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**LOYOLA UNIVERSITY CHICAGO  
COMMUNITY STANDARDS 2012-2013**

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## ARTICLE I. THE RAMBLER COMMUNITY



*"We are Chicago's Jesuit Catholic University – a diverse community seeking God in all things and working to expand knowledge in the service of humanity through learning, justice, and faith."*

- Loyola University Chicago Mission Statement

Welcome to Loyola University Chicago, your home for what will surely be one of the most exciting chapters of your life: your undergraduate college experience. You have chosen to attend a prestigious institution known around the country for its academic excellence, commitment to ethics, and of course beautiful location alongside Lake Michigan. Whether you are a "local" or came here from another state or country, you have arrived in one of the country's most exciting, diverse, and vibrant cities: Chicago, Illinois.

In other words, you have chosen to become a Rambler, and as part of the Rambler Community you will have opportunities to study, work, pray, play, and grow with world-renowned faculty, dedicated staff, and high-achieving students. This community, along with a strong alumni network of Ramblers who came before you, believes that when we find our deepest passions and set ourselves to using those passions to meet some great need, that we will transform the world.

With this opportunity comes an important responsibility: to honor, respect, and carry forward Loyola's proud tradition of excellence in all that you do. This means taking every opportunity to make the very most of the privilege you enjoy in being a Loyola student. It means treating your classmates and others in your community with the respect and dignity that all people deserve. And it means using your talents in service to the community to leave it better off than before you got here.

There is no doubt that you will make mistakes along the way, and when you do, the Rambler Community will be there to hold you accountable, to remind you of your responsibility, and to support you in moving forward. That is the purpose of these Community Standards. Please know that while this document provides a platform, a floor, a minimum threshold for your conduct as a Rambler – our expectations for what you will achieve, how you will honor yourself, your families, and your University, are far higher.

So on behalf of the Office of Student Conduct and Conflict Resolution, welcome, Ramblers. We are so glad you are here.

## 101. WELCOME LETTER FROM THE VICE PRESIDENT OF STUDENT DEVELOPMENT



Dear Loyola Student:

It is my privilege to welcome you (back) to Loyola University Chicago. Shaped by our city and our Jesuit traditions, Loyola provides an educational environment unmatched for its diversity of thought and experience. You have chosen a University that is on the move...just take a look at the campus! Spend time with your professors, engage with the staff and administrators and get to know your fellow students; I am certain you will agree that Loyola is a place where **REIMAGINE** has a meaning of its own.

As a student at Loyola, you have a vital role to play in the engagement and transformation of the University. To that end, our vision of student formation is embodied in The Student Promise, a document written by students for students, which embodies the beliefs and values of our Loyola community. The Student Promise is a statement of purpose that unites our community around the very things that make us excellent – that make Loyola students different from students at other institutions. The Student Promise is also a statement of pride and dignity and it forms the basis by which we will live, work, study and play together. With support and guidance from faculty, students, staff mentors, and administrators you can help foster a campus atmosphere that brings to life this collective vision.

I encourage you to be active in shaping your own education and telling your Loyola story. While each and every student is diverse and unique, we will provide some “key” experiences during your years here. After all, serving, supporting and challenging all students is what we do. Always remember that your membership in this community is a privilege and comes with a great responsibility. Make it a habit to keep in mind those most disenfranchised in our world and integrate prayer, reflection and discernment into your busy life. It is with this tradition that you will be able to make the changes in our society that you wish to see.

May blessings be yours throughout the year!

Sincerely,

*Robert D. Kelly, Ph.D.*

Vice President for Student Development



## 102. THE STUDENT PROMISE

In the spring of 2007 seven students representing diverse backgrounds, along with four staff members, were commissioned by the Office of Student Conduct and Conflict Resolution (then known as “Judicial Affairs”) and Office of the Vice President for Student Development to create a document that represented the voice and spirit of the student body. After many months of dialogue, reflection, and hard work, the result was “The Student Promise,” a declarative statement that unites all Loyola students while also identifying what makes a Loyola student unique – different from students at other institutions of higher education.

The unifying and distinguishing characteristic that this group identified was profound in its simplicity. To put it simply: Loyola students *care*.

In The Student Promise, we have a direct representation of the values of Loyola’s *student* body. It is important to notice that while this is different from the University Mission Statement, the two are deeply connected. The two statements complement one another, inform one another, and build upon one another. So it is with the actual student body, which grows from and adds to the extraordinary University community that makes up Loyola University Chicago.

Now, many years after its creation, The Student Promise remains an inspiring symbol of student empowerment, pride, and community accountability. As you enter into this Rambler Community, we hope you will accept the invitation that The Student Promise presents by learning it, living it, and teaching it to the generations of Loyola students who will follow in your footsteps.



*As a Loyola student being educated in the Jesuit Catholic tradition, I promise to...*

**Care for Myself**

*I promise to strive for excellence in all that I do. I will embrace opportunities for leadership, challenge myself academically, and seek experiences that will positively influence my personal development. I will honor the good in myself by being honest, compassionate, and respectful.*

**Care for Others**

*I promise to recognize that each individual person is valuable and has a unique perspective that contributes to the growth and development of all. I will respect the individuality of others regardless of appearance, ethnicity, faith, gender, ability, sexual orientation, or social standing.*

**Care for Community**

*I promise to acknowledge and celebrate diversity. I will contribute my talents, gifts, and ideas to strengthen the community. I aspire to be a person for others committed to working toward a more just world.*

Loyola University Chicago, 2007

### 103. THE DAILY EXAMEN: A JESUIT TRADITION

As you may already know, Loyola University Chicago is a Jesuit, Catholic institution, and one that derives its culture and values from that Jesuit heritage. For this reason, prayer is welcomed and encouraged as part of daily life at Loyola. Prayer takes many forms, and depending on one's spiritual tradition, may include silent meditation, singing, chanting, speaking out loud, engaging in rituals, fasting, or eating in certain ways.

One way to pray is to look for God's presence in your life. More than 400 years ago St. Ignatius Loyola, the founder of the Jesuits, encouraged prayer-filled mindfulness by proposing what has been called the Daily Examen. The Examen is a technique of prayerful reflection on the events of the day in order to detect God's presence and to discern his direction for us. The Examen is an ancient practice in the Church that can help us see God's hand at work in our whole experience.

St. Ignatius felt that the Examen was a gift that came directly from God, and that God wanted it to be shared as widely as possible. One of the few rules of prayer that Ignatius made for the Jesuit order was the requirement that Jesuits practice the Examen twice daily—at noon and at the end of the day. It's a habit that Jesuits, and many other Christians, practice to this day.

The Examen is offered here as a tool for personal reflection on our decisions, where we have felt God's presence during our daily lives, and how we can best live an extraordinary life in the days to come.

**1. Become aware of God's presence.** Look back on the events of the day. The day may seem confusing to you—a blur, a jumble. Ask God to bring clarity and understanding.

**2. Review the day with gratitude.** Gratitude is the foundation of our relationship with God. Walk through your day in the presence of God and note its joys and delights. Focus on the day's gifts. Look at the work you did, the people you interacted with. What did you receive from these people? What did you give them? Pay attention to small things—the food you ate, the sights you saw, and other seemingly small pleasures. God is in the details.

**3. Pay attention to your emotions.** One of St. Ignatius's great insights was that we detect the presence of the Spirit of God in the movements of our emotions. Reflect on the feelings you experienced during the day. Boredom? Elation? Resentment? Compassion? Anger? Confidence? What is God saying through these feelings?

**4. Choose one feature of the day and pray from it.** Ask the Holy Spirit to direct you to something during the day that God thinks is particularly important. It may involve a feeling—positive or negative. It may be a significant encounter with another person or a vivid moment of pleasure or peace. Or it may be something that seems rather insignificant. Look at it. Pray about it. Allow the prayer to arise spontaneously from your heart—whether you ask for God to intervene some way, give praise, seek repentance, or express gratitude.

**5. Look toward tomorrow.** Ask God to give you light for tomorrow's challenges. Pay attention to the feelings that surface as you survey what's coming up. Are you doubtful? Cheerful? Apprehensive? Full of delighted anticipation? Allow these feelings to turn into prayer. Seek God's guidance. Ask him for help and understanding. Pray for hope.

St. Ignatius encouraged people to talk to Jesus like a friend. End the Daily Examen with a conversation with Jesus. Ask forgiveness for your sins. Ask for his protection and help. Ask for his wisdom about the questions you have and the problems you face. Do all this in the spirit of gratitude. Your life is a gift, and it is adorned with gifts from God. End the Daily Examen with the Our Father or some other prayer of meaning to you.

*Adapted from <http://ignatianspirituality.com>*

## **ARTICLE II. STUDENT CODE OF CONDUCT**

As members of the Loyola University Chicago community, all students, student groups and organizations, and other student communities are expected to adhere to the highest standards of civility and respect in their conduct towards one other. As living representatives of the values and mission of the University, students should constantly strive to exemplify the values of service, justice, learning, and faith.

All Loyola University Chicago students are expected to adhere to all University policies including but not limited to those outlined in this Community Standards document, as well as all local, state, and federal laws. The Student Code of Conduct (hereinafter "the Code") provides a baseline guide for acceptable student conduct to which all students (except students enrolled in the Stritch School of Medicine and School of Law) and student organizations, including all students who live in a Loyola residence hall, must adhere.

Students are also responsible, and may be held accountable, for the actions of their guests.

### **201. DEFINITIONS AND GENERAL INFORMATION**

#### **1. Definitions**

- a. "Academic term" means fall or spring semesters. Summer sessions and January sessions ("J-term") are not considered academic terms for the purposes of these Community Standards.
- b. "Advisor" means a person who acts as a support person for a respondent in the conduct process. Only University community members and members of the respondent's family may serve as advisors.
- c. "Complainant" means the party who makes the complaint.
- d. "Conduct Administrator" means a University professional or paraprofessional (e.g. graduate student) who has been trained by the OSCCR to conduct hearings and is designated by the Dean of Students to have the authority to assign sanctions for student misconduct. The Director of the OSCCR is the chief conduct administrator for the University.
- e. "Day" means regular University business day (Monday through Friday, not including holidays) when most University offices are open. When including both business and non-business days, the Community Standards will use hours instead (for example, the term "72 hours" includes business and/or non-business days, regardless of holidays).
- f. "Disciplinary record" means a record of all substantiated student misconduct in which a student has engaged. Disciplinary records are maintained for a total of seven years from the date of final decision, after which time all records (except those resulting in Expulsion) are destroyed.
- g. "Distribution" means providing or making accessible to another any amount, no matter how small. Splitting a six pack of alcohol with someone under the legal drinking age may be considered distribution of alcohol. Providing a person with one pill or other small amount of a controlled substance may be considered distribution of drugs. Assisting a student to acquire a fake ID may be considered distribution.
- h. "Facility" or "University Facility" means any building, grounds, property, office, or area that is owned and operated by the University. Classrooms and residence halls are considered University facilities.
- i. "Guest" may mean different things in different parts of the Community Standards. Generally, a University guest is someone who is not a Loyola student. A residence hall guest is someone who is not currently assigned to live in a particular residence hall, but who may be a student or even a student who resides elsewhere on campus.
- j. "Hazing" is a broad term encompassing actions or activities often associated with initiation or group associations which do not contribute to the positive development of

- a person; or which inflict or attempt to cause mental or physical harm or anxieties; or which demean, degrade, or disgrace any person regardless of location, intent, or consent of participants.
- k. "OSCCR" or "Office of Student Conduct and Conflict Resolution" means the office charged with maintaining and enforcing the Community Standards and the student conduct process. The OSCCR is located in Centennial Forum Student Union (CFSU), Suite 112.
  - l. "Preponderance of the evidence" means such evidence as, when weighed with that opposed to it, has more convincing force and the greater probability of truth. This is the standard of evidence for all conduct decisions, and may also be thought of as a standard based on what is "more likely than not" to have occurred.
  - m. "Responsible/Not Responsible" are terms that mean whether or not a student or student organization has been found, based on a preponderance of the evidence, to be accountable for the alleged misconduct. Responsibility is determined per individual, per allegation.
  - n. "Respondent" means the party against whom the complaint is made.
  - o. "Retaliation" means any adverse action taken by or on behalf of one party against another party in response to a report, action, or injury by the victim.
  - p. "Sanction" is an educational or punitive measure assigned to a student because the student has been found responsible for some misconduct. Sanctions are mandatory and failure to complete a sanction may result in additional disciplinary action.
  - q. "Student" means any person who is admitted and deposited, enrolled, or registered for study at Loyola University Chicago for any academic period, and those who attend post-secondary educational institutions other than Loyola University Chicago while residing in a Loyola University Chicago residence facility in Chicago or elsewhere. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with, or an educational interest in, Loyola University Chicago are considered students. A person shall also be considered a student during any period while the student is under suspension from the University or when the person is attending or participating in any activity preparatory to the beginning of school, including but not limited to orientation, Bridge to Loyola Program and residence hall check-in.
  - r. "Student Community Board" (SCB) means a sponsored student organization consisting of a board of student volunteers who support the mission of the OSCCR by serving as a peer-to-peer adjudicative body. Members of the SCB are outstanding student leaders who are selected, trained, and supported by the OSCCR staff to hear cases of alleged student misconduct. For information about applying for the SCB, please visit <http://www.luc.edu/osccr>.
  - s. "Student Organization" means a student organization recognized by the University according to applicable policy. A student organization may be either a Registered Student Organization (RSO) or Sponsored Student Organization (SSO). Unless otherwise specified, the term "student organization" means both RSOs and SSOs.
  - t. "University" or "the University" means Loyola University Chicago, including all Chicago campuses, the Loyola University Health Sciences Campus (HSC), the John Felice Rome Center (JFRC), and the Loyola University Retreat and Ecology Center (LUREC).
  - u. "University community" means students, staff, faculty, administration, and other employees of Loyola University Chicago.
  - v. "University Conduct Board" means a group of representatives of the University community (typically two students and three faculty, staff, or administrators) who are selected and trained by the OSCCR to adjudicate allegations of serious misconduct.

- w. "University-sponsored activity" or "University-sponsored event" means any activity on or off-campus which is initiated, authorized, or supervised by the University or a recognized student organization or University program, office, or department.
- x. "University official" means any person employed by the University who is operating in an official capacity, including but not limited to Campus Safety Officers, Resident Assistants, and Residence Hall Desk Receptionists.
- y. The terms "will" or "shall" are used in the imperative sense. The term "may" is used in the permissive sense.

**2. Format of Student Code of Conduct and Categories of Violation**

In the Code as well as in certain other University policies, readers will notice references to Categories A, B and C, often indicated in parentheses after the name of the violation or policy (e.g. "(A)"). These categories classify the typical response by the University to violations of policy within each category. A Category A violation, for example, is considered less severe than a Category B or C violation. This distinction may impact what sanctions are assigned and in some cases how a case is processed. Please refer to the "Student Conduct Procedures" section for more details.

As a general guideline, sanctions tend to be assigned according to the following schedule:

	Category A	Category B	Category C
<b>Fines</b>	\$25-150	\$100-250	\$200 and up
<b>Disciplinary Service Hours</b>	10-20 hours	20-40 hours	30 hours and up
<b>University Probation/Suspension</b>	Seldom assigned, except for repeated violations	Probation often assigned, ranging from a semester to a year; Suspension sometimes assigned, but typically only for repeated or serious violations	Probation almost always assigned at minimum, ranging from a semester to multiple years; Suspension assigned in cases of serious violation or where safety is at issue
<b>Educational and Developmental Sanctions</b>	Brief reflection papers, journals, minor projects, interviews, creation of passive program or poster	More in-depth reflection papers or intentional experiences, long-term engagement with an assigned project, facilitation of University or community educational program, service paired with a mentor	Permanent restrictions on access to University facilities; long-term projects and significant research papers; mandatory regular meetings with administrators

**3. Interpretations of the Community Standards and Appropriate Sanctioning**

A description of "typical sanctions" is provided after some policies to provide students with a rough idea of potential consequences for violating a particular policy. **Conduct administrators and boards will always use their discretion in assigning the most appropriate sanction and often assign sanctions other than the "typical" sanctions.** The existence of a prior history of misconduct will increase the severity of a sanction beyond what is described.

#### **4. Jurisdiction of the University**

The University reserves the right to investigate and adjudicate any case in which a student is alleged to violate any of the principles, policies, or laws published by the University, regardless of the location where the incident occurs. Students are also expected to follow the policies and procedures of institutions that they may visit, including study abroad programs.

#### **5. Authority**

The OSCCR, which is designated as the office responsible for the maintenance and enforcement of the Community Standards, derives its authority from the Dean of Students, who is charged by the Vice President of Student Development on behalf of the Board of Trustees to foster and maintain a safe, healthy, academic environment for the University community.

The terms “Dean of Students” and “OSCCR Director” are used throughout the Community Standards to identify those staff members who are generally responsible for the enforcement of the Community Standards. The roles and responsibilities of the Dean of Students and OSCCR Director may be delegated to other members of the University staff at the discretion of the President, Vice President for Student Development, or Dean of Students.

When a Resident Director or other University staff member trained by the OSCCR serves as a conduct administrator, that staff member is acting with the authority of the OSCCR.

The Community Standards are the superseding authority for University standards of student conduct. Any question of interpretation or application of the Community Standards shall be referred to the Vice President for Student Development or appropriate designee for final determination.

#### **6. Focus of Proceedings**

The overall purpose of the Community Standards is to ensure the safety of the University community while balancing the needs of (a) the individual student(s) involved in an incident, (b) the rest of the University community, and (c) the University as an institution. The OSCCR will always reasonably consider the perspectives of various parties involved in an attempt to understand the facts of an incident and to determine an appropriate outcome.

