrooms. In such areas, permission must be granted by all persons being photographed or recorded. Any action that captures any sexual-based activity will fall under the parameters of the Sex and Gender Based Discrimination policy.

Unauthorized gambling- Students are expected to refrain from unauthorized gambling for material gain.

Failure to follow dining facility expectations- Students are expected follow the expectations set for dining facilities including, but not limited to: wearing shoes and shirts at all times; clearing own trays or packaging waste; not lending meal/board card to another; not removing food (except when authorized), dishes, silverware and other service items; and refraining from blatant misconduct with food.

Operation of skateboards, roller blades, or similar device in prohibited areas- Use of skateboards, hover boards, roller blades, or similar devices on the Muskingum University campus are limited to riding on the sidewalks and crosswalks (with the exception of the Chess Center bridge and the campus lake bridge) and must yield the right of way to pedestrians, bicyclists, and motorists. The use of these devices is prohibited in all other areas, including roadways, bicycle paths, inside any Muskingum University building, in any parking lot, or upon furniture, architectural elements, steps, or ramps. Any device used in violation of any of these expectations may be confiscated and held by University Police.

Unauthorized entry- Students may not gain unauthorized access to University property, including buildings, rooms, roofs, or fire escapes.

Improper use of restrooms- Students are expected to maintain appropriate use of restrooms. Student are permitted to use the restroom facility consistent with their gender identity. Shower stalls are to be used by only one person at a time.

Public Indecency – Students are expected to refrain from engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency including, but not limited to: Exposing one's genitals or private areas; Public urination; Defecation; and/or Public sex acts. Some violations of this policy may also be violations of the Sex and Gender Based Misconduct Policy.

Unauthorized use of University property- Students may not use University property without expressed consent. Use of such property includes, but is not limited to, equipment, resources, telephone system, mail system, computer system, or vehicle keys. Students are not permitted to duplicate, or give to another person, University keys of any kind.

Theft or attempted theft- Students may not steal or attempt to steal any property that does not belong to them. Students may also not commit theft by deception.

Obstruction of walkways or roads- Students must be conscientious to not disrupt pedestrian or vehicular movement on campus

Initiating a false report- Students may not initiate, or cause to be initiated, any false report, warning, or threat of fire, explosion, crime, or other emergency on University premises or at University sponsored events.

Section D

Harm to Others

Inflicting mental or bodily harm- Students are expected to behave in a manner that does not inflict mental or bodily harm to others.

Reckless or endangering behavior- Students are expected to refrain from intentional or reckless behavior that could result in loss of life, mental or bodily harm to others.

Threatening mental or bodily harm- Students are expected to refrain from creating situations that could cause a person to believe that they will receive mental or bodily harm.

Intentional negative impact- Students are expected to refrain from conduct which has a negative impact on the educational, social, physical, or mental well-being of any member(s) of the university community.

Harassing behavior- Students are expected to refrain from harassing behavior, including, but not limited to, violations of the Peer Harassment and Sex and Gender-Based Misconduct Policies.

Discrimination- Students are expected to treat others equally. Behavior directed against a person due to their perceived race, ethnicity, religion, national origin, sex, age, gender, disability, veteran status, or sexual orientation is not acceptable.

Stalking- Students are expected to refrain from stalking others. Stalking is defined as repetitive or menacing pursuit, following, or interference with the peace or safety of a member of the community. Some incidents of stalking may be considered violations of the Sex and Gender Based Misconduct Policy

Section E

Health and Safety

Possession of weapons- Students may not store, use, or possess any weapons on campus property, including items in vehicles. A weapon is defined as any gun, including toy guns and ammunition (live and discharged rounds, bullets, shotgun shells, pellets, and bbs) bows, arrows, axes, knives, excluding kitchen knives and pocket or multi-function knives with blades 3 inches or smaller, and any item designed to function as a weapon. Additionally, any item which is used in a manner that causes or threatens harm, such

as waving a baseball bat at a person, will be considered a weapon. Suspension from the University may automatically be considered in any case involving weapons.

Students wishing to hunt during state approved seasons or to use equipment falling under this policy in physical education classes, must contact University Police to store their firearm or bow. Successful completion of a background check, performed by University Police or any authorized law enforcement agency, must be completed before a weapon can be released. Any unauthorized items may be subject to confiscation.

Possession of explosives or dangerous substances- Students may not store, use, or possess any explosives or dangerous substances, including firecrackers and fireworks, explosives, flammable materials, or bio hazardous, volatile, or poisonous materials of any kind. Combustible engines are not permitted to be stored in any University buildings.

Possession of drones- Drones of any type are prohibited on campus.

Setting an unauthorized fire- Students are not permitted to start any fires on University premises. Ground fires in any form are not permitted on campus without permission, which must be obtained from the Fire Chief and Police Chief of the Village of New Concord and through the Student Life Office. Grills and barbeques may not be operated on any balcony, porch, or under any eaves or overhangs.

