

University Policies, Regulations, Statements and Guidelines

Students must accept responsibility for their behavior and be willing to forgo some freedoms to create an environment that is conducive to the educational, social and spiritual development of all members of the University community. To guarantee the continuation of a positive, safe and educational setting, the University has adopted an array of policies and regulations. Should any member of the University community violate established policy, the University has in place processes intended to educate and in some cases discipline the violator, and thus deter further violations by that and/or other individuals. This handbook includes most policies in full, as well as some excerpts from more lengthy policies. Students having questions about any of the policies should contact the Office of the Vice President for Student Life/Associate Provost.

COMMUNITY RELATIONS

Saint Joseph's University is strengthened as an institution by the vitality of Wynnefield, Overbrook Farms, and Merion Station neighborhoods. The campus is situated on City Avenue in a unique urban-suburban hybrid of communities. These neighborhoods contribute greatly to the diversity of the educational opportunities available to students. The University expects students to behave as exemplary citizens when in the surrounding neighborhoods and to demonstrate respect and concern for all members of the local community. For more information contact the Office of External Affairs at 610-660-1226.

COMMUNITY STANDARDS

www.sju.edu/communitystandards

Approved by University Council: April, 2008; Revised July 2010, July 2011, July 2012

The Mission Statement of Saint Joseph's University shapes the responsibilities and privileges afforded to members of the University community. These Community Standards are designed to foster a community conducive to achieving the mission of the University. Rooted in the Catholic Jesuit tradition, Saint Joseph's University aims to create and to sustain an educational environment that facilitates students' academic, personal, and spiritual development. At the core of these values is the Ignatian tradition of "cura personalis," which affirms the goodness, the worth and the dignity of every human being. Students affirm this commitment through adherence to the standards of conduct established within our

community.

In the broadest terms, all members of the Saint Joseph's University community are expected to:

- Be honest;
- Have respect for self;
- Have respect for others, their well-being and their property; and
- Have respect for the standards of the University and the laws of the larger community.

To Whom Do the Community Standards Apply?

By voluntarily choosing to affiliate with Saint Joseph's University, all student members of the University are expected to uphold the standards of this community. This includes students who have been notified of their admission to the University and/or who are matriculated, enrolled or registered in any University academic program or activity, at the graduate or undergraduate level. Students on a leave of absence and persons who were students when they allegedly violated the Community Standards are also included. The Community Standards shall apply to conduct that occurs on University premises and at University sponsored events both on and off campus. The Community Standards may also apply to off campus behavior of students, including those who are participating in study abroad programs. Students who do not fully comply with the Educational Housing District Law (www.sju.edu/och) may be prohibited in participating in student clubs/organizations/teams (i.e., providing accurate off campus residential address). Students are responsible for the behavior of their guests. The Vice President for Student Life/Associate Provost (VPSL)/designee shall decide whether certain conduct will commence the application of the Community Standards based on the fact and circumstances of each case.

What Conduct Would Violate the Community Standards?

Any behavior that violates standards set forth in the Student Handbook, the University Catalog, approved organizational constitutions and by-laws, room/board contracts and other University bulletins, as well as behavior that fails to meet the four University Expectations outlined above may violate the Community Standards. Specifically, any student or student organization alleged to have committed or alleged to have



Policies, Regulations, Statements and Guidelines

attempted to commit any of the following acts is subject to the Community Standards process outlined in this document. This is not an all-inclusive list.