#### **7. Violations of Law and the Community Standards**

The University may proceed with a hearing or other conflict resolution process despite pending civil or criminal proceedings. In some circumstances, the University may refer a case for criminal investigation.

#### **8. Time Limitations**

There is no limit for when an incident of alleged misconduct may be reported; however, the OSCCR typically will not investigate reports submitted over one calendar year after the occurrence of the alleged incident. Exceptions may be made for serious incidents.

#### **9. Method of Communication**

The standard method of communication to correspond with students – whether in Rome or Chicago – about student conduct or conflict matters is University email ([username@luc.edu](mailto:username@luc.edu)). All students are responsible for checking their Loyola email regularly. Sensitive messages, including allegation letters and decision letters, will be sent via the OSCCR database system, ADVOCATE. To access your ADVOCATE account, log in using your standard Loyola credentials (username and password). This system is used to further protect students' privacy. Students may also be contacted in person or by phone, text message, postal mail, or other means as needed.

#### **10. Guests**

University and residence hall guests are expected to follow the Community Standards. Student hosts are accountable for the conduct of their guests and may be subject to disciplinary action as the responsible party for violations of University policy incurred by their guests. This applies to individuals, groups, and student organizations.

### **11. Student Organizations**

All student organizations are expected to adhere to the Community Standards at all times. Student organizations who violate the policies described here may face disciplinary action as an organization and/or as individual students, depending on the circumstances.

### **12. Reservation of Rights**

Loyola University Chicago reserves the right to change the policies and procedures outlined in the Community Standards and to change the schedules, fees, and regulations affecting students at any time. The version of the Community Standards that is in effect when the alleged conflict arises will be used to determine the outcome of an incident, even if the Community Standards have been updated since then. When changes are made, a reasonable attempt will be made to publish notice to the University community, but it is the student's responsibility at all times to remain informed about current University policies. The full and most up-to-date text of the Community Standards, including the sections found here, is available online at [www.luc.edu/osccr](http://www.luc.edu/osccr). The online version may be updated at any time and takes precedence over any printed version.

### **13. Knowledge and Awareness of Policies**

Each student is expected to familiarize themselves with all policies and procedures set forth in the Community Standards. Please read this document carefully. You are accountable for its contents.

## **202. REGULATED OR PROHIBITED CONDUCT**

### **1. Abusive Conduct (C)**

Abusive conduct, including inflicting or attempting to inflict bodily harm upon any person, reckless action from which bodily harm could result to any person, causing any person the reasonable fear of bodily harm, or any action that threatens or endangers the health or safety of any person or group of people, including oneself, is prohibited. Verbal or other conduct that intentionally inflicts extreme emotional distress is also prohibited. Any such behavior occurring in the context of a domestic or intimate relationship may also constitute a violation of the Dating Violence, Sexual Misconduct, and Stalking Policies, and may result in increased sanctions. When a student harms or attempts to harm oneself, the student may be required to meet with the Dean of Students and/or may be referred to the Behavioral Concerns Team to determine the most appropriate course of action.

*Appropriate sanctions are determined on a case-by-case basis, but may include: Residence Hall or University Suspension or Expulsion.*

### **2. Alcohol**

Students and their guests are expected to follow all local, state, and federal laws, as well as all University policies pertaining to the manufacture, possession, use, sale, and distribution of alcohol. Residential students and their guests are subject to additional regulations concerning alcohol in the Residence Halls (see, *Alcohol*, Residence Hall and Housing Policies 302(1), and *JFRC Alcohol Policy*, John Felice Rome Center Policies 402(1)). Student organizations are subject to additional regulations concerning alcohol at organizational events (see, *Alcohol*, Other University Policies 523(1)). Students must properly dispose of all alcohol when requested by a University official. The following conduct is expressly prohibited regardless of age, except where otherwise specified:

- a. Consuming or possessing alcohol while under twenty one (21) years of age (A)
- b. Possessing an open alcohol container in public view (A)
- c. Disruptive activity due to intoxication (B)
- d. Manufacture, sale, or unauthorized distribution of alcohol (B)
- e. Public intoxication on University property or at University-sponsored events (B)
- f. Severe intoxication resulting in hospitalization or concern for student's well-being (C) (Degree of intoxication constituting "of concern" is at the reasonable discretion of the

OSCCR; students alleged to violate this policy may be required to meet with the OSCCR Director.)

*Typical sanctions for a first-time offense include: (for Category A) \$75-200 fine, 10-20 disciplinary service hours, educational experience or project; (for Category B) \$200-300 fine, 20-30 disciplinary service hours, more intensive educational experience or project, Residence Hall or University Probation; (for Category C) \$300-400 fine, 30-40 disciplinary service hours, extensive educational experience or project, Residence Hall or University Probation or Suspension.*

*\*For students under 21 years of age, parents or guardians will be notified of (a) any second violation of this policy, and (b) any Category C violation.*

### **3. Bias-Motivated Discrimination, Abuse, and Harassment (B)**

It is unacceptable and a violation of University policy to discriminate against, abuse, or harass any person because of one's race, color, national origin, gender, sexual orientation, disability, religion, age, or any other characteristic protected by applicable law. Such behavior threatens to destroy the environment of tolerance and mutual respect that must prevail for the University to fulfill its educational and health care mission. For this reason, incidents involving such bias-motivated behavior ("bias-motivated incidents") will be promptly investigated and may result in serious disciplinary consequences.

For a complete description of regulations on such conduct, as well as information on reporting bias-motivated incidents, see, *Bias-Motivated Discrimination, Abuse, and Harassment Policy and Procedures*, Other University Policies 503.

*Appropriate sanctions are determined on a case-by-case basis, but may include: Residence Hall or University Probation or Suspension.*

### **4. Breaking the Plane (B)**

Breaking the vertical plane of a window, balcony or similar structure is prohibited. This includes, but is not limited to, water balloons, food, cans, bottles, flags, signs, and persons. This applies to throwing objects and liquids (including bodily fluids), or causing them to fall. Any object breaking the plane that could cause harm to a person or damage to property is considered a dangerous object (see, *Dangerous Objects*, Student Code of Conduct 202(5)), whether or not there was anyone or anything in immediate danger.

*Appropriate sanctions are determined on a case-by-case basis, but may include Residence Hall Suspension or Expulsion, University Probation and when dangerous objects are projected, University Suspension or Expulsion.*

### **5. Dangerous Objects**

The unauthorized possession, display, use, and threat of use of dangerous objects including, but not limited to, firearms (including BB, pellet, and paintball guns), fireworks, smoke bombs, explosives, ammunition, hunting knives, swords (including decorative or ceremonial), sabers, or anything that could be perceived or misrepresented as a weapon is prohibited on University property.

Employees of government law enforcement agencies who are required to carry firearms at all times are exempt from the University's policy prohibiting the possession of firearms on campus.

The following conduct is expressly prohibited:

- a. Possession of a non-firearm dangerous object (B)
- b. Possession of firearm (C)
- c. Use, display, or threat of use of any dangerous object (C)

*Typical sanctions include: (for Category B) \$200 fine, 50 disciplinary service hours, Residence Hall Suspension, and University Probation; (for Category C) University Suspension or Expulsion.*



## **6. Dating Violence (C)**

All members of the University community should be able to live free from abuse, violence, and threats of violence, especially from those with whom they share a household or intimate relationship. Relationship violence (also known as domestic abuse, domestic violence, or dating violence) will not be tolerated on campus or within the University community and is expressly prohibited.

For a complete description of regulations on such conduct, as well as information on reporting incidents of dating violence, see, *Dating Violence, Sexual Misconduct, and Stalking Policies and Procedures*, Other University Policies 518.

*Appropriate sanctions are determined on a case-by-case basis, but may include: Residence Hall or University Suspension and Expulsion.*

## **7. Disruptive or Disorderly Conduct (B)**

No person or organization may interfere with, disrupt normal operations of, or promote the interference or disruption of students, faculty, administration, staff, or the educational mission of the University or its buildings, equipment, or facilities. Any form of expression that materially interferes with such activities and operations or invades the rights of other persons is prohibited.

Such activity includes, but is not limited to:

1. Any conduct on or off-campus that is disorderly, lewd, or indecent;
2. Behavior in a classroom or instructional program that interferes with the instructor's ability to instruct or the ability of others to profit from the class or program; and
3. Behavior in a residence hall that interferes with the ability of residents to live in a safe, reasonably peaceful environment.

*Appropriate sanctions are determined on a case-by-case basis, but may include: removal from specific classes and Residence Hall or University Probation or Suspension*

## **8. Drugs**

Possession, use, transfer, distribution, manufacture or sale of illicit drugs is prohibited. Illicit drugs include both illegal drugs and other recreational substances used as if drugs, and prescription medications used outside the directions of a valid prescription. Students may not possess any form of drug paraphernalia typically used for illicit drug use. The following conduct is expressly prohibited:

- a. Being in the presence of illicit drugs (A)
- b. Possession of drug paraphernalia (A)
- c. Possession or use of illicit drugs (B)
- d. Manufacture, sale, transfer, or distribution of illicit drugs (C)

*Typical sanctions for a first-time offense include: (for Category A) \$50-100 fine, 10-20 disciplinary service hours, and an educational experience or project; (for Category B) \$150-200 fine, 20-40 disciplinary service hours, a more extensive educational experience or project, and Residence Hall or University Probation or Suspension; (for Category C) Residence Hall or University Suspension or Expulsion.*

*\*For students under 21 years of age, parents or guardians will be notified of any violation of this policy*

## **9. Facility Use and Access**

Unauthorized access to, presence in, or use of University facilities or grounds is prohibited. Students may not prop open any controlled access door (e.g. fire doors, doors requiring a Campus Card to open, secured exterior doors). Activities such as rollerblading, skating, skateboarding, bicycle riding, and unauthorized sports are prohibited in University facilities, including Residence Halls.

Many areas of campus are accessible only with keys or by “swiping in” with a Campus Card (Student or Staff Identification Card). Students may not duplicate or lend their keys or Campus Cards under any circumstances.

The following conduct is expressly prohibited:

- a. Entering a gender-specific bathroom not intended for one’s own gender (A)
- b. Rollerblading, skateboarding, skating, or playing unauthorized sports in a University facility (A)
- c. Accessing University facilities without authorization (B)
- d. Providing others unauthorized access to University facilities (B)
- e. Misuse or duplication of keys or Campus Cards (B)

*Appropriate sanctions are determined on a case-by-case basis, but may include: restriction from accessing certain University facilities, fines, disciplinary service hours, and Residence Hall or University Probation or Suspension.*

#### **10. Failure to Comply**

The Community Standards, including the Student Code of Conduct, Student Conduct Process, and all other University policies, are designed with the safety and well-being of the University community in mind. As such, Loyola students are expected to comply fully with these policies and procedures, as well as with all local, state, and federal laws at all times.

The following conduct is expressly prohibited:

- a. Failure to comply with local, state, or federal law (including laws of the host nation when studying or traveling abroad) (B)
- b. Failure to comply with any University policy, including but not limited to all policies listed under the Articles of these Community Standards and other University policies posted on the University website (B, unless otherwise indicated)
- c. Failure to promptly comply with the reasonable request of a University official or emergency services professional acting in an official capacity (B)
- d. Failure to comply with a sanction, decision, or outcome resulting from a conduct proceeding (B)

*Appropriate sanctions are determined on a case-by-case basis, but may include: fines, educational experiences or projects, and Residence Hall or University Probation, Suspension, or Expulsion.*

#### **11. Fire-Related Misconduct**

The safety of the University community is of the utmost importance. Any fire-related action that compromises safety, including tampering with, disabling, or misusing emergency equipment (e.g. smoke detectors, fire alarms, fire extinguishers), is a violation of these Community Standards. Additionally, students are expected to comply promptly with all fire drills, evacuations, or other emergency procedures, and to respect all posted regulations about the use of fire doors, emergency exits, and fire escapes. In the event of a fire alarm, it is the student’s responsibility to evacuate the building immediately; University staff will not enter a building to evacuate residents or guests.

The following conduct is expressly prohibited:

- a. Failure to evacuate a building immediately upon a fire alarm (B)
- b. Tampering with, disabling, or misusing fire alarms or equipment (B)
- c. Intentionally or unintentionally damaging property by fire or explosives (C)

*Appropriate sanctions are determined on a case-by-case basis, but may include: fines, restitution, disciplinary service hours, educational experiences or projects, and Residence Hall or University Probation, Suspension, or Expulsion.*

\*See also, *Fire Regulations*, Residence Hall and Housing Policies 302(3).

### **12. Fraud, Misrepresentation, or Dishonesty**

Loyola students are held to the highest standards of integrity and truthfulness. As such, the following conduct is expressly prohibited:

- a. Knowingly submitting or providing false information to the University or any University official (B)
- b. Falsification, alteration, forgery, or misuse of University records, documents, or other materials pertaining to the University (C)
- c. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire or other emergency (C)
- d. Use, possession, manufacture, sale, transfer, or distribution of false or fraudulent identification, including using another individual's identification or modifying an otherwise valid identification (C)

*Appropriate sanctions are determined on a case-by-case basis, but may include: fines, educational experiences or projects, and Residence Hall or University Probation, Suspension, or Expulsion.*

*Students found with fake IDs (11(d)) will have IDs submitted to the Secretary of State for investigation and/or criminal processing.*

### **13. Gambling (B)**

Loyola University Chicago prohibits gambling, raffles, or any form of illegal wagering, bookmaking, or unauthorized games or contests of chance on University premises or associated with a recognized student organization, including but not limited to University-sponsored functions, events in University residence halls, and sporting events, unless facilitated by a licensed third party vendor. For the purposes of this policy, "raffle" means any event requiring a fee for a chance to win a prize. Additionally, students shall not knowingly provide information to assist any individual involved in any gambling activities.

*Appropriate sanctions are determined on a case-by-case basis, but may include: fines, disciplinary service hours, an educational experience or project, and Residence Hall or University Probation.*

### **14. Property Damage**

Tampering with, defacing, or causing damage to University, public, or private property or equipment is prohibited. Students may be responsible for restitution for any damage they cause, as well as being subject to further disciplinary action.

Violation of this policy is a Category A, B, or C violation, depending on the value of the damaged property:

- a. Damage to property valued under \$100 (A)
- b. Damage to property valued from \$100 to \$499 (B)
- c. Damage to property valued \$500 and over (C)

*Typical sanctions include: restitution and Residence Hall or University Probation, Suspension, or Expulsion.*

### **15. Sexual Misconduct (C)**

Individuals choosing to engage in sexual activity of any type with each other must have clear consent. Any sexual activity of any kind without consent is sexual misconduct and absolutely will not be tolerated. The requirements of this policy apply regardless of the sexual orientation or preference of individuals engaging in the sexual activity. Behavior prohibited by this policy is categorized as follows:

- a. Non-consensual sexual penetration (C): Any sexual penetration, however slight, using any body part or object, by a person of any sex upon a person of any sex, without consent.

- b. Non-consensual sexual contact (C): Any intentional sexual touching, however slight, using any body part or object, by a person of any sex upon a person of any sex, without consent.
- c. Sexual Exploitation (C): Taking non-consensual or abusive sexual advantage of another individual for the benefit of anyone other than the person being exploited.
- d. Sexual Harassment (C): Unwelcome verbal or physical conduct of a sexual nature or based on gender, including unwelcome sexual advances and requests for sexual favors.

For a complete description of regulations on such conduct, as well as information on reporting incidents of sexual misconduct, see, *Dating Violence, Sexual Misconduct, and Stalking Policies and Procedures*, Other University Policies 518.

*Appropriate sanctions are determined on a case-by-case basis, but may include: Residence Hall or University Suspension and Expulsion.*

#### **16. Smoking (A)**

In compliance with Illinois law, smoking is prohibited in all campus buildings and within 15 feet of all entrance ways and fresh air intake areas. This policy applies to all University facilities on all campuses, including the John Felice Rome Center (JFRC).

*The typical sanction for a first offense is \$100 fine.*

#### **17. Stalking (C)**

Loyola University Chicago does not tolerate stalking. "Stalking" is broadly defined as a pattern of two or more actions directed at a specific person that would cause a reasonable person to fear for one's safety or to feel that one's mental or physical health are threatened. Stalking of any type is strictly prohibited.

For a complete description of regulations on such conduct, as well as information on reporting incidents of stalking, see, *Dating Violence, Sexual Misconduct, and Stalking Policies and Procedures*, Other University Policies 518.

*Appropriate sanctions are determined on a case-by-case basis, but may include: Residence Hall or University Suspension and Expulsion.*

#### **18. Taking of Property**

The unauthorized taking (stealing, theft) of personal, public, or University property and the sale, receipt, or possession of stolen articles including services, equipment, or products are prohibited.

Violation of this policy is a Category B or C violation, depending on the value of the stolen property:

- a. Taking of property valued under \$500 (B)
- b. Taking of property valued \$500 or more (C)

*Typical sanctions include: restitution and Residence Hall or University Probation or Suspension.*

#### **19. Trash Disposal (A)**

Students and their guests are expected to dispose of their trash in the appropriate receptacles.

*Typical sanctions include: fines, restitution for cost of cleaning, disciplinary service hours, and Residence Hall Probation.*

### **203. SANCTIONS**

When a student or student organization is found in violation of the Community Standards, any of the following types of sanctions may be assigned. Sanctions should be appropriate to the violation(s) for which they are assigned, considering the context and seriousness of the

violation, the respondent's demonstrated commitment not to engage in the same behavior in the future, and the respondent's prior conduct history (if applicable). In cases of board hearings, board members will determine sanctions by majority.