Tampering with fire safety equipment- Students may not tamper with fire extinguishers, signage fire alarms, including battery removal, wire disconnection, covering to block smoke, etc., or other fire equipment.

Failure to comply with emergency alarms- Students are expected to comply with electronic evacuation alarms, including fire alarms and directions given through META.

Obstructing evacuation routes- Students must follow fire regulations requiring that halls, stairways, entrances, porches, evacuation routes, and balconies be kept clear of obstacles at all times.

Unauthorized recreation- Students may only partake in authorized recreational activities. Unauthorized recreation on campus (including residence hall common areas, hallways, etc.), or misuse of recreation equipment in any gymnasium or recreation area is prohibited.

Jumping off a structure- Students may not use any structure for repelling, base jumping, or similar activities, including jumping from the bridge into the University Lake.

Smoking- Students are expected to follow campus smoking designations.

- Smoking is not permitted in any building, including residence halls, the Walter K. Chess Center, and the adjacent bridge.
- Smoking is prohibited within twenty-five feet of all residential building entrances, exits, air intakes and operable windows.
- Smoking includes all tobacco and tobacco derived products (cigarettes, cigars, electronic cigarettes, cloves, etc.).

Section F

Honesty/Identification

Abuse or misuse of the University conduct process- Students are expected to be honest during the course of an investigation. Students may not falsify, distort, or misrepresent information in a University investigation or proceeding

Disruption of or interference with an investigation- Students may not disrupt or interfere with an investigation or proceeding, including attempting to intimidate, harass, discourage, or influence a member of a hearing panel, witness or other involved person over the course of an investigation.

Failure to comply with sanctions- If a student has sanctions assigned by a hearing officer or board, they are expected to comply with those sanctions, including completing projects on time. Failure to do so may result in addition charges, fines or sanctions.

Tampering with an election- Students may not tamper with the election process of any recognized or chartered student organization.

Altering University records- Students may not forge, alter, or tamper with any University document, record, ID card, or method of communication.

Misuse of University ID cards or keys- Students may not transfer, lend, or borrow University identification or keys.

Falsifying information- Students are expected to provide truthful information to University officials. Students may not provide false identification, statements, or information to University staff or offices.

Section G

Residence Life

Unapproved appliances- Students may not possess any unapproved appliances in the residence areas. Unapproved appliances are appliances that utilize an open heating element, such as space heaters, burners, sandwich presses, grills, toaster ovens, or halogen lamps. Additionally, appliances such as air conditioners, standalone microwaves (other than Microfridge units), and any appliance that requires wiring outside of the residence are prohibited. Students may possess a small coffee pot, popcorn air popper, electric wax burner, or refrigerator up to 33 inches tall or 3.2 cubic feet in size.

Possession of items using open flames- Students may not possess any item that utilizes an open flame, including candles, incense, and so on.

Possession of extension cords or multi outlet adapters- Students are expected to use surge protector strip in any situation where additional outlets are needed.

Possession of pets- Students may possess fish in one bowl or tank up to ten gallons in size per room. All other animals and pets are prohibited in any University residence facility.

Unsanitary conditions- Students are expected to maintain a reasonable level of cleanliness in their residence areas. Conditions will be deemed unsanitary by University staff. Evidence of unsanitary conditions might include rotting food, excessive trash, smells, and so on.

Unauthorized items- Students may not possess items such as waterbeds, weight sets over 150 lbs., etc. which have the potential to result in dramatic damage to the residence facility.

Obstruction of access- Students must not arrange furniture in ways that block reasonable access to doors, windows, or heating and ventilation equipment.

Over capacity- Capacity is defined as 3 times the number of students as assigned occupants within the living area (room/wing/floor/house/etc.). Example: If a house has 10 residents assigned, there can be no more than 30 students (including those assigned to the house) present.

Exterior decorations- All items must be stored within the confines of a residence area. No item may be hung or placed out of a window, or placed on the exterior of any building without written approval from the Student Life Office. Items hung in windows may be subject to this policy if visible from the exterior of the residence.

Unauthorized alterations- Students may not make alterations or modifications the interior or exterior of a room, balcony, porch, apartment, or building without written approval from a professional staff member within Residence Life or the Student Life Office.

Possession of propane- Propane grills or tanks may not be present inside or outside of any residence hall, fraternity, sorority or social club house, Lakeside house, townhouse or University apartment.

Guest visitation- Each resident is allowed **one guest from the Muskingum community** to their room. Guests are to be escorted to the room of visitation or through any area of the residence hall by their host or hostess. Guests must follow the restroom policy. Students are expected to inform their guests of all applicable University regulations and see that their guests act accordingly (e.g. wearing of masks, paying for meals at dining halls, appropriate possession of alcoholic beverages, etc.). The student host is responsible for the behavior of a guest at any campus property. Room Visitation Sunday through Thursday will be within the hours of 10:00 a.m. to 12:00 midnight. Room Visitation on Friday and Saturday will be within the hours of 10:00 a.m. to 2:00 a.m. Residence hall lounges will be open 24 hours for use of students residing in the halls or their guests. Overnight sleeping in the lounge is not permitted.

