

# General University Policies and Regulations

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA): A STATEMENT OF POLICY**

The Family Educational Rights and Privacy Act of 1974, also known, as the Buckley Amendment or FERPA is a federal law that provides, generally, that the institution will maintain the confidentiality of student education records.

Lipscomb University accords all the rights under the law to students who are declared independent. No one outside the institution shall have access to nor will the institution disclose any information from students' education records without the written consent of student except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

Within the Lipscomb University community, only those officials, individually or collectively, with a legitimate educational interest may access student education records. These officials are deemed by the institution to include all personnel in the offices of the president, registrar, provost, finance, financial aid, admissions, advancement, counseling, general counsel, campus life, human resources, information systems and the director of teacher education, the director of athletics, the director of career services, and academic support personnel within the limitations of their need to know. A legitimate educational interest is deemed to be any action necessary for the well being of the student or of the institution.

At its discretion the institution may provide directory information in accordance with the provisions of the act to include: student name, e-mail address, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, social club, academic club/society memberships, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Students may withhold directory information by notifying the registrar in writing.

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panels to be unacceptable. The registrar at Lipscomb University has been designated by the institution to coordinate the inspection and review procedures for student education records, which in-

clude admissions, personal, academic and financial files, and academic, cooperative education and placement records. Students wishing to review their education records must make written request to the registrar listing the item or items of interest. Only records covered by the Act will be made available within forty-five days of the request. Students may have copies made of their records except when a financial "hold" exists, or a transcript of an original or source document exists elsewhere. These copies would be made at the students' expense at prevailing rates that are listed in the current catalog. Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, records of the law enforcement unit, student health records, employment records or alumni records. Physicians of the students' choosing, however, may review health records.

Students may not inspect and review the following as outlined by the act: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access only to that part of the record which pertains to the inquiring student. The institution is not required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Students who believe that their education records contain information that is inaccurate or misleading or is otherwise in violation of their privacy or other rights may discuss their problems informally with the office of the registrar. If the decisions are in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended; and they will be informed by the office of the registrar of their right to a formal hearing. Student requests for a formal hearing must be made in writing to the executive vice president/administration, who, within a reasonable period of time after receiving such requests, will inform students of the date, place, and the time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the students' expense. The hearing panels that will adjudicate such challenges will be a committee appointed by the president within sixty days of such request being sub-

mitted in writing.

Decisions of the hearing panels will be final, will be based solely on the evidence presented at the hearing and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panels, if the decisions are in favor of the students. If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

Students who believe that the adjudication of their challenges were unfair or not in keeping with the provisions of the act may request in writing, assistance from the president of the institution. Further, students who believe that their rights have been abridged may file complaints with The Family Educational Rights and Privacy Act Office (FERPA), Department of Education, Washington, DC 20201, concerning the alleged failures of Lipscomb University to comply with the Act.

Revisions and clarifications will be published as experience with the law and institution's policy warrants.

## **COMMUNITY ACCOUNTABILITY**

Lipscomb University is committed to providing all members of the University community, including students, faculty, staff, alumni, vendors, and guests, with a safe and productive environment. If any member of the University community has reason to believe or reasonably suspect that the University or any of its agents is acting contrary to any applicable federal, state, or local laws or regulations, or contrary to any established University policy, that person may report such action or activity without fear of reprisal or retaliation. Information regarding this policy is available through the Office of General Counsel.

## **INTELLECTUAL PROPERTY POLICY**

The University has a policy regarding intellectually property. This policy exists to encourage research and innovation, clarify ownership of intellectual property rights, create opportunities for public use of the University innovations, and provide for the equitable distribution of monetary and other benefits derived from intellectual property. Copies of the full policy are available in the Provost's Office.