**Compliance with all assigned sanctions within the time allocated is mandatory.** Failure to complete or comply with any assigned sanction, or failure to meet an assigned deadline (if applicable) may result in further disciplinary action, including but not limited to: billing the student's University account a \$150 fee and placing a disciplinary hold on a student's University account preventing the student from registering, adding a course, or obtaining transcripts until the sanction is completed.

Where it is reasonably believed that a violation of the Community Standards has been committed against any person or group because of the person's or group's race, color, religion, ancestry, national origin, age, disability, gender, sexual orientation, any other characteristic protected by applicable law, or because of the perception that a person or group has some such characteristic, sanctions may be enhanced up to and including University Suspension or Expulsion.

#### **1. Disciplinary Service Hours**

Disciplinary service hours may be assigned, and must be completed (a) at a non-profit organization, (b) under supervision of an employee or volunteer coordinator who is not a relative of the student, and (c) without payment or other compensation for the work performed. Disciplinary service hours may, but need not, be completed for an office or department of Loyola University Chicago. Disciplinary service hours may not count towards service learning hours or other community service required by another program, scholarship, or organization. Court-mandated community service may count towards disciplinary service hours. Deadlines for disciplinary service hours may vary.

#### **2. Educational Experience or Project**

Educational experiences or projects may include attendance and participation in an event, workshop, special project, or other initiative. Such experiences provide space for students to reflect upon their conduct, identify harm to self or to the community, explore why such conduct was unacceptable at a Jesuit, Catholic university, and/or educate other students about the University's Community Standards. Deadlines for educational experiences may vary.

#### **3. Fines**

Fines are punitive monetary costs intended to dissuade students from violating the Community Standards. Fines may be paid directly to the OSCCR by delivering or mailing a check, money order, or cash in the exact amount of bills to the office in Centennial Forum Student Union (CFSU), Room 112. Checks should be payable to Loyola University Chicago. Fines collected are used by the University to fund services and programs for students. Failure to pay a fine will result in the amount being billed directly to the student's University account (no penalty is assigned if a student chooses to have the amount billed). Fines must typically be paid within two weeks of assignment.

#### **4. Mentored Service Hours**

Mentored service hours are identical to disciplinary service hours, except that students are assigned a particular service site and "mentor" or site supervisor. Completion of mentored service hours typically include regular meetings with the mentor, which count towards the required hours.

#### **5. Notification to National Organization Representatives, Officers, or Advisors**

The OSCCR may impose this sanction on a student organization. In such a case, the organization's national representative, officers, and/or advisors may be notified of the violation for which the student organization has been found responsible.

#### **6. Reflection or Research Paper**

Reflection or research papers may be assigned when appropriate. Unless otherwise specified, sanctioned papers must adhere to the following specifications: 12 point, Times New Roman font; one-inch margins; properly cited according to a standard citation system (when

applicable). Unless otherwise specified, papers may be submitted via email (as attachment), fax, or in person to the OSCCR office. Deadlines for sanctioned papers may vary.

#### **7. Residence Hall Probation**

Residence Hall Probation is formal notice that a student's behavior or pattern of behavior was unacceptable and caused harm to the residential University community. During the probation period, students should demonstrate a willingness and ability to respect and comply with the standards of behavior appropriate to residence hall life. Students may be required to resign any office or committee appointment associated with Residence Life or its affiliated student organizations. Continued misconduct of any kind (even of a kind different from that which resulted in probation) during the probation period may result in University Probation or Residence Hall Suspension or Expulsion. Students on Residence Hall Probation may not study abroad until after their probation period has ended. Residence Hall Probation is typically assigned for a minimum of the rest of the semester, and may be assigned for up to two years.

#### **8. Residence Hall Suspension**

Residence Hall Suspension requires a student to vacate an assigned residence hall room or apartment for a specified period of time, with the understanding that student may return to a space within the residence hall system at the conclusion of that period. Suspended students must comply with all Residence Life vacancy procedures, including properly turning in keys and checking-out of the hall. All access to the residence halls will be terminated and students may not enter into or visit any residence hall during the suspension period. Housing fees may be forfeited. Students on Residence Hall Suspension may not study abroad, and may not be approved to study abroad until 90 days after their suspension period has ended. Residence Hall Suspension is typically assigned for a minimum of the rest of the semester, and may be assigned for up to two years.

#### **9. Residence Hall Expulsion**

Residence Hall Expulsion requires a student to vacate an assigned residence hall room or apartment permanently, with the understanding that student may not ever return to, enter, visit, or reside in any residence hall of Loyola University Chicago in the future. Expelled students must comply with all Residence Life vacancy procedures, including properly turning in keys and checking-out of the hall. All access to the residence halls will be terminated, and housing fees may be forfeited. Students who have been expelled from the residence halls may not study abroad.

#### **10. Restitution**

Restitution is monetary compensation required of students who have taken, misused, damaged, or destroyed University, public, or private property or services. Amounts charged to students may include cost to repair, replace, recover, clean, or otherwise account for the property or services affected.

#### **11. Restriction on Guest Privileges**

A student's privileges with respect to hosting guests in a residence hall room or apartment, or in other University premises may be restricted or revoked for a specified period of time.

#### **12. Termination of Registration**

Termination of a recognized student organization's registration is the most serious University disciplinary action for a student organization. This action is a total and permanent separation of the group from the University. This includes total prohibition for the organization and its members or supporters to conduct any activity on the campuses of the University or at off-campus University-associated events that in any way promote the goals, purposes, identity, programs, or activities of the organization.

#### **13. University Warning**

A University Warning is an official notice to the student that the student's conduct was inappropriate and violated the Community Standards. University Warnings are only assigned for relatively minor violations.

#### **14. University Probation**

University Probation is formal notice that a student's behavior or pattern of behavior was unacceptable and caused harm to the University community. During the probation period, students should demonstrate a willingness and ability to respect and comply with the standards of behavior appropriate to a Jesuit, Catholic university. Students on University Probation may not represent the University in any official capacity, and may be required to resign from any office or committee appointment associated with Loyola University Chicago or any recognized student organization. Continued misconduct of any kind (even of a kind different from that which resulted in probation) during the probation period may result in University Suspension or Expulsion. Students on University Probation may not study abroad until after their probation period has ended. University Probation is typically assigned for a minimum of the rest of the semester, and may last until graduation.

For student organizations placed on University Probation, the organization is ineligible to request money from the Student Activity Fund for the duration of their disciplinary period.

#### **15. University Suspension**

University Suspension involves the temporary removal of the student from the University for a specified period of time, with the understanding that the student may be returned to good standing at the completion of the suspension period after having satisfied any accompanying conditions. Suspension from the University further entails being withdrawn from all enrolled courses according to the policy of the applicable college or school, forfeiting all applicable fees, and restriction from visiting the University premises except when engaged in official business approved by the Dean of Students. University Suspension may include any other disciplinary action that is judged to be of value to the student. Persons notified of a student's University Suspension status may include parents, academic deans, Campus Safety, or other appropriate personnel at the discretion of the Dean of Students. Suspended students may not study abroad, and may not be approved to study abroad until 90 days after their suspension period has ended. University Suspension is typically assigned for a minimum of the rest of the semester, and may last any number of years.

##### **a. Reinstatement from University Suspension**

When a student has concluded the suspension period and completed the conditions accompanying the suspension, the student must contact the Dean of Students requesting reinstatement and providing documentation demonstrating that the student has satisfied the terms of the suspension (if applicable). The Dean may, if needed, require a meeting with the student before permitting re-enrollment. The student may re-enroll at the University only after the Dean of Students has made an affirmative decision, notified the student, and released the hold on the student's University account.

#### **16. University Expulsion**

Expulsion is the most serious University disciplinary action and means the permanent exclusion of the student from the University. Expulsion includes forfeiture of all rights and degrees not actually conferred at the time of the expulsion, notification of the expulsion to the student, the student's college, and the student's parents or guardian, permanent notation of the expulsion on the student's University records, withdrawal from all courses according to the policies of the student's college or program, and forfeiture of tuition and fees. Any student expelled from the University must refrain from visiting the University premises except when engaged in official business approved in writing by the Dean of Students.

#### **17. Other Sanctions**

Any reasonable sanction may be assigned that appropriately promotes the education and development of a student or student organization, ensures safety, or otherwise furthers the mission of the OSCCR.

#### **18. Emergency Administrative Actions**

The Vice President for Student Development and certain designees shall have the authority to immediately suspend a student from the University or residence halls, relocate an individual within the residence halls, and/or otherwise restrict the activities of a student or organization,

pending investigation and adjudication of the student according to the student conduct process. Such measures will only be enforced when it is reasonably believed that failure to take such measures would seriously disrupt the University community or pose a danger to the health, safety, or welfare of the University community, University property, the student in question, or others. In such circumstances the student will be notified in writing of the action being taken. Parents, academic deans, Campus Safety, or other personnel may also be notified of the action as needed. Emergency administrative actions may also be applied as sanctions pursuant to the standard student conduct procedures.

Some examples of emergency administrative actions include:

a. Administrative Move

A student may be required to move to another room assignment within the residence hall system pending the outcome of an investigation and hearing.

b. Limitations on University Activities and Access

Limitations on University activities and/or access to University facilities may be imposed for a specified period of time. Activities or access that may be limited include, but are not limited to: eligibility for service as an officer or member of any University organization or University committee; participation in any intercollegiate activity; eligibility to receive or maintain any award from the University; attendance at University-sponsored social events; access to any University-owned facilities or grounds; and contact or association with specific members or groups of the University community.

c. No Contact Directive

The Dean of Students, a conduct administrator, or a board may direct a student to have no contact with another individual for a specified period of time. This directive may be stated in writing before, as a result of, or after a hearing. In some cases, such a directive may be imposed before the initiation of any hearing proceedings, in which case the directive will only apply in the interim period until the conclusion of the student conduct process (if needed, a subsequent directive may be re-issued after the hearing). The person(s) who is protected by this directive may receive a written statement notifying them that such a directive has been issued, as permitted by applicable law.



## **ARTICLE III. RESIDENCE HALL AND HOUSING POLICIES**

### **301. RESIDENCE LIFE MISSION**

The Department of Residence Life enhances the campus experience by creating transformative environments. We provide safe, secure residence halls and inclusive communities where students, staff, and faculty integrate key academic, social, spiritual, and recreational experiences. Our commitment is to ignite individual passions and social responsibility in partnership with our residents.

### **302. RESIDENCE HALL (ON-CAMPUS HOUSING) POLICIES**

#### **1. Alcohol**

Students and their guests are subject to additional regulations concerning alcohol when in a Residence Hall (any residential building owned and operated by the University). Students must properly dispose of all alcohol present when asked by a University official. The following conduct is prohibited regardless of age, except where otherwise specified:

- a. Being in the presence of alcohol while under 21 years of age, unless in one's own room with a roommate who is 21 or over (A)
- b. Collections or displays of containers that contain or previously contained alcohol (A)
- c. Consuming alcohol in the presence of others who are under 21 years of age. The one exception to this is that in rooms or apartments where some residents are under 21 and others are 21 or over, alcohol may be consumed by roommates and guests who are 21 or over (guests under 21 are still not permitted when alcohol is in plain view or being consumed) (A)
- d. Possession of excessive amounts of alcohol (including, but not limited to kegs) as determined by a University official (B)
- e. Use or possession of alcohol in common areas or with doors open to common areas (B)

#### **2. Alteration of Residence Hall Rooms, Apartments, and Common Spaces (A)**

The following guidelines have been implemented in regards to the condition/content of residence hall rooms, apartments, and common spaces:

- a. Students may not detach fixed furniture, paint, wallpaper, write, or draw on room surfaces; remove University furniture from rooms or public areas; add permanent fixtures and/or make structural changes in the room.
- b. Lofts are prohibited in all residence halls and apartments.
- c. The following items are not allowed in traditional student residence hall rooms (Campion Hall, Creighton Hall, Mertz Hall, Regis Hall, BVM Hall, and Simpson Living Learning Center): hot plates, toasters, microwave ovens over 700 watts, cooking appliances of any nature, cup-type immersion water heaters, and major electrical appliances.
- d. The following items may not be brought into or installed in any residence hall rooms or apartments, unless provided by the University: ceiling fans, dishwashers, waterbeds, and major electrical appliances.
- e. Residents may not possess or remove from the area furniture designated for public areas.
- f. Students may not unhook, remove, or relocate window screens.
- g. Bicycles are not allowed in student's rooms or apartments and may not be stored in hallways or other common areas within the halls, except where designated.

*Typical sanctions include: restitution, fines, and disciplinary service hours.*

#### **3. Fire Regulations (A)**

In addition to the Fire-Related Misconduct policy in the Student Code of Conduct, certain regulations apply specifically to Residence Halls. In the interest of safety and well-being of all residents and guests, the following conduct is expressly prohibited in the Residence Halls:

- a. Possession or use of candles, incense, incense burners, and other lighted, flaming, or flammable liquids not specifically authorized by the Department of Residence Life
- b. Exceeding the electrical capacity of an outlet, modifying the permanent electrical wiring of a Residence Hall, or maintaining an extension cord in a manner that creates a fire hazard (e.g. stapling an extension cord or running one under a rug)
- c. Maintaining decorations, displays, or structures of any kind that block or obstruct an exit door, window, hallway, circuit breaker panel, fire hose cabinet, or fire extinguisher
- d. Possession of a halogen lamp over 275 watts or any halogen lamp without a protective grating over the bulb
- e. Possession of natural vegetation of a combustible nature, including live Christmas trees and evergreen boughs
- f. Leaving any cooking appliance unattended while in use, including but not limited to, stoves, ovens, microwaves, and toasters

*Typical sanctions include: \$25-100 fine, an educational experience or project, and Residence Hall Probation.*

#### **4. Guests and Visitation (A)**

A residence hall guest is someone who is not currently assigned to live in the residence hall that he/she is visiting. A host is a current resident of the hall who is responsible for a residence hall guest.

Residence hall guests are expected to follow the Community Standards of the University. Residential students are accountable for the conduct of their guests and may be subject to disciplinary action as the responsible party for violations of University policy incurred by their guests.

Loyola University Chicago believes that visits by guests can be an infringement upon the privacy and convenience of the persons sharing the space. Guest visitation should occur on a limited basis and only with the consent of others sharing the room/apartment. In the practical application of determining when guests should be invited to a residence hall, common sense and mutual respect for those sharing the living environment should prevail. **The right of a residential student to live in reasonable privacy supersedes the right of a roommate to entertain people in the room.**

Hosts must escort their guests at all times. Hosts are responsible for the actions of their guests and will be held accountable for any damages, loss of property, or behavior that is initiated by their guests.

Guests are not permitted in any residence hall during Winter or Spring Break or other periods determined by the Department of Residence Life. Residence Life staff have the authority to limit guest privileges as needed.

Guests are permitted in BVM Hall, Campion Hall, Mertz Hall, Regis Hall and Simpson Living Learning Center with the following provisions:

- The host must show their Loyola ID and the guest must show and leave a valid picture ID (Loyola ID, driver's license, state identification card, or any other form of valid government issued ID) at the front desk or designated check-in area of the building.
- The host and guest must return to the front desk together to check out.
- Non-Loyola student guests of the opposite gender are permitted to remain in a room or on a floor during the following visitation hours: 7:30 a.m. until 12 midnight, Sunday through Thursday; and 7:30 a.m. until 2 a.m. on Friday and Saturday.

- Residents may host overnight guests of the same gender if they have the consent of their roommates and are in accordance with the roommate agreement. Residents must obtain a guest pass for any overnight guests. Passes will be issued by Residence Life staff during designated hours.
- A resident may not have overnight guests for more than four days in a one-month period. The resident can be issued four (4) one night guest passes. Each guest pass is valid for one overnight guest. All roommates must agree to allow overnight guests in the room/apartment. Regardless of host, a guest may not stay overnight more than three nights in a one-month period.

Guests are permitted in Baumhart Hall, Bellarmine Hall, Canisius Hall, Fairfield Hall, Fordham Hall, Georgetown Hall, Holy Cross Hall, Le Moyne Hall, Marquette Hall and Marquette South Hall, Messina Hall, Santa Clara Hall, Seattle Hall, Spring Hill Hall, and Xavier Hall with the following provisions:

- When applicable, the host must show their Loyola ID and the guest must show and leave a valid picture ID (Loyola ID, driver's license, state identification card, or any other form of valid government issued ID) at the front desk or designated check-in area of the building.
- Hosts must accompany their guests at all times, including escorting guests from the building upon departure.
- A guest may stay overnight only with the consent of the host's roommates and in accordance with the roommate agreement.

*Typical sanctions include: \$25-50 fine, restrictions on guest privileges, and an educational experience or project.*

*For more information about hosting guests in a residence hall, please visit the Resident Handbook available at [www.luc.edu/reslife](http://www.luc.edu/reslife).*

#### **5. Noise and Quiet Hours (A)**

Residence halls are extensions of the University's academic environment. For this reason, conduct that infringes upon the rights of the University community to reasonable peace and quiet is prohibited at all times. Such conduct includes, but is not limited to playing or using large stereos, loud musical instruments, or amplified sound systems in the residence halls in a manner that disturbs the residence hall community or Loyola community at large.

Additionally, quiet hours are designated in the residence halls to foster a residential atmosphere where students may rest and study in peace at night. Quiet hours vary depending on residence hall, but during study days and final exam periods, quiet hours are 24 hours a day, 7 days a week in all residence halls.