1. Physically abusing or threatening another person, or engaging in any other conduct that threatens or endangers the health or safety of another person (e.g. stalking).
2. Committing a sexual offense (see Sexual Violence Policy).
3. Hazing (see Policy on Hazing).
4. Violating the drug policy (see Drug Policy).
5. Violating the alcohol policy (see Alcohol Policy).
6. Using, possessing, selling, or distributing fireworks, firearms, or other dangerous items (see Firearms Policy).
7. Using fire to endanger, to harm another person or to destroy property; misusing or damaging fire safety equipment; initiating a false report; and/or failing to evacuate a building during an alarm.
8. Engaging in conduct that is verbally or physically offensive and interferes with others' ability to receive educational benefits (see Policy Prohibiting Harassment).
9. Bullying another person (see Bullying Policy).
10. Destroying, damaging, or stealing private, public, or University property, or possessing stolen property.
11. Failing to comply with the directions of University personnel (e.g. Residence Life and Public Safety staff) who are acting in the performance of their duties. This includes failing to respond to a request for identification, or providing false identification.
12. Entering and/or using University premises, facilities or property without authorization; possessing, duplicating, or using keys or access cards without authority.
13. Engaging in lewd, obscene, or indecent behavior, including making lewd, obscene, or indecent gestures.
14. Using slurs or other derogatory language based on race, gender, ethnicity, religion, sexual orientation, or other discriminatory basis.
15. Violating the sexual activity policy (see Sexual Activity Policy).
16. Violating the University's computing policies (see Guidelines for the Use of Computing and Network Resources at Saint Joseph's University).
17. Making an audio or video recording of any person without that person's consent and/or prior knowledge.

18. Willfully interfering with, attempting to interfere with or disrupting the conduct of classes or other university activities.
19. Substantially interfering with the right to freedom of expression.
20. Misrepresenting identity or age; forging or altering records including University identification card or parking permits.
21. Engaging in illegal gambling activities (see Statement on Illegal Gambling).
22. Failing to comply with sanctions imposed for earlier Community Standards violations or interfering with the University Community Standards process (e.g. retaliatory action).
23. Violating residence life policies, e.g., quiet hours, guest policy (see Residence Life Policies).
24. Violating the student vehicle policy (see Student Vehicle Policy).
25. Littering.
26. Smoking in unauthorized locations.
27. Violating any federal, state, or local law or any University policy, rule, or regulation.

NOTE: Violations of the University's Academic Honesty Policy are addressed according to the process set forth in the Academic Honesty Policy, rather than under the Community Standards.

What Should Be Done if Present During a Violation?

When a student knowingly is in the presence of a violation of Community Standards, the University expects him or her to do one or more of the following: notify University staff, ask the individual(s) to stop, or remove himself or herself from the situation immediately. All students should recognize that their presence during a violation may subject them to disciplinary action.

What if Conduct May Also be a Violation of Law?

University Community Standards proceedings may be instituted for conduct that potentially violates both criminal law and the University's Community Standards without regard to pending criminal arrest or prosecution. Proceedings in accordance with the Community Standards process may be carried out prior to, simultaneously with, or following criminal proceedings. Determinations made or sanctions imposed in

accordance with the Community Standards process shall not be subject to change solely because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of the criminal law defendant. The University may refer violations of the law to local law enforcement agencies.

What Should Be Done if You or Someone You Know Needs Help?

The welfare of each person in the Saint Joseph's University community is paramount, and SJU encourages students to offer help and assistance to others in need. Because the University understands that fear of disciplinary action may deter requests for emergency assistance, this statement was created to alleviate such concerns and reduce hesitation by SJU students to seek help.

Students are expected to immediately report conduct or activity which poses a danger to the community or its members. For example, all students are expected to seek appropriate assistance for themselves or others in situations where help is needed to ensure proper care of a person who is significantly intoxicated or under the influence of drugs. Students should not hesitate to seek help because of fear of disciplinary action. In most circumstances, the help seeker and the student in need will not be charged with a policy violation under the University Community Standards system. Although students may be required to meet with a University official regarding the incident, Saint Joseph's University will support and encourage this behavior by treating it as a health and safety matter, not as a disciplinary incident. In rare circumstances, such as cases of repeated, flagrant, or serious violations of the Community Standards (e.g. bodily harm, sexual violence, physical or verbal abuse or harassment, distribution of drugs, hazing, theft) or violations that caused the harm to another person requiring emergency response, a student's behavior may be considered more than a health and safety matter.

How does the Community Standards Process Begin?

