

SECTION 3: LR CAMPUS POLICIES

General Campus Policies

When becoming a member of any community, you are given many rights as well as responsibilities. Lenoir-Rhyne University's community of learners is no different. We all have to work together to maintain a campus culture that is inviting and engaging. As such, the University has developed a set of general campus policies to ensure that all students, faculty, and staff members are respected and valued, yet safe.

Alcohol

See the Alcohol and Controlled Substances and Alcohol Use Guidelines under **Special Campus Policies**.

Animals

Animals will not be permitted to continually roam the grounds and buildings.

Bikes, Mopeds, & Motorcycle Policy

Students are allowed to keep vehicles on campus with appropriate Vehicles with gasoline engines (including motorized bicycles) and bicycles may not be parked in hallways, foyers, stairwells, or other indoor public areas.

Conduct

There is a mutual obligation for all members of the resident community to conduct themselves in a respectful and mature fashion and to be responsible for their behavior. LR discourages disorderly, abusive, and/or antagonistic behavior. The Honor Code extends to all areas of campus conduct including Residence Area policies and violations. Such behavior includes, but is not limited to: intoxication, disrespect, vulgar or foul language, excessive noise/volume, hazing and/or harassment. Therefore, you should be aware that Residence Hall and student conduct violations are direct infractions of the Lenoir-Rhyne University Student Honor Commitment and Statement of Academic Integrity.

Damages to Property

All students are expected to assist campus officials in maintaining university facilities. A student or group of students who willfully damage(s) any portion of the University's physical plant shall be held accountable for the repair/ replacement of the damage, and shall be subject to appropriate judicial sanctions. Where individual responsibility cannot be determined, the University will identify the smallest responsible group (hall, unit, organization, etc.) and demand accountability for damage cost/repairs. Responses to vandalism and/or damage may include fines, replacement costs, labor, administrative fees, judicial action and/or criminal prosecution. Anyone tampering with or damaging a vending machine or arcade games may be charged \$300.00 plus repair/replacement costs as well as prosecution.

Demonstrations & Campus Disruptions

The University requires that any demonstrations be scheduled and cleared with the Dean of Students at least 48 hours in advance. Students who engage in any type of campus disorder that is disruptive to the normal academic and/or administrative activities of the University will be subject to possible suspension and, depending upon the nature and severity of the incident, subject to prosecution by civil authorities.

Dress

The dress of LR students should be appropriate for the occasion and should reflect good taste. Health, safety and cleaning requirements necessitate the wearing of shirts and shoes in the Cafeteria, the Bears' Lair, classrooms and administrative buildings.

False Identification

If you are approached by any Lenoir-Rhyne University staff member/other official authority, you are required to present your valid LR ID or driver's license. Failure to do so is a serious violation resulting in disciplinary action.

Felonies

The conviction of a felony on or off campus as named in local, state, or federal law carries the recommended penalty of disciplinary expulsion. Individuals convicted of felonies are not guaranteed readmission to the University.

Fire Safety

Fires are not permitted inside ANY university residence area. This includes, but is not limited to open burners or flames, charcoal grills, gas grills, deep fryers, candles, incense, and/or any flammable substances. Halogen lamps are considered a fire hazard and are prohibited on campus. Do not store or use flammable liquids (gasoline, propane, turpentine, kerosene, etc.) in your room.

Grade Appeal

See the Grade Appeal under **Special Campus Policies**.

Grievances

See the Grievance Policy and Procedures under **Special Campus Policies**.

Hazing

Lenoir-Rhyne expressly forbids hazing of individuals or groups of individuals. Additionally, hazing is a violation of North Carolina statutes 14-25 and 14-36. Hazing is defined as any action taken or situation created intentionally, whether on or off campus premises, to produce mental or physical discomfort or embarrassment in others. Hazing may also include the harassment or ridicule of others. Violation of the campus hazing policy will result in campus judicial action. Additionally, violations carry misdemeanor charges and are punishable by state disciplinary action. Such activities may include but are not limited to the following: use of alcohol, paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests, treasure hunts, scavenger hunts, branding or tattooing, head shaving, road trips or any other such activities, wearing of public apparel which is conspicuous and not normally in good taste, engaging in public stunts and buffoonery, morally degrading or humiliating games and activities, and any other activities which are not consistent with civil law and university policies.

Illegal Substances

The University prohibits the *unlawful* possession of alcohol and illicit drugs by students, either on University property or at any University-sponsored activity. This prohibition extends to activities sponsored by groups or organizations related to the University; and it extends to off-campus professional activities, including professional conferences, where attendance by students is sponsored, wholly or in part, by the University or by organizations related thereto. Furthermore, the University reserves the right to discipline members of the University community who, in other situations, whether on campus or off, are found to be in violation of federal, state and local laws related to the use of controlled substances. For specific details the Alcohol and Controlled Substances under **Special Campus Policies**.

Intellectual Property

The University Technology Advisory Committee has created a policy on intellectual property. Sections of the policy directly related to student works are printed below; however, the policy on intellectual property in its entirety may be obtained from the Dean of Students Office.

OBJECTIVES:

Inventions, discoveries, copyrightable works and other creative works that have the potential to be brought into practical use may result from the activities of University employees in the course of their duties or through the use, by any person, of University resources such as facilities, equipment, or funds.

The primary purpose of this Intellectual Property Policy is to provide the necessary protections and incentives to encourage both the discovery and development of new knowledge and its transfer for the public benefit; a secondary purpose is to enhance the generation of revenue for the University and the creators. The University is guided by the following objectives:

- (i) To ensure that the educational mission of the University is not compromised;
- (ii) To optimize the environment and incentives for research and for the creation of new knowledge at the University;

(iii) To bring the products of creative efforts into practical use for the public benefit as quickly and effectively as possible; and ensure that the University benefits financially from any product directly marketed from University-supported research.

STUDENT WORKS

Copyrightable works prepared by students as part of the requirements for a University degree program are deemed to be the property of the student but are subject to the following provisions:

1. The original records (including software) of an investigation for a thesis or the development of a project are the property of the University but may be retained by the student at the discretion of the student's major program. In cases of dispute, the matter shall be referred to the University Technology Advisory Committee.
2. The University shall have, as a condition of the degree award, the royalty-free right to retain, use and distribute a limited number of copies of the thesis, together with the right to require its publication for archival use.
3. Creative works developed by a student (including software) employed by the University are owned, not by the student, but by the faculty member or the University as provided by this Policy.

Notice to Appear Before a University Official

Students are expected to respond to requests to appear before a University official. Failure to respond to such requests may result in disciplinary action.

Off-Campus Misconduct

Disciplinary action by the University may be taken against students and/or organizations who engage in off-campus misconduct. Secondly, students involved in campus activities that occur off campus are expected to abide by all university policies.

Posting Information/Advertising

All material posted on campus must be approved by the Office of Student Life. Only information that directly pertains to the campus community will be approved. No advertisements of solicitation will be posted except with approval of the Office of Student Life. All information/advertisements must be posted on bulletin boards or other designated areas. Posting information on painted surfaces, glass, or outside wall areas is not permitted. Students posting information must supply tape, staples, etc. and remove announcements following the event. Advertisements for alcohol or events involving alcohol (by on or off campus groups) are not permitted on campus. A university official may remove unapproved information/ posters/advertisements.

Resident students, recognized campus organizations, and any other on-campus groups wishing to advertise with the residential areas on campus must comply with the following rules:

- Deliver all advertising materials to the Residence Director (RD) of the residence area (if applicable). The RD insures fair/equal posting and will suggest posting locations in the residence area. RD's initial and approve the posting of all advertising material. Staff members will remove materials posted without an RD's signature.
- Limit the size and content of advertising materials to: 1 maximum of 3 x 5 feet for banners/large posters 2 8 x 11 inches for all other information
- "Under the door" and "door to door" solicitation or advertising is not allowed.
- Direct or indirect advertising of bars, alcoholic parties or alcoholic beverages is not allowed.