Overnight guest visitation- Overnight Guests are permitted if the guest is from the Muskingum Community (faculty, staff or student at Muskingum University), their stay is limited to no more than two (2) nights in a given thirty (30) days, and permission of all roommates/ housemates is received. Each resident is limited to 1 overnight guest per night. Guests are to be escorted to the room of visitation or through any area of the residence hall by their host or hostess. Guests must follow the restroom policy. Students are expected to inform their guests of all applicable University regulations and see that their guests act accordingly (e.g. mask use, payment for meals at dining halls, appropriate possession of alcoholic beverages, etc.). The student host is responsible for the behavior of a guest at any campus property.

Residents are expected to meet non-community members in an outdoor space, and will not be allowed to bring them into the residential facilities.

Quiet hours- Quiet hours are established at the beginning of the fall semester by each residence hall or living facility. The minimum quiet hours times are 10:00 p.m. to 10:00 a.m. Sunday through Thursday evenings; and Midnight to 10:00 a.m. on Friday and Saturday evenings. From the last day of classes for the semester through the beginning of the next semester, Quiet Hours are observed 24 hours a day, every day.

During quiet hours, residents are expected to maintain a noise level that cannot be heard from another room when the doors are closed. The maintenance of quiet hours is to be a cooperative effort on the part of all residents which is supported by the staff.

Courtesy hours- Courtesy hours are the times other than quiet hours. During these times, cooperation among residents is expected. Staff will encourage students to negotiate reasonable standards and noise levels, but if the students cannot reach an agreement, staff members will evaluate the noise level within the context of the residential facilities being conducive to the learning process.

Section H

Events & Organizations

Failure to comply with the Posting and Distribution Policy- Please see the Posting and Distribution Policy in Section VII of the Student Handbook for full posting expectations.

Failure to comply with the Computer Ethics Policy- Please see the Statement of Computer Ethics in section VII of the Student Handbook for full computer ethics expectations.

Failure to comply with the Solicitation, Sales, and Fundraising Events Policy- Please see the Solicitation, Sales, and Fundraising Events policy in Section VII of the Student Handbook for full fundraising expectations.

Failure to comply with the Social Event Policy- Please see the Social Event Policy in Section VII of the Student Handbook for full social event expectations.

Failure to comply with the Alcohol Event Policy- Please see the Alcohol Event Policy in Section VII of the Student Handbook for full alcohol event expectations.

Failure to comply with the Greek Affairs Policy- Please see the Greek Affairs Policy in Section VII of the Student Handbook for full Greek Life expectations.

Failure to comply with the Organization Code of Conduct- In support of Ohio state law and Muskingum's guiding principles, Muskingum University is opposed to any and all forms of hazing under whatever name or form it may occur. Please see the Organization Code of Conduct in Section VII of the Student Handbook for full organization expectations.

Section I

Selected New Concord and State Ordinances

As residents of the village of New Concord, all Muskingum University students have a responsibility to comply with the laws of the village. Several selected ordinances of specific interest to the University community are listed below. Questions about these ordinances or any village laws should be addressed to the Office of the Mayor, located in the village building on Main Street.

Parking is permitted where painted white lines outline the parking spaces, except the business district of Main Street which is governed by signs indicating two hour parking. Parking is not permitted on or across sidewalks. (Sidewalk means that portion of a street between curb lines, or the lateral lines of a roadway and the adjacent property that is within five feet of the roadway).

Speed is regulated by signs indicating the upper limit that should be observed to ensure the safety of persons and property. Many streets do not have sidewalks so drivers must watch for pedestrians and driveways. Some dangerous areas are Comin Street, Friendship Drive, North Liberty Street and coming in or going out of town.

No person will have in his possession an opened container of beer or intoxicating liquor in any public place (reference NCVO Open Container 529.07).

No individual under 21 years of age will knowingly possess or consume any beer or intoxicating liquor, in any public or private place (reference NCVO Underage 529.02).

Burning of papers, leaves, brush and trash openly or in containers such as steel barrels or masonry containers is not permitted. If in doubt, check regulations at the Mayor's Office.

It will be unlawful for any person to produce, continue, or cause to be produced or continued, any noise disturbance within the limits of New Concord. Hours of restriction are as follows:

Residential 10:00 PM to 7:00 AM Monday through Saturday (not before 9:00 AM Sunday)

Commercial..... 10:00 PM to 6:00 AM Monday through Saturday

Noise will be plainly audible at a distance of at least 25 feet from the source upon public property or within 25 feet from the property line if upon private property (reference NCVO Noise Violation 509.08).

"Stop" means a complete cessation of movement.

Parades require a permit before the event from the Village.