Any member of the University community ("complainant") may file a complaint against a student(s) or student organization ("respondent") alleging violation of the Community Standards. An incident report completed by a Public Safety or Residence Life staff member or a written complaint prepared by any other member of the University community and directed to

the Office of Community Standards¹ begins the process. In the case when the University initiates an incident report, it becomes the complainant. A complaint shall be submitted as soon as possible after the event takes place, preferably within one week; however, the timeliness of a complaint shall be determined by the Vice President for Student Life/Associate Provost based on the fact and circumstances presented.

Can there be an Interim Suspension /Conditional Attendance?

If at any time during the Community Standards process, the Vice President for Student Life (VPSL)/Associate Provost/designee deems a student's continued presence to be a risk to the health, safety, or welfare of anyone within the University community or to the student him or herself, that student may be placed on interim suspension (immediate separation from the University) or be given guidelines for conditional attendance (e.g. housing/class relocation) by the VPSL/designee. During this time, the student may be denied access to the residence halls, and/or to the campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible. There is no appeal of this status, but the University shall make every effort to conduct the Community Standards process without undue delay. The student shall remain on an interim suspension or on conditional attendance until the hearing and/or appeal process determines his/her status. In addition, at any time after the filing of a complaint, the Office of Community Standards may place a registration hold on the record of any student pending the outcome of proceedings or enforcement of a sanction. A registration hold may prevent, among other things, registration, the release of transcripts, and the awarding of a degree.

What if the Respondent Withdraws from the University during the Community Standards Process?

If a respondent voluntarily withdraws from the University while a complaint is pending, a registration hold shall be placed on the respondent's account and the respondent shall not be permitted to re-enroll until after the complaint has been resolved. In most cases, the Community Standards process shall continue and a decision may be rendered based

¹The Director of Community Standards is Klersten White. Telephone 610-660-1046 or email at kwhite@sju.edu

on available information whether or not the respondent is available. No student may be found to have violated the Community Standards solely because the student failed to appear. If the complaint cannot be resolved because the complainant, witnesses, or evidence are not available, in most cases re-enrollment shall be denied. Permission for readmission shall be granted at the discretion of the Vice President for Student Life/Associate Provost.

What is the Community Standards Process?

When an incident report/complaint is received, the report/complaint is assigned to an administrator within the Division of Student Life. The following options are available for case resolution (as determined by the Office of Community Standards):

1. Alternative Resolution Hearing, in most cases, with a member of the Division of Student Life.
2. Administrative Hearing, in most cases, with a member of Residence Life or Community Standards professional staff.
3. Peer Review Board Hearing with a four or five person panel consisting of students.
4. Community Standards Board Hearing with a five person panel consisting of faculty, administrators/staff, and students.

In most cases, allegations of less serious violations shall be heard by an Administrative Hearing Officer or the Peer Review Board, or addressed through alternative resolution. Generally, more serious violations including significant interpersonal conflicts/sexual offenses shall be heard by an Administrative Hearing Officer or the Community Standards Board. Mediation will not be used to resolve sexual offense complaints.

Who is the Alternative Resolution or Administrative Hearing Officer?

Any professional staff member of the University community may serve as a Hearing Officer to hear a complaint. In most cases, the Hearing Officer is a member of the Office of Community Standards or Office of Residence Life. The Office of Community Standards determines who shall hear a case.

What is the Peer Review Board?

The Peer Review Board (PRB) is a group of students who are

trained to hear specific cases. The PRB includes the following members:

Board –Students are selected by a committee composed of the Vice President for Student Life/Associate Provost (VPSL)/designee, the Chairs of the PRB, and the Presidents of the University Student Senate, the Greek Council, and the Student Union Board.

Chairpersons – Two non-voting student members are selected annually by agreement of the President of the University Student Senate, and the VPSL/designee.