Records & Files of Students

In compliance with the Family Educational Rights and Privacy Act (FERPA) of 1974, students attending LR are permitted to inspect and review their own educational records, including academic transcripts, financial records, and disciplinary action upon written request to the university official who serves as custodian for the type of record to be reviewed. Records access is given within 45 days of receipt of the request. LR reserves the right to refuse to permit a student to inspect the following records: financial statement of parents, letters of recommendation for which the student has waived the right of access, records connected with an application to LR if that application was denied, and records which are excluded from the FERPA definition of educational records. The University may deny transcripts or copies

of records not required to be made available through FERPA if the student has an unpaid financial obligation to the University or if there is an unresolved disciplinary action against that student. Normally, the University may disclose information labeled as "Directory Information." This information includes name, address, telephone number, date and place of birth, major field of study, participation in recognized university sports, weight and height of athletes, dates of attendance, degrees and awards and previously attended school. The University may disclose any of these items without prior written consent unless notified in writing to the contrary by September 1 of each academic year.

Student Health Records: The Student Health Center maintains the security, confidentiality, and integrity of student health records. Student health records include all required student health forms required upon matriculation, student immunization records (required by NC state law), and other documentation that may have been needed for individualized appointments. The Health Insurance Portability and Accountability Act or HIPAA privacy rule provides the guidelines by which student health records may be accessed by anyone other than the student. Student health records are maintained for seven (7) years in locked filing cabinets in secured storage rooms. Health records are shredded upon being purged from the files.

Student Mental Health Records: The Career and Personal Development Center maintains the security, confidentiality, and integrity of student mental health records. Student mental health records include all required student mental health forms including, Consent for Treatment and Notice of Confidentiality, progress notes documenting individual sessions, and Consents for Release of Information, as well as any additional documentation/information pertaining to each individual student seen for mental health counseling. The Health Insurance Portability and Accountability Act or HIPAA privacy rule provides the guidelines by which student mental health records may be accessed by anyone other than the student. Student mental health records are maintained for seven (7) years in locked filing cabinets in director's office. Mental health records are shredded upon being purged from the files.

Student Judicial Records: The Office of Student Life maintains the security, confidentiality, and integrity of student judicial records. Judicial records include academic and or social conduct violations. Students' judicial records are retained for seven (7) years from the date of most recent enrollment or graduation from the University whichever is longer, provided that the student was not suspended, expelled, prohibited from future enrollment, or otherwise withdrawn for disciplinary or medical reasons. Retained records will be kept in locked filing cabinets in secured storage rooms. Student judicial records will be shredded upon being purged from the files.

Records of students who were suspended, expelled, prohibited from future enrollment or other withdrawn for disciplinary or medical reasons are retained indefinitely.

Release from Liability—Off campus and Intramurals

The University assumes no responsibility for accidents or injuries incurred while students are engaged in off-campus activities or as a result of participation in intramural sports. Intramural participation is completely voluntary. It is strongly recommended that all participants have a physical examination and secure adequate medical insurance prior to participation. Certain risks are inherent in outdoor recreational activities, in travel and in residence in foreign countries. The University assumes no liability for these voluntary activities.

Roofs of Buildings

Roofs of all campus structures are off-limits to students.

Skateboarding

Skateboarding is prohibited on campus.

Smoking/Tobacco Use

In compliance with the mandates of the Catawba County Board of Health and in an effort to provide a healthier environment for LR, smoking, as well as all tobacco use is prohibited in all residence halls and academic buildings.

Solicitation

It is the policy of the University that solicitation of employees and students upon University premises by or on behalf of any business, club, society, or organization is strictly prohibited. This prohibition applies to all persons from on or off campus and covers solicitation in any form, including membership, payment of money, subscription, or sales. A limited number of exceptions to the above may be granted by the Dean of Students. Anyone soliciting in the residence areas should be reported to the Residence Director, the Director of Residence Life, and/ or Security.

Trespassing

The University reserves the right to issue a "No Trespassing" order to any person whose presence is deemed unsuitable. Subsequent trespassing on the University grounds will result in civil and/or criminal action.

Weapons

North Carolina law explicitly forbids possession of certain weapons on any property owned, used, or operated by an educational institution. In addition to the weapons stated in North Carolina General Statute 14- 629.2, LR considers firearm ammunition, "water balloon launchers", BB/Pellet Guns, Paintball guns and "wingers" as weapons. Persons found responsible for possession of the above will be turned over to a criminal court. Possession of any type of firearm (handgun or rifle), explosive (including fireworks), or any other weapon is not allowed on campus. If you are found in possession of any type of firearm or weapon, then you may face disciplinary suspension from the institution per North Carolina General Statute 14-269.2. General Statute 14-269.2 lists illegal weapons: It shall be unlawful for any person to possess or carry, whether openly or concealed, any gun, rifle, dynamite cartridge, bomb, grenade, mine, powerful explosive, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, or other weapon of like kind, not used solely for instructional or school sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field, or other property owned, used or operated by any board of education, school, university, or university board of trustees, or directors for the administration of any public or private educational institution. For the purpose of this section, a self-opening or switchblade knife is defined as a knife containing a blade or blades which open automatically by the release of a spring or a similar contrivance, and the above phrase "weapon of like kind" includes razors and razor blades (except solely for the personal shaving) and any sharp pointed or edged instrument except unaltered nail files and clips and tools solely for the preparation of food, instruction, and maintenance.

Weather

When weather conditions pose a travel hazard for faculty, staff and students, the University may elect to cancel or delay classes. A "Weather Hotline" [328-SNOW (7669)] may be called for information regarding class delays or cancellations.

Withdrawal from University, Involuntary (Non-judicial)

A student may be withdrawn from the University or from University housing by the Dean of Students if it is determined by the Dean that the particular state of the student may lead to (a) behavior which poses an imminent danger to the student or others, or (b) behavior which would cause significant property damage or directly impede on the normal activities of others. Prior to any withdrawal, each individual case will be evaluated by the Dean of Students, an approved University Counselor, and other pertinent personnel to ensure that all other options for the student to remain in enrolled have been exhausted. Additional circumstances which may necessitate the withdrawal from the University will be assessed on an individual basis.

Withdrawal from University, Voluntary

Any student planning to withdraw from university during the semester must clear the withdrawal through several campus offices. Students should contact the Registrar's office for more information on the withdrawal process. Prior to withdrawal a student must fulfill any monetary obligations to the University; some students may be eligible for refunds according to the refund policies located in the University Catalog. Any student who leaves during the semester without officially withdrawing may lose any refund due and may be refused a transcript. Any student who stops attending classes without properly withdrawing from school may receive failing grades in all courses. These standards do not preclude

removal from the University or university housing in accordance with the provisions of the housing agreement or other university rules or regulations. Involuntary administrative withdrawal may occur as a result of behavior such as attempted suicide or the threat of suicide, harassment, intimidation or threats of physical harm to self or others. The Dean of Students may refer a student for evaluation by an independent licensed psychiatrist or psychologist chosen by the institution, if the Dean reasonably believes that the student meets the criteria for Involuntary Administrative Withdrawal.

Special Campus Policies

There are certain policies and guidelines that must be adhered to by ***all*** students so that everyone may live comfortably and safely in the university community. Please remember that all students are obliged to obey federal, state, and local laws. All students must also adhere to Lenoir-Rhyne's policies and standards.

ALCOHOL AND CONTROLLED SUBSTANCES

As an institution of higher education, Lenoir-Rhyne University expects all students to comply with federal, state and local laws related to the use of alcoholic beverages, narcotics and other drugs.

Lenoir-Rhyne University's Counseling Office offers individualized assessment, substance abuse counseling and education for students, available upon request, to assist with any alcohol or substance abuse problems.

Policy Statement: The University prohibits the *unlawful* possession of alcohol and illicit drugs by students, either on University property or at any University-sponsored activity. This prohibition extends to activities sponsored by groups or organizations related to the University; and it extends to off-campus professional activities, including professional conferences, where attendance by students is sponsored, wholly or in part, by the University or by organizations related thereto. Furthermore, the University reserves the right to discipline members of the University community who, in other situations, whether on campus or off, are found to be in violation of federal, state and local laws related to the use of controlled substances.