## **INVOLUNTARY WITHDRAWAL**

### *Standards for Involuntary Withdrawal:*

Lipscomb University is committed to legal and ethical principles respecting individual rights and human dignity. However, there are situations which require officers of the University to protect not only individuals, but the community at large. Such situations include evidence which is brought before the Associate Provost for Student Development/Dean of Campus Life indicating that the continued presence of a student on campus poses a significant threat to him/herself or to others or to the stability and continuance of normal college functions. Thus, a student will be subject to mandatory withdrawal from the University whenever there is convincing evidence that the student is suffering from an emotional disorder and, as a result of the emotional disorder:

1. Engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others.

2. Engages, or threatens to engage, in behavior which would cause significant property damage, or directly and substantially impede the lawful activities of others.

3. Engages in behavior which reasonably indicates that the student is unable to successfully complete the current academic requirements at the University.

### *Procedures for Withdrawal:*

Any individual who believes that such a student poses such a threat, as described above, should contact the Associate Provost for Student Development/Dean of Campus Life. The Dean will conduct a preliminary investigation and, if necessary, convene a Behavior Evaluation Committee. This committee will consist of as many of the following persons who are available to serve: the Dean of Campus Life (Chair), a member of Counseling Services staff, a member of the Health Services professional staff, a professional staff member from Residence Life if the student is an on-campus resident, the student's academic advisor, and any other individual(s) e.g. other Campus Life Deans, Safety staff, member of the Student Health Services staff, whom the Dean believes can provide significant input regarding the student.

The Dean of Campus Life may choose to require an assessment of the student by making an administrative referral to Counseling Services staff or to a licensed professional counselor or psychiatrist. If the student fails to agree to and complete such an evaluation, the Dean may implement a withdrawal immediately if the student meets the conditions set forth in "Standards for Withdrawal."

At the conclusion of its proceedings, the Committee may:

1. Find that no action is necessary.
2. Establish conditions under which the student may continue at the University and/or residence hall and procedures for enforcement of those conditions.
3. Recommend voluntary withdrawal of the student from the University and/or residence hall.
4. Implement involuntary withdrawal procedures.

### *Process for Readmission to the University:*

Readmission of a student who has been involuntarily removed from the University is subject to the approval of the Associate Provost for Student Development/Dean of Campus Life who, with consultation of appropriate medical and psychological services will require such psycho-

logical and/or medical evaluation as he/she deems necessary. The Dean may also choose to refer the issue of readmission to a Behavior Evaluation Committee for its review and recommendation. In assessing the student's fitness to resume academic life at the University, the Dean has the right to require an evaluation by a physician or psychiatrist of the University's own choosing.

If the decision is not to readmit, the Dean may specify the conditions that need to be met before readmission will be considered. If the decision is to readmit, the Dean will specify the stipulations, if any, that the student must meet in order to return and continue as a student (i.e. living off campus, continuing psychotherapy on a regular basis, etc.) Responsibility for payment of off-campus treatment will rest with the student.

#### *Deviations From The Established Procedures:*

Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student may result.

## **EMERGENCY MANAGEMENT GUIDELINE SUMMARY**

### ***Fire***

A. Know the location of the extinguisher, fire exits and fire alarm systems in your area and know how to use them.

B. If a minor fire appears controllable, promptly direct the charge of a fire extinguisher toward the base of the flame and sweep from side to side, then immediately contact the Facilities Director at ext. 1820 or ext. 1826 and Campus Safety at ext. 7600.

C. If an emergency exists, activate the building alarm. CAUTION: The building alarm sounds only in the building where activated. You must report the fire by phone.

### ***Tornado***

A. During a tornado remain calm and quickly follow the steps outlined below.

B. If indoors seek refuge in a hollow depression or basement. Stay away from glass windows, shelves and heavy equipment.

C. If outdoors move quickly away from buildings, utility poles and other structures. CAUTION: Always avoid power or utility lines as they may be energized. Know your assembly points.

D. After the tornado is over, evaluate the situation and if emergency help is necessary, call Campus Safety if on campus at ext. 7600, or 911 if off campus.

E. Damaged facilities should be reported to Facilities. NOTE: Gas leaks and power failures create special hazards. Please refer to the section on utility failures.

F. Do not return to an evacuated building unless told to do so by a Crisis Management Team member or Emergency Building Coordinator.