*Typical sanctions include: \$25 fine, increasing by \$25 for subsequent violations.*

#### **6. Occupancy (A)**

In the residence halls, occupancy should not exceed more than four times the designated occupancy or a maximum of twelve. There may be no more than a total of four people in a single room; eight people in a double room; twelve people in a triple room; twelve people in a quad; and twelve people in a quint (5 people) room at any one time.

*Typical sanctions include: \$25 fine or an educational experience or project.*

#### **7. Pets (A)**

Harmless fish are permitted in all residence halls except for the John Felice Rome Center (JFRC). Aquariums must be no larger than two gallons and must be unplugged when the residence halls are closed, including Winter and Spring Break.

Students requiring the assistance of service animals must request such accommodations with the Department of Residence Life and the Office of Services for Students with Disabilities (visit [www.luc.edu/sswd](http://www.luc.edu/sswd)).

Except as otherwise specified in this policy, unauthorized animals and pets are prohibited in all University facilities, including residence halls.

*Typical sanctions include: fines, fees for cleaning, and Residence Hall Probation.*

#### **8. Property Damage**

All residents and guests are expected to be good stewards of University property, and to respect the personal belongings of all others as well. Damage to University, public, or private property in the residence halls is prohibited.

Room or apartment damages are recorded on the room or apartment inventory form every time a student changes rooms or checks out. Damage costs assessed to the student may reflect replacement costs as well as administrative and labor fees. Residence Life staff will determine the breakdown of costs when students are charged for specific damages. Every time a student checks out of a room or changes rooms, public area damages assessed to that student's living unit may be added onto the total charges on the room or apartment inventory form. Public area damage assessment includes extra cleaning charges caused by student negligence or destructive or inappropriate behavior. Students found intentionally damaging University or personal property will be penalized under the University conduct process and may be required to make financial restitution to the injured party. See also, *Property Damage*, Student Code of Conduct 202(13).

*Violation of this policy is a Category A, B, or C violation, depending on the value of the damaged property (under \$100 = A; \$100-\$499 = B; \$500 and over = C). Typical sanctions include: restitution and Residence Hall Probation, Suspension, or Expulsion.*

#### **9. Room Entry, Search, and Inspections (A)**

The University reserves the right to allow authorized personnel to enter student rooms. When such entry is deemed necessary, the University will make a reasonable attempt to protect the student's privacy. Authorized University officials may remove items that are in violation of federal, state, local, or University laws, policies, or regulations. A reasonable effort shall be made to have the students in question present if their rooms are to be searched. Students will be notified by a University official after such an entry is made, and when applicable students will be advised if any violations were discovered or items removed.

Students are expected to keep residence hall rooms and public areas in a clean and safe condition at all times. Department of Residence Life staff members conduct periodic inspections of all student rooms and community spaces in the residence halls. Whenever possible, notice is provided to students in advance of formal inspections. The standards for cleanliness and safety in student living areas include, but are not limited to the following:

- a. Trash is removed and disposed of properly.
- b. Food products are properly stored. Leftover/unconsumed food must be disposed of properly. Empty beverage containers and used food containers must be properly disposed of or cleaned. Utensils, dishes and items used to prepare and serve food must be cleaned or disposed of properly. Spoiled food products must be removed and properly disposed. Food spills and stains must be cleaned up.
- c. Clothing is laundered and properly stored.
- d. Rooms are free from unpleasant odors.
- e. Carpet is vacuumed and free of stains. Floors are swept and mopped.
- f. Prohibited articles are not present in the room.
- g. Personal items are neatly arranged and do not interfere with the proper use of the room.
- h. Walls, windows, ceilings, doors and University furnishings are free of stickers, graffiti, stains, and paint and any other item or substance that may cause damage.
- i. Expectations for cleanliness and use of the room as defined in the roommate agreement are met.

- j. Electrical outlets are not overloaded. Electrical cords are not run under carpets or around bedding. Extension cords, power strips, and surge protectors are properly used.
- k. Violations of residence hall and University policies and local, state, and federal laws are not present in the room.
- l. Smoke detectors are in working condition, exits are not impeded, and windows, heating, and ventilation units are not blocked.

Students in violation of the above guidelines may also be in violation of the Student Code of Conduct, and other allegations may be assigned when appropriate. Prohibited items found during inspections will be confiscated.

*Typical sanctions include: fines, restitution, restrictions on use of University facilities, and additional inspections, or Residence Hall Probation.*

#### **10. Roommate and Community Agreements (B)**

Roommate and community agreements are the documents that members of residence hall rooms, apartments, floors, or building communities develop and agree to abide by throughout the year. These agreements may go beyond the stated policies in the Community Standards. Violations of these agreements are considered violations of the Community Standards and may be adjudicated accordingly.

*Appropriate sanctions will be determined on a case-by-case basis.*

#### **303. ADDITIONAL RESIDENCE LIFE RESOURCES AND INFORMATION**

Additional information about Residence Life at Loyola, including information about the on-campus living requirement, residence hall housing agreements, housing selection process, check-in and check-out procedures, and much more is available online at [www.luc.edu/reslife](http://www.luc.edu/reslife). The Department of Residence Life main offices are located in Simpson Hall.

## **ARTICLE IV. JOHN FELICE ROME CENTER POLICIES**

### **401. JFRC MISSION AND CONTEXT**

Except where otherwise specified in this Article, all students enrolled for any period at the John Felice Rome Center (JFRC) are subject to the Community Standards of Loyola University Chicago during the period of enrollment, regardless of the student's home institution. Due to the location of the JFRC in Rome, Italy, some policies of Loyola University Chicago have been amended or supplemented to support the unique cultural and legal context and safety needs of students studying at the JFRC. Such "JFRC-specific" policies are listed in this Article. In all cases, students are expected to follow the local, regional, state, and national laws of the jurisdiction. Students at the JFRC, like those in Chicago, are responsible for and will be held accountable for the conduct of their guests. It is the responsibility of all JFRC students to know the policies of the JFRC and Loyola University Chicago; ignorance of these policies is not a defense to misconduct.

JFRC students who reside at the Zone Hotel are expected to abide by the same Community Standards. For the purposes of the Community Standards, the Zone Hotel is considered an extension of the JFRC Residence Hall and campus.

### **402. JFRC-SPECIFIC POLICIES**

#### **1. JFRC Alcohol Policy**

Because Italian law permits consumption of alcohol for those over age sixteen, most students who study at the JFRC are able to consume alcohol legally. Students who choose to consume alcohol are expected to do so responsibly, whether on or off-campus.

Alcohol is permitted on-campus in the Residence Hall, but restricted to responsible private consumption. Unless sanctioned by JFRC staff, open containers of alcoholic beverages may not be consumed or transported in public or common areas (hallways, stairwells, classrooms, outside, etc.). Students residing at the Zone Hotel should consider the hotel terrace a public space where consuming alcohol is not permitted.

JFRC staff may determine whether a student has engaged in excessive drinking and may take reasonable steps to ensure that the student does not cause harm to self or others while on the JFRC campus premises.

Designated areas on campus have been established for the purposes of parties and special events where alcoholic beverages may be served. Permission must be secured from the Director of Residence Life and Student Services or the Associate Dean of Students before an event that involves alcohol can occur, and specific regulations must be followed. Admission to social events is restricted to the JFRC community and those guests approved by the Director of Residence Life and Student Services or Associate Dean of Students.

The sale of alcoholic beverages by anyone anywhere on the JFRC campus is strictly prohibited. Non-alcoholic beverages and food must be available at all events where alcohol is served and should be featured at least as prominently as alcoholic beverages. The time during which alcohol may be served at an event may be limited at the discretion of the Director of Residence Life and Student Services or Associate Dean of Students.

Any JFRC student who engages in any form of alcohol consumption will hold harmless the JFRC, Loyola University of Chicago, and its Board of Trustees from any and all claims and causes of action for damage to or loss of property, personal illness or injury, or death arising out of activity conducted while alcohol was present.

The following conduct is expressly prohibited at the JFRC regardless of age:

- a. Possessing an open alcohol container in public view (A)
- b. Hosting or attending an unapproved party or gathering at which alcohol is present (A)
- c. Public intoxication on University property or at University-sponsored events (B)
- d. Manufacture or sale of alcohol on campus (B)

- e. Disruptive activity due to intoxication (B)
- f. Severe intoxication that requires assistance returning to or navigating the JFRC campus or that requires hospitalization (C)

*Typical sanctions for a first-time offense include: (for Category A) €25-50 fine, 5-10 disciplinary service hours, educational experience or project; (for Category B) €50-100 fine, 10-20 disciplinary service hours, more intensive educational experience or project; (for Category C) €200-400 fine, 20-30 disciplinary service hours, extensive educational experience or project, and/or JFRC Dismissal.*

*\*For JFRC students under 21 years of age, parents or guardians may be notified of any violation of this policy.*

## **2. Alteration of JFRC Room (A)**

Students may not detach fixed furniture, paint or wallpaper room surfaces, remove JFRC furniture from rooms, add permanent fixtures, or make structural changes in the room. Students may not tape or thumbtack signs onto painted walls within the JFRC. Informational posters may only be posted on metal doors with the approval of the JFRC staff. Residents are not permitted to possess or remove furniture designated for public areas (including suites), televisions, or computer equipment (including speakers). Any resident in possession of common area furniture or equipment is subject to a fine.

*Typical sanctions include: €50 fine – increasing by €50 for subsequent violations – and 10-20 disciplinary service hours.*

## **3. JFRC Drug Policy (A, B, or C)**

Possession, use, transfer, distribution, manufacture or sale of drugs, controlled substances, narcotics or hallucinogens without a valid medical prescription or appropriate authority is prohibited at the JFRC. Students should keep a prescription for any legitimate psychotherapeutic medications and an explanatory note from their treating doctor. Students may not possess any form of drug paraphernalia.

Italian law prohibits the possession, sale, or use of marijuana, narcotics, and hallucinogens, except under medical supervision. It must be clearly understood that in Italy the mere possession of marijuana constitutes a felony. All Mediterranean countries invoke severe penalties for drug abuse. Students should inform themselves about and understand the severity of Italian laws regulating drugs and govern their actions accordingly.

The U.S. Embassy and Consulates can do very little for U.S. citizens arrested on drug charges. Consular officers can typically visit detainees three or four days after their arrest to inform them of their rights, provide a list of lawyers, contact family or friends for assistance, and attempt to ensure that U.S. citizens receive the same treatment that an Italian citizen would receive. Consular officers cannot act as lawyers or give legal advice, and U.S. government funds cannot be used to pay legal fees or other expenses of arrested U.S. citizens.

*For the reasons stated above, all drug-related policies of Loyola University Chicago apply at the JFRC, but violations by JFRC students may result in more substantial consequences, including JFRC Dismissal.*

*\*For JFRC students under 21 years of age, parents or guardians may be notified of any violation of this policy.*

## **4. JFRC Guest Policy (A)**

JFRC guests (i.e. all non-residents who visit the JFRC campus) must register at the porter's desk in the presence of their host and must be accompanied by their host at all times while on campus. This policy is in accord with University policy and strict Italian law. Guests will be issued a "Visitor's Pass" to be worn visibly at all times. Guests are only permitted in the reception area, Information Commons, and Rinaldo's Bar. Guests are not permitted in the Residence Hall or computer labs. Guests may be on campus only between 8:00 AM and 10:00 PM (8:00-22:00).

Exceptions may be made for immediate family members (i.e., parents, siblings). If a visiting family member wishes to see a student's room, the host must request permission from the Director of Residence Life and Student Services. Visits to students' rooms are limited to 15 minutes.

Students residing at the Zone Hotel may host other Zone student residents or paying Zone guests, but may not host other JFRC students or visitors in their rooms. Visitors to the Zone are welcomed in the lobby and bar areas of the hotel.

*Typical sanctions include: €100-200 fine.*

#### **5. JFRC Pet Policy (A)**

All unauthorized animals and pets are prohibited at the JFRC and Zone Hotel.

Students requiring the assistance of service animals must request such accommodations with the Office of Services for Students with Disabilities ([www.luc.edu/sswd](http://www.luc.edu/sswd)) who will collaborate with the Director of Residence Life and Student Services and Office of International Programs.

*Typical sanctions include: €100-200 fine, fees for cleaning, and JFRC Probation.*

#### **6. Permesso di Soggiorno (Permission to Stay) Policy (C)**

Students attending the JFRC are required by Italian immigration law and University policy to declare their presence in Italy within the first eight days of arrival. Failure to do so may subject the student to legal action within the Italian immigration system and constitutes *Failure to Comply* (Student Code of Conduct 202(10)).

*Typical sanctions include: €100-200 fine and (if not immediately rectified) JFRC Dismissal.*

#### **7. Motorized Vehicles (B)**

For reasons of safety, students at the JFRC are prohibited from renting, purchasing, or keeping on campus any motorized vehicle, including cars, motorbikes, motorcycles, scooters, and *motorini*. The JFRC assumes no responsibility for any accident or injury that results from use of such a vehicle. Also, the JFRC is not responsible for any damage done to vehicles parked in the school parking area.

*Appropriate sanctions are determined on a case-by-case basis.*

### **403. JFRC-SPECIFIC SANCTIONS**

The following are additional sanctions that apply only to students studying at the JFRC. All other University sanctions may also be applied in Rome as needed. Amounts of fines stated throughout the Community Standards in US dollars are translated to Euros at the JFRC.

#### **1. Notification of Home Institution**

The JFRC reserves the right to notify students' home institutions of serious violations of the Community Standards.

#### **2. JFRC Probation**

JFRC Probation is formal notice that a student's behavior or pattern of behavior was unacceptable and caused harm to the JFRC community. During the probation period, students should demonstrate a willingness and ability to respect and comply with the standards of behavior appropriate to a study abroad program at a Jesuit, Catholic university. Continued misconduct of any kind (even of a kind different from that which resulted in probation) during the probation period may result in Dismissal from the JFRC and/or University Suspension or Expulsion. Parents, academic deans, security personnel, or other appropriate staff may be notified of a student's status on JFRC Probation. JFRC Probation is typically assigned for a minimum of the rest of the semester.

#### **3. Dismissal from the JFRC**

Dismissal from the JFRC involves the permanent exclusion of the student from the JFRC. Dismissal involves notification of the dismissal provided to the student, the student's college,



and her/his parents or guardian if the student is a dependent, withdrawal from all courses, and forfeiture of tuition and fees. Any student dismissed from the JFRC must refrain from visiting the campus premises except when engaged in official business approved in writing by the ADS. Students are sent home on the earliest available flight, at their expense.

#### **404. ADDITIONAL JFRC RESOURCES AND INFORMATION**

##### **1. Dating Violence, Sexual Misconduct, and Stalking Resources Specific to the JFRC**

The following are various Anti-Violence Centers in Rome (Centri Antiviolenza). Although many of the following resources are marketed toward women, men in need of assistance for dating violence, sexual misconduct, or stalking issues are encouraged to contact the Director of Residence Life and Student Services or other JFRC staff.

##### **Telefono Rosa (two locations)**

Via Tor di Nona, 43

00100 Roma

06 683 2690

06 683 2820

[www.telefonorosa.it](http://www.telefonorosa.it)

[telefonorosa@libero.it](mailto:telefonorosa@libero.it)

Viale Mazzini, 73

00195 Roma

06 375 18 261, 06 375 18 262

06 375 18 289 (fax)

##### **Centro Antiviolenza**

##### **Associazione Differenza Donna**

Viale di Villa Pamphili, 86/B

00100 Roma

06 581 0926

06 581 1473 (fax)

##### **Centro Donna L.I.S.A.**

Via Rosina Anselmi 41/42

06 871 41 661

06 872 30 457 (fax)

[www.centrodonnalisa.it](http://www.centrodonnalisa.it)

[donneingenere@tiscalinet.it](mailto:donneingenere@tiscalinet.it)

##### **Casa Internazionale delle Donne**

Via della Lungara, 19

00165 Roma

[www.casainternazionaledelledonne.org](http://www.casainternazionaledelledonne.org)

Centers in other Italian cities can be found at:

[www.vitadidonna.it/salute/aborto/4111-centri-antiviolenza.html#an45](http://www.vitadidonna.it/salute/aborto/4111-centri-antiviolenza.html#an45)

## **ARTICLE V. OTHER UNIVERSITY POLICIES**

### **501. ACADEMIC POLICIES**

For the University Academic Policies, which cover academic integrity, plagiarism, grievance procedures, and other important policies and procedures relating to academics, please visit [www.luc.edu/policy](http://www.luc.edu/policy).

### **502. ALCOHOL AND OTHER DRUGS AT LOYOLA UNIVERSITY CHICAGO**

Students at Loyola are expected to follow all laws pertaining to alcohol and other drug consumption. The most important reason for this expectation is student safety. While many Loyola students choose not to drink alcohol or use other drugs, the University understands that regardless of policies or laws, some will. Students must always exercise good judgment and safe decision-making when it comes to these important issues.

For a more in-depth description of the University's perspective and policies on alcohol, as well as various other alcohol-related resources, please visit [www.luc.edu/osccr](http://www.luc.edu/osccr).

### **503. BIAS-MOTIVATED DISCRIMINATION, ABUSE, AND HARASSMENT POLICY AND PROCEDURES**

It is unacceptable and a violation of University policy for any member of the University community to discriminate against, abuse, or harass any person because of one's race, color, national origin, gender, sexual orientation, disability, religion, age, or any other characteristic protected by applicable law. Such behavior threatens to destroy the environment of tolerance and mutual respect that must prevail for the University to fulfill its educational and health care mission. For this reason, incidents involving such bias-motivated behavior ("bias-motivated incidents") will be promptly investigated and may result in serious disciplinary consequences.