Procedures: Lenoir-Rhyne University will impose disciplinary sanctions ranging from admonition to expulsion where members of the University student body violate the University policy involving controlled substances. Where members of the University student body are charged with such offenses, cases may also be referred to federal, state, or municipal agencies. In addition, the University reserves the right to impose sanctions, up to and including expulsion, where members of the University student body are found to be guilty of violating federal, state, or local laws involving controlled substances even when the activity is not University-related. In addition to sanctions imposed for the misuse of controlled substances, disciplinary action will be taken for misconduct which results from the misuse of alcohol and/or other controlled substances. Members of the Lenoir-Rhyne University student body will be held accountable for damages which result from misconduct. Conditions of continuation or readmission, where allowed, may include the completion of an appropriate program of rehabilitation approved by the University.

Specific Policy and Procedural Details:

ALCOHOL

Recognizing that alcohol creates some of the most serious social problems in our society and that the use thereof causes pain and/or death to countless numbers of persons each year, the University recommends abstinence with regard to the use of alcoholic beverages. Lenoir-Rhyne University seeks to inform students about laws governing the use of alcohol; to discourage the illegal use and abuse of alcohol, whether on campus or off; and to educate persons who either misuse alcohol or enable other persons to misuse alcohol.

North Carolina General Statutes: 18B-102. All members of the University community are expected to comply with North Carolina statutes prohibiting the use of alcoholic beverages by persons younger than 21 years of age. Specifically, it is against the law:

- to sell or give beer, wine, liquor or mixed beverages to anyone younger than 21 years of age;

- for a person younger than 21 years of age to purchase or possess beer, wine, liquor or mixed beverages;
- to use fraudulent identification or to permit the use of one's identification by another in order to obtain alcohol illegally.

The University expects members of the University community to abide by state laws governing the use of alcohol; and, therefore, it prohibits the use of alcohol by persons who are younger than 21 either on campus or at campus-related events. Although the University does not sanction the use of alcohol, students who are 21 years old or older may consume alcohol in their rooms in the residence halls provided the door is shut, provided no person under 21 is in the room, and provided legal users conduct themselves in a positive manner. In the event that alcohol is discovered in student rooms anywhere on campus, and provided neither student is 21 or older, the alcohol will be confiscated, and additional sanctions will be imposed. Your special attention is called to the following:

- even where consumption of alcohol is legal, alcohol, whether open or closed, should not be publicly displayed on campus;
- where the legal use of alcohol results in behavior which is disruptive, disrespectful, destructive, loud or threatening, sanctions up to and including suspension and expulsion may be imposed;
- alcohol may not be used as an award or trophy for any event or program of the University or by any University organization, group or individual.

University Sanctions: Although sanctions may be increased for exceptional violations, the following sanctions are typical for possession, consumption or distribution of alcoholic beverages in violation of University policy.

Possession/Consumption

First offense- \$50 fine and alcohol assessment with the Counseling Department, which must be completed in the time frame given by University official issuing sanction. Failure to complete the assessment by the given deadline will result in a University hold being placed on the student's account and an additional \$50 charge. A \$50 fine will also be charged to the student's account if the student no shows for their scheduled appointments with the Counseling Department.

Second offense- All sanctions in the first offense will be reissued and 10 or more hours of community service will be required. The community service hours are to be completed in the time frame given by the University official issuing sanction. Failure to complete the hours in the allotted time frame will result in a hold and another \$50 fine.

Third offense- Removal from campus housing and/or possible suspension.

Illegal Distribution

First offense- Sanction for selling alcohol illegally or for illegally distributing alcohol to individuals younger than 21 years of age include a \$100 fine and probation for remainder of academic year.

Second offense- Sanction will include a \$250 fine and suspension.

Failure to Enforce University Policy, University Recommendations, or North Carolina General Statutes

Where organizations fail to enforce University policies, University recommendations or legal statutes involving the distribution, possession or use of alcohol, sanctions ranging up to suspension or expulsion of the organization may be imposed.

Typical sanctions for students involved in anti-social behavior while intoxicated are as follows:

Abuse of Persons

Intoxicated persons who abuse persons should expect expulsion and referral to law enforcement agencies. Abuse of persons includes, but is not limited to, assault, battery, intimidation and insubordination.

Abuse of Property

Intoxicated persons who violate the property rights of others must make restitution within time frame given by University official issuing sanction. Typically, minimal sanctions for the first offense include a fine. Sanctions may also include loss of campus housing, disciplinary probation, referral to law enforcement agencies, suspension or expulsion.

Upon the second offense, students should expect suspension or expulsion from the University and referral to enforcement agencies.

Public Drunkenness

Sanctions for typical offenses are the same as those listed for possession/consumption.

Off-campus Events

Although the University ordinarily is not in a position to police off-campus events, it should be understood that any person or any group of persons who aids or abets others in securing alcohol may be liable not only for aiding or abetting, but also for personal injuries or property damages resulting from misconduct by those who are intoxicated. Organizations and officers of such organizations may also have such liabilities. Therefore, in part because they are intended to help persons or groups avoid such liabilities, it behooves individuals, groups of individuals or organizations to comply with the following guidelines. Furthermore, should it become evident that individuals, groups of individuals or organizations who/which are members of the University are unlawfully furnishing alcoholic beverages to persons who are not of the legal drinking age or using alcohol in games or as prizes, such individuals, groups of individuals or organizations may be subject to stern disciplinary action by the University. Such action may include the withdrawal of the organizational charter or the expulsion or termination of individuals.

For legal and/or moral reasons, the following guidelines should apply wherever alcohol is available at off-campus events:

- Alcohol should not be provided by organizations or individuals to persons not known to be 21 years old or older
- The sale of alcohol should be prohibited unless the distributor is licensed by state or local authorities
- Individuals, groups of individuals or organizations who influence excessive and/or harmful consumption of alcohol through games, peer pressure, subterfuge or other activities should know that they are subject to stern disciplinary action both by the University and by external authorities
- Any organization or group of individuals which sponsors an event where alcohol is available should provide alternative food and beverages during the duration of time when alcohol is available
- Any individual, group of individuals or organization which sponsors an event where alcohol is available should consider the effects, including noise and parking, upon the community where the event is scheduled. Specifically, such events should not be scheduled where noise pollutes residential communities or where people park on private property other than that of the hosts
- Litter should not be allowed to accumulate, even temporarily

Effects of Alcohol Abuse

Even minimal consumption of alcohol may affect behavior, but the abuse of alcohol ordinarily has acute or chronic effects.

Acute

Even low doses of alcohol may have acute effects: (1) most vehicular accidents among persons aged 15 to 24 are related to drinking; (2) aggressive acts, such as abuse of family/friends and acquaintance rape, are almost always related to alcohol abuse; (3) mental functions may be impaired, making it difficult for a person to process and remember information. High doses of alcohol can cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses may produce similar effects.

Chronic

Repeated use of alcohol can lead to dependence, in which case sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and the liver. Some studies suggest that brain cells are actually destroyed permanently by high levels of alcohol.

MARIJUANA

The illegal possession and/or use of marijuana is specifically prohibited and is illegal according to North Carolina state law. Lenoir-Rhyne University will not tolerate the possession, use, and/or distribution of marijuana.

Lenoir-Rhyne University may issue, but are not limited to, the following sanctions: fines, sessions with the University Counseling department, community service, probation, suspension, expulsion, and any other necessary sanction deemed fit by the University; athletes may face reduced scholarships and loss of significant portion of season

Possession and/or Use

First offense- Sanction will include a \$50 fine, assessment with the Counseling Department, may be randomly drug tested up to 3 months after incident, letter home, and 10 hours of community service to be completed within designated time given by University official issuing sanction; athletes must complete all community service hours prior to next competitive competition to be eligible for playing time.

Second offense- Sanction will include a \$50 fine, additional sessions with the Counseling Department, probation for remainder of academic school year, 50 hours of community service to be completed within 60 days, may be drug tested up to 3 months after incident; athletes could become ineligible for up to 30% of season, possible scholarship reductions and must complete all community service hours prior to being eligible for any athletic competition.

Third offense- suspension or expulsion

Illegal Distribution

The illegal distribution, delivery or sale of any narcotic, hallucinogenic drug or other controlled substance while on University property or while attending a university-related event is strictly prohibited. First offense- Suspension or expulsion

Illegal Possession of Drug Paraphernalia

The illegal possession and/or use of drug paraphernalia, including, but not limited to, roach clips, bong, pipes or rolling papers, while on University property or while attending a university-related function is specifically prohibited. Hookahs are also banned from Lenoir-Rhyne University.