Moderator – The Moderator is selected from the professional staff of Student Life by the VPSL for a term of at least two semesters. The Moderator shall advise the PRB on matters such as the type of information that may help in determining if Community Standards were violated and precedents in sanctions. The Moderator shall also facilitate the appropriate paperwork and record keeping, as well as reserve the hearing space.

When a hearing is necessary, the moderator selects five student representatives (or four, with the agreement of the respondent and complainant) to serve on a hearing panel to hear the case. Board Members shall disqualify themselves from serving on a Peer Review Board case if they believe in good faith that they cannot be objective in the matter. The respondent and complainant may object to a member for cause in writing at least 48 hours before the hearing. The Moderator shall rule on all objections and replace any disqualified members.

What is the Community Standards Board?

The Community Standards Board (CSB) is a group of students, faculty, and administrators/staff who are trained to hear cases that involve more serious violations of the Community Standards. The CSB includes the following members:

Board – The Community Standards Board is a seventeen-person board, consisting of seven students, five faculty members, and five administrators/staff. Five student members are selected from the Peer Review Board by the Peer Review Board Moderator, and two graduate student members are appointed by the Dean of each school; the five faculty members are selected by the Faculty Senate; and the five administrators/staff are appointed by the Vice President for Student Life/



Policies, Regulations, Statements and Guidelines

Associate Provost (VPSL). The term of membership on the Community Standards Board shall be two years for faculty and administrators/staff and one year for students, running from September to September. Terms are renewable.

Chairperson – The Chairperson is a voting member, who is selected by the Moderator on a case-by-case basis.

Moderator – The Moderator is selected from the professional staff of Student Life by the Vice President for Student Life/ Associate Provost for a term of at least two semesters. The Moderator shall advise the CSB on matters such as the type of information that may help in determining if Community Standards were violated and prior sanctions relating to similar conduct. The Moderator shall also facilitate the appropriate paperwork and record keeping, as well as reserve the hearing space.

When a hearing is necessary, the Moderator selects five representatives to serve on a hearing panel to hear the case. The composition of each panel shall consist of at least one faculty member, one student, and one administrator/staff. Board Members shall disqualify themselves from serving on a Community Standards Board case if they believe in good faith that they cannot be objective in the matter. The respondent and complainant may object to a member for cause in writing at least 48 hours before the hearing. The Moderator shall rule on all objections and replace any disqualified members.

What Happens Before the Hearing?

Upon receiving notice of an alleged violation, the appropriate Hearing Officer or Moderator shall notify the respondent via University email. The process of the hearing will be outlined in the notice. In addition, in the case of a CSB hearing, a pre-hearing meeting will be scheduled. In order to schedule a hearing, class schedules are reviewed to find a common available time. Students are expected to attend their hearings or to forfeit the opportunity to provide information orally. The respondent's failure to attend the hearing does not limit the Hearing Officer, PRB, or CSB from making a decision based upon available information. If a student misses a hearing due to an emergency, it is the student's responsibility to contact the Hearing Officer or Moderator within 24 hours after the scheduled hearing. No student may be found to have violated

the Community Standards solely because the student failed to appear.

In matters involving allegations of sexual harassment, the respondent and complainant are entitled to equal process. Complaints will be resolved promptly, normally in no more than 60 days.

What is a Community Standards Advisor?

At any time during the Community Standards process, the respondent or complainant may consult with an advisor from the community. An advisor is a member of the University community who is permitted to consult with the student throughout the process, including accompanying the student at a hearing. Advisors are not to speak or ask questions on behalf of the student during the hearing. Non-University advisors, including parents and legal counsel, are not allowed to serve as advisors or attend the hearing. The Office of Community Standards has the final determination as to who may serve as an advisor. Trained advisors are listed on the Community Standards website (www.sju.edu/communitystandards), and available in the Office of Community Standards (Campion 239).

What are the Hearing Procedures?

The Community Standards process is designed to encourage open discussion among the participants that promotes the understanding of the facts, the individuals involved, the circumstances under which the incident occurred, and the nature of the conduct. However, during the hearing, accommodations such as providing separate facilities, to ensure the personal safety and well-being of the complainant, respondent, and/or other witnesses, may be employed. Hearings shall be private.