"Discrimination" is adverse treatment of a person or group based on race, color, national origin, gender, sexual orientation, disability, religion, age, or any other characteristic protected by applicable law.

"Abuse" is defined as oral, written, or physical conduct directed toward a person or group based on one's race, color, national origin, gender, sexual orientation, disability, religion, age, or any other characteristic protected by applicable law, where the offensive behavior is intimidating and/or demeaning. Abuse may include verbal slurs, invectives, or epithets referring to an individual's race, color, national origin, gender, sexual orientation, ability, religion, or age.

"Harassment" differs from abuse insofar as harassment is repeated and persistent behavior of a similar nature. Harassment also includes unwanted physical advances or intimidations and the display of visual materials that defame, demean, or humiliate (see also, *Dating Violence, Sexual Misconduct, and Stalking Policies and Procedures*, Other University Policies 518, for the University's specific sexual harassment policy).

#### **1. Procedures for Reporting Bias-Motivated Incidents**

In accordance with the University mission, all reports of bias-motivated incidents are promptly investigated and appropriately addressed. Such investigations are coordinated by the Bias Response Team (BRT). The BRT was created to provide one centralized process to assist members of the University community to report and address allegations of bias-motivated incidents. The BRT is comprised of the Vice President for Student Development, the Vice President for Administrative Services, and the Provost, as well as their respective designees.

If any member of the University community (student, faculty, or staff) has been a victim of bias-motivated discrimination, abuse, or harassment by any other member of the University community, the victim is encouraged to report the incident to the BRT through the following publicly available reporting website: <https://webapps.luc.edu/biasreporting>.

All reports will be reviewed by the BRT, and a member of the team will follow-up with the complainant to discuss the investigative process, keep the complainant informed of action taken, and direct the complainant to other appropriate campus resources.

All reports of alleged bias-motivated incidents will be taken seriously and handled with care and compassion for all involved.

## **2. Investigation and Adjudication of Bias-Motivated Incidents**

Existing investigative and hearing procedures for students, faculty, or staff will be utilized to adjudicate complaints of alleged bias-motivated discrimination, abuse, or harassment. (Please note that only *student* conduct is subject to disciplinary action under the Community Standards. Incidents where the alleged perpetrator is a faculty or staff member will be investigated and adjudicated according to faculty or staff disciplinary processes respectively.)

### **a. Reports against Students**

When a report alleges misconduct by a student, the Vice President of Student Development will review the complaint and refer the case to the OSCCR, Department of Residence Life, or other appropriate office for investigation. Following the investigation, if sufficient evidence is found to initiate the student conduct process, a report will be submitted on behalf of the investigator(s) to the OSCCR for adjudication by hearing or other appropriate conflict resolution process.

### **b. Reports against Faculty**

When a report alleges misconduct by a faculty member, the Provost will review the complaint and refer the case to the Academic Chairperson, Dean, Dean's designee, or other appropriate senior academic officer for investigation. Following the investigation, if sufficient evidence is found to initiate disciplinary action against the faculty member, a report will be submitted on behalf of the investigator(s) to the appropriate disciplinary authority.

### **c. Reports against Staff**

When a report alleges misconduct by a staff member, the Vice President of Administrative Services will review the complaint and refer the case to the staff member's supervisor for investigation. Following the investigation, if sufficient evidence is found to initiate disciplinary action against the staff member, a report will be submitted on behalf of the supervisor to the Department of Human Resources.

All reports will be investigated promptly, with full resolution within 60 days of the report. The privacy of all parties involved will be respected as much as possible.

In some cases, efforts may be made to resolve the complaint using mediation or other less formal conflict resolution processes. If such efforts are unsuccessful, a hearing or other more formal disciplinary process may be initiated.

*Bias-motivated discrimination, abuse, or harassment is a Category B violation. Typical sanctions (for student-perpetrated violations) include educational experiences or projects and Residence Hall or University Probation or Suspension.*

## **504. EMAIL**

The University considers electronic mail, using the official @luc.edu e-mail address that is provided by the University to every enrolled student, an official form of communication between the University and the student. Students are responsible for all communications sent to their Loyola e-mail accounts from a University official, including but not limited to OSCCR, Dean of Students, Residence Life, or JFRC staff, or other conduct administrators. This includes email sent through the ADVOCATE database.

## **505. FINANCIAL RESPONSIBILITY**

It is the responsibility of each student to the student's University financial account in good standing. If an account becomes past due, the University may assess a 1.5% monthly late fee and place the account with a collection agency. A student may also be responsible for all fees and costs incurred by the University for the collection of the past due amount, including collection fees and attorneys' fees. Once an account becomes past due, a transcript and registration block is placed on the student's account. All returned checks are charged a returned check fee of \$40.00. If an electronic payment is returned unpaid due to insufficient

funds (NSF), account closure, inability to locate bank account, stopped payment, or invalid account number, a \$40.00 return fee will be added to the student's account.

#### **506. FREE EXPRESSION, DISSENT, AND DEMONSTRATION POLICY AND APPROVAL PROCESS**

Loyola University Chicago, in its role as an academic institution, is committed to an environment in which a variety of ideas can be reasonably proposed and critically examined. The University community recognizes that the freedom of inquiry and expression we seek to encourage may produce conflicts of beliefs or conflicting proposals for action. Such conflicts may motivate students to engage in dissent. Dissent means individual or group activity that expresses grievances held against, or changes desired of, society or campus. Dissent may be motivated by a general or specific grievance or may have an ideological base; dissent often includes proposed solutions as well as complaints.

The existence of the free exchange of ideas and the expression of dissent within the University community are considered indications of intellectual vitality and social awareness, which are important elements in the pursuit of knowledge. It is the responsibility of all members of the University community to maintain channels of communication that foster a climate favorable to the freedom of expression.

Implicit in this freedom and in the common purposes of the University is the right to demonstrate dissent in a peaceful and non-disruptive manner without unreasonable obstruction or hindrance. The University expects that those who enjoy these freedoms must also accept responsibility for order and discipline.

Permissible dissent does not include unlawful activity, activity that threatens the safety of any member of the University or local community, destruction of property, or obstruction of the normal operations of the University. Additionally, expression that is indecent, grossly obscene or grossly offensive on matters such as race, age, ethnicity, religion, gender, sexual orientation, disability, or any other characteristic protected by law is inconsistent with accepted norms of conduct at the University and is therefore prohibited.

The use of the University forum to express one's views does not imply acceptance or endorsement of that view by the University.

##### **1. Guidelines for Demonstrations**

Students planning a demonstration should complete a demonstration registration form (available online on the Student Activities and Greek Affairs website) and arrange a meeting with the Dean of Students to discuss the arrangements for the event.

Participants in demonstrations are not permitted to:

- Hinder (physically or psychologically) entrances to, exits from, or passageways within any University building or other structure or hinder the normal flow of pedestrian or vehicular traffic on or to the campus;
- Create a volume of noise that prevents members of the University community from carrying on their normal activities;
- Employ force or violence or constitute an immediate threat of force or violence against persons or property;
- Congregate or assemble within any University building or on University property in a way that disrupts the University's normal functions; and
- Fail to observe established closing hours of buildings.

In planning a demonstration, the organizers and participants should keep in mind all regulations pertaining to the use of campus facilities as well as the rights of all members of the University community to move around the campus in a free and unhindered manner.

Additionally, the possession or use of firearms, ammunition, fireworks, explosives, dangerous chemicals, or weapons by any participant in a demonstration is explicitly prohibited.

##### **2. Disruptive Demonstration**

Disruptive demonstration is strictly prohibited and is defined generally as an activity that interferes with the rights of others, including, but not limited to, actions based on harassment, coercion, or violence.

Disruptive demonstration includes, but is not limited to, any activity that:

- Denies or infringes upon the rights of the students, faculty, or staff of the University community;
- Disrupts or interferes with instruction, research, administration, or other activities of the University community;
- Reacts to the expression of the peaceful dissent of others by attempting to deny their rights;
- Obstructs or restricts free movement on any part of the University campus;
- Denies the use of offices, classrooms, or other facilities by the University community;
- Endangers or threatens the safety of any person on the University premises; or
- Results in the destruction or defacement of property.

### 3. Procedures for Handling Disruptive Demonstrations

The Dean of Students will determine the point at which a demonstration of dissent becomes disruptive. If it is decided that a demonstration is disruptive, the Dean will inform the demonstrators that their actions are disrupting the normal operation of the area in question and that they should cease and desist their activities. The demonstrators will also be informed specifically of the time, place, and manner in which they may continue their demonstration, if applicable.

If a disruptive demonstration continues, the demonstrators will be notified that failure to discontinue the disruptive activities immediately will subject them to the full course of emergency administrative action, which may include immediate suspension or expulsion from the University pending a conduct hearing at a later date.

If the internal measures described above fail to achieve the desired results, the University may seek assistance of civil authorities. Any student participating in a disruptive demonstration when the civil authorities are called for assistance may be arrested and prosecuted and may be suspended pending action consistent with the student conduct system. Any person not officially associated with the University who is participating in a disruptive demonstration when the civil authorities are called for assistance may be arrested and prosecuted.

*Violation of this policy is a Category B violation. Sanctions will be determined at the discretion of the conduct administrator or board.*

### 507. GOOD SAMARITAN POLICY

At Loyola University Chicago, student safety is paramount. In incidents of crisis or medical emergency, Loyola students are expected to care for themselves and for others in the Loyola community by getting help from appropriate officials even when violations of the Community Standards have occurred. Because the University understands that fear of disciplinary actions may deter requests for emergency assistance, the Good Samaritan Policy was created to alleviate such concerns and reduce hesitation by Loyola students to seek help.

In crisis situations involving alcohol, drugs, and/or sexual misconduct (see below), the University strongly considers the positive impact of taking responsible action when determining the appropriate response for alleged policy violations relating to the incident. **This means that no formal University disciplinary actions or sanctions will be assigned to the reporting student(s) for (1) Category A alcohol or (2) Category A or B drug violations relating to the incident.** The incident will still be documented, and educational and/or health interventions may be required as a condition of deferring disciplinary sanctions.

This policy does not protect repeated, flagrant, or serious violations of the Community Standards (e.g. abusive conduct, sexual misconduct, distribution of alcohol or drugs, hazing, theft, Good Neighbor Policy violations, property damage, etc.) or violations that caused harm to another person requiring emergency response, nor does the policy preclude or prevent action by police or legal authorities.

Failure of students to take responsible action under this policy where action is clearly warranted and harm results may, in egregious circumstances, constitute "abusive conduct" under the Community Standards and will void all protections under this provision.

### **1. Alcohol/Drugs**

In a situation involving imminent danger to the health and safety of any individual(s), students are expected (1) to contact Campus Safety (773-508-6039 or 8-6039 from a campus phone), Residence Life, or other emergency officials to report the incident; (2) to remain with the individual(s) needing emergency treatment and cooperate with emergency personnel as long as it is safe to do so; and (3) to meet with appropriate University officials after the incident and cooperate with any University investigation. This policy does not provide amnesty for students who report their own medical emergency.

### **2. Sexual Assault**

In a situation where a sexual assault ("nonconsensual sexual penetration" or "nonconsensual sexual contact" according to the Community Standards) has been alleged to have been committed against any individual(s), students are encouraged (1) to contact Campus Safety (773-508-6039 or 8-6039 from a campus phone), Residence Life, or other emergency officials to report the incident; (2) to remain with the individual(s) needing support and cooperate with emergency personnel as long as it is safe to do so; and (3) to meet with appropriate University officials after the incident and cooperate with any University investigation.

### **508. HAZING POLICY**

Hazing is expressly prohibited by Illinois law (§ 720 ILCS 120), and hazing of any kind is not tolerated at Loyola University Chicago.

"Hazing" is a broad term encompassing actions or activities often associated with initiation or group associations which do not contribute to the positive development of a person; or which inflict or attempt to cause mental or physical harm or anxieties; or which demean, degrade, or disgrace any person regardless of location, intent, or consent of participants.

For the purposes of this policy, "associate" refers to any potential new member, new member, new teammate, neophyte, or pledge.

This Hazing Policy applies to individual students as well as any student group or student organization, including but not limited to club sports teams and NCAA athletic teams. Hazing of any kind is a violation of this policy and is expressly prohibited. Acts of hazing may include but are not limited to the following:

- All forms of strenuous physical activity that might reasonably endanger the health or safety of an individual and that is not part of an organized voluntary athletic contest or specifically directed toward constructive work;
- Paddling, beating, pushing, or otherwise permitting anyone to strike an individual;
- Activities that interfere with an individual's academic effort by causing an unreasonable loss of sleep or study time (associate or new initiate activities may not exceed four hours in one day or 15 hours in one school week);
- Forcing or coercing an individual to eat or drink any substance;
- Abductions, road trips, etc., that are conducted in a manner which might reasonably endanger the health or safety of an individual;
- Subjecting an individual to cruel psychological conditions;
- Behavior that disrupts the normal functioning or living environment of the University;
- Servitude of any kind;
- Any requirement which forces an individual to participate in any activity which is illegal, indecent, morally degrading, or contrary to the Community Standards of the University.

This policy is distributed to all presidents of campus organizations that engage in pre-membership initiation. Each president, in turn, is responsible for communicating this policy to all members, actives, and associates and for ensuring that their chapter or organization strictly adheres to this policy.

All complaints are taken seriously and no one who reports hazing, including third parties, will suffer retaliation or reprisal from the University. The privacy of all parties involved will be respected as much as possible, considering the need to conduct a thorough investigation and to take corrective action. Following the investigation and adjudication (if applicable) of a hazing incident, effective corrective action will be taken to eliminate the hazing and to reasonably ensure that it does not recur.

Student organizations and their members should understand that not only is the organization responsible for preventing hazing in any form, but any and all members involved in any hazing violation will be personally accountable for their actions and may be subject to individual disciplinary action.

In response to allegations of hazing, it is not a defense that:

- The victim gave consent to the conduct;
- The conduct was not part of an official organizational event or sanctioned or approved by the organization; or
- The conduct was not done as a condition of membership in the organization.

*Hazing is a Category C violation. Appropriate sanctions will be determined on a case-by-case basis depending on the context and severity of the conduct, and may range from a University Warning to University Suspension or Expulsion. Sanctions may also be assigned to a student organization, ranging from a University Warning to suspension of organizational recognition.*

#### **509. STUDENT IDENTIFICATION (CAMPUS CARD) POLICY**

Every registered student at Loyola University Chicago is required to carry a University identification card ("student ID" or "Campus Card") at all times while on-campus. Student IDs are issued to individual students and are non-transferrable.

All students utilizing facilities or services on-campus that require the presentation or swiping of their student ID must use only their own personal student ID, and must present the student ID immediately upon request of a University official acting in a professional capacity.

All students must show their student ID at the security desk when entering a residence hall (where applicable) and must adhere to applicable sign-in procedures (see also, *Guests*, Residence Hall and Housing Policies, 302(4)).

*Non-possession or misuse of a student ID is a Category A violation. Typical sanctions include a University Warning, \$25 fine, or 10 disciplinary service hours.*

#### **510. INFORMATION SERVICES POLICIES**

Loyola University Chicago is committed to providing reliable, secured, and equitable access to and use of its computing, networking, telephony, and information resources. These resources are intended for the use of Loyola students, faculty, staff, administrators, and authorized guests in support of the University's missions pertaining to education, research, patient care, and community service.

Student responsibilities as they relate to technology resources are described in several University policies that detail what constitutes acceptable use of University computing, networking and information resources. These documents are available on the Loyola website or in hardcopy at campus computing centers. Students are expected to familiarize themselves with and abide by these policies. Access and use of University computing resources implies that the student knows of and complies with all policies governing that access and use.

##### **1. Use of Technology Resources**

The following access and acceptable use policies exist to ensure that the University can provide reliable, secured, and equitable access to computing, networking, telephony, and information resources and to protect these resources as well as the people who use them.

- a. Access and Acceptable Use of Public Access Computing and Networking Facilities and Services: [www.luc.edu/its/policy\\_acceptableuse\\_public.shtml](http://www.luc.edu/its/policy_acceptableuse_public.shtml)
- b. Access and Acceptable Use of University Computing, Networking, Telephony and Information Resources: [www.luc.edu/its/policy\\_acceptableuse.shtml](http://www.luc.edu/its/policy_acceptableuse.shtml)

- c. E-mail and Voice Mail Use and Disclosure Policy:  
[http://www.luc.edu/its/policy\\_email\\_voicemail.shtml](http://www.luc.edu/its/policy_email_voicemail.shtml)
- d. Network Capacity and Policy Issues Arising from the Use of Peer-to-Peer File Sharing Programs and Services: [www.luc.edu/its/policy\\_p2p.shtml](http://www.luc.edu/its/policy_p2p.shtml)
- e. Ownership and Use of Data: [www.luc.edu/its/policy\\_ownership.shtml](http://www.luc.edu/its/policy_ownership.shtml)
- f. Policy and Guidelines Regarding Use of University E-mail Systems for E-mail Mass Communications: [http://www.luc.edu/its/policy\\_email\\_broadcast.shtml](http://www.luc.edu/its/policy_email_broadcast.shtml)
- g. Access and Responsible Use of University E-mail Systems:  
[http://www.luc.edu/its/policy\\_email\\_general.shtml](http://www.luc.edu/its/policy_email_general.shtml)
- h. University Digital Millennium Copyright Act (DMCA) Policy:  
[www.luc.edu/its/policy\\_dmca.shtml](http://www.luc.edu/its/policy_dmca.shtml)

Printed versions of these policies are available at all open-access computing centers and at: [www.luc.edu/its/policies](http://www.luc.edu/its/policies).