Driving on sidewalks, lawns or curbs is not permitted.

Parking of bicycles upon a sidewalk must not interfere with pedestrian traffic.

Discharging firearms and hunting are prohibited within the village limits. There is still much undeveloped land in the village.

State Law § 4511.18 Possession or sale of sign or device prohibited... "traffic control device" means any sign, traffic control signal, or other device conforming to and placed or erected...by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic, including signs denoting the names of streets and highways...No individual will buy or otherwise possess, or sell, a traffic control device.

Procedural Information

Every community must have standards governing individual behavior, and a University is no exception. Such standards should be applied equitably and impartially. In keeping with this philosophy, it is the function of the student conduct process to apply institutional rules in such a way that protects students' rights, while also emphasizing students' obligation to abide by the University's expectations. The student

conduct process does not function as a legal process, as Muskingum is a private institution. The University's hearing officers serve as an appointed group of representatives from the campus charged with upholding expectations for student conduct.

Any member of the University community may file a report alleging misconduct on the part of any student, group or organization. Charges will be prepared in writing by the Student Life Office. Alleged violations of students while abroad may be resolved by an abbreviated hearing process. The timing guidelines for submission of reports is 30 days from the date the complainant should have reasonably been aware of the identity of the alleged party responsible for the incident (except sexual harassment or sexual assault reports which may be submitted at any time). The Dean of Students has discretion in accepting matters for review beyond this timeframe.

Confiscation Policy

Certain items are prohibited on University property or at University events because of village, state or federal law, or University policy. When these items are discovered by University officials, they are subject to confiscation. The University and its employees will not be responsible for any incidental loss or harm caused by confiscation. Students may request permission to retrieve pets which have not been turned over to animal control if they agree to immediately remove the animal from University property and not return it to campus. Other confiscated items may be retrieved by the student at the end of the semester with the same agreement that it be immediately removed and not returned to campus.

Unless there is a specific need to retain alcohol for evidence from an incident, it will be disposed of upon confiscation (preferably by the student owning or possessing the alcohol). Weapons, controlled substances, and drug paraphernalia will be secured by University Police and will not be returned.

Any confiscated items which are not claimed by their rightful owner at the end of the academic year will be disposed.

Definitions

Administrative Agreement- Students or organizations may choose to plead "responsible" to violations of University policy and complete an Administrative Agreement. An Administrative Agreement is a "contract" process between a student or organization and a hearing officer establishes mutually agreed upon sanctions for behavior in violation of University policy. The purpose of the sanction is to educate the individual or organization as to why the documented behavior was inappropriate in the University environment, mitigate any negative impact of the behavior, and protect the community. There is no appeal process for an Administrative Agreement. At any point during the discussion, either the hearing officer or the student/organization may choose to not complete the Administrative Agreement and pass the case on to the appropriate hearing body. Failure to comply with the sanctions of an Administrative Agreement will cause the case to be referred for a new hearing.

Administrative Hearing- Students or organizations may choose to have their case adjudicated through an Administrative Hearing. This process would allow the student or organization to plead their case to one individual student conduct officer. That student conduct officer will listen to the information provided by the student or organization, may call in additional witnesses to understand the entire incident, and will render a decision of "responsible" or "not responsible" for violation of university policies or procedures. The student or organization may appeal the student conduct officer's decision by following the appeal process. An Administrative Hearing is generally not an option to a student when suspension is a possible sanction.

Confidentiality- All cases involving violations of University policy are considered confidential (except for provisions under Family Education Rights and Privacy Act and Clery Act which provide for notification of accused's parents in alcohol and drug violations and alleged victims in cases of violent crime and assault cases). Except as provided for below, information about these cases is only shared with the students, staff, and faculty members who sit on the adjudicating boards and prepare or hear the case directly, and the Student Life staff who consult on resolution issues. For the Community Standards Board, discussion of any case is prohibited outside of the hearing setting or beyond the one-on-one consultation between the hearing officer/chair and the student being charged. Information from conduct files is not available to persons on campus without an educational need to know nor to any person off campus without the express consent of the student involved, except under legal compulsion, in cases where the safety of persons or property is involved, or under the exception providing for informing alleged victims of violent crimes.

Sanction Approval or Modification- When the Community Standards Board determines that a student has violated the Student Code, the findings and sanction(s) will be recommended by the board to the chair or her/his designee. Following the hearing, the chair or her/his designee will advise the accused in writing of the Community Standards Board's finding and the sanctions imposed.

Student Sanction Records- Other than University suspension or expulsion, disciplinary sanctions will not be part of the student's permanent academic record, but will be part of the student's confidential educational record.

Incident documentation must be kept in the student's file for seven (7) years from the date of the incident. After this time, a student's record may be expunged of disciplinary actions other than residence hall expulsion, University suspension, or University expulsion.

Community Standards Board (CSB)- Functions as the upper level disciplinary body of the University for resolving allegations of major violations of the Code of Student Conduct.