Sanctions may include mandatory referral to the Counseling Department for assessment. Additional sanctions, including, but not limited to, fines, the loss of campus housing or suspension, may be imposed.

Typical sanctions for students involved in anti-social behavior while under the influence of marijuana are as follows:

Abuse of Persons

Persons who are under the influence of marijuana who abuse persons should expect expulsion and referral to law enforcement agencies. Abuse of persons includes, but is not limited to, assault, battery, intimidation and insubordination.

Abuse of Property

Persons under the influence of marijuana who violate the property rights of others must make restitution within time frame given by University official issuing sanction. Typically, minimal sanctions for the first offense include a fine. Sanctions may also include loss of campus housing, disciplinary probation, referral to law enforcement agencies, suspension or expulsion.

Upon the second offense, students should expect suspension or expulsion from the University and referral to enforcement agencies.

ALL OTHER CONTROLLED SUBSTANCES AND ILLICIT DRUGS

Lenoir-Rhyme University will maintain a strict policy regarding the illegal possession and/or distribution of all other illicit drugs and controlled substances that are classified as Schedule I, II, III, IV, or V.

Possible sanctions for any student participating in the use and/or distribution of controlled substances and illicit drugs include, but are not limited to: probation, fines, mandated counseling sessions, community service, suspension or expulsion.

Possession/Use/Distribution

First offense: probation and other sanctions as deemed necessary by University, suspension or expulsion

Anabolic Steroids

Per NCAA regulations anabolic steroids are banned substances and should not be used by any University student athlete or student. If any University student athlete or student is caught using and/or distributing anabolic steroids sanctions could include, but are not limited to probation, fines, mandated counseling sessions, community service, suspension or expulsion and any additional penalties set forth by the NCAA.

Anabolic steroids are defined as synthetic versions of the male hormone testosterone. Steroid use changes the body's hormonal balance, exaggerating male sex characteristics, and can contribute to increase acne, mood swings, secondary sex characteristic changes and violent behavior. Long term heavy use has been implicated in organ damage. All anabolic steroids are BANNED by the NCAA.

Stimulants

NCAA regulations state that stimulants are a banned substance and any student athlete or student caught using and/or distributing these substances may face sanctions including, but are not limited to, fines, mandated counseling sessions, community service, probation, suspension or expulsion and any additional penalties set forth by the NCAA.

Stimulants are classified as a group of drugs that include a wide variety of chemicals, ranging from caffeine and ephedrine to Ritalin and Adderall (amphetamine). Stimulant abuse can cause anxiety, panic, paranoia and delusions. Stimulant use during exercise can contribute to increased body temperature and dehydration. Stimulants are BANNED by the NCAA.

ALCOHOL USE GUIDELINES

1. The possession or consumption of alcoholic beverages is prohibited on Lenoir-Rhyne University property except in accordance with the provisions set forth below.
2. Behavior and the consequences of said behavior are the responsibility of the individual student. Intoxication, intoxicated conduct and resulting behaviors are subject to the disciplinary processes and sanctions outlined below. Such behavior may also be subject to the legal processes of civil and criminal law.
3. The display of alcohol in public areas is prohibited. Students over 21 years of age and possessing alcohol for their own personal use and consumption may transport that alcohol through "public areas" only in a closed container in a bag, or a cooler. *The consumption or display of alcoholic beverages in public areas is prohibited except at a registered event involving alcohol.*

Note: For purpose of this policy, the term "public area" shall refer to any University building, room, external area, or property other than the interior boundaries of the student's private residence room. The interior boundaries of the residential houses of organizations, meaning on-campus organizational houses where access and privileges are limited to members of that organization, shall not be considered to be common or public areas of the campus for the purposes of the alcohol policy. Members of these organizations may meet in these areas at the discretion of the organization. Legal personal possession and consumption of alcohol in these areas including externalities such as decks or porches shall not be prohibited. When deemed necessary, security officers may ask organizational officers to clear the porches and/or decks.

4. The possession or use of kegs and alcohol paraphernalia (bongs, funnels, etc.) on campus is prohibited. All bulk quantity common source containers are prohibited.
5. Advertisement regarding alcohol and alcohol-related events and activities must adhere to the following guidelines:
 - University publications will not accept advertisements promoting alcohol use or events at which alcohol will be present.
 - Fliers, posters, and advertisements regarding events at which alcohol will be present are prohibited.
 - Invitations to events at which alcohol will be served must be addressed to specific individuals and placed in campus mailboxes. Mass Distribution of non-specific invitations by any means is prohibited.
6. Students must follow all laws relating to the purchase, possession, and consumption of alcohol.
7. No student shall permit, tolerate, encourage or participate in "drinking games".
8. All provisions of the Lenoir-Rhyne Student Alcohol Policy are enforced year round, including all breaks and summer sessions.
9. LRU students are responsible for the conduct of their guests, including alcohol violations. LRU students and student organizations incur judicial sanctions as a result of guest violations.
10. *Abusive Drinking will not be tolerated.* Abusive drinking is defined as:
 - Use of alcohol, which leads to medical consequences such as passing out, blackouts (loss of memory), gastritis (vomiting, retching), physical injuries, or other medical problems.
 - Use of alcohol in association with inappropriate behavior such as:
 - A. Verbal abuse
 - B. Physical abuse
 - C. Failure to comply with a university official
 - D. Property damage
 - E. Any behavior that violates the LR Student Code of Conduct and/or Student Honor Commitment
 - F. Recurring episodes of intoxication
 - G. A single episode of intoxication in which the Dean of Students believes that the level of intoxication posed a risk to the student's health or well-being.

Provisions for Alcohol use in the Residence Hall and Residential Houses

In addition to the provisions listed above, the following provisions apply to alcohol use in the residence facilities:

- Morgan Hall and Isenhour Hall are designated as alcohol-free residence areas. No alcohol is permitted under any circumstances in these halls.
- Students who are at least 21 years old may possess alcoholic beverages for their own use in their residence hall room, but public display of excessive amounts of alcohol containers is prohibited.
- Students who are at least 21 years old may consume alcoholic beverages in their residence room and the residence room of other 21-year-olds, except for any provisions noted above.
- Students who are at least 21 years old, who are members of an organization with a residential house may consume alcohol within the confines of their residential house and deck/porch.

Events Involving Alcohol

Any student organization wishing to hold an event where alcohol is present (a party) must adhere to the following guidelines:

- Each group must send at least one representative from its executive cabinet to an Alcohol Education Workshop sponsored each semester by the Office of Student Life. Organizational advisors are strongly encouraged to attend.
- A party is defined as a group of (8) eight or more people when alcohol is present. In the Living-Learning Center, a party is defined as a group of (16) sixteen or more people in one apartment.
- Open parties, meaning those with unrestricted access by nonmembers of that organization, shall be prohibited. Parties will be by invitation only to a pre-determined number of guests. The invitation list may not be larger than 150 names and must be filed in the Dean of Students office with the party permit 72 hours in advance of the event. A Campus Activity Board (CAB) activity open to the entire student body would be the only exception to this category. Such an event would require prior approval by the Dean of Students.
- Each group must complete and submit a Party Permit to the Dean of Students at least 72 hours prior to the planned event. Blank Party Permits are available in the Dean of Students office.
- Food must be served at all events involving alcohol. Avoid salty foods and focus on foods high in protein (e.g. pizza, cheese, hot dogs, etc.).
- Non-alcoholic, closed container beverages must be available at all times during the event.
- The event will be limited to four hours. Events may go until 2 a.m. on Friday and Saturday nights. A Thursday night event may go until midnight. Events involving alcohol are prohibited Sunday through Wednesday.
- Kegs and other bulk quantity common source containers are prohibited.
- Students who live in residential houses may register their house and attached deck/porch for an alcohol event. Alcohol is not allowed on the grounds surrounding residential houses.
- Students who live in residence halls may register various approved locations on-campus for alcohol events. Alcohol events will not be approved in residence halls. A list of approved locations is available in the Dean of Students office.
- Binge drinking is defined as 5 or more drinks in one sitting and is not acceptable by the Lenoir-Rhyne community.
- A legal-age student who transports alcohol anywhere outside of an area where legal consumption has been approved must cover the closed container in a bag, or a cooler.
- Advertisement (including party invitations) for events involving alcohol sponsored by student organizations must conform to the guidelines listed in the General Provisions.
- All fraternities and sororities must abide by the provisions laid out in the FIPG's Risk Management Policy.
- Failure of a campus group to exhibit responsible behavior, abide by the conditions established by this policy, or provide adequate security for members and invited guests may result in the group's loss of privileges for one full year from that date or for the remainder of the current school year plus the entire next year. National organizations will be notified in the case of fraternity and sorority violations.
- University officials may enter a party at any time.
- Glass containers of any kind are prohibited.