### ***Utility failures***

A. In the event of a major utility failure occurring

during regular working hours (8 a.m. through 5 p.m. Monday-Friday), immediately notify Facilities at ext. 1820 if phone communication is still available.

B. If there is potential danger to building occupants or if the utility failure occurs after hours, weekends, or holidays, notify Campus Safety at ext. 7600 and the Steam Plant at extension 1826.

C. If an emergency exists activate the building alarm.

### ***Psychological crises***

A psychological crisis exists when an individual is threatening harm to himself/herself or to others or is out of touch with reality.

A. If a psychological crisis occurs without obvious medical complications:

1. Contact the Counseling Center Director (1781) and Campus Safety (7600) and say that you have an emergency.
2. Try to keep the person calm or within your vision until assistance arrives.
3. Maintain your own personal safety if you feel the situation is dangerous.

B. If a psychological crisis occurs with obvious medical complications:

1. Contact the Director of Student Health (6305), the Counseling Center Director (1781) and Campus Safety (7600) and tell them you have a medical and psychological emergency.
2. Contact Campus Safety (7600) or Emergency Medical Services (911) after normal business hours and tell them you have a medical and psychological emergency. (Campus Safety will contact appropriate personnel.)

## **LIPSCOMB UNIVERSITY CRISIS MANAGEMENT GUIDELINE SUMMARY**

### ***Purpose***

The basic emergency procedures outlined in this guide are to enhance the protection of lives and property through effective use of Lipscomb University and community resources. There are two general types of emergencies that may result in the implementation of this plan. These are: (1) large-scale disorder and (2) large-scale natural/man-made disaster.

### ***Assumptions***

The succession of events in an emergency is not predictable. Hence, published support and operational plans will serve only as a guide and checklist and may require field modification in order to meet the requirements of any emergency.

### ***Definition of crisis***

A crisis is defined as anything or any person who causes serious threat to life, limb and/or property.

## ***Declaration of campus state of emergency***

The authority to declare a campus state of emergency rests with the University President or his/her designee. During the period of any campus emergency the Crisis Management Team (CMT) shall place into immediate effect the appropriate procedures necessary in order to meet the emergency, safeguard person and property, and maintain educational facilities. Only those faculty and staff members who have been assigned as Emergency Building Coordinators or members of the Crisis Management Team will have access to enter the immediate disaster site.

## ***Emergency command post***

When a major emergency occurs, or is imminent, it shall be the responsibility of the President, supported by the CMT, to set up and staff an appropriate Emergency Command Post.

## ***Crisis Management Team Members***

Additional staff may be added dependent upon the crisis.

## ***University notification system***

In the event of an emergency (including weather and safety alerts), Lipscomb University will utilize a number of communication tools and strategies to communicate with the campus community. Depending upon the nature of the announcement, any or all of the following methods may be used:

- Text messaging and e-mail alert system (e2Campus); sign-up is voluntary but is strongly recommended.
- Campus-wide e-mail
- Voice notification to Emergency Building Coordinators
- Posting on University Web site and portals
- Posted printed notices in residence halls and in administrative/academic buildings

## ***Information***

Clear and concise information shall be communicated by appropriate means between the CMT Command Post, Emergency Building Coordinators, and other emergency officials.

## ***Reporting emergencies***

A. In an emergency, call Campus Safety first, 7600 or 1826. In the unlikely event Campus Safety cannot be reached, call 911.

B. When calling, stay calm and carefully explain the problem and location to the Campus Safety officer or 911 dispatcher. Do not hang up until told to do so.

## ***Evacuation procedures***

### ***Building Evacuations:***

A. All building evacuations will occur when an alarm sounds and/or upon notification by Campus Safety or

Emergency Building Coordinator.

B. When the building evacuation alarm is activated during an emergency, leave by the nearest marked exit and alert others to do the same. Do not use the elevator in cases of fire and/or earthquake! Use stairway.

