



# Student Handbook

Revised August 2018

*The Transylvania University Student Handbook is adapted from the NCHERM Group Model Developmental Code of Student Conduct, 2018, and is used here with permission.*

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

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## **Welcome from the Student Life Staff**

Dear Transylvania Student,

The college years are an important time to discover new ideas, meet challenges, and benefit from a variety of opportunities for self-development. At Transylvania you will be challenged academically in the classroom but your fellow peers will also stimulate your intellectual growth outside of the classroom. You will learn in a variety of settings outside of the classroom and through student activities, community service, residence life, organizations and religious life. The primary goal of Student Life is to promote and coordinate these experiences.

The Student Life Staff has compiled this handbook with several intended purposes:

- to provide you with a guide to campus information, services, policies, activities and organizations;
- to inform you about the resources Transylvania offers you;
- to outline what Transylvania expects of its citizens.

Familiarize yourself with the contents of the Handbook. Doing so will help you to be an informed member of the campus community.

Best wishes,

Division of Student Life Staff

### **Mission Statement**

Through an engagement with the liberal arts, Transylvania University prepares its students for a humane and fulfilling personal and public life by cultivating independent thinking, open-mindedness, creative expression, and commitment to lifelong learning and social responsibility in a diverse world.

## Staff Directory

NAME	EMAIL	TITLE	LOCATION	OFFICE PHONE
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Tevin Monroe	tmonroe@transy.edu	Community Engagement Support Specialist	CARE House	859-281-8892
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Chase Waskey	cwaskey@transy.edu	Admin Assistant to Student Wellbeing; Health Educator	Campus Center	859-281-3682
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## Academic Policies

Refer to the University Catalog for a thorough listing of Academic Policies and Services:  
<http://www.transy.edu/sites/default/files/downloads/Catalog1718.pdf>. Policies and



Services include: Academic Calendar, Course Load, Student Classification, University Grading System, Mid-Term Progress, Satisfactory Progress, Grade Appeals, Academic Good Standing, Class Attendance, Academic Integrity, Academic Records, Four-Year Graduation Guarantee Commencement, Leave of Absence, Credit by Examination, Registration Policies, Auditing a Course, Repeating a Course, Course Withdrawals, Withdrawal from the University, Readmission, Transfer of Credit, and Dean's List and Honors.

### **Academic and Disability Services**

American Disability Services (ADA)

<http://www.transy.edu/campus/disability-services>

### **Athletics**

<http://www.transysports.com>

### **Center for Academic and Professional Enrichment**

<http://www.transy.edu/center-for-academic-and-professional-enrichment/home>

#### **100 Doors to Success**

<https://www.transy.edu/center-for-academic-and-professional-enrichment/100doors/home>

With the 100 Doors to Success program, you'll be paired with a successful alum—someone who knows the true value of a Transylvania education and will help guide you through your four years of college and into graduate school or the workforce. You'll meet with your mentor regularly throughout the year and learn how to build a professional network, set goals, plan for your career, and much more.

#### **Career Development Center**

<http://www.transy.edu/center-for-academic-and-professional-enrichment/career-development/home>

Get going on the kind of real-life experience that will complement your academic life and help you stand out to employers and graduate programs. Visit our [Resources page](#) to build your toolkit for applications and pursue internships, part-time work and networking opportunities. There you'll find help in a variety of areas, including:

- Four-Year Plan for Professional Success
- Career exploration

- Job search process
- Applications, resumes, CVs and cover letters
- Internships and undergraduate research opportunities
- Graduate school search, networking and working abroad

### **Global and Intercultural Engagement**

<http://www.transy.edu/center-for-academic-and-professional-enrichment/study-abroad/home>

Transylvania offers countless opportunities to combine the excitement of travel with life-changing educational experiences, no matter your major. We believe that a study abroad experience is a natural part of a liberal arts education. Living and learning in an unfamiliar setting among people with different backgrounds is a valuable way to understand more about yourself and the wider world. You will become better equipped to see our similarities rather than our differences and to make decisions that may have a global impact. At Transy, you can choose to study abroad for a semester, a summer or during our unique May term. If the program is approved by a Transylvania faculty member, you can earn academic credit for your course work. Scholarships are available for summer study abroad, and students may apply to use a portion of their Transylvania award money for semester study abroad. In addition, federal and state aid may also be used.

### **Campus and Community Engagement**

<http://inside.transy.edu/engagement>

#### **Campus Engagement**

The Office of Campus and Community Engagement aspires to enrich campus life and compliment the classroom experience by providing our students with meaningful programs, services, and opportunities that foster personal growth and help acquire skills that are vital to the development of engaged citizens and future leaders.