CAMPUS COMPUTING POLICIES AND RULES

The University community is encouraged to use the University's computer facilities for research and instruction. All members of the University community who use the University computing and information resources must act responsibly. Every user is responsible for the integrity of these resources. All users of University-owned computing systems must respect the rights of other computing users, respect the integrity of the physical facilities and "security measures" and respect all pertinent license and contractual agreements. It is the policy of Lenoir-Rhyne that all members of its community act in accordance with these responsibilities, relevant laws and contractual obligations and the highest standard of ethics. The University reserves the right to limit, restrict or extend computing privileges and access to its information resources. In order to facilitate the ethical and responsible use of computers, equipment, software, and networks, the guidelines are established for review on the LRU website. University community. Instructors, administrators, or unit heads may impose additional requirements or restrictions in connection with course or unit of work.

The following actions are violations of Campus Computing resources:

- Using computer equipment software, networks, and accounts for purposes other than those for which they are assigned
- Deliberately attempting to degrade the performance of a computer system or deprive authorized personnel of resources or access to any University's computer system.
- Using another person's account (even if you have permission) unless it is a special group account.
- Attempting to discover another user's password.
- Copying or transferring any of the computer software provided by Lenoir-Rhyne without valid written authorization. The use of illegally copied software is considered a criminal offense and will be dealt with as such.
- Attempting to bypass standard procedures.
- Allowing unsupervised children in the computer laboratories.
- Using the computer to send, view, or use obscene, abusive, or threatening messages.
- Smoking, eating or drinking at terminals, computers, or any other computer equipment. Any other rules relating to the building housing the lab must also be observed.
- Making excessive noise that may disturb others working in the lab.
- Using more than one computer at a time.
- Collecting or discarding output other than your own without the owner's permission; printing out information and leaving it lying around.
- Being irresponsible in the use of your accounts and failing to protect each account's password.
- Failing to report unauthorized use of your accounts to Information
- Not cooperating with the IT requests for information about Technology, lab assistant, or other appropriate University authorities about computing activities. Under certain unusual circumstances, IT may access your computer files.
- Not taking reasonable and appropriate steps to see that all hardware and software license agreements are faithfully executed on any system, network, or server that you operate.
- Playing games on the lab computers.

Additional Campus Computing Policies

- **Student Accounts:** All students at The University receive a university electronic mail account.
- **Guest Accounts:** No accounts will be created or maintained for anyone other than students, faculty, and staff.
- **General Limits on Use:** There are limits on the amount of disk space available on the network server. Network users are encouraged to maintain only active, frequently used files on their accounts.

Misuse of Computing and Information Resource Privileges

- If you abuse the networks to which the University belongs or the computers at other sites connected to those networks, the University will treat this matter as an abuse of your computing privileges
- Circumventing or attempting to circumvent normal resource limits, logon procedures, and security regulations

- Using computing facilities, computer accounts, or computer data for purposes other than those for which they were intended or authorized
- Sending fraudulent computer mail, breaking into another user's electronic mailbox, or reading someone else's electronic mail without his or her permission
- Sending any fraudulent electronic transmission including
- Playing games on lab machines
- Violating any software license agreement or copyright,
- Violating the property rights of copyright holders who are in possession of computer-generated data or reports.
- Using the University's computing resources to harass or threaten other users.
- Taking advantage of another user's negligence to gain access to any computer account, data, software, or file that is not your own and for which you have not received explicit authorization to access.
- Physically interfering with other users' access to the University's computing facilities.
- Encroaching on others' use of the University's computers; printing excessive copies of documents, files, data, or programs; modifying system facilities, operating systems; attempting to crash or tie up a University computer; damaging or vandalizing University computer facilities, equipment, software, or computer files.
- Disclosing or removing proprietary information, software, printed output or magnetic media without the explicit permission of the owner.
- Reading other users' data, information, files, or programs on a display screen, as printed output, or via electronic means without the owner's explicit permission.
- Violating intellectual property policies of the University.

Disclaimer: The University cannot be held liable for losses of any kind. The University cannot guarantee privacy of mail and/or files.

Electronic Mail Policies

- **Purpose**-Electronic mail services are to be provided by University organizational units in support of the teaching, research, and public service mission of the University, and the administrative functions that support this mission.
- **Users**-Users of University electronic mail services are to be limited primarily to the University community for purposes that conform to the requirements of this Section.
- **Non-Competition**- University electronic mail services shall not be provided in competition with commercial services to individuals or organizations outside the University.
- **Restrictions**- University Electronic mail services may not be used for: unlawful activities; commercial purposes not under the auspices of the University; personal financial gain (except as permitted under applicable academic policies); personal use inconsistent with user responsibilities; or uses that violate other University policies and guidelines regarding intellectual property, or regarding sexual or other forms of harassment.
- **Representation**-Electronic mail users shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the University or any unit of the University unless appropriately authorized (explicitly or implicitly) to do so. Where appropriate, an explicit disclaimer shall be included unless it is clear from the context that the author is not representing the University.
- **False Identity**- Electronic mail users shall not employ a false identity. Electronic mail may, however, be sent anonymously provided this does not violate any law or this or any other University policy, and does not unreasonably interfere with the administrative business of the University.
- **Interference**- University electronic mail services shall not be used for purposes that could reasonably be expected to cause, directly or indirectly, excessive strain on any computing facilities, or unwarranted or unsolicited interference with others' use of electronic mail or electronic mail systems.

Internet Policies

The University computing resources are intended to enable the institution to carry out its responsibilities of education, research, and public service. Therefore, these functions have priority in using computing resources. Students may use computing resources for electronic communications with faculty, staff, other students and acquaintances outside the University

community and to take advantage of information resources on the Internet. Students may also participate in the exchange of information on the Internet through news groups.

Note: The full version of these policies is located in the following offices: Office of the President, Provost, Vice-President of Business and Finance, Dean of Students, Information Technology and the Registrar.

Security and Confidentiality in Computer Use

- The confidentiality of electronic mail cannot be assured.
- University employees cannot seek out, use, or disclose without authorization "personal or confidential" information, and employees must take necessary precautions to protect the confidentiality of personal or confidential information encountered in the performance of their duties or otherwise.
- Notwithstanding the previous paragraph, users should be aware that on occasion network and computer operations personnel and system administrators may, during the performance of their duties, inadvertently see the contents of electronic mail messages.
- The University attempts to provide secure and reliable electronic mail services. However, the security and confidentiality of electronic mail cannot be guaranteed. Furthermore, operators of electronic mail services have no control over the security of electronic mail that had been downloaded to a user's computer.

GRADE APPEALS

Lenoir-Rhyne University (LRU) takes seriously the concerns and academic complaints of its students. LRU will provide a prompt response to all written complaints, including those complaints challenging course grades.

Complaints alleging discrimination or harassment based on race, age, religion, physical or emotional disability, or sex (which includes gender discrimination, sexual orientation, sexual harassment and sexual violence) follow procedures in place for grievances. Information regarding the grievance process may be found on the Office of Student Life pages of the University website or in Section I-B of this Handbook. Grievances may not be adjudicated through the course grade appeal process.

LRU will work to resolve student course grade appeals as quickly as possible; however, the time period for resolution will depend largely on the nature of the complaint and the response required. It is the goal of LRU that written course grade appeals will be resolved within a period not to exceed 60 days; however, the time period for resolving appeals will depend largely on the facts and circumstances at issue and may be expanded where necessary and appropriate to reach a resolution. Course grade appeals may not be submitted prior to course grades being released in MyLR. Mid-term grades may not be appealed. (Note: If the course grade appeal pertains to perceived discrimination, harassment, or an assault, the student should immediately proceed to the University Grievance policy.)