- The board is composed of students, staff and faculty members. Their responsibilities include determining whether an alleged is responsible or not responsible for violations of the Code of Student Conduct and recommending sanctions to the board chair. The chair is a non-voting (except in ties) permanent staff member, appointed by the Dean of Students or his/her designee.
- Faculty members will be appointed by the Vice President for Academic Affairs.
- Five members, with at least three students and two faculty/staff members will constitute a quorum.
- Whenever the regular hearing board is unable to hear a case, for example finals or vacation periods, a temporary board may be formed by the Dean of Students or his/her designee based on available persons on campus.

Student Rights

Muskingum University students have the right:

- a. To organize a personal life and behavior, to pursue individual activities, including freedom of movement, except when these interfere with the rights of others or violate established University, local, state, and federal laws regulations and policies;
- b. To freedom from personal force, violence, threats or personal abuse and sexual harassment, either as individuals or groups within the University community;
- c. To dissent, to carry on individual or group activity which expresses grievances held against or changes desired in society, the University, or both (however, the activity needs to comply with campus policies and procedures);

- d. To have access to a statement of regulations published by the University and receive a copy of same upon request. The University will make reasonable effort to make its policies known to students;
- e. To a process of fundamental fairness as outlined by University policies and procedures, including reasonable notice of a hearing and a written statement of the policies and procedures at issue sent via campus email; a presumption of not being responsible for a violation unless or until an admission of responsibility is entered or responsibility is determined by a preponderance of the evidence (more likely than not) finding (as a “beyond a reasonable doubt” standard is not applicable); and any sanction will be proportionate to the severity of the violation. The University may take interim sanction measures until completion of a hearing process if there appears to be a danger of the student causing harm to him/herself or others, or if the person poses a threat to the well-being of the University’s community;
- f. To request that an informal disciplinary meeting be conducted to resolve the matter when appropriate;
- g. To have an opportunity to present a challenge to the objectivity of a hearing board member;
- h. To speak on one’s own behalf including written and oral statements and physical exhibits, and to have material witnesses speak at the hearing;
- i. To decline to provide information at a hearing. Students are reminded, however, that the hearing is not a formal judicial or criminal proceeding and a hearing board may reasonably draw negative inferences from a refusal to answer questions or otherwise participate in the hearing process;
- j. To be present at all phases of the hearing except the board deliberations, and to examine and refute evidence introduced at the hearing (direct examination of witnesses is not be permitted, but questions will be reviewed by the CSB Chair and posed if determined to be appropriate);
- k. To be accompanied and assisted by an advisor/support person at all phases of the conduct process, provided that this person does not compromise the thoroughness or integrity of the investigation or process and that the advisor understands that his/her role is solely to observe and advise the student and not to participate in any way in the hearing, including questioning witnesses or addressing the hearing body;
- l. To receive a timely written decision via campus e-mail;
- m. To an appeal or review of the original hearing as outlined in the appeals process;
- n. To be assured of confidentiality, in accordance with the terms of the federal Family Education Rights and Privacy Act; and
- o. After a final decision has been rendered, to be free from subsequent hearing or sanctions for the same specific incident of alleged misconduct (except in cases where charges of intentional omission or ambiguity of information or dishonesty as related to the initial hearing are being reviewed).

Student Responsibilities

Muskingum University students bear the responsibility:

- a. To act as mature, honest and respectful members of the University community;
- b. To present University identification and comply with the directions of authorized University officials upon request;
- c. To refrain from actions which deny other members of the community their rights;
- d. To refrain from the use of force against another person or group, or personal abuse of another person;
- e. To preserve the right to privacy of property of individuals, groups, the community, and the University itself;
- f. To respect confidentiality of academic information about members of the Muskingum University community;
- g. To observe all established University, local, state and federal rules, regulations, and laws. Nothing in this document can affect in anyway the jurisdiction of courts and other civil authorities over any

Muskingum University student. Membership in the University community does not mean a privileged or immune status from the laws and regulations that other residents of Ohio must obey;

- h. To cooperate fully with any hearing officer or board/panel, to answer all questions truthfully and specifically, and to facilitate the body's discovery of truth however possible; and
- i. To give all statements before hearing officers and boards truthfully and honestly.

Options for Resolution

There are different options available for resolution of incidents involving potential violations of University policy. The main options are:

- a. Mediation is encouraged as a means to resolve many interpersonal disputes. Student Life staff will inform complainants about the availability of mediation resources. Additionally, the Dean of Students may choose to place a hold on the resolution process until the parties make a reasonable attempt to achieve a mediated settlement with assistance from Student Life staff. For a mediation outcome to be binding such that parties to the agreement who violate same may be held accountable for such through the conduct system, the agreement must be facilitated by a Student Life hearing officer, approved by both parties, and approved by the Dean of Students. In situations of Sex and Gender Misconduct, mediation will not be appropriate.
- b. The student may choose to seek an Administrative Agreement with an assigned hearing officer;
- c. Alternatively, allegations of Code of Student Conduct violations can be forwarded to a hearing officers for resolution through an administrative hearing
- d. Major violations may be heard via the Community Standards Board hearing
- e. Situations that are assessed to bring a maximum sanction of a warning may be addressed by sending a letter of warning may to the student along with a copy of the violation. In such a case, if the student wants either to address the situation further or pursue pleading not responsible, he/she will have three (3) days to contact the staff member who sent the letter to declare his/her desire for a meeting with said staff member. If the student does not respond, then the warning for the violation will stand.