#### **Community Engagement**

The University supports student learning outside of the classroom by encouraging participation in our Lexington community. We intentionally seek partnerships within the community that provide a variety of avenues for students to deepen their learning and increase civic authorship. We support the mission of the University and work to create and support sustainable community development within Lexington. The Office of Campus and

Community Engagement provides support for community and public service including:

- Development of civic engagement programming including direct service, indirect service, philanthropy, education, and advocacy.
- Monthly Saturday-in-Service projects open to individuals or groups
- Year-long Student Volunteer Teams with specific social justice focus and site partnerships
- Placement of eligible students in non-profit agencies for Federal Work Study compensation
- Week long intensive Alternative Break experiences focused on specific social justice issues
- Support of on-campus groups partnering with nonprofits for year-long engagement
- Support for the Employee Compensated Community Engagement Program
- Publishing the Service Newsletter for those interested in community engagement
- Support for national service and civic engagement opportunities (AmeriCorps, Constitution Day, Martin Luther King Jr Day of Service, etc.)
- Responsible for institutional partnerships with non-profit agencies, social justice initiatives, and community development (London Ferrell Community Garden, etc)
- Collection of service data for campus and community grants, reports, and related awards

Students, faculty, and staff are encouraged to participate in civic engagement projects. So that we can keep our data current, we encourage the campus community to report their engagement efforts at

[https://docs.google.com/a/transy.edu/forms/d/1bix3ua9AJcbRdzZlGy7Trvr44boY8J9kQO2MHR3cj5w/viewform?ts=584589e3&edit\\_requested=true](https://docs.google.com/a/transy.edu/forms/d/1bix3ua9AJcbRdzZlGy7Trvr44boY8J9kQO2MHR3cj5w/viewform?ts=584589e3&edit_requested=true)

### **Student Organizations**

All student organizations or groups wishing to use University facilities or property, use the University name, solicit membership or raise funds on campus must be either sponsored or recognized by the University. All organizations/groups must re-apply for recognition annually. In addition to the information contained in the Student Handbook, all student organizations must adhere to the policies contained within the Student Organization Handbook found here:

<https://docs.google.com/document/d/1y1bWn1UWhLdAoU1EiAd9nDavz8j4jzVSIV6BmuGSWFs/edit?usp=sharing>

A current list of student organizations and groups is available here:

[https://docs.google.com/spreadsheets/d/1zQ13tKk\\_MzD1qorF8MhvHsdmbjpLbdFgqFy-7YZVqPE/edit?usp=sharing](https://docs.google.com/spreadsheets/d/1zQ13tKk_MzD1qorF8MhvHsdmbjpLbdFgqFy-7YZVqPE/edit?usp=sharing)

Student organizations and groups may be categorized as follows:

- Departmental

- Governing
- Greek
- Honorary
- Identity and Culturally Based
- Special Interest

Groups are classified as follows:

- University Sponsored — Organizations whose support and infrastructure comes from a University office or department and may be directly funded by the University.
- University Recognized — Organizations whose support and infrastructure lies within its own governing constitution but that operates with the support of the Office of Campus and Community Engagement. Funds may be through membership dues, fund-raising projects, and budget allocations from SGA, SAB, or other on campus bodies.

The process by which student organizations become recognized by the University can be found in the Student Organization Handbook:

<https://docs.google.com/document/d/1y1bWn1UWhLdAoU1EiAd9nDavz8j4jzVSIV6BmuGSWFs/edit>

### **Event Policies and Procedures**

When a student organization wishes to host an event or activity held on campus, the sponsoring organization is required to complete an Event Approval form at least ten business days in advance. Occasional exceptions may be granted at the discretion of Student Life staff. Organizations or groups should not advertise or make deposits until approval is granted. Hosting events without approval will result in disciplinary action.

Approval forms are available here:

<http://fs11.formsite.com/transy/form364714175/index.html>.

Limitations may be imposed upon the number of events approved for the same day at the discretion of the Student Life staff. Approval may be denied for organizations or individuals if the event is scheduled during the 24-hour quiet period for final exams (beginning at 5 p.m. the Friday before final exam week), the night before regularly scheduled classes, or the night before special campus-wide events (i.e. Family Weekend, Open House, etc.). For a full description and outline of the event approval process, including hosting events with or without alcohol, please review the Student Organization Handbook:

<https://docs.google.com/document/d/1y1bWn1UWhLdAoU1EiAd9nDavz8j4jzVSIV6BmuGSWFs/edit?usp=sharing>.