A student having what s/he believes to be a substantive reason for a course grade appeal should, wherever possible and reasonable, attempt to discuss the problem with the instructor and reach an informal resolution.

If the student is dissatisfied with the informal resolution, is unable to reach an informal resolution, or chooses not to engage in the informal resolution process, the student should put her/his course grade appeal in writing (electronic or hard copy) to the appropriate school chair no later than 30 days after the posting of final grades at the end of the relevant semester. The University reserves the right to dismiss course grade appeals that are not submitted within this time period, and any appeals made later than the mid-term of the following full semester (fall/spring) will not be considered.

After receiving the written course grade appeal from the student, the appropriate school chair will conduct a prompt and thorough investigation as warranted by the circumstances to resolve any factual disputes. Confidentiality will be respected to the fullest extent possible in connection with this investigation, with individuals being informed or notified of the course grade appeal only on a need to know basis. In connection with this investigation, the school chair may determine that an informal hearing is necessary as part of his or her investigation to resolve any outstanding issues of fact.

If either the student or the faculty member disagrees with the school chair's written determination, the dissatisfied party has the option to appeal to the appropriate college dean. If either the student or the faculty member disagrees with the college dean's written determination, the dissatisfied party has the option to appeal to the appropriate provost for a final determination.

GRIEVANCE POLICY AND PROCEDURES

Lenoir-Rhyne University ("LRU") takes seriously the concerns and grievances of its students. LRU will provide a prompt response to all written complaints, including those complaints alleging discrimination or harassment based on race, age, religion, physical or emotional disability, or sex (which includes gender discrimination, sexual orientation, sexual harassment and sexual violence). LRU will work to resolve student grievances as quickly as possible; however, the time period for resolution will depend largely on the nature of the grievance and the response required. It is the goal of LRU that written grievances will be resolved within a period not to exceed 60 days; however, the time period for resolving grievances will depend largely on the facts and circumstances at issue and may be expanded where necessary and appropriate to reach a resolution.

LRU defines a "Grievance" as any claim raised by a student ("Complainant") alleging violations of LRU's policies or procedures, including but not limited to improper, inappropriate, arbitrary, discriminatory, harassing or violent conduct by a faculty member, staff member, student or any other individual present on campus ("Respondent"). LRU's Grievance Policy is not intended to replace those policies and procedures pertaining to grade appeals or academic integrity violations. For more information on academic integrity policies and procedures, please refer to *The Cub*, online at <http://student.lr.edu/cub/home> or the University Catalog, online at http://registrar.lr.edu/catalog_2013. All such matters will be handled in accordance with those policies and procedures.

Procedures:

1. A Complainant having what s/he believes to be a Grievance against a Respondent, should, wherever possible and reasonable, attempt to discuss the problem with the Respondent and reach an informal resolution. This informal process is desirable, but not mandatory. (Note: If the Grievance pertains to perceived discrimination, harassment, or an assault, the Complainant should immediately proceed to Step 2.)
2. If the Complainant is dissatisfied with the informal resolution, is unable to reach an informal resolution or chooses not to engage in the informal resolution process, the Complainant should put her/his Grievance in writing on a Grievance Form. Grievance Forms may be obtained electronically from the Student Life webpage or in hard copy at the Office of Student Life in Cromer Center. Once completed, Grievance Forms should be submitted in electronic or hard copy form to the Office of Student Life no later than 30 days after the alleged incident occurred. LRU reserves the right to dismiss Grievances that are not submitted within this time period, unless extenuating circumstances exist that make submission within the 30 day time period unrealistic.
3. The Office of Student Life will review the Grievance Form to determine if its contents rise to the level of a Grievance as defined above. This process will generally take between 3 – 5 business days. If additional information is needed to clarify the information contained within the Grievance Form, the Office of Student Life will contact Complainant to obtain additional information. The Complainant is expected to respond to any such request by the Office of Student Life within 2 business days.
 - If the contents of the Grievance Form do not rise to the level of a Grievance as defined above, the Grievance Form will be forwarded to the Chair/Director of the University Department (academic or non-academic) most closely related to the complaint or their designee. This individual will work to informally resolve issues raised by the Complainant in the Grievance Form. Because this type of complaint does not rise to the level of a Grievance as defined by the Grievance Policy, there is no right of appeal and the resolution reached at this stage is final.

- If the contents of the Grievance Form do rise to the level of a Grievance as defined above, the Grievance Form will be forwarded to the appropriate "Grievance Officer" or his or her designee. Grievance Officers are usually the School Chair of each respective academic department or the Administrative Director of each respective administrative department, or his or her designee. Under no circumstances will the Grievance Officer be the individual to whom the Grievance relates. In those instances, another Grievance Officer will be appointed by the Office of Student Life. See the Office of Student Life for a listing of the designated Grievance Officers on LRU's campus.

[Note: If the Complainant has any questions or concerns regarding the Grievance Officer appointed in connection with his or her Grievance, he or she should contact the Office of Student Life to discuss the issue in greater detail.]

4. After receiving the Grievance Form from the Office of Student Life, the Grievance Officer will conduct a prompt and thorough investigation as warranted by the circumstances to resolve any factual disputes. Confidentiality will be respected to the fullest extent possible in connection with this investigation, with individuals being informed or notified of the Grievance only on a "need to know" basis. In connection with this investigation, the Grievance Officer may determine that an informal hearing is necessary as part of his or her investigation to resolve any outstanding issues of fact.

If a hearing is held by the Grievance Officer:

1. Both the Respondent and the Complainant will be allowed to select an "Advocate" from a list of Advocates maintained in the Office of Student Life. Advocates are intended to assist the Respondent and Complainant with understanding the Grievance Policy and Procedures. Additionally, Advocates may be present at the hearing, but may not testify or otherwise participate in the hearing. Additionally, both parties may have one other person at the hearing, who may observe only. This participation may be limited to faculty, staff, and student members of the university community whose names are communicated to the Grievance Officer at least 24 hours prior to the meeting. No representation by an attorney is permitted.
2. The Grievance Officer shall be entitled to have an "Advisor" participate and assist him or her with the hearing. In this capacity, the Advisor may ask questions, review the evidence presented and make recommendations to the Grievance Officer regarding the appropriate resolution. The Advisor shall not have any prior knowledge of the facts surrounding and/or giving rise to the Grievance Officer. This participation may be limited to faculty, staff, and student members of the university community. No representation by an attorney is permitted.
3. Hearings conducted by the Grievance Officer will be informal, and both the Complainant and the Respondent will have the opportunity to present evidence they deem relevant to the Grievance. Both the Complainant and the Respondent may also present witnesses during the hearing that would support their position. All hearings at this level must be held within 10 calendar days of the Grievance Officer's receipt of the Grievance Form, absent extenuating circumstances.
5. After the Grievance Officer's investigation is completed, if the Grievance Officer determines that the conduct at issue in the Grievance does not warrant formal disciplinary action by the University Judicial System against either the Complainant or the Respondent (in the event the Respondent is a student), the Grievance Officer will meet with the Complainant and the Respondent to discuss the results of the investigation and the recommended resolution. While the timing of this meeting depends largely on the scope of the investigation required, a meeting is generally held within 10 calendar days of the conclusion of the Grievance Officer's investigation, including any necessary hearing. At this meeting, the Grievance Officer may attempt to mediate an informal resolution with both parties where appropriate. In situations involving alleged sexual assault or sexual violence, an informal resolution is not appropriate. If an informal resolution is not possible or

appropriate, the Grievance Officer will make a written determination and provide it to the Complainant and the Respondent within 5 calendar days of meeting with the parties. The written determination should include the reasons for the decision and the remedial action to be taken, if any, and shall explicitly inform the Complainant and the Respondent of the right to seek review by the Chair of the Judicial Board within 3 - 5 business days as set forth in Paragraph 7 below.