C. Once outside, proceed to a clear area that is at least 500 feet away from the affected building. Keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel. Know the area assembly points which are:

South — Soccer Field/Parking Lot

East — Playground/Parking Lot — Granny White side

North — Crestview Ave./Rosemont

West — Soccer Field/Parking Lot or Crestview Ave.

Elem. School — Specified safe areas

IMPORTANT: After any evacuation, proceed to your designated area assembly point and report to your Building Coordinator.

D. Do not return to an evacuated building unless told to do so by a member of the Crisis Management Team or an Emergency Building Coordinator.

## ***Campus Evacuation:***

A. Evacuation of all or part of the campus grounds will be announced by Campus Safety or through one of the communication media.

B. All persons (students, faculty and staff) are to immediately vacate the site in question and relocate to another area as directed.

IMPORTANT: After any evacuation, remain calm and quickly report to your Emergency Building Coordinator at the designated assembly point.

## ***Media relations***

Only the Director of Communication and Creative Services or his/her designee will meet or talk with the media. The Crisis Management Team needs to be informed immediately of existing emergency situations and briefed with basic factual details necessary to accomplish their responsibilities.

## ***Bomb threat***

A. If you observe a suspicious object or potential bomb on campus Do not handle the object! Clear the area and immediately call Campus Safety at ext. 7600. If Campus Safety cannot be reached, dial 911.

B. Any person receiving a phone call bomb threat should ask the caller:

1. When is the bomb going to explode?
2. Where is the bomb located?
3. What kind of bomb is it?
4. What does it look like?
5. Why did you place the bomb?

C. Keep talking to the caller as long as possible and record the following:

1. Time of call.
2. Age and sex of caller.

3. Speech pattern, accent, possible nationality.

4. Emotional state of caller.

5. Background noise.

D. Immediately notify Campus Safety, ext. 7600 to report the incident.

E. Campus Safety officers in conjunction with authorized personnel will conduct a detailed bomb search. Employees are requested to make a cursory inspection of their area for suspicious objects and to report the location to Campus Safety. Do not touch the object! Do not open drawers, cabinets, or turn lights on or off.

F. If an emergency exists, activate the building alarm. Caution: The building alarm only sounds in the building where activated. You must report the incident by phone.

### ***Violent or criminal behavior***

A. Everyone is asked to assist in making the campus a safe place by being alert to suspicious situations and promptly reporting them.

1. If you are a victim or witness to a crime, you must promptly notify Campus Safety at ext. 7600 as soon as possible and report the incident, including the following:

a. Nature of incident.

b. Location of incident.

c. Description of person(s) involved.

d. Description of property involved.

2. If you observe a criminal act or whenever you observe a suspicious person on campus, immediately notify Campus Safety and report the incident.

3. Assist the officers when they arrive by supplying them with all additional information and asking others to cooperate.

B. What to do if taken hostage:

1. Be patient. Avoid drastic action.

2. The initial 45 minutes are the most dangerous. Follow instructions and be alert.

### **ANTI-HAZING GUIDELINES**

Hazing is a broad term encompassing any action or activity, which is performed for admission/acceptance in an organization, and which: 1) does not contribute to the positive development of a person; 2) inflicts, intends, or may reasonably cause physical or mental harm or excessive anxieties; 3) demeans, degrades, disgraces, or otherwise adversely affects the dignity of a person by making that person an object of amusement or ridicule; 4) is illegal, contrary to the policies/purposes of the university, or compromising to the moral/ethical principles of a person. The definition will apply in any circumstance-regardless of the location, intent, or consent of participants.

Some activities are easily categorized as “hazing,” while others may not be so easily classified. When the answer is unclear as to whether an activity may be hazing, it may be helpful (both for members, and for new initiates) to consider the following questions; affirmative answers should provide reasonable assurance as to appropriateness:

• Does the activity confirm or promote the values of Christian faith and practice?

• Can one argue reasonably and strongly that this activity/experience contributes to a productive or educational purpose? Does the activity have value in and of itself?

• If known outside the group, or witnessed by others, would this activity potentially add to the respect/esteem held for the organization by non-affiliates?