Procedures for Resolving Allegations

Filing of Incidents- Any student, faculty or staff member can file an incident report alleging a violation by an accused student(s). The University will investigate, and when appropriate, file charges through the conduct system. Such reports should be filed no later than 30 days after the complainant reasonably should have become aware of the alleged violation and the identity of the student(s) involved. (Report of sexual harassment/assault may be filed at any time.) However, the timeliness guidelines may be extended at the discretion of the Dean of Students. If an alleged student has withdrawn or withdraws after the filing of such charges, at the University's discretion, the University may proceed to resolve the disciplinary action, in the student's absence.

Administrative Agreement- Upon the filing of charges, and prior to a hearing, the student or hearing officer may seek an Administrative Agreement meeting to discuss responsibility for and appropriate response to an alleged offense. The hearing officer conducting the meeting may withdraw any charge deemed to be without basis. In cases where students choose not to seek an Administrative Agreement, the case will proceed to a hearing with a hearing officer. A student may select to participate in a sanction-only hearing rather than a standard hearing upon affirming responsibility. Student who choose an Administrative Agreement will not be able to appeal the outcome of the conduct meeting.

Delays- Any student charged with violating the Code of Student Conduct may request permission from the chair of the hearing board for a delay in hearing. In a case where criminal charges are pending against a charged student, upon this student's request, at least a 7-day summary delay will be granted to secure the

advice of legal counsel (however this will not impact the implementation of suspension upon review of a deferred suspension status nor will it impact the application of an interim suspension status). All other delays will be granted at the discretion of the Dean of Students or designee.

Notification- In the event of a hearing, the charged student will be notified through campus e-mail at least two calendar days prior to the date of the hearing (or one day for a hearing held to review an alleged violation of a summary/deferred suspension). Such notice will include the following:

- The specific charge(s) citing the appropriate University policies allegedly violated;
- A brief indication of the time and place the underlying behavior is alleged to have occurred;
- The time and place of the proposed hearing.
- The handbook web address and ability to obtain a printed copy.

Advisor- Any student may request the assistance of an advisor of choice. Anyone serving in the role of an advisor must first meet with the Director of Student Conduct or designee to discuss and explain the role. Advisors may only offer advice to students via written notes or side conversations as approved by the hearing officer or board chair. Advisors who are unable or unwilling to allow the student to represent him/herself will be removed from the hearing. When appropriate, students may speak through an interpreter.

Community Standards Board Hearing Guidelines:

- i. The hearing will be closed to all except the hearing board, complainant or situational representative, accused, and advisors.
- ii. All hearing board members will be given the opportunity to review the hearing documents before the hearing convenes. The chair will direct all present at the hearing to state their names and relationship to the case, explain the format and procedures of the hearing, and answer any questions concerning the procedures to be followed during the hearing.
- iii. When the complainant, accused, a member of the hearing board or the chair charges that another member may not be impartial or able to judge the facts of the case objectively, the charged member may make a statement in his/her behalf and must then leave the room with all other parties except the remaining members of the hearing board who will discuss and vote on the member's impartiality. If a majority of the members judges the charged member not to be impartial, that person will not be removed from the hearing panel for the case in question.
- iv. The chair will review the nature of the incident in question.
- v. The chair will ask for a plea from the alleged student. If the alleged fails to attend the hearing of which he/she has been formally notified, the hearing board will hear the case in his/her absence using any available information.

- *If the plea is "responsible"-*
 - The alleged and the complainant will be given an opportunity to make a statement.
 - Hearing board members will be given an opportunity to ask questions of both party and available witnesses to clarify their understanding of the circumstances of the violation.
- *If the plea is "not responsible"-*
 - The complainant and alleged may give a statement summarizing the situation from their perspective. The chair may specify a time limit on statements.
 - The hearing board will question the complainant.