Community Standards proceedings are not criminal or civil proceedings, but rather, internal administrative determinations of violations of institutional policy. Civil or criminal rules of procedure and evidence do not apply. The Vice President for Student Life/Associate Provost (VPSL)/designee shall make the final determination on the appropriateness of non-institutional information (i.e. polygraph test results, drug test results). Information, including hearsay, may be considered if material to the issue, not unduly repetitious, and the sort of information

on which responsible persons are accustomed to rely in the conduct of serious affairs. After receiving information at the hearing, the Hearing Officer, Peer Review Board, or Community Standards Board shall determine, as to each respondent and as to each potential violation of the Community Standards, whether the respondent(s) is responsible for violating the Community Standards. The Hearing Officer, PRB, or CSB evaluates the information received and considers credibility of information and witnesses when determining if the Community Standards were violated. This determination shall be based upon the facts of the conduct alleged, and whether it is more likely than not that the student is responsible for the alleged violation(s). Subsequent reviewers shall not determine anew whether there was a Community Standards violation.

What Factors are Considered in Sanctioning?

If the Hearing Officer, PRB, or CSB determines that there was a violation of the Community Standards, a sanction(s) shall be imposed. In addition to the egregiousness of the violation itself, the following shall be considered in determining sanctions: motivation; present attitude; past record, both positive and negative; the severity of the damage, injury, harm, or disruption, or the potential for such; honesty; maturity; cooperation; willingness to make amends; and compliance with previous sanctions.

What are Likely Sanctions for Community Standards Violations?

A student or student organization found responsible for violating the Community Standards may expect to receive one or more of the following sanction(s).

1. **Warning.** Written or verbal notice given and kept on file.
2. **Program Attendance or Facilitation.** Expectation to attend or facilitate an educational program(s).
3. **Writing Assignment.** Requirement to complete a relevant research and/or reflection paper.
4. **Discretionary Sanctions.** Requirement to complete and/or participate in work assignments, community service, University services or programs, or other related discretionary assignments.
5. **Loss of Privileges.** Denial of specific privileges for a defined period of time (e.g. guest, computer, housing selection,

visitation, dining services, University representation, co-curricular activities, athletic participation, work study position, leadership role).

6. Counseling Assessments/Meetings. Assignment to complete a number of counseling sessions including but not limited to anger management, alcohol or drug assessments, and alcohol education classes.

7. Fines. Requirement to pay a specified monetary fee to the University. Fine money shall be used for educational and non-alcoholic alternative programs.

8. Restitution. Requirement to make payment to the University, other persons, groups, or organizations for damages.

9. Administrative Relocation in University Housing.

Requirement to be placed in an assigned or relocated space in University housing.

10. Disciplinary Probation. A period of fixed duration, during which the status of a student or organization at the University may be evaluated. This includes the possibility of more severe sanctions if the student or organization is found responsible for violating the Community Standards during the probationary period.

11. Deferred Suspension. A designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Community Standards. If the student is found in violation of any University standard during the time of deferred suspension, a suspension may take effect immediately without further review. Additional sanctions appropriate to the new violation may also be issued.

12. Removal from University Residence. Separation from the residence halls for a defined period of time. The student may be prohibited from participating in the University dining program. The student shall be barred from entering all residences within the University residential community during the time of removal from campus housing.

13. Suspension. Separation from the University for a specified period of time. The student or student organization shall not participate in any University-sponsored activity and may be banned from the University premises. The University will not accept any credits earned from another institution during this period toward a University degree. In the case of residence hall groups, this sanction may include the disbanding of

a living unit, and in the case of a student organization, this may include the removal of recognition. Reinstatement shall require the approval of the Vice President for Student Life/ Associate Provost.

14. **Expulsion.** Permanent separation from the University and University facilities.