## **Department of Public Safety**

<http://inside.transy.edu/public-safety/>

The Department of Public Safety in Forrer Hall is a service-oriented agency that provides protection and service to the Transylvania community 24 hours a day, seven days a week. Members of the University community are subject to the same crime problems encountered by residents of any major metropolitan area, and the primary purpose of the department is to protect the campus from criminal activity. Although patrolling campus buildings and grounds is a major factor in keeping crime to a minimum, there is always a potential for crime to occur.

As a member of the Transylvania community, you can help reduce crime by supporting the Department of Public Safety in its efforts to apprehend criminals, and by using preventative measures to reduce criminal opportunities.

### **Campus Bike Policy**

Students are encouraged to bring a bike with them to campus as a mode of sustainable transportation. Every student/faculty/staff member is required by Transylvania Policy to register their bicycle in order to park it on campus. Bicycle permits are free. With a registered bicycle, students/faculty/staff can report a stolen or lost bike to DPS. Because DPS will have the bike on record, it will be much easier to go about recovering the bicycle.

Bicycles found parked on campus without a permit will be issued a courtesy notice directing the owner to register the bicycle. After two weeks, bicycles still not registered will be impounded. Impounded bicycles will be released to the owner as soon as they submit a completed registration form. Bicycles that appear abandoned or that are improperly parked may also be impounded after a courtesy notice is issued. Bicycles not claimed from impound within 6 months will be considered abandoned and integrated into the Transylvania Bike Program, broken down for parts, or donated to a local charity.

The bicycle registration form can be located using the following link -

<http://www.transy.edu/admission/admitted-students/bicycle-permit-registration>

### **Campus Crime Log**

In accordance with state and federal laws a campus crime log is maintained in the Department of Public Safety and is available to the public. The campus crime log can be found here: <http://www.transy.edu/campus/safety/main/daily-crime-fire-log>

## **Campus Safety**

The Department of Public Safety is also responsible for the early detection of any potential safety hazards. If you notice a safety hazard, notify the department as soon as possible so it can remedy the problem. The rapid and successful detection of crime and the apprehension of criminals depend on fast and accurate reporting to the Department of Public Safety. The Annual Security Report (ASR) can be found at <http://www.transy.edu/campus/safety/main#reports>.

### **On-Campus DPS Escorts**

The Department of Public Safety offers on-campus escorts to all students, faculty, staff, and visitors, when available. Call x8118 and ask for assistance, or use any of the immediate access red phones located in the Haupt, Mitchell Fine Arts, Library, Little Theater, Cowgill Building, and Brown Science Center lobbies. Outside phones (in red security boxes) with immediate access to the department are strategically located on campus to improve communication and protection.

### **Parking Regulations**

Transylvania respects the privilege of students, faculty members, and staff to have motor vehicles on campus; however, because the University is located in a congested urban area where parking space is limited, regulations are imposed to maintain a reasonable degree of order and to avoid undue parking inconveniences and frustration. You are asked to abide by the parking regulations distributed at the beginning of the academic year. Officers enforce these regulations 24 hours a day, seven days a week. It is extremely important that everyone be familiar with the current year's parking regulations, available at the Public Safety Office. In any lot on campus, drivers may park only in spaces clearly designated as parking spaces. When all spaces are full, city street parking should be used. Cars parked in driving lanes, fire lanes, or on the grass will be towed at the owner's expense. Any student who has accumulated three or more parking citations will be subject to boot or tow and the individual is responsible for any and all related fines and fees. A campus map with parking information can be found here: <http://www.transy.edu/about/campus-map>

### **Reporting Crimes or Suspected Crimes**

Immediately call x8118 or our "Text a Tip" number: (859) 351-7343 to report any crime, suspected crime, evidence of a break-in, or suspicious persons. Try to provide as much of the following information as possible. "Text a Tip" allows for anyone to text a message or tip directly into the DPS office.

- Autos: License number, make and model, color, number of occupants, direction of travel, and characteristics such as spots, dents or any other identifiers available
- Property: Serial numbers of stolen property, complete description
- Persons: Name (if known,) sex, race, age, height, weight, clothing, method and direction of travel.
- Weapons: Guns-pistol, revolver (blue steel or chrome); knife-type and length; clubbing instruments, etc.