• If called to, could I reasonably and genuinely defend this activity in a court of law?

• Would I willingly and unashamedly allow my parents to witness this?

• Are prospectives and initiated members participating together or equally in this?

New initiates/prospectives have a responsibility to themselves and to the organization(s) they join to preserve the productive nature and integrity of the organization(s) by refusing to participate in or condone any form of hazing. Already-inducted members shoulder that burden even more heavily. Creating a productive and positive initiation process for a tight-knit group is not an easy process, and it is mired in potential for abuse when people (individually or collectively) are careless about their own purposes and motivations.

Generally, if you have to ask if an activity is hazing, it probably is. Do not do something simply because it has always been done, because older members had to do it, because everyone else is doing it, or for no other reason than you want to do it. Whatever your involvement in the process be bold enough to have accountability and to take the “high road!”

The following lists are orientation activities that the administration regards as generally having the tendency to be “constructive” or “non-constructive,” respectively. It has been provided as a guideline for formulating and judging the appropriateness of any activities used in the orientation process. These lists are not intended to be exhaustive, but are provided only as examples. If after thoughtful consideration there are any questions about whether an activity is hazing, contact one of the deans in the Office of Campus Life at 966-5690.

#### ***Constructive Orientation Activities***

• Initial goal-setting retreat in which the prospective class defines and commits to several significant/ambitious projects or goals they will accomplish before initiation

• Holding mandatory study sessions of significant length (not limited to the study of orientation materials)

• Community service projects, especially those in which both members and prospectives participate

• Educating about the organization’s history/ideals, procedures, member responsibilities, etc., or having prospectives learn basic information about actives, and other prospectives, through visitation

• Participation in team-building exercises such as a

ropes course, paint-ball, team athletics, etc.

- Involving prospectives, as a group, in campus-wide activities or programs
- Scheduling meetings exclusively for prospectives in which they can: get to know each other, plan accomplishment of goals, or talk with the organization's president or orientation chair (or both) about their experience in the orientation process

### **Non-Constructive Orientation Activities**

- Forcing or pressuring someone to consume any substance, including food or drink
- Calisthenics or physical activity of any kind (e.g., push-ups, sit-ups, running), or any kind of uncommon/intimidating physical contact (e.g., paddling, pushing, etc.)
- Having prospectives line up, or walk in a particular way
- Requiring inordinately uncomfortable or ridiculous dress
- Mandating personal servitude (e.g., doing laundry, cleaning houses, etc.)
- Marking, branding, or the application of not-easily-removable substances to the body
- Antagonistic yelling, or verbal berating of pledges
- Shackling/binding or blind-folding
- Any road trips, treasure/scavenger hunts, "kidnappings," etc. which are not approved by the Office of Campus Life.
- Making such inordinate demands on time, so as to interfere with academic performance, class/chapel attendance, or adequate hours for sleep
- Conducting or referring to any activity as Hell Week, Hell Night, or the like

## **NONDISCRIMINATORY POLICY**

Lipscomb University is a private Christian university open to any qualified student without regard to race, religion, sex, age, color, national or ethnic origin, or disability. Lipscomb University complies with all applicable federal and state nondiscrimination laws, and does not engage in prohibited discrimination on the basis of race, religion, sex, age, color, national or ethnic origin, or disability in the administration of its educational policies, programs and activities. This policy includes admissions policies, scholarships and loan programs, employment practices, and athletic and other school administered programs. Lipscomb University is affiliated with the fellowship of the Church of Christ. The university is controlled by a Board of Trustees, all of whom are members of the Church of Christ, and is operated within the Christian-oriented aims and ideals and religious tenets of the Church of Christ as taught in Holy Scripture. As a religiously controlled institution of higher education, Lipscomb University is exempt from compliance with some provisions of certain civil rights laws, including some provisions of Title IX of the Education Amendments of 1972.