## 2. Peer-to-Peer File Sharing

Many students use peer-to-peer (P2P) programs, such as LimeWire and BitTorrent, to download and upload copyrighted materials, including songs and movies, via the internet. These programs often violate copyright laws. If a copyright holder detects that one of his or her files was uploaded or downloaded without permission, he or she will send a Digital Millennium Copyright Act (DMCA) notice to Loyola University Chicago asking that the University remove the infringing content.

DMCA provides a "safe harbor" provision, meaning that service providers are not held responsible for the actions of individuals on their networks. Loyola will maintain "safe harbor" status by forwarding all DMCA notices to the student associated with the identified IP address and to the OSCCR. The OSCCR will then schedule a meeting with the student to discuss the issue and, if appropriate, assign sanctions.

Please follow these tips to avoid conflicts with P2P programs and DCMA:

- Remove P2P file-sharing software from your computer.
- Do not let anyone install programs on your computer unless you know exactly what is being installed. If your friends install P2P file-sharing software on your computer, you will be held responsible for their actions.
- If you have any access point, or router, registered to your UVID and you allow others to connect to this device, you are responsible for their actions. For this reason it is advisable NOT to install routers in the residence halls.
- Respect the rights of copyright holders. Information about different types of copyrighted material is available at: [http://luc.edu/its/policy\\_dmca.shtml](http://luc.edu/its/policy_dmca.shtml)

For more information about DMCA at Loyola, visit: [www.luc.edu/its/policy\\_dmca.shtml](http://www.luc.edu/its/policy_dmca.shtml)

*A violation of this policy is a Category B violation. Typical sanctions include fines, an online educational course about file sharing, and temporary suspension of computing or network privileges.*

### 511. STUDY ABROAD POLICIES

Loyola students and recognized student organizations may be subject to additional regulations when traveling or studying abroad as representatives of the University or in circumstances where others may reasonably perceive them to be representatives of the University.

For more information about policies pertaining to study abroad, visit [www.luc.edu/studyabroad](http://www.luc.edu/studyabroad).

### 512. MAILROOM (CAMPUS MAIL) POLICIES

Students who use the campus mail or have mail delivered to them through the mailroom services are expected to comply with all relevant policies, laws, and stated procedures of the



mailroom staff. Packages, letters, or other items processed through the University mailroom may be subject to investigation or search if suspected to be in violation of a law or University policy. Typically, students who are the intended recipients of suspicious packages will be invited to open their packages in the presence of an OSCCR and/or Campus Safety staff member. Students may be held responsible for prohibited items (such as a package containing drugs, for example) that are addressed to them, even if the items are intercepted. Use or attempted use of campus mail to engage in prohibited behavior may be grounds for increased sanctions.

### **513. NON-DISCRIMINATION POLICY**

Loyola University Chicago admits students without regard to their race, religion, color, sex, age, sexual orientation, national or ethnic origin, disability, or any other characteristic protected by applicable law to all the rights, privileges, programs, and other activities generally accorded or made available to students at the school. Loyola University Chicago does not discriminate on the basis of race, religion, color, sex, age, sexual orientation, national or ethnic origin, disability, or any other characteristic protected by applicable law in the administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. If you have questions about this policy or believe you have been discriminated against because of your race, religion, color, sex, age, sexual orientation, national or ethnic origin, disability, or any other characteristic protected by applicable law, please contact the Office of the Dean of Students at (773) 508-8840 or submit a report at <https://webapps.luc.edu/biasreporting>.

### **514. OFF-CAMPUS STUDENT LIFE POLICIES**

#### **1. Good Neighbor Policy**

Loyola University Chicago enjoys a positive, mutually supportive relationship with its neighboring local residential and business communities in Rogers Park, Edgewater, Maywood, Woodstock, and Rome. In order to sustain those relationships, and because ours is a community of integrity and ethical decision making, Loyola students are expected to conduct themselves as mature and responsible neighbors. As such, students are responsible for upholding all federal, state, and city laws and ordinances where they reside, especially those relating to noise, traffic, littering, parking, zoning, and alcohol and drug use.

Additionally, as responsible members of society, students are expected to foster an atmosphere in our local communities that nurtures positive educational pursuits, understanding and celebration of those with different cultural and political points of view, and an environment that encourages responsible behavior in the community.

Students who cause a disturbance in the University's neighboring communities by irresponsible or unreasonably noisy social hosting, disruptive or unruly behavior, damage to property, or other violation of local laws or ordinances are in violation of this policy. Students who are reside at or are listed on a lease for a property where a violation of this policy occurs may be in violation of this policy whether or not they were present for or contributed to the offense.

*Violation of this policy is a Category B violation. Typical sanctions for a first offense include: \$150 fine per student involved and/or an educational experience or project. Typical sanctions for a second offense include: \$300 fine, a more extensive educational experience or project, and University Probation.*

#### **2. Off-Campus Living Seminars**

All students who choose to live off-campus for the first time, regardless of class status, must attend an "Off-Campus Living Seminar." These seminars are intended to educate students about the process of finding an apartment and signing a lease and to address common problems students encounter during their first semester off-campus. Sessions are held throughout the spring semester. Failure to attend a session may be considered a violation of University policy (see, *Failure to Comply*, Student Code of Conduct 202(10)).

#### **3. Registering Off-Campus Addresses**

All non-residential students must update their “Local Off-Campus” address in LOCUS by the first day of each term. This information helps the University to respond in the event of an emergency. It also aids the University in addressing complaints regarding off-campus residences. Failure to provide the University with a valid local address may be considered a violation of university policy (see, *Failure to Comply*, Student Code of Conduct 202(10)). Providing false or inaccurate information may also be considered a violation of University policy (see, *Fraud, Misrepresentation, or Dishonesty*, Student Code of Conduct 202(12) ).

*Violation of this policy is a Category B violation. Typical sanctions include: \$100 fine, and an educational experience or project.*

#### **515. PETS AND SERVICE ANIMALS POLICY**

Pets must be on a leash at all times while on University premises, and except as otherwise specified in this policy, unauthorized animals and pets are prohibited in all University facilities, including residence halls.

Students requiring the assistance of service animals must request such accommodations with the Office of Services for Students with Disabilities (visit [www.luc.edu/sswd](http://www.luc.edu/sswd)).

*Violation of this policy is a Category A violation. Typical sanctions include: fines and fees for cleaning.*

#### **516. POLITICAL ACTIVITIES POLICY**

For the University Guidelines for Political Activities for Students, Faculty, and Staff, which governs how the University community should express support for political candidates and campaigns, please visit [www.luc.edu/policy](http://www.luc.edu/policy).

#### **517. PRIVACY OF RECORDS AND RELEASE OF STUDENT INFORMATION**

The University complies with provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA; Buckley Amendment) when releasing personally identifiable information concerning students. For more information, please visit [www.luc.edu/ferpa](http://www.luc.edu/ferpa).

#### **518. DATING VIOLENCE, SEXUAL MISCONDUCT, AND STALKING POLICIES AND PROCEDURES**

The University community at Loyola University Chicago does not tolerate dating violence, sexual misconduct, or stalking. All members of the University community, guests, and visitors, have the right to be free from these types of violence. Should the University become aware of such behavior, the University will take prompt action to investigate the incident and when necessary assign appropriate sanctions.

This policy serves two purposes: (a) to prevent instances of misconduct by providing a guide to the University’s expectations for the respectful treatment of others, and (b) to provide a measure for the University to determine, after the fact, if a person is responsible for violating University policies.

All forms of dating violence, sexual misconduct, and stalking are classified as Category C violations for the purposes of the student conduct process. The University will consider the concerns and rights of all parties involved in determining appropriate sanctions.

*Violation of these policies is a Category C violation. Appropriate sanctions will be determined on a case-by-case basis, but may include University Suspension or Expulsion.*

##### **1. Relevant Definitions and Concepts**

- a. “Coercion” is unreasonable pressure for sexual activity. When an individual makes clear that the individual does not want sex, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercion.
- b. “Complainant” is the person who reports or alleges dating violence, sexual misconduct, or stalking by another. The complainant may or may not be the same person as the alleged survivor (see also “Victim” below).

- c. "Consent" is a clear "yes" to the sexual act in question. Consent is always informed and voluntary. Consent is always active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity. Consent to one sexual act does not imply consent to any other sexual act. Similarly, previous relationships or previously given consent do not imply future consent. Consent cannot be obtained by the use of physical force, compelling threats, intimidating behavior, or coercion. In order to give consent, an individual must be of legal age – which in Illinois is seventeen (17) years of age.
- d. "Date-rape drug" is a frequently used term for a variety of drugs and other substances intended to render a person incapable of making clear decisions so that the person may be taken advantage of. Alcohol is also a date-rape drug. Other date-rape drugs include but are not limited to Rohypnol, Ketamine, GHB, and Burundanga. Possession, use, distribution, administration to others, or attempted administration to others of any of these substances is prohibited.
- e. "Incapacitation" is a state where an individual cannot rationally or responsibly make a decision because that person lacks the ability to understand the "who, what, when, where, why, or how" of the sexual interaction. Someone who is under the influence of alcohol or other drugs, unconscious/blacked out, involuntarily restrained, sleeping, or who has a mental disability or is considered mentally or physically incapacitated is incapacitated. The respondent's use of alcohol or other drugs will not excuse behavior that violates this policy.
- f. "Respondent" is a person who has been alleged to have committed or attempted to commit an act of dating violence, sexual misconduct, or stalking.
- g. "Sexual activity" may include intercourse and other intentional sexual contact. The requirements of this policy apply regardless of the gender, sex, sexual orientation, or preference of individuals engaging in sexual activity.
- h. "Victim" and "Survivor" are both terms that refer to a person who has allegedly been subject to dating violence, sexual misconduct, or stalking.

## 2. Dating Violence

All members of the University community should live free from abuse, violence, and threats of violence, especially from those with whom they share a household or intimate relationship. Dating violence (also known as domestic abuse, domestic violence, or relationship violence) will not be tolerated on campus or within the University community and is expressly prohibited. Dating violence includes the following behaviors that occur between two individuals who (a) are or were living together, or (b) are or were in an intimate or dating relationship. Behaviors that may constitute dating violence include, but are not limited to, the following:

- causing physical harm
- placing another in reasonable fear of physical harm
- unlawfully restraining another
- threatening or causing another to reasonably fear sexual misconduct, restraint, bodily harm, or death
- causing reasonable emotional harm through verbal assault
- vandalism of property
- physical contact without consent
- attempting to do any of the above.

Loyola students who engage in dating violence are subject to disciplinary action under this and other related policies in the Code of Conduct and Community Standards. Additionally, individuals who engage in such behavior who are not students, including visitors to campus and/or individuals engaged in University or University-affiliated programs or services are subject to loss of privileges, limitations on University access, and criminal prosecution.

## 3. Sexual Misconduct

The University will not tolerate sexual misconduct of any kind. Individuals must gain clear consent for sexual activity. Consent is permission: a clear yes to engaging in sexual activity. Consent can be given by word or action, but non-verbal consent is less clear than openly discussing what someone wants or does not want to do. Consent to one form of sexual activity does not automatically mean consent is given to any other sexual activity. Silence alone does not mean consent. Consent cannot be given under coercion. Coercion is different from seduction in that it involves persuading someone to engage in sexual activity. Coercing someone into sexual activity violates University policy as much as physically forcing someone into sexual activity. A person under the influence of alcohol or other drugs cannot give consent. A person cannot give consent if they cannot fully understand the “who, what, when, where, why, and how” of the sexual interaction.

Sexual misconduct offenses prohibited by this policy are categorized as follows:

a. Non-Consensual Sexual Penetration

“Non-consensual sexual penetration” (commonly known as rape or sexual assault) is defined as:

- any sexual penetration (anal, oral, or vaginal)
- however slight
- using any body part
- or object
- by a person of any sex upon another person of any sex
- without consent (as defined above)

In other words, sexual penetration, as defined by this policy, includes penetration however slight (vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and contact between mouth and genitals).

b. Non-Consensual Sexual Contact

“Non-consensual sexual contact” (also a form of sexual assault) is defined as:

- any intentional sexual touching
- however slight
- using any body part
- or object
- by a person of any sex upon a person of any sex
- without consent (as defined above)

In other words, sexual contact, as defined by this policy, includes intentional contact with the breasts, buttocks, groin, or genitals; touching another individual using any body part or object; or making another individual touch you or themselves on the breasts, buttocks, groin, or genitals using any body part or object. Sexual contact also includes any intentional bodily contact in a sexual manner that may not include contact with the breasts, buttocks, groin, genitals, mouth, or other orifice.

c. Sexual Exploitation

“Sexual exploitation” as defined by this policy occurs when an individual takes non-consensual or abusive sexual advantage of another individual for one’s own advantage/benefit, or to advantage/benefit of someone other than the person being exploited; the behavior may not otherwise fall under the definition of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- prostituting another individual
- non-consensual video or audio-taping of sexual activity
- going beyond the boundaries of consent (for example, letting friends hide in a closet to watch you having consensual sex, or posting consensual sexual photos to a public website without permission to do so)
- engaging in “peeping” (watching someone without their knowing)
- knowingly transmitting a Sexually Transmitted Infection (STI) to another individual

d. Sexual Harassment

Loyola University Chicago does not tolerate sexual harassment by or of its students, faculty, or employees. To the extent possible, the University will attempt to protect its community from sexual harassment by visitors, vendors, consultants, and other third parties who interact with the University.

“Sexual harassment” is broadly defined as unwelcome conduct of a sexual nature, including, but not limited to: unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical sexual conduct that is serious or pervasive enough to reasonably interfere with or limit a student’s ability to participate in or benefit from the University’s educational program.

**4. Stalking**

Loyola University Chicago does not tolerate stalking. The University is committed to supporting victims of stalking by investigating all allegations and offering various safety and support services.

“Stalking” is broadly defined as a pattern of two or more actions directed at a specific person that would cause a reasonable person to fear for one’s safety or to feel that one’s mental or physical health are threatened. Stalking of any type is strictly prohibited. Examples of stalking behaviors include, but are not limited to, the following:

- non-consensual communication, including face-to-face communication, telephone calls, voice messages, emails, written letters, gifts, or any other communications that are undesired and place another person in fear
- use of online, electronic, or digital technologies, including: posting of pictures or information in chat rooms or on websites; sending unwanted/unsolicited email or talk requests; posting private or public messages on Internet sites, social networking sites, and/or school bulletin boards; installing spyware on a victim’s computer; and using Global Positioning Systems (GPS) to monitor a victim
- pursuing, following, waiting, showing up or appearing within sight uninvited at or near a residence, workplace, classroom, or other places frequented by the victim
- surveillance or other types of unreasonable observation, including staring or “peeping”
- trespassing
- vandalism
- direct verbal or physical threats
- gathering information about an individual from friends, family, and/or co-workers
- threats to harm self or others
- defamation (lying to others about the victim)

**5. Rights of Students Who Experience Dating Violence, Sexual Misconduct, or Stalking**

Student complainants who experience any of the prohibited behaviors listed in this policy and who report their experience to University officials can anticipate that:

- a. All allegations of such behaviors will be treated seriously.
- b. Complainants will be treated with dignity and respect and in a non-judgmental manner.
- c. Campus organizations and services that can assist complainants may be identified.
- d. When any of these behaviors that may constitute a crime are alleged or reported to University officials, those officials may offer assistance in notifying proper authorities.
- e. When the University investigates a complaint or allegation of any behavior under this policy, every reasonable attempt will be made to proceed according to the wishes of the alleged victim or survivor; however, this effort will be balanced at all times against the University’s obligations to investigate every such incident to ensure the safety of the community .

- f. University personnel will never discourage complainants from reporting acts that may constitute a crime or violation of this policy, nor encourage any complainant to under-report or report the incident as a lesser crime.
- g. Complainants may invite an advisor they choose to accompany them through University disciplinary proceedings. Respondents also may invite an advisor they choose to accompany them through University disciplinary proceedings. If parties do not know of advisors in the University Community, advisors may be requested through the OSCCR.
- h. A complainant who has filed a complaint of a crime of violence or a non-forcible sex offense within the meaning of the Family Educational Rights and Privacy Act ("FERPA") and the respondent will be notified of the outcome of related University discipline proceedings. The complainant and the respondent are encouraged respect the privacy of all involved.
- i. Complainants will be informed of available supports and resources on and off-campus.
- j. Complainants may request immediate on-campus housing relocation, transfer of classes, or other steps to prevent unnecessary or unwanted contact or proximity to an alleged assailant when reasonably available.
- k. Information regarding the sexual history of the complainant that is unrelated to the incident(s) between the survivor and the alleged assailant will not be considered in student conduct hearings.
- l. Interested complainants will be informed of available reporting options outside of the University conduct systems (Chicago Police, Campus Safety).

**6. Procedures for Reporting, Investigating, and Adjudicating Alleged Dating Violence, Sexual Misconduct, and Stalking**

Loyola University Chicago encourages the prompt reporting of all incidents under this policy. All complaints are taken seriously and no one making a good faith complaint of dating violence, sexual misconduct, or stalking, including third parties, will suffer retaliation or reprisal from the University. All complaints will be treated in confidence to the extent feasible, given the obligations of the University to conduct a thorough investigation and to take corrective action.