6. Alternatively, after the Grievance Officer's investigation is completed, LRU may determine that the conduct at issue in the Grievance does potentially warrant disciplinary action by the University Judicial System against either the Complainant or the Respondent (in the event the Respondent is a student). Under no circumstances will a Complainant be subject to disciplinary action solely on the basis of filing a Grievance; however, depending on the facts and circumstances, disciplinary action may be warranted where the Complainant has potentially engaged in violations of LRU's policies or procedures. In these circumstances, LRU will present the Complainant and/or the Respondent with an Incident Report as outlined in Section 6: The University Judicial System, Judicial System Process, Commencement of Action. The Grievance Officer will then determine the appropriate sanction(s), which may include, but are not limited to, the following, in order of severity:
 1. Verbal or written warning;
 2. Restitution for loss, damages or service costs;
 3. Service/Education projects within the University setting or local community;
 4. Disciplinary probation;
 5. Disciplinary probation with suspension of privileges;
 6. Eviction from the Residence area;
 7. Disciplinary suspension;
 8. Disciplinary expulsion.

If the individual presented with the Incident Report disagrees with the determination or sanction(s) assessed by the Grievance Officer, he or she can request that a Judicial Conduct Hearing take place before the Student Conduct Council in the manner provided in Section 6: The University Judicial System, Paragraph 5.

After the Student Conduct Council reaches a determination, the Grievance Officer shall issue a written determination to the Complainant and the Respondent within 5 calendar days that is consistent with the findings of the Student Conduct Council. The written determination should, where appropriate and in accordance with the Family Educational Rights and Privacy Act (FERPA), include the reasons for the decision, the remedial action to be taken, if any, the disciplinary action to be taken, if any, and shall explicitly inform the Complainant and the Respondent of the right to seek review by the Chair of the Judicial Board within 3 – 5 business days as set forth in Paragraph 7 below.

7. If either the Complainant or the Respondent disagrees with the Grievance Officer's written determination, then the dissatisfied party has the option to appeal to the Chair of the Judicial Review Board based on one or more of the factors set forth below:
 1. Evidence did not warrant the decision.
 2. Decision did not warrant the penalty.
 3. Proper procedures were not followed.
 4. There was prejudice on the part of the Grievance Officer.
8. All appeals to the Chair of the Judicial Review Board must be in writing and filed with the Office of Student Life within 3 - 5 business days after receipt of the determination issued by the Grievance Officer. Appeals should clearly detail the ground(s) for appeal and the facts and circumstances supporting the basis for appeal. In order for an appeal to be considered by the Chair of the Judicial Review Board, the Complainant or Respondent must fully explain how his/her reasons for appealing have the potential to change the original finding of the Grievance Officer and/or the Student Conduct Council. In situations where suspension or expulsion is a recommended disciplinary sanction by the Grievance Officer and/or the Student Conduct Council, the full Judicial Review Board will automatically convene to review the appeal. In all other cases:

- a. If the Chair of the Judicial Review Board views the appeal as possessing potential validity based on one or more of the factors set forth above, in light of all of the evidence provided by Complainant or Respondent in his or her appeal, the appeal shall be forwarded, with all evidentiary materials, to the full Judicial Review Board.
- b. Alternatively, if the Chair of the Judicial Review Board determines that based on review of all the evidence presented by the Complainant or the Respondent, the appeal does not have potential validity based on one of the four factors above, the Chair of the Judicial Board may uphold the determination reached by the Grievance Officer and/or the Student Conduct Council without convening the full Judicial Review Board. In these circumstances, the determination reached by the Chair of the Judicial Review Board is final.

The Chair of the Judicial Review Board is not tasked with rehearing the proceedings below. Instead, the Chair of the Judicial Review Board will use a "reasonable person" standard. In other words, the Chair of the Judicial Review Board will determine if the original decisions and/or sanctions imposed were conclusions that could have been reached by a reasonable person, applying appropriate diligence and community standards (i.e., preponderance of evidence standard).

Note: The Accused may withdraw his or her appeal at any time prior to the beginning of a scheduled hearing.

9. If the full Judicial Review Board is convened by the Chair of the Judicial Review Board, the Judicial Review Board shall review all evidentiary materials in connection with the Complainant or Respondent's appeal. If necessary to resolve outstanding factual disputes, the Judicial Review Board, in its own discretion, may conduct a de novo hearing between the Complainant and Respondent, and each party will have the opportunity to present evidence he/she deems relevant to the Grievance or the determination reached by the Grievance Officer and/or Student Conduct Council. Presentation of new evidence shall be strictly limited by the Judicial Review Board, in its sole discretion, to the additional evidence necessary to resolve the Grievance. The Judicial Review Board may take one of the following four courses of action:
 - a. Reverse the decision of the Grievance Officer and/or Student Conduct Council;
 - b. Uphold the decisions reached, but reduce the sanction(s) (if any);
 - c. Uphold the decisions reached, but make the sanction(s) (if any) more severe; or
 - d. Uphold the decision and the sanctions.

Note: The Judicial Review Board may not remand the matter for re-consideration.

10. Once the Judicial Review Board reaches a determination, the Chair of the Judicial Review Board shall provide written notification of the Grievance resolution to all parties in the appeal within forty-eight (48) hours, barring extenuating circumstances. The Judicial Review Board should, where appropriate and in accordance with the Family Educational Rights and Privacy Act (FERPA), include the outcome and rationale for the decision. The decision of the Judicial Review Board is final and there is no further right of appeal.

Regardless of the outcome of the grievance procedures, retaliation is strictly prohibited by either party. **Anyone who retaliates against any individual for submitting a Grievance is in violation of this policy and will be subject to judicial sanctions accordingly.** Additionally, anyone making a false or malicious charge against a member of the LRU community is in violation of this policy and will be subject to judicial sanctions accordingly.

HIV/AIDS

Lenoir-Rhyne does not discriminate against HIV/AIDS positive students. In the interest of the health and safety of the university community; however, the University reserves the right to make necessary adjustments to practice or policy.

MENTAL HEALTH EMERGENCIES

A student who experiences a psychological emergency, including threatens or attempts to harm himself/herself, may be required to leave campus. He or she will be required to have a psychological evaluation. If the psychological emergency involves a community disturbance or disruptive behavior and/or requires supervision to maintain the safety of the student or others, the student may be required to remain off campus. The Director of Career and Personal Development (or designee) will prepare an evaluation of the student's capacity for remaining enrolled and in residence at the University. The Director of Career and Personal Development will make a recommendation to the Dean of Students regarding the student's ability to return to the University. The student's parent(s) or guardian may also be notified. If the student is allowed to remain enrolled, he/she will be required to sign an Agreement to Return to Campus, which documents conditions for remaining enrolled and/or in residence. This agreement may include outpatient treatment, and the student, the Dean of Students and the Director of Career and Personal Development will evaluate it each semester. At any of these times, the agreement may be terminated. The individual must give consent for his/her physician/counselor/health care provider to discuss the individual's situation with appropriate university officials. Parents may be required to assist the student. In the event of an extreme emergency such as a suicide attempt or any extreme situation where the student's judgment is significantly impaired, parents or guardians will be contacted and hospitalization will be required. The student or his/her family will be responsible for all off-campus costs including transportation to the hospital, the initial evaluation, and any hospitalization costs or outpatient treatment.

SEXUAL HARASSMENT

It is the goal of Lenoir-Rhyne to maintain an environment free of gender-based discrimination. This statement concerns one form of sex discrimination, sexual harassment. The University expects all members of the community to foster positive attitudes and behaviors towards members of each gender. The University wishes to make explicit its abhorrence of language, behavior, and attitudes that intimidate, offend and debilitate members of the university community. The University encourages those who experience or observe forms of harassment to bring such incidents to the attention of those who carry special responsibility for nurture in this community. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or academic standing, or
- submission to or rejection of such conduct is used as a basis for an employment or academic decision affecting that individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working, learning or living environment.

Even with a well-defined policy, it is sometimes difficult to recognize behavior that may be considered sexual harassment. When having to make this determination, one should ask oneself if the behavior is of a sexual nature and:

- is offensive, unwanted, or both.
- may interfere with job performance or academic performance.
- causes unnecessary discomfort, humiliation, or harm to an employee, student, customer, supplier or other guest.

