

20. The term **policy** means any regulations, in written or electronic form, of the University including , but not limited to the student code of conduct, undergraduate, graduate and professional school academic integrity policies, , and undergraduate/graduate/professional school handbooks and catalogs.

Article II: Student Code of Conduct Authority

1. The Vice President of Student Affairs or designee shall determine the composition of hearing boards and appeal boards and determine which hearing board, hearing officer or appeal board shall be authorized to hear each matter.
2. The Vice President of Student Affairs or designee shall develop policies for the administration of the student conduct system and procedural rules for the conduct of hearings that are consistent with provisions of the student code.
3. Decisions made by hearing boards or hearing officers shall be final, pending the normal appeal process.

Article III: Prohibited Conduct

A. Jurisdiction of the University Student Code of Conduct

The University Student Code of Conduct shall apply to conduct that occurs on University premises, at University sponsored activities and to off-campus conduct that adversely affects the University community, the mission of the University and/or the pursuit of University goals. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, including periods immediately before classes begin or immediately after classes end, as well as during the academic year and during periods between terms of actual enrollment. This includes conduct that occurred while a student was enrolled but discovered after a degree was awarded. The Student Code of Conduct shall apply to a student even if the student withdraws from the University while a disciplinary matter is pending. The

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- a. Causing physical harm to others
 - b. Verbal Abuse
 - c. Behavior that is threatening
 - d. Behavior that is intimidating
 - e. Harassment
 - f. Behavior that is coercive
 - g. Behavior that endangers the health or safety of any person
4. Theft, Damage, Vandalism, or Littering including but not limited to:
- a. Theft, defined as attempted or actual theft of property of the University or property of a member of the University community or other personal or public property, on or off campus.
 - b. Damage, defined as attempted or actual damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.
 - c. Vandalism, defined as attempted or actual disfiguring or defacing of University or property of a member of the University community or other personal or public property, on or off campus.
 - d. Littering, defined as leaving garbage or other unwanted items on University property or other public spaces.
5. Hazing is defined as an act which endangers the health or safety of a student, or causes or creates a substantial risk of causing mental or physical harm, including coercing another to consume alcohol or a drug of abuse as defined in section 3719.011 of the Revised Code, or an act which destroys or removes public or private property, for the purpose of initiation, admission, affiliation, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are a violation of this policy. Also refer to Ohio Senate Bill 126.
6. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties

10. Drugs, narcotics or other controlled substances except as expressly permitted by federal, state and local laws or University policies (medical marijuana is not permitted on University property as it is prohibited by law):
 - a. Use of drugs, narcotics or others controlled substances
 - b. Possession of drugs, narcotics or other controlled substances
 - c. Use of any substance with the intention of causing illness or injury
 - d. Manufacturing of drugs, narcotics or other controlled substances
 - e. Distribution of drugs, narcotics or other controlled substances
 - f. Possession or use of drug paraphernalia; items that a reasonable person would believe are used in conjunction with drugs, narcotics or other controlled substances.

11. Alcohol policy:
 - a. Use of alcohol by an individual under the legal drinking age
 - b. Possession of alcohol by an individual under the legal drinking age
 - c. Distribution of alcohol to any individual under the legal drinking age
 - d. Public intoxication by any individual
 - e. Use or possession of alcohol in a public space
 - f. Use of alcohol leading to illness or injury
 - g. Use or possession of bulk quantity or common sources of alcohol including but not limited to kegs, large open containers, or a large number of individual servings likely for use as a common source.
 - h. Participating in drinking games or other high risk behavior including funneling
 - i. Use or possession of alcohol in any buildings or floors designated as First Year Experience living spaces except resident rooms where all assigned residents of the room are of legal drinking age.
 - j. Violation of other University alcohol policy.
 - k. Use or possession of alcohol by any individual in substance free University housing.

12. CWRU Tobacco-Free policy – CWRU prohibits the use of tobacco products at all times on campus property. "Tobacco" refers to any product containing tobacco in any form. Tobacco products include, but are not limited to, cigarettes (clove, bidis, kreteks, e-cigarettes); cigars and cigarillos; pipes; all forms of smokeless tobacco; any other smoking devices that use tobacco, such as hookahs; and any other existing or future smoking, tobacco or tobacco-related products. CWRU Property" refers to all interior space owned, rented or leased by CWRU and all outside property or grounds owned or leased by CWRU, including parking area

- k. Violation of any University Service Animal, Assistance Animal, Pet Policy or other policy related to companion or support animals.
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- g. Harassment (verbal and/or physical) and/or intimidation of a member of a hearing board prior to, during, or after a student conduct proceeding.
- h. Failure to comply with the sanction(s) imposed under the student code.
- i. Influencing or attempting to influence another person to commit an abuse of the code of conduct or processes associated with it.