## **SEXUAL HARASSMENT POLICY**

### **A. Policy Statement**

1. Sexual harassment is reprehensible and will not be tolerated by the university. It subverts the mission of the university and threatens the careers, educational experience and well-being of students, faculty and staff. Relationships involving sexual harassment or discrimination have no place within the university. Lipscomb University will not tolerate sexual harassment of its employees or students by anyone, including, but not limited to, supervisors, faculty, staff, students or alumni. Sexual harassment is an insidious practice, which demeans individuals and creates unacceptable stress for the entire organization. More importantly, such harassment is against the Biblical principles upon which Lipscomb is founded and operates. Persons who are found to have sexually harassed others will be dealt with swiftly and vigorously.

In both obvious and subtle ways, the very possibility of sexual harassment is destructive to individual students, faculty, staff, and the academic community as a whole. When, through fear of reprisal, a student, staff member, or faculty member submits or is pressured to submit to unwanted sexual attention, the university's ability to carry out its mission is undermined.

Lipscomb University trusts that all of its employees and students will continue to act responsibly to establish a pleasant work and educational environment free of harassment and discrimination. The university encourages any employee or student to raise questions he or she may have regarding the above with the university attorney's office.

2. Sexual harassment is especially serious when it threatens relationships between teacher and student or supervisor and subordinate. In such situations, sexual harassment exploits unfairly the power inherent in a faculty member or supervisor's position. Through grades, wage increases, recommendations for graduate study, promotion, and the like, a teacher or supervisor can have a decisive influence on a student's, staff member's, or faculty member's career at the university and beyond.
3. While sexual harassment most often takes place in situations of a power differential between the persons involved, the university also recognizes that sexual harassment may occur between persons of the same university status. The university will not tolerate behavior between or among members of the university community that creates an unacceptable working or educational environment.

### **B. Prohibited Acts**

Harassment on the basis of sex is a violation of Section 703 of Title VII, 42 U.S.C. No member of the university community shall engage in sexual harassment. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity;
2. Submission to or rejection of such conduct is used as a basis for an employment or educational decision affecting an individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile or offensive environment for work or learning.

### **C. Examples of Sexual Harassment**

Sexual harassment encompasses any sexual attention that is unwanted. Normal, courteous, mutually respectful, pleasant, non-coercive interactions between men and women that are acceptable to both parties are not considered to be sexual harassment. Examples of the verbal or physical conduct prohibited by Paragraph B above include, but are not limited to:

1. Physical assault;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
3. Direct propositions of a sexual nature;
4. Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring;
5. A pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort or humiliate, or both, that includes one or more of the following:
  - a. Comments of a sexual nature; or
  - b. Sexually explicit statements, questions, jokes or anecdotes;
6. A pattern of conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following:
  - a. Unnecessary touching, patting, hugging or brushing against a person's body;
  - b. Remarks of a sexual nature about a person's clothing or body; or
  - c. Remarks about sexual activity or speculations about previous sexual experience.

### **D. Isolated and Inadvertent Offenses**

1. Members of the university community who, without establishing a pattern of doing so, engage in isolated conduct of the kind described in subsections III (e) and (f) or who exhibit a pattern of engaging in such conduct but fail to realize that their actions discomfort or humiliate, demonstrate insensitivity that necessitates remedial measures. When university administrators become aware that such activities are occurring in their areas, they should direct that those engaged in such conduct undertake an educational program designed to help them understand the harm they are doing.
2. If, after participating in the educational program or

failing to participate after being directed to do so, a person continues to engage in the conduct described above, he or she will be deemed to have engaged in a pattern of conduct intended to discomfort or humiliate the one at whom the actions or statements are directed.