Sexual harassment can occur anywhere, anytime, between and among students, faculty, staff and co-workers, in consensual and nonconsensual relationships; it occurs in situations where persons abuse the power they have over other persons, violating the boundaries and trust implicit in that relationship. The following are some examples of behaviors that are sexually harassing:

Physical Harassment

- Giving unwanted massage around the neck, shoulders or back.
- Unwanted touching of a person's clothing, hair or body.
- Deliberate touching, hugging, patting, pinching or caressing that is unwanted.

Verbal Sexual Harassment

- Use of any offensive or demeaning terms that have sexual connotations, including those contained in jokes and humor.
- Referring to an adult with sexual connotations (i.e. hunk, honey, sweetie, babe, doll, etc.)
- Making sexual comments about a person's body, clothing, anatomy or physical appearance.
- Turning work or educational discussion into sexual topics.
- Telling sexual jokes or stories.
- Asking or telling about sexual fantasies or history.

Non-Verbal Sexual Harassment

- Looking a person over in a suggestive way.
- Blocking a person's path in a suggestive way.
- Stalking the person.
- Giving unwanted personal gifts.
- Displaying sexually suggestive visual material.
- Making facial expressions such as winking, throwing kisses or licking lips.
- Making sexual gestures with hands or body movements.

Sexual harassment may occur in "consensual" relationships. Romantic or sexual relationships between persons of unequal status -where one has positional power over another -are expressly forbidden. This includes relationships between faculty or staff members and students. The difference in power in such relationship, as well as those between a supervisor and employee, compromise the ability of the person in the position of less power to freely decide or act. Faculty or staff who enter into such a relationship with a student or employee must realize that if a charge of sexual harassment is brought at some future time, it will be exceedingly difficult to prove that the relationship did not involve sexual harassment. The University cannot be responsible for defending employees in this kind of relationship against whom such charges might be brought. Sexual harassment issues can extend beyond the on-campus relationships between faculty, staff, and students. Some other areas where sexual harassment is a concern include:

- In local and other USA off-campus placements for education –This policy covers students assigned to or participating in off-campus placements and study programs under the control of non Lenoir-Rhyne personnel, such as teaching, health related clinicals, internships, and practica. The L-R representatives supervising such placements need to prepare students for recognizing and dealing with sexual harassment and to assist and support them should it ever occur. Program heads are responsible for informing potential placement sites of the university policy and can cease utilizing such sites where problems are encountered. While the University cannot impose sanctions against non-employees, the University supervisor can remove a student from the placement without penalty to the student. If a student is removed, the University supervisor should arrange for a new placement as soon as possible.
- In USA and abroad service programs and student study abroad programs -This policy also covers students, faculty and staff involved in off campus service programs, whether in the USA or abroad and student programs abroad that are sponsored and directed by the University. Supervising representatives should prepare students, faculty and staff for recognizing and dealing with sexual harassment and assist them should it ever occur. Sexual harassment can occur between students whenever a power differential exists. The behavior of students is governed by the sexual harassment policy when an elected, appointed or employment position creates a power differential, such as in student organizations, student employment, and residence halls, as well as in laboratories and classrooms.

Taking Action for Sexual Harassment

Sometimes people recognize sexual harassment immediately and resolve to handle the situation quickly and forcefully. Some individuals may be confused, embarrassed or afraid and may need assistance in resolving the situation. The following members of the campus community are best equipped to offer assistance and support:

- Jenny Smith, University Counselor, 828.328.7252
- Andrew Weisner, University Pastor, 828.328.7248

If you choose, you may resolve a situation of sexual harassment on your own. In writing or face-to-face, you should make it clear to the offender that the actions are unacceptable to you. Be sure to speak directly and clearly about the behavior that you find unacceptable. If you write a letter, keep a dated copy; if you speak with the person, keep detailed and dated notes about the meeting. Also, keep a record of the offending behavior with details, dates, and notes of who else was present. You may get help or advice about how to proceed by contacting a campus counselor or the University Pastor. These people will not report the harassment to anyone, and no formal action will be taken. If you choose not to use this approach, or if this informal approach does not resolve the matter to your satisfaction, you are encouraged to use LRU's Grievance Policy and Procedures. The University encourages you to report incidents of sexual harassment to a member of the Sexual Harassment Response Team.

Lenoir-Rhyne University Sexual Harassment Team:

- Dr. Katie Fisher, Dean of Students: 828.328.7246, Katie.Fisher@lr.edu
- Peter Kendall, Vice President for Finance: 828.328.7100, kendallp@lr.edu
- Dr. Larry Hall, University Provost: 828.328.7112, Larry.Hall@lr.edu

These individuals are trained to assist and advise you. They are responsible for conducting timely investigations into all reports of sexual harassment and for taking appropriate action to stop any sexually harassing behavior. If you want the University to take action to stop the offending behavior, you must report the grievance. If a grievance is filed, a prompt, thorough, objective and confidential investigation will be conducted according to the procedures outlined in the Grievance Policy and Procedures section of **Special Campus Policies**.

Sometimes victims of sexual harassment desire anonymity. If you so specify, inquiries into reports of sexually harassing behavior can often be pursued without disclosing details such as names and places. You should be aware, however, that if the University believes harassing behavior is occurring, the University will follow its legal obligations to investigate and resolve the problem; and in this process, confidentiality may become difficult.

Note: A large number of Sexual Assaults occur while the victim is under the influence of alcohol. In order to encourage accurate reporting of all "Sexual Assault and/or Harassment" cases, the University will not seek charges against the "Sexual Assault Victim" for violation of "Alcohol Policy"; however the facts can be brought out during any judicial proceedings regarding the Sexual Assault/ Harassment violation. This immunity does not extend to other violations of University Policy. Be aware that faculty and staff members who are not protected by the rules of confidentiality afforded clergy and trained counselors are expected to notify officials of such reports so that proper action can be taken. Such reporting requirements are necessary to ensure that unacceptable behavior is dealt with and to avoid legal risks to those with information about sexually harassing behavior and to the University.

SEXUAL VIOLATIONS

Unwanted touching and violation against person(s) are defined by the University as any act when one individual forces, or attempts to force, another person - be it male or female - to engage in a sexual activity against their will. The use of force - be it threats or intimidation, physical aggression, drugs or alcohol, or emotional manipulation - makes this a type of sexual violation and not a justifiable expression of sexual behavior. Regardless of whether the assailant is known to the victim, Lenoir-Rhyne will not condone such an act.

If you are sexually violated, you should do the following:

- Go to a safe place.
- Contact your Resident Director, Campus Security and/or Hickory Police Department.
- Do not shower or bathe.
- Do not urinate, if possible.
- Do not eat, drink, smoke or brush your teeth if oral contact took place.
- Do not destroy or wash the clothes you were wearing. If you change, place your clothes in a paper bag.
- Seek medical treatment

Following the above suggestions will ensure the preservation of evidence. Options available to sexual violence victims are university judicial system, criminal prosecution and civil suits. Victims of sexual violence are encouraged to file a report with campus security and the Hickory Police Department. The filing of a report does not obligate the victim to pursue charges if he/she does not want to pursue them, but does make filing of charges easier if the victim changes his/her mind at a later date. Lenoir-Rhyne will assist the victim in pursuing whichever option(s) the victim chooses.

The University judiciary and the criminal courts are independent systems; charges may be filed in either or both systems. If you are violated and do not want to pursue action with the university or the criminal justice system, you may want to consider making an anonymous report. With your permission, The University Counselor (or designee) can file a report on the details of the incident without revealing your identity. The purpose of an anonymous report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the university can keep accurate records about the number of incidents involving students; determine where there is a pattern with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

Resources for Victims of Sexual Violence

University Counselor.....	828.328.7252
Student Health Center	828.328.7181
University Security	828.328.7145
24 hours per day.....	828.328.7146
Rape Crisis Center of Catawba County.....	828.322.6011
Hickory Police Department Victim Services.....	828.261.2642

If you are the victim of a sexual violence, Career and Personal Development staff can assist you with any academic or living situations if changes are requested and are reasonably available.

Taking Action for a Sexual Violation

To begin a university judicial court action, the victim should notify campus security, Office of Career and Personal Development or the Dean of Students. The office that first learns of the alleged offense will assist the student in filing a formal grievance (see Grievance Policy and Procedures found earlier in this section).