The privacy of all parties involved will be respected at all times. If reported by a third party, it may be the survivor's decision whether to file a complaint, whether to continue to participate in any way with some form of resolution, and to what degree the survivor wishes to be involved. The survivor has a right not to file a report, but will be notified that doing so may limit the ways in which the University is able to respond. The survivor may choose an informal remedy or may decide to file a complaint through the University conduct system. If a survivor decides to file a complaint, an incident report should be completed and submitted to the OSCCR.

A staff member will advise students of their rights and the appropriate procedures for filing a complaint. Students who have experienced dating violence, sexual misconduct, or stalking may have legal recourse outside the University. Certain acts of this nature may have serious legal consequences. If a civil or criminal suit is filed, the University reserves the right to conduct its own investigation and proceedings regardless of the status or resolution of any civil or criminal litigation. Further legal and criminal information, including information about the preservation of evidence, is available at [www.luc.edu/safety/sexualassault](http://www.luc.edu/safety/sexualassault).

In instances of non-consensual sexual penetration or contact (e.g., sexual assault, rape), a sexual assault advocate will be offered to the survivor. Advocates provide free, confidential support, information about medical options and procedures (including evidence collection), and assistance with reporting and referrals. Students can choose to use or refuse advocacy services. Further information regarding the support services available to students may be found at [www.luc.edu/sexualassault](http://www.luc.edu/sexualassault).

Although a conduct hearing is not a court of law, Loyola University Chicago will never presume a student is in violation of University policy. A conduct hearing will be conducted to take into account the totality of all information available from all relevant sources.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting to the local police.

#### **7. Student Resources**

If you have experienced dating violence, sexual misconduct, or stalking, the following resources are available:

- Emergency 911 (9-911 from a campus phone)
- Campus Safety 44-911 from a campus phone or 773-508-6039
- Dean of Students 773-508-3852
- Campus Ministry 773-508-2200
- Wellness Center 773-508-2530
- OSCCR 773-508-8890

#### **Sexual Assault Resources**

- Chicago Rape Crisis Hotline 888-293-2080
- National Sexual Assault Hotline 800-656-HOPE (4673)
- Wellness Center Non-Emergency Advocacy Line 773-494-3810

#### **Dating Violence and Stalking Resources**

- Between Friends Chicago 800-603-4357
- Chicago Domestic Violence Help Line 877-863-6338
- Stalking Resource Center (National) 800-FYI-CALL
- YWCA Evanston-North Shore 847-864-8445

Additionally, the Wellness Center, upon request, offers educational programs to promote awareness of these policies and the expectations of the University community. For more information, visit [www.luc.edu/sexualassault](http://www.luc.edu/sexualassault).

#### **519. SOLICITATION POLICY**

Solicitation is an attempt to approach the University community with the intent to sell, request, or promote an idea, product, or service. Solicitation to the University community is subject to the following regulations.

Recognized student organizations are required to complete and submit an Event Request Form through Student Activities & Greek Affairs (LUC.edu/SAGA) to seek authorization to solicit on campus. All on-campus sales or solicitation by individuals or unrecognized student organizations must seek special authorization by the Dean of Students, or else must be sponsored by a recognized student organization or University department.

Residence halls are restricted areas and may not be used for sale and solicitation of goods or services. Any exceptions to this rule must be approved by the Director of Residence Life.

The Dean of Students reserves the right to cancel solicitation activities if University policies and procedures are violated.

*Violation of this policy is a Category B violation. Appropriate sanctions will be determined on a case-by-case basis.*

#### **520. SPEAKER POLICY**

For the University Speaker Policy, which governs how to invite non-University speakers to campus for events and programs, please visit <http://www.luc.edu/policy/generaluniversitypolicies/>.

#### **521. STUDENT ORGANIZATION POLICIES**

##### **1. Alcohol**

Student organizations are subject to additional regulations concerning alcohol when hosting sponsored events on or off-campus. University policy and other information about student organizations and alcohol can be found by visiting [www.luc.edu/osccr](http://www.luc.edu/osccr).

*Violation of this policy is a Category B violation. Appropriate sanctions will be determined on a case-by-case basis.*

## **2. Corporate Co-Sponsorship**

Any recognized student organization engaging in soliciting on or off-campus individuals or companies must coordinate these activities with Student Activities & Greek Affairs (SAGA). The organization's advisor and SAGA must approve a request for corporate co-sponsorship for an event at least 30 business days prior to the event, and all events must be submitted using the Event Request Form ([www.luc.edu/saga](http://www.luc.edu/saga)). Only registered student organizations may accept any form of corporate sponsorship. All sponsorship must be appropriate for a Jesuit, Catholic university. Student organizations are encouraged to solicit proposals from more than one similar vendor for the same event. The exclusive right of a corporate sponsor to be the sole support of any student organization is prohibited.

All promotions must clearly designate that the event is sponsored by the student organization. Corporate sponsor's identification may not exceed the amount of the identification of the student organization. All promotional events must conform to all existing federal, state, and municipal laws and University policies. Sponsorship with corporations or businesses which produce, sell, or distribute alcoholic beverages is prohibited. All sponsored programs should have an educational value.

*Violation of this policy is a Category B violation. Appropriate sanctions will be determined on a case-by-case basis.*

## **3. Fundraising**

Registered student organizations may participate in fundraising activities for educational or public services/programs; however, all fundraising activities must be approved through Student Activities & Greek Affairs. Funds raised cannot be used in any way for the personal or individual gain of members of the sponsoring organizations. RSOs cannot use SAF funds to fundraise for internal RSO use. Collection of dues (membership and/or recruitment) is permitted, but must be deposited into the RSO University Account. The fundraising activities should reflect the organization's purpose as stated in its constitution.

All fundraising efforts by RSOs must be undertaken in compliance with the RSO handbook, available at [www.luc.edu/saga](http://www.luc.edu/saga).

*Violation of this policy is a Category B violation. Appropriate sanctions will be determined on a case-by-case basis.*

## **4. Posting and Distribution**

Registered student organizations may post and distribute print materials on-campus. All materials must indicate the name of the sponsoring registered student organization; if funded through the SAF, the SAF must be listed as a co-sponsor. All materials written in a foreign language must include the equivalent English translation. Students may advertise activities through the use of posters and/or flyers in campus buildings and residence halls with the understanding that each building has a set of guidelines. It is the responsibility of the RSO to seek approval from each individual building in which it wishes to post and distribute.

Materials may not be approved if they contain:

- Any reference to illegal substances, unless in connection with an anti-drug message;
- Offensive language, images, and/or graphic illustrations;
- Language and/or graphic illustrations that dehumanize individuals based on race, age, color, sex, religion, sexual orientation, national or ethnic origin, disability, or any other characteristic protected by applicable law;
- Any information that violates local, state, or federal law or University policies;
- References by undergraduate student organizations to the use, sale, or possession of



alcohol at an event sponsored by the organization; or  
• Material that is contrary to the values of a Jesuit, Catholic university.

Only staples, tacks or masking tape may be used to post flyers. Materials may be posted only on bulletin boards in hallways and classrooms designated for general use. Postings may not cover, deface, or remove the posted materials of another organization. The appropriate office or department that manages the space in question must approve all postings.

The use of sidewalk chalk on the University premises is also considered posting and is expressly prohibited.

The organization and the individual students participating are responsible for the content of the materials. The group must ensure that no University policy is violated and that the material is not offensive to the campus community.

The University reserves the right to regulate locations on-campus where distribution of materials can occur. For approved activities, a place for distribution will be assigned and tables, chairs, or booths may be provided. Materials may not be distributed outside buildings where normal flow may be impeded or inside buildings and offices, except from reserved tables/booths. Materials may not be placed on car windshields. The Dean of Students Office must approve distribution by outside groups.

*Violation of this policy is a Category A violation. Appropriate sanctions will be determined on a case-by-case basis.*

#### **5. Special Events**

Special events generally include speakers, concerts, dances, or performances. The Dean of Students or designee reserve the right to classify other programs as special events due to their size and nature. Student organizations may host special events under these guidelines:

- a. The organization sponsoring the event is expected to ensure that all federal, state, county and municipal laws and University policies are followed.
- b. Student representatives from the sponsoring organization must submit an Event Request Form through [www.luc.edu/saga](http://www.luc.edu/saga) or Orgsync and schedule a follow-up meeting with a SAGA representative to discuss details related to the event.
- c. The room reservation and event planning process must be completed at least 10 business days prior to the event if the event does not require a contract. For events where contract approval is necessary the Event Request Form and contracts must be submitted to SAGA at a minimum of 20 business days prior to the event.
- d. The Director of SAGA must review any contract relating to the event.
- e. Student leaders responsible for campus events are expected to maintain decorum for the event appropriate to a university setting. Therefore, security and/or EMS are required at most special events. The number of security personnel will depend on the expected size and nature of the event. SAGA will determine the appropriate number of security personnel in consultation with the sponsoring organization. Arrangements must be made through SAGA in partnership with the Department of Campus Safety for adequate security.
- f. The sponsoring organization is responsible for all damages incurred and any special facility arrangements that may be required (see also, *Property Damage*, Student Code of Conduct 202(14); and *Facility Use and Access*, Student Code of Conduct 202(9)).

*Violation of this policy is a Category B violation. Appropriate sanctions will be determined on a case-by-case basis.*

## **ARTICLE VI. STUDENT CONDUCT PROCEDURES**

The following procedures may be employed to resolve cases of alleged misconduct by students or student organizations. Questions concerning these procedures should be addressed to the Office of Student Conduct and Conflict Resolution (OSCCR). Every case is handled individually, and in some cases certain elements of these procedures may not be necessary. In this section any references to “student” or “students” can also be understood to mean “student organization” or “student organizations” when applicable.

Proceedings conducted pursuant to this section shall be informal, fair, and expeditious. Except where expressly adopted in the Community Standards, the rules and procedures of criminal and civil courts – including rules of evidence – shall not govern student conduct proceedings. Deviations from the timelines or procedures described here shall not invalidate a proceeding or decision unless significant prejudice to a student or to the University results.

### **601. STUDENT RIGHTS IN THE CONDUCT PROCESS**

Student respondents have the following rights in the conduct process:

1. To have notice of the allegations before the hearing and have the allegations explained clearly and fully at every level of the conduct process;
2. To be present throughout the hearing but not during the deliberation process of the conduct administrator or board;
3. To review all documentation concerning the allegations during the hearing;
4. To refute information provided by witnesses; and
5. To be advised of the appeal process.

Generally, respondents or other students involved in an incident do not have a right to review the incident report itself until a point in the hearing determined by the conduct administrator or board. However, in cases where either (a) the respondent was not present at the time an incident was documented, or (b) the incident was not documented by a University official, the respondent may be granted permission to review the incident report in person prior to the hearing at the OSCCR suite at the discretion of the OSCCR.

### **602. INCIDENT REPORTING AND CASE REFERRAL**

Cases of alleged student misconduct shall be referred to the OSCCR through an incident report. Anyone can submit an incident report to the OSCCR describing alleged student misconduct. Incident reports should contain the date, time, and location of the incident, the names of individuals involved, and a narrative description of the incident. Incident reports may be submitted online at [www.luc.edu/osccr](http://www.luc.edu/osccr) or in person to the OSCCR suite in CFSU 112.

Incident reports should include the name, phone number, and email address of the complainant. While anonymous incident reports will be reviewed by the OSCCR, the University’s ability to address alleged behavior from anonymous sources is significantly limited; therefore, anonymous reports are discouraged.

The timeline for case resolution varies due to several factors, but the goal of the OSCCR is to resolve a case fully within 10 business days of receiving a report (5 business days for the JFRC). The submission of an incident report does not automatically initiate conduct proceedings and in some cases no action may be taken.

### **603. CONSIDERATION AND INVESTIGATION**

Upon receipt of an incident report, a case file is generated and assigned to a conduct administrator for investigation and resolution. If there is reasonable belief that a violation has occurred, allegations will be assigned individually to relevant students.

If the conduct administrator finds no reasonable belief that a violation may have occurred, the case may be closed with no further action taken.

In some cases, the conduct administrator may determine that an informal response would best resolve the situation. Examples of informal responses include a warning to cease current behaviors, referral to mediation, and changes in academic, work, or living arrangements.

Cases are addressed by incident. Therefore, when any combination of more than one student and/or student organizations is involved, the matter may be handled as a single case. All respondents may be adjudicated at the same time utilizing the hearing type appropriate for the highest level of alleged violation.

#### **604. NOTICE TO RESPONDENT**

##### **1. Allegation Letter**

In most cases, when a case file is processed the conduct administrator will send an allegation letter to the respondent(s) through the ADVOCATE database. Students will receive an email to their LUC Groupwise account notifying them that they have received correspondence from the OSCCR and must log into ADVOCATE to review their letter. Allegation letters contain the following:

- a. A brief description of the alleged misconduct, including the time, date, and place the incident allegedly occurred;
- b. A list of any University policies allegedly violated;
- c. The type of hearing in which the case will be adjudicated or resolved;
- d. Information about when the hearing is to take place or be scheduled; and
- e. A reminder that students may obtain an advisor to support them through the conduct process.

##### **2. Acceptance of Responsibility**

Occasionally the conduct administrator may send students an acceptance of responsibility letter in lieu of an allegation letter. An acceptance of responsibility letter contains the same information as a letter of allegation, except it provides the respondent the option to forego a hearing and accept responsibility for an alleged violation. Acceptance of responsibility letters are only used for relatively minor incidents at the discretion of the conduct administrator assigned to the case. Respondents may always decline to accept responsibility and request a hearing instead. Failure by a student to respond to an acceptance of responsibility letter within five business days (or 24 hours at the JFRC) will result in the decision being finalized, and any proposed sanctions will be applied.

Decisions rendered by either acceptance of responsibility or failure to respond pursuant to an acceptance of responsibility letter may not be appealed, except on the grounds that the student did not have a reasonable opportunity to receive and respond to the letter.

##### **3. Informational Meeting**

Occasionally students will be receive notice that they must meet with a conduct administrator for an informational meeting. Such meetings are mandatory and may be needed to investigate an incident, clarify a report, obtain personal statements, notify a student of emergency administrative action, or otherwise discuss an alleged incident with students involved.

#### **605. HEARINGS**

##### **1. Scheduling**

Hearings are either (a) scheduled by the conduct administrator, or (b) scheduled by the student at the instruction of the conduct administrator. When scheduled by the conduct administrator, hearings will typically take place within five business days of the incident being reported. When a conduct administrator instructs a student to schedule a hearing, the student must respond within two business days and the hearing must take place within ten business days of the date of the allegation letter.

At the JFRC, respondents will receive an allegation letter with the time and date of the scheduled hearing within two business days of the incident report. The respondents will have

24 hours to reschedule the hearing if needed; otherwise a decision will be made based on the information available.

In all cases, it is the student's ultimate responsibility to schedule and attend a hearing. Hearings will be scheduled around students' classes, but otherwise hearings are mandatory and take precedence over conflicting obligations, including athletic events, student organization meetings, and work commitments.

If a student fails to respond to an allegation letter or to schedule or attend a hearing by the hearing deadline, the conduct administrator may make a decision based on the information available.

## **2. Hearing Types**

There are three different types of hearings (explained in detail below): administrative hearings, University Conduct Board hearings, and Student Community Board hearings. The OSCCR will decide which hearing type is most appropriate for a particular case. In cases where a respondent is alleged to have committed a Category C policy violation, the student's preferences for hearing type will be taken into consideration.

### **a. Administrative Hearing**

Most student conduct cases are resolved through an administrative hearing. Administrative hearings are facilitated by the conduct administrator assigned to the case. Conduct administrators are members of the professional or paraprofessional University staff, usually from within the Division of Student Development. Conduct administrators are trained by the OSCCR to handle matters of student conduct according to the policies and procedures of the Community Standards. In some cases an administrative hearing may be facilitated by more than one conduct administrator.

### **b. University Conduct Board Hearing**

The University Conduct Board (UCB) is comprised of three to five representatives from the faculty, staff, and student body who have been selected and extensively trained by the OSCCR staff. Each UCB hearing is moderated by a neutral facilitator who is a member of the OSCCR staff. The UCB has authority to impose all sanctions, including University Suspension or Expulsion. The UCB is not in session during study days, final exam periods, breaks, and the summer term.

### **c. Student Community Board Hearing**

The Student Community Board (SCB) hears cases involving Category A and/or B violations that have a substantial impact on the University community. These boards are comprised of three to five students who have been selected and extensively trained by the OSCCR staff. Each SCB is chaired by a student and advised by a member of the OSCCR staff. The SCB is not in session during study days, final exam periods, breaks, and the summer term.

## **3. Hearing Format**

Hearings generally proceed according to the following format:

- a. Introduction of all parties present (including witnesses, when applicable) and of the hearing procedures and expectations
- b. Review and signing of the "Student Rights in the Conduct Process" form
- c. Conduct administrator or board describes to the respondent(s) the nature of the alleged conduct at issue and the University policies allegedly violated
- d. Respondent(s) are given opportunity to (a) accept full responsibility for all allegations, (b) accept responsibility for some allegations and refute others, or (c) refute all allegations
- e. Witnesses are excused until statements are needed (if applicable)
- f. Respondent(s) (and complainant(s) when applicable) are given opportunity to provide a personal account of the alleged incident

- g. Respondent(s) (and complainant(s) when applicable) have the opportunity to inspect all documentation relevant to the case that will be used by the conduct administrator or boards to make a decision
- h. Any applicable parties are questioned (including witnesses, if applicable)
- i. Respondent(s) are provided a final opportunity to make any closing comments
- j. The conduct administrator or board may excuse all parties for deliberation if needed
- k. Respondent(s) (and complainant(s) when applicable) are notified of the decision and any related sanctions either immediately after deliberation or, when further deliberation is needed, typically within three business days

#### **4. Deliberations**

In administrative hearings, deliberations of conduct administrators are closed to all parties except the conduct administrators. In UCB hearings, deliberations are closed to all parties except the members of the hearing board. In SCB hearings, deliberations are closed to all parties except the members of the hearing board and the board's advisor. In all cases, deliberations will be conducted unhurriedly and may in some cases extend into the next business day.