### **E. Procedures**

1. Any university employee with a complaint of sexual harassment should notify his/her immediate supervisor. If the complaint involves the immediate supervisor, the employee should contact his/her next higher level of supervisor and/or the administrator having authority over the employee's area. In lieu of or in addition to notification of supervisory personnel and/or administrative personnel, any university employee with a complaint of sexual harassment may contact human resources directly to register a complaint and/or request advice and counsel.
2. Any university student with a complaint of sexual harassment should notify one of the student deans. In lieu of or in addition to notification of a student dean, any university student with a complaint of sexual harassment may contact the provost directly to register a complaint and/or request advice or counsel.
3. Upon notice of conduct which allegedly constitutes sexual harassment under the definition set forth herein, the supervisory personnel so informed, in consultation with either the vice president of financial affairs (in the event of a claim by a staff member or administrator), or the provost (in the event of a claim by a faculty member or student) shall take immediate and appropriate corrective action. Due to the sensitive nature of an allegation of sexual harassment, every effort will be made at this stage to resolve the situation on an informal basis to protect the anonymity of the employees or students involved.
4. If, after the above steps are undertaken, the affected individual is unsatisfied with the resolution of the matter or if the sexual harassment persists, the affected individual may file a formal grievance with the appropriate administrator against the offending individual or against the individual who has allegedly failed to take corrective action after receiving notice of the initial complaint. These proceedings will be conducted in accordance with the guidelines contained in the affected individual's applicable university handbook, with a view toward obtaining a fair resolution of the complaint while protecting the confidentiality and privacy rights of all individuals involved. In the event that an individual concludes that he or she has been accused of sexual harassment without justification, then that person may initiate a grievance in accordance with the guidelines contained in the handbook.
5. Any member of the university community who, under the procedures set forth herein, is found to have engaged in the sexual harassment of a subordinate employee, co-worker or student, will be subject

to disciplinary actions, which may include any one or more of the following sanctions but is not limited to:

- a. A promise not to commit the offensive act again;
- b. A private apology;
- c. A public apology (particularly effective in a classroom setting);
- d. Verbal warning;
- e. Written warning;
- f. Withholding of pay increase;
- g. Transfer;
- h. Reassignment of duties;
- i. Mandatory counseling;
- j. Formal training;
- k. Suspension;
- l. Demotion;
- m. Dismissal.

In addition to the above sanctions, any student who is found to have engaged in sexual harassment will be subject to the following additional disciplinary actions, which may include any one or more of the following sanctions, but is not limited to:

1. Probation to the Dean of Campus Life;
  2. Suspension;
  3. Dismissal.
6. In defining the conduct that constitutes sexual harassment, federal guidelines address themselves to unwelcome conduct and clearly distinguish sexual harassment from a “particular action or incident (which is) a purely personal, social relationship without a discriminating employment effect.” In determining whether conduct constitutes sexual harassment, the university will examine the record as a whole and the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts, on a case-by-case basis.

Any employee or student who feels that he/she is being subjected to conduct which, under the defini-

tions and guidelines set forth herein, allegedly constitute sexual harassment, should keep a detailed documentary record of the offending conduct (e.g., date(s) of incident(s), what was said or done, names of witnesses to the incident(s), etc.).

Bad faith allegations or use of this policy for purposes unrelated to its clear intent are expressly prohibited and may result in disciplinary actions.

## **WEAPON POSSESSION**

Use or possession of firearms and/or other lethal weapons and devices—including (but not limited to) bows, crossbows, ammunition or explosives—are prohibited on campus. It is a felony for any person to possess or carry—whether openly or concealed—any firearm, explosive, explosive weapon, Bowie knife, hawkbill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, brass knuckles or any other weapon of like kind, not being used solely for instructional or school sanctioned ceremonial purposes. The aforementioned items are not allowed in any school building or vehicle, on any campus grounds (including recreational areas and athletic fields), or on any other property owned, used or operated by the university.

If a student brings a weapon for hunting, it is **MANDATORY** that the weapon be stored and registered with campus safety. Twenty-four hour notice to the head of campus safety is required to make arrangements for picking up a weapon, and prior notice should be given as well when bringing a weapon for storing/registration. **NO WEAPON OF ANY KIND IS TO BE STORED OR KEPT IN DORM ROOMS OR AUTOMOBILES.** Failure to register and store weapons with campus safety will result in the immediate confiscation of the weapon at the time it is discovered. Students not observing the policy will also be subject to immediate suspension and/or legal charges.