- The hearing board will question the alleged.
- The hearing board will question any witnesses individually.
- Witnesses will appear as called by the hearing board, give their statement, and leave. The chair may specify a time limit on the witnesses' testimony.
- The alleged and complainant may question witnesses by asking questions to the chair, who will determine if a question will be asked of a witness.
- The alleged and complainant will be given the opportunity to question one another by asking questions to the chair, who will determine if a question will be asked of a witness.
- The complainant and alleged will be given the opportunity to make summary statements with the alleged having the final opportunity to address the Board.

vi. Any person who disrupts a hearing or who fails to adhere to the rulings of the chair may be removed from the proceedings.

vii. The chair will then outline the procedures for receiving a letter regarding the finding and sanctions (if appropriate), the appeal process, and answer any questions of the parties. All parties will then be asked to leave the room while the board deliberates. After deliberation, the board will render a finding of "responsible" or "not responsible" by consensus or a simple majority vote if consensus cannot be reached. The chair will participate in discussions of the allegations, but only vote in case of a tie.

viii. If the alleged is found "responsible" for any violations, the chair will inform the hearing board of any relevant history in the conduct file of the accused. Such information will be considered as the hearing board determines an appropriate sanction recommendation for the case.

ix. Any recommendation of a hearing board will be based on the evidence and statements given at the hearing.

x. Within five working days of the hearing board's determination, the board chair will render the written decision, which will be sent to relevant parties via email.

Immediate Removal- Any student suspended or expelled may be required to leave campus immediately upon official notification of the sanction or outcome of the hearing, even if the student plans to file an appeal. Should the student seek to appeal the action, he/she will need to arrange for any further access through the hearing board chair or his/her designee.

Sanctions

A sanction is any action or status assigned to a student by the University in response to misconduct. The purpose of sanctions will be to maintain behavioral expectations that uphold the educational mission of the community, as well as to help students recognize acceptable boundaries and consequences to their actions. In determining a sanction, a board or hearing officer will consider the student's demeanor regarding the situation, past disciplinary record, the nature of the offense, the severity of any damage or injury, and other relevant factors. The following sanctions may be assigned:

Expulsion- Permanent separation of the student from the University system. Notification will appear on the student's transcript. The student will also be barred (considered Persona Non Grata) from the University premises and related activities.

Suspension- Separation of the student from the University system for a specified period of time, not less than the remainder of the semester, during which the student can demonstrate the ability to function as a responsible member of the campus community. After the suspension period and completion of other educational or restorative requirements, the student may apply for readmission and should the Dean of Students determine that it is in the student's best interests as well as that of the community, they will be permitted to rejoin the community. Notification may appear on the student's transcript. During the suspension, the student will not participate in any University-sponsored activity and will be barred

(considered Persona Non Grata) from University premises. Suspension may be deferred when significant mitigating factors are present, however, if a student under such deferral is found responsible for another violation, the suspension will take effect.

Summary Suspension-The Dean of Students or his/her designee has the authority to invoke a Summary Suspension. This is final suspension without a hearing that is based on an egregious offense. Behavior which disrupts the educational or administrative operation of the university or which is coercive or threatening to the safety and well-being of self or others may be subject to immediate action which could include suspension, expulsion or other appropriate action.

Interim Summary Suspension- The Dean of Students or his/her designee has the authority to invoke a summary suspension or limit access to the University and its programs and properties until completion of the hearing if there appears to be a danger of the student causing harm to him/herself or others, or if the student poses a threat to the well-being of the University community. In such cases, access to a hearing will be expedited.

Persona Non Grata (PNG)- The student is banned from any public or private space on Muskingum University property or which is otherwise operated by the institution (including, but not limited to, the academic, residential, athletic, social, and auxiliary spaces), or at any event sponsored or co-sponsored by Muskingum University. Unless prior arrangements have been made and written permission secured from the Dean of Students or her/his designee, any attempt to access Muskingum University property during the indicated period will be viewed criminal trespass and will subject the student to arrest.

Access Restriction- The student is denied permission or access to specific areas or events on campus.

Loss of Privilege- The student could lose any or a combination of the following privileges: Participation in intercollegiate and/or intramural athletics; participation in University sponsored events or events on campus; holding an office in a student organization; registration of a motor vehicle.

No Contact Restriction- Student is restricted from contact with named individual through verbal (speaking to, or about, in the physical presence of the named individual, in person or via electronic measures) or physical (touching, gestures, staring/leering/extended focus aside from a normal visual glance to identify named individual, etc.) means on or off University property. While it is understood that the nature of the Muskingum University environment will not provide for complete avoidance where the named individual is a student, reasonable compliance is expected and any unnecessary contact must be avoided.

Parental Contact- Student must write an original letter and submit it to their hearing officer. The letter will be reviewed for the following: (a) the full name and address of the student's parent or legal guardian, (b) a review of the student's conduct history, the violations for which the student has accepted or was assigned responsibility, the circumstances of the incident in question (who, what, where, when, why and how), the consequences of the student's actions (both in the community and with regard to the sanctions received), (c) the future outcomes expected should subsequent inappropriate behavior occur; and (d) the student's plan for future behavior as it relates to the incident and outcomes. If the sanction indicates that the letter will be "held," it will be retained on file pending any additional violation. If it does not indicate a hold, the letter will be sent immediately upon review.