#### **5. Decision**

At or after the conclusion of a hearing, the conduct administrator or board will issue a decision about each individual respondent's allegations. Each allegation will result in one of the following two outcomes:

##### **a. Not Responsible**

If it is concluded that it is more likely than not that the respondent did not violate University policy, or if there is insufficient information available to find a respondent responsible, a finding of "not responsible" will be issued and the allegation will be dismissed. No sanction will be assigned and the allegation will not be reported to parties outside the University as part of the student's disciplinary record.

##### **b. Responsible**

If it is concluded that it is more likely than not that the respondent did violate University policy, or if the student accepts responsibility for violating University policy, a finding of "responsible" will be issued and appropriate sanctions will be assigned.

In all cases, the conduct administrator or board shall confirm all decisions and sanctions via a decision letter that will be sent to the respondent(s) via the ADVOCATE database (a notification email will be sent to the student's Groupwise account). Decision letters are usually sent within three business days of the decision.

#### **6. Preponderance of the Evidence**

The standard of evidence required for a conduct administrator or board to determine responsibility is known as a "preponderance of the evidence." This means that the conduct administrator or board must determine that it is more likely that an alleged violation occurred than that it did not occur.

#### **7. Disqualification or Recusal**

If conduct administrators or members of a hearing board believe themselves to be unqualified to serve in such a capacity for personal or official reasons, they may recuse themselves. Respondents may not object to the membership of the board except for reasons of official or personal conflict of interest. When an objection concerns a UCB hearing, the neutral facilitator will determine the validity of such objections and make a final determination whether or not to disqualify a board member. When an objection concerns a SCB hearing, the board chair will consult with the advisor make a final determination whether or not to disqualify a board member.

#### **606. OTHER HEARING ELEMENTS**

### **1. Advisors**

Students are invited to be accompanied by an advisor throughout the conduct process. An advisor is a support person who is present to comfort either a complainant or respondent during a hearing. Advisors may be members of the University community or family members. Each student respondent or complainant may be accompanied by one advisor. An advisor may not speak for the student nor actively participate during the hearing. The advisor may not speak on behalf of the student(s) or function as legal counsel in the hearing proceedings.

A student may also request that the OSCCR assign an advisor to them, who will be either a student or staff member trained to serve in such a capacity. Such requests should be made at least 48 hours prior to the hearing. Assigned advisors may not be available at the JFRC.

### **2. Privacy**

Privacy applies to respondents, complainants, witnesses, advisors, conduct administrators, and members of hearing boards. All individuals are expected to adhere to the regulations set forth by the Family Educational Rights and Privacy Act (FERPA) of 1974, as Amended, regarding the dissemination of information pertaining to the student conduct process. All proceedings are private and unauthorized recording by any means is prohibited. All notes taken during student conduct proceedings by any party present will be gathered and destroyed. Only conduct administrators or board chairs may include notes in the case file. The University reserves the right to share information regarding the case with other appropriate parties on a need-to-know basis.

### **3. Written Statements**

Students may be required to submit a signed written statement responding to the allegations up to 24 hours prior to the hearing. For administrative hearings this statement should be submitted to the conduct administrator assigned to the case. For board hearings this statement should be submitted to the OSCCR.

### **4. Witnesses**

Witnesses are permitted in the hearing process and may be invited by a respondent, complainant, conduct administrator, and/or board. A witness is someone who can provide a firsthand account of something seen, heard, or experienced relating to the alleged incident. "Character witnesses" and other witnesses deemed to be irrelevant by the conduct administrator, moderator, or board are not permitted. The conduct administrator or board chairperson may meet with witnesses as a part of the investigation before the hearing, and may limit the number of witnesses permitted to attend the hearing.

A list of witnesses must be submitted at least two business days before the hearing. This list should include contact information and a brief description of each witness's contribution. It is the responsibility of the party who invites the witness to request the witnesses' attendance at the hearing. If a witness is unable or unwilling to attend the hearing, the witness may provide a signed written statement to the OSCCR by the hearing date. The hearing may proceed even if all witnesses are not present.

### **5. Authorized Audio and Video Recording**

In some cases, at the discretion of the OSCCR Director or Dean of Students, audio or video of hearings may be recorded. Deliberations by conduct administrators or boards are never recorded. Any recording of a hearing becomes property of the University and may be retained as part of the disciplinary record. Recordings may only be used internally for documentation or training purposes.

## **607. SPECIAL CIRCUMSTANCES**

### **1. Emergency Administrative Action**

The Dean of Students and designees shall have the authority to immediately suspend a student from the University or residence halls, relocate a student within the residence halls, or restrict activities of a student on-campus pending disciplinary procedures when it is believed that the presence of the student would seriously disrupt the University or constitute a danger

to the health, safety, or welfare of the University community or property. In such cases the student will be notified in writing of the emergency administrative action. Parents, academic deans, Campus Safety, or other personnel may also be notified of the action as needed.

## **2. Final Exam Period**

Policy violations occurring during study days or final exams may result in immediate suspension from the residence halls and/or restriction of access to University facilities. Additionally, sanctions that are assigned for violations occurring during study days or final exams may be increased or extended to convey the importance of maintaining a peaceful University environment during those periods.

## **608. APPEALS**

Respondents who are found responsible for a violation may appeal all or part of the decision according to the following guidelines. In cases of alleged dating violence, sexual misconduct, or stalking, complainants may also appeal all or part of the decision. An appeal is not a re-hearing of the case. The Dean of Students or designee will review all appeal requests to determine if there are sufficient grounds for the appeal. In the event that the Dean of Students was the conduct administrator who made the original decision, appeal requests will be reviewed by the Vice President for Student Development.

At the JFRC, appeals are reviewed by the Associate Dean of Students at the JFRC or may be assigned to the Dean of Students or designee in Chicago.

Students who fail to appear for a scheduled hearing of which they were reasonably notified, and students who accept responsibility pursuant to an acceptance of responsibility letter may not appeal the decision.

### **1. Grounds for Appeal**

All requests for appeal must be based on one or more of the following grounds:

- a. New substantive information is available that could not have been discovered by a diligent respondent at the time of the hearing and that would have likely changed the outcome of the case.
- b. A substantive procedural error or error in the interpretation of University policy occurred that denied the respondent the right to a fair hearing and decision.
- c. The finding (as to responsibility or sanctions or both) was manifestly contrary to the information presented at the hearing or to the established Community Standards (i.e. the decision was clearly unreasonable and unsupported by the great weight of information).

### **2. Timeline and Format**

A student has 72 hours from the time the decision letter is sent to request an appeal (or 24 hours at the JFRC). Appeals must be requested online via a hyperlink at the bottom of the decision letter. Electronic submission is the only accepted method to request an appeal. At the end of the designated appeal period, the hyperlink will no longer be active. Failure to submit a request within this period waives the right to appeal and renders the decision final.

While a request for appeal is under review (final decision is pending), sanctions and other disciplinary actions may be enforced on an interim basis at the discretion of the OSCCR or JFRC administration.

For complainants in cases of alleged dating violence, sexual misconduct, or stalking, the link to the online appeal request form will be included in the victim notification letter and the same designated appeal period applies.

Students are typically notified of the final decision within five business days of the appeal request (two business days at the JFRC); however, at times further investigation may require a longer period of consideration.

### **3. Content**

Requests for appeal must include the grounds for appeal, a personal statement explaining in detail why the student is contesting the results of the hearing, and any relevant documentation available that substantiates or clarifies the request for appeal. Such additional documentation may be uploaded electronically via the online appeal request form.

#### **4. Review and Final Decision**

All properly completed requests for appeal will be considered by the Dean of Students or designee, who will determine whether there is sufficient basis for modifying the original decision. The Dean of Students or designee may or may not request to meet with the respondent, complainant, or other relevant individuals before making a final decision.

The responsibility lies with the appealing student (either respondent or complainant) to provide clear and convincing information demonstrating that the original process or decision was substantively flawed.

The Dean or designee will choose one of four possible outcomes for all appeals:

1. Affirm the original decision and uphold the original sanction(s)
2. Affirm the original decision but modify the original sanction(s)
3. Overturn all or part of the original decision and uphold, modify, or remove the sanction(s) appropriately
4. Remand the case for a rehearing in the same format as the original hearing (i.e. if the case was originally heard before a board, a board would hear it again, but made of different members; if originally an administrative hearing, it would be reheard by a different conduct administrator)

Students will be notified of the final decision within two weeks of receipt of the request.

***The disposition of a case by the Dean of Students or designee (or Associate Dean of Students at the JFRC) following an appellate review is final within the University and is not subject to further review.***

#### **609. DISCIPLINARY RECORDS**

Student disciplinary files are maintained in the Dean of Students Office for seven years from the date of the incident. Conduct files may contain contact information, correspondence relating to a case, decisions, sanctions, reports, relevant documentation, and conduct administrator or board chair notes from each case in which a student was found responsible. Students have a right to view their conduct file at any time during regular business hours or may access their conduct file online using the ADVOCATE database.

#### **610. VICTIM NOTIFICATION**

In accordance with applicable law, the University may disclose to an alleged victim the result of a disciplinary proceeding against an alleged perpetrator of a crime of violence or non-forcible sex offense. To the extent necessary for an alleged victim to make determinations of personal safety, information about the outcome of an incident of alleged dating violence, sexual misconduct, or stalking may also be disclosed. Such disclosures may be made without the consent of the alleged perpetrator. An alleged victim of any other offense or policy violation may be notified of the outcome only with the consent of the alleged perpetrator.

The term crime of violence includes the alleged commission or the attempt to commit any of the following offenses: arson, assault offenses, burglary, criminal homicide (manslaughter and murder), destruction/damage/vandalism of property, kidnapping/abduction, robbery and forcible sex offenses. The term non-forcible sex offense includes the alleged commission of acts that would constitute statutory rape or incest. Definitions of these offenses may be found at 34 CFR Part 99, App. A, which is available at: [www.ed.gov/offices/OM/fpco/ferpa](http://www.ed.gov/offices/OM/fpco/ferpa).



## ARTICLE VII. APPENDIX

### 701. ANNUAL NOTIFICATION OF RIGHTS UNDER FERPA AND THE DIRECTORY INFORMATION PUBLIC NOTICE (2012-2013)

FERPA specifically addresses the rights of students as they pertain to their education records. Education records are those records which are directly related to the individual student currently or formerly in attendance at and maintained by Loyola University Chicago. This page serves as Loyola's annual notification of the students' rights and provides links to valuable resources to help members of the Loyola community better understand their responsibilities under FERPA.

#### 1. Loyola students have the right to inspect and review their education records within 45 days from the day the University receives a request for access.

Students of Loyola University Chicago have the right to inspect and review their education records within 45 days from the day the Loyola receives the student's request for access. If a student wishes to review parts of an education record that are not directly available through LOCUS (the student portal into the student information system), the following procedures should be followed:

- a. Submit a written, signed request to the director of the department maintaining the record being requested;
- b. Identify the record(s) to be inspected;
- c. State to whom the record is to be released; and
- d. Indicate the purpose of the request.

The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official will advise the student of the correct official to whom the request should be addressed.

The academic and administrative offices of the University maintain records that are unique to their relationship with individual students. These offices and records maintained by these offices include, but are not limited to the following:

- **Bursar's Office:** Student account files and Perkins loan information
- **Departments and Colleges:** Academic advising records, admission files, including ACT, SAT and TOEFL scores, and high school and college transcripts and other scholastic records
- **Financial Assistance:** Financial assistance application files, student federal work-study information, scholarships and Stafford loan information
- **Intercollegiate Athletics:** Injury reports, scholarship contacts, performance records, height and weight information
- **Registration and Records:** Permanent record of academic performance (grades, transcript, including supporting documents), course schedules
- **Residence Life:** Residential life and housing services files
- **Student Life:** Student activity files, student disciplinary files, multi-cultural programs and services files, and intramural sports files
- **Student Services:** Career planning and placement files, international program files, services files, and learning assistance services files
- **Undergraduate Admission and other admission offices:** Admission files on prospective students
- **University Library:** Circulation records

Please note that the Stritch School of Medicine and the School of Law maintain their own admissions, registrar, financial, and student affairs offices and keep records similar to those listed for the same central University offices.

#### 2. Loyola students have right to request the amendment of their education records that they believe are inaccurate or misleading.

A student may request, in writing, that the University amend a record that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy under FERPA. The student should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why the record should be changed. If the University decides not to amend the record, the student will be notified in writing of the decision and advised of the right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the student upon notification of the right to a hearing.

**3. Loyola students have the right to consent to disclosures of personally identifiable information contained in their education records, except to the extent that FERPA authorizes disclosure without consent.**

One exception which permits disclosure of personally identifiable information contained in your education records without your consent is disclosure to school officials with legitimate educational interests. A school official is a:

- Person employed by the University in an administrative, supervisory, academic or research, or support staff position (including campus police and security personnel and health staff), acting in the student's educational interest within the limitations of their "need to know."
- Person or company with whom the University has contracted as its agent to provide a service in lieu of using University employees or officials (such as an attorney, auditor, or collection agent, temporary staffing agencies and outsourced vendors).
- Person serving on the Board of Trustees.
- Student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

Outsourced vendors are those parties helping the University provide students access to services relating to their education. For example, the bookstore will be provided with course schedules to assist students with procuring textbooks and other course materials.

The University may disclose a Loyola student's education records, without consent, to officials of another postsecondary education institution in which the student has applied or seeks to enroll.

**4. Loyola students have the right to refuse to permit the University to disclose "Directory Information." Directory Information is information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. Loyola has designated the following personally identifiable information as public ("directory") information; the student's:**

- Name
- Address(es)
- Telephone number(s)
- Email address(es)
- Photograph
- Major and minor field(s) of study, including the college, division, department, institute or program in which the student is enrolled
- Dates of attendance
- Grade level (such as freshman, sophomore, junior, senior or graduate level)
- Enrollment status (undergraduate or graduate, full-time or part-time)
- Date of graduation
- Degree(s) received
- Honors or awards received, including selection to a dean's list or honorary organization
- Participation in officially recognized activities and sports
- Weight and height where the student is a member of athletic teams

Loyola students have the right to have the release of their Directory Information blocked. The Directory Information Non-Disclosure form (available online at [www.luc.edu/regrec/ferpa.shtml](http://www.luc.edu/regrec/ferpa.shtml)) is used to make this request of the Office of Registration and

Records. The block will remain in effect until the Office of Registration and Records is requested in writing to remove it.

Please note three important details regarding placing a Directory Information Hold on your record:

- Loyola receives many inquiries for Directory Information from a variety of sources outside the institution, including friends, parents, relatives, prospective employers, the news media and honor societies. Having a Directory Information Hold on the student's record will preclude release of such information, even to those people.
- A non-disclosure hold applies to all elements of directory information on your record. Loyola does not apply a non-disclosure hold to individual directory information items.
- The University assumes no liability resulting from honoring your request, nor does the University assume the responsibility to contact you for subsequent permission to release the hold.

**5. Loyola students have right to file a complaint with the U.S. Department of Education, Family Policy Compliance Office, concerning alleged failures by the University to comply with the requirements of FERPA.**

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

Inquiries about the use of directory information or any other FERPA related matter should be directed to Eric C. Pittenger, Associate Registrar, Office of Registration and Records, Loyola University Chicago, by phone at (312) 915-7234 or by email at [FERPA@luc.edu](mailto:FERPA@luc.edu).

**702. CLERY ACT**

The Jeanne Clery Disclosure Act requires all postsecondary institutions that participate in federal student financial aid programs to produce and disseminate an annual campus crime report containing statistical crime information for the preceding three (3) years. To access this report, visit: [www.luc.edu/safety/cleryact](http://www.luc.edu/safety/cleryact). To obtain a hard copy of this report, call: 773-508-6039. Campus Safety also maintains bulletin boards around campus which contain monthly crime statistics, crime maps, alerts, and other safety information. An online Crime Alert is located on Campus Safety's website as well. For more information, visit: [www.luc.edu/safety](http://www.luc.edu/safety).

**703. TITLE IX**

Under Title IX of the Educational Amendments Act of 1972, Loyola University Chicago has a responsibility to respond promptly and effectively to address sexual misconduct and other conduct that is motivated by sex or gender and creates a hostile environment for Loyola students. If the University knows or reasonably should know about such behavior, the University must take action to eliminate the behavior, prevent its recurrence, and address its effects.

Even if a student does not want to file a complaint or does not request that Loyola take any action on the student's behalf, if Loyola knows about possible sexual misconduct, it must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. In such cases every reasonable effort will be made to balance the alleged survivor's wishes with respect to confidentiality with the University's legal obligations to act.

A criminal investigation of allegations of sexual misconduct does not relieve Loyola of its duty under Title IX to resolve complaints promptly and equitably. All Title IX investigations will be concluded within 60 days of the University becoming aware of the allegations.

The Title IX Coordinator for Loyola University Chicago is Thomas Kelly, Esq., Vice President of Administrative Services, who can be reached at 312-915-6400 or [tkelly4@luc.edu](mailto:tkelly4@luc.edu).

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