15. **Revocation of Admission and/or Degree.** Admission to or a degree awarded from the University may be revoked at any time for fraud, misrepresentation, or another violation of Community Standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

16. **Withholding Degree.** The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Community Standards, including the completion of all sanctions imposed, if any.

Failure to abide by or complete any sanction shall be considered an additional violation of the Community Standards.

For Title IX violations, the University will take specific steps to prevent reoccurrences of any harassment and to correct discriminatory effects on the complainant and others, if appropriate.

How is the Respondent Notified of the Outcome of a Hearing?

The respondent shall be notified in writing, at a minimum in the form of an email to the official SJU student account, of the outcome of a hearing, in most cases within three business days after the hearing. The University does not disclose the results of a hearing other than to the respondent; however, it may disclose results expressly permitted by law, for example:

- The proper University authorities shall be notified of any sanction.
- Parents of students under age 21 may be informed of Community Standards violations with respect to the use or possession of alcohol or controlled substances.
- In some cases as consistent with applicable considerations, parents of dependent students may be notified of the outcome of a hearing or scheduled for a meeting with staff regarding the student's status at the University.
- The University will notify in writing the alleged victim of a crime of violence or sexual harassment, or to the alleged

victim's next of kin (if the victim dies as a result of the crime or offense), the outcome and sanctions of the complaint related to the victim. The final results of these proceedings may also, in some cases, be disclosed to the University community.

What is the Appeals Process?

In cases of crimes of violence or sexual harassment, both the respondent and complainant shall have the right to appeal the decision. For all other cases, the respondent shall have the right to appeal the decision. Appeals are considered under the following criteria. Requests for appeals shall be directed in writing to the Vice President for Student Life/ Associate Provost (VPSL) within three business days of written notification of the action taken by the Hearing Officer, PRB, or CSB. The appeal should be delivered to the Vice President for Student Life/Associate Provost in Campion 238 or emailed to studentappeals@sju.edu. The appeal process is reserved only for serious cases, for example, when the outcome may have been sanctions 12 through 16 listed above. In the written appeal, evidence of one or more of the following must be clearly demonstrated:

1. A material failure to follow the procedures of the Community Standards process that affected the outcome.
2. There is new information, sufficient to alter a decision that was not reasonably available at the time of the original hearing.
3. The sanction(s) was not consistent for the violation(s) of the Community Standards. Relevant sanctions are only disclosed to the victim in cases of crimes of violence or sexual harassment.

Appeals submitted for other reasons or past the three business day time limit shall not be considered. The Vice President for Student Life/Associate Provost in concert with the Provost/designee may review all available information pertaining directly to the appeal, and in most cases shall make a decision within 5 business days of the appeal request period expiring. The VPSL and Provost/designee may 1) replace the sanction with another which may be more severe, less severe, or otherwise different; 2) remand the case for reconsideration; 3) direct the case for a new hearing. The VPSL and Provost/designee will convey his/her decision in writing to both parties, in the case of sexual harassment. The decision made on appeal will be final. If the VPSL and Provost/designee find

no merit to the appeal, the decision of the original hearing shall stand. While an appeal is pending, sanctions are not in effect unless the VPSL imposes an interim suspension/conditional attendance as highlighted above. In cases where the VPSL and/or the Provost/designee is/are a party to the hearing, a designee(s) will hear the appeal.

What is the Policy on Retention of Discipline Records?

Community Standards violations and sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's educational record. Student discipline records not relating to expulsion from the University are kept for five years after the conclusion of the semester last attended by the student. Student discipline records relating to expulsion from the University are kept permanently. Case notes shall not be made a part of the student's educational record, and will be destroyed upon the conclusion of the appeal period. Records are maintained by the Office of Community Standards and are generally confidential except in the case of subpoena, student consent (including background checks), or as provided above.

Interpretation and Revision

Any question of interpretation regarding the Community Standards shall be referred to the Vice President for Student Life/Associate Provost (VPSL) for final determination. A review of the Community Standards shall be coordinated by the VPSL every three years, but may be revised when deemed appropriate.