Reflection Paper- The student must compose an original paper with one inch (1") margins and double spaced type of a font style providing at least two hundred seventy-five (275) words per page (e.g. 12 point Times Roman). The paper should address the following issues: (a) what led to the decisions for which the student was held accountable and how did the student determine such behavior was acceptable, (b) what the actions say about them to others and how they would feel if their actions were shared with the entire University community and their family and friends, (c) how their behaviors affected others, and how they feel about themselves in light of the incident; and (d) what strategies they have developed to address future situations like the one at issue. Only full pages count to satisfy length expectations (i.e. a two page paper means at least two full pages).

Research Paper- The student must compose an original paper with one-inch (1”) margins and double spaced type of a font style providing at least two hundred seventy-five (275) words per page (e.g. 12 point Times Roman). The paper should address the topic assigned and should provide at least two properly cited articles/books per page. Only full pages count to satisfy length expectations (i.e. a two page paper means at least two full pages).

Community Service/Work Alternative- The student is required to secure service/work opportunities him/herself, but must propose and receive approval from Student Life staff member handling their case **in advance** of doing any service/work. All submitted hours must be documented the Community Service Reporting Sheet provided by the Student Life Office, including the name and contact information of on-site coordinator. Failure to complete hours on time for service will result in processing of charge of “failure to fulfill sanction,” but in case of work alternative, balance will be billed to student account by SLO.

Educational Assignment- The student will complete an education assignment or create an educational resource as defined by the hearing officer/board. Resources could include bulletin boards, flyers, brochures, or other items deemed relevant to the incident.

Restorative Assignment- A hearing officer will create an assignment that restores the harm caused by the policy violation. For example, a student may be sanctioned to repair the vandalism they created.

Counseling Assessment/Treatment Plan- The student must engage in an assessment and treatment program facilitated by a certified counselor licensed to practice in the state of Ohio. This plan will be designed to support the student and prevent the recurrence certain behavior. An initial session must be completed by the listed deadline and continue under the terms established by the counselor (including individual counseling session length and frequency, as well as participation in any therapeutic activities). A disclosure form must be signed by the student and her/his selected counselor providing for communication between the counselor and the hearing officer managing the case regarding status in the plan, concerns, and that the student is actively participating in the treatment plan established by said counselor through to completion.

Deferral- Sanctions may be deferred under specific conditions, or the following standard expectations: a) s/he will not be involved in any further violations of Muskingum University policy or procedure, and b) s/he actively pursues the completion of any other sanctions assigned by the hearing officer or board in a thorough and timely manner. During the deferral period, any violation of University policy or failure to fulfill any portion of other sanctions, shall render the deferral of the underlying sanction null and void and the sanction shall be immediately implemented.

University Housing Removal- Removal of the student from University housing for a specific period of time. Any student receiving notification to vacate University housing facilities is generally entitled to forty-eight (48) hours in which to do so; however, in matters where the health or safety of others is in question, this timeline may be shortened. Removal from University housing may be deferred; however, if the student is found responsible for another violation of the Code of Student Conduct, removal from housing will take effect.

Conduct Probation- A specified period of time during which any further violation of the Code of Student Conduct will receive careful review and may subject the student to suspension or expulsion.

University Housing Probation- Specified period of time during which any further violation of the Code of Student Conduct, especially as it pertains to the maintenance of the University residence community, may result in the student being removed from University housing.

Written Warning- The student is given formal written notice that further misconduct will result in more severe action through the conduct system.

Restitution- The student is required to make payment to the University or another for loss or damage to property.

Revocation or Appending of Degree- The University reserves the right to revoke an awarded degree or append notation to the transcript for fraud in receipt of the degree or for serious disciplinary violations committed by a student prior to the student's graduation.

Other Sanctions- Other sanctions may be imposed instead of or in addition to those specified above, such as work requirements, denial of participation in University activities, restriction of privileges, and solutions assigned through mediation, etc.

Group/Organization Sanctions- In addition to the sanctions listed above, the following sanctions may be imposed upon groups or organizations: Deactivation: Loss of all privileges, including University recognition, for a specified period of time; Loss of University housing for a group or organization.

Appeal Procedures

There are two bases for appeal:

- The process indicated in this handbook was not followed (an initial letter was never sent, the sanction assigned is greater than the stated possible outcomes, etc.), and/or
- There is new evidence available which was not available at the time of the hearing.

Appeals must be in writing and received within five calendar days of notice being sent to the student of the official sanctions. Appeals are forwarded to the Director of Student Conduct or his/her designee, and will be heard by a 3-person representation of the Community Standards Board. Appeal decisions will be based on a review of the appeal letter, the summary of the hearing and other supporting documents presented in the hearing, and a discussion with the hearing officer or board chair. If the Board finds abnormalities, the case may be referred to the same or another hearing body as appropriate, or adjust the finding or sanctions to reflect the information determined through the appeal. After an appeal decision is rendered, the case will be considered closed.

Interim measures that are put in place for the protection of those involved in an incident, or the greater community, cannot be appealed.