C. Violation of Federal, State and/or Local Law and University Discipline

- 1. University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the code of conduct (that is, if both possible violations result from the same factual situation or incident) without regard to the

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4. The respondent may review all information relevant to the hearing. Information will be available at least five business days prior to the hearing.
5. Administrative Conduct Hearings shall be conducted according to the fo

- m. All procedural questions are subject to the final decision of the Director of Student Conduct & Community Standards or designee.
 - n. The hearing officer's determination of responsibility for each violation shall be made on the basis whether there is a preponderance of the evidence, or whether it is more likely than not, that the respondent violated the student code of conduct.
 - o. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in a criminal or civil court, are not used in the student conduct proceedings.
6. If with proper notice, the respondent and/or investigator do not appear for a conduct hearing, the available information regarding alleged violations shall be presented and considered without such parties present and, a aahejeerfed (ce o)-4 (f 0 1 Tf-0.003 p-0.004 Tc 0er)-1 aal5.58 0(e)4-1 a

Case Western Reserve University seeks to promote a community of care through providing Medical Amnesty for individuals and organizations who seek medical attention related to medical emergencies for alcohol and drugs. To ensure that a student obtains the help they need for these potentially life-threatening emergencies, CWRU seeks to reduce barriers to seeking assistance.

Case Western Reserve University's Medical Amnesty Policy eliminates Student Code of Conduct consequences for students and/or organizations seeking assistance, for the assisted individual and for others involved. The policy applies when the allegations under the Student Code of Conduct or other policies involve consumption of alcohol, use of drugs or disorderly conduct. The policy does not preclude disciplinary action regarding other policy violations, such as causing or threatening physical harm, sexual violence, damage to property, fake identification, unlawful provision of alcohol or other drugs, harassment or hazing.

In order for this protocol to apply, the assisted student must agree to timely completion of assigned alcohol and/or drug education activities, assessment, and/or treatment (assigned by Case Western Reserve University depending on the level of concern for student health and safety). Failure to complete recommended follow-up will normally result in revocation of Medical Amnesty. Repeated incidents may prompt a higher degree of medical concern with additional steps taken.

Likewise, organizations involved in an incident must agree to take recommended steps to address concerns, such as educational follow-up. Multiple incidents may result in revocation of an organization's recognition. Medical Amnesty does not negate the University's obligation to notify the CWRU Police Department as required by Ohio State Law. The Medical Amnesty Policy represents the University's commitment to increasing the likelihood that community members will call for medical assistance when faced with an alcohol and/or drug emergency. The Medical Amnesty Policy also promotes education for individuals who receive emergency medical attention related to their own use of alcohol or other drugs in order to reduce the likelihood of future occurrences.

G. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code:
 - a. Warning – A written notice to the respondent communicating that a violation of the code of conduct has occurred and that a conduct record is on file within the University.
 - b. Deferred Disciplinary Probation – A written notice to the respondent that a violation of the code of conduct has occurred, that a conduct record is on file within the University and that any additional violations of the code of conduct will likely lead to Disciplinary Probation. Deferred Disciplinary Probation is for a set period of time.
 - c. Disciplinary Probation – A written reprimand to the respondent communicating that a serious violation of the code of conduct has occurred and/or multiple violations of the code of conduct have occurred; that a conduct record is on file within the University and

that any additional violations of the code of conduct will likely lead to some level of separation from the University. Disciplinary Probation is for a set period of time and shall not exceed 18 months for a single incident that is a violation of the Student Code of Conduct. Disciplinary Probation may lead to a loss of privileges including, but not limited to, being ineligible to represent the University in intercollegiate activities, hold an elected or appointed office or committee leadership in any campus organization, study abroad and/or pledge a fraternity or sorority for the duration of the probationary period. University scholarships may be revoked for a period of time while the student is placed on Disciplinary Probation.

- d. University Housing Separation – Separation of the student from University housing for a defined period of time, after which the student is eligible to petition to return to housing. Conditions for readmission to housing may be specified.
- e. University Housing Expulsion – Permanent separation of the student from University housing. A ban from visiting, entering or being in the vicinity of any University housing is included as part of this sanction unless otherwise specified.
- f. University Separation – Separation of the student from the University for a defined period of time, after which the student is eligible to petition to return to housing.

1. A decision reached by a hearing officer or hearing board may be appealed by the respondent within