Other ways you can help both yourself and the Department of Public Safety are:

- Letting the department know if you must remain in a building after closing
- Never leaving personal property unattended (i.e., purses, briefcases, etc.)
- Removing mobile phones, tape players, etc. from your vehicle when not in use
- Marking or engraving personal property
- Turning in to the department all found property and reporting lost property

### **T-Alert Emergency Alert System**

Sign up for T-Alert. Subscribers will receive a text message on their cell phones in cases of emergency situations on campus. To subscribe or change information, visit <http://talert.transy.edu/> to enter your cell phone number and carrier. If your carrier is not listed, contact the Help Desk at x3593.

### **Theft and Damage Insurance**

Transylvania University does not carry insurance to cover personal property or vehicles of individual students, faculty, or staff members. We strongly recommend that you lock your residence hall room or car at all times and insure your belongings through a family homeowner's policy or an individual renter's policy.

### **Red Flag Reporting**

Red Flag Reporting is a reporting system that is dedicated to protecting organizations. Simply put, this service allows students and employees to report any concerns regarding improper activity within the university. This could range from financial concerns such as theft or misstated financial statements to concerns such as harassment, discrimination, safety issues, substance abuse and the like. This service is independent from Transylvania University and allows reporters to remain completely anonymous if they choose. To file a report, click the following link ([www.redflagreporting.com](http://www.redflagreporting.com)) and use the code (859) 233-8300. The phone number for reporting is 1-877-647-3335.

### **Financial Aid**

Refer to the University Catalog for a thorough listing of Scholarships and Financial Aid:

<http://www.transy.edu/sites/default/files/downloads/Catalog1718.pdf>.

## **Residence Life**

<http://inside.transy.edu/residence-life/>

### **Housing Requirements**

As a residential institution, Transylvania believes group living provides opportunities for personal growth, development, and education. The requirement for on-campus residence is thus a part of the University's efforts to ensure an optimal learning environment. Full-time students (three course units or more during fall or winter term; one course unit or more during May term) must live on campus. While all students are encouraged to live on campus, exceptions to this policy are made if the student:

- Achieves senior status (27 course units) before the beginning of fall term;
- Is 21 years old by the date of fall term enrollment;
- Is married and/or has dependents;
- Lives with parent(s) or legal guardian within 50 miles of campus.

Compliance with the housing requirement is a condition of enrollment. Students who live off campus contrary to policy may be placed on social probation and billed the room fee for each semester the student is off campus without approval. See the 2018-2019 housing contract at this link: <https://goo.gl/forms/zJHEXV1KgqHkwMMM2>

Requests for exemption from the housing requirement must document extreme circumstances and should be submitted through the exemption request form to the Housing Exemption Committee. Requests will be considered only if the student is in compliance with the housing requirement at the time of the request. If a resident becomes a part-time student, the student must contact the Department of Residence Life to be approved to remain on campus.

### **Residence Halls**

Transylvania offers a variety of living options. There are traditional residence halls, apartment style suites, and apartment complexes. See residence hall amenities here: <http://www.transy.edu/campus/housing>. Amenities include cable, internet, laundry, community kitchens, print stations, and some recreational rooms.

### **Staff**

Paraprofessional staff members are specially trained students known as Resident Advisors (RAs) who live on campus and are responsible for 18 to 60 students. RAs are responsible for promoting a community atmosphere among their residents, explaining and enforcing



university policy, making themselves available as a resource to their residents, and completing administrative duties.

Area Coordinators (ACs) supervise the RAs and are available for consultation. The RAs rotate on-call duty so that at least two RAs are on duty each night. Students may contact the RA on duty when their RA is not available. To contact the Residence Life staff after business hours, call the Department of Public Safety at x8118.

Meet the AC/RA Staff

<http://inside.transy.edu/residence-life/residence-life-and-housing-staff/>

Two full-time, professionals with masters degrees serve as the Director and Assistant Directors of Residence Life. These individuals are responsible for housing assignments, policy and procedure development and implementation, in-hall programming and community building, emergency response coordination, staff supervision, and student conduct. The professional staff offices are located on the ground floor of Forrer Hall. The department strives to incorporate Transylvania University's values of community, integrity, diversity, perseverance, and innovation into every aspect of residential life.

### **Severe Weather**

The National Weather Service may issue a severe thunderstorm warning or a tornado warning if a tornado has been sighted in the area. When this happens, the university will warn the campus population as soon as possible. The Department of Public Safety will alert residents, and the Residence Life staff will direct you to the following shelter areas:

- Bassett – basement.
- Dalton Voigt and Pioneer – first floor hallway, away from doors and windows
- Hazelrigg – second floor hall or basement hall
- Rosenthal – basement of Poole; if time does not permit, use a first floor bathroom.
- Poole – basement lounges
- 331 N. Broadway – a ground floor bathroom
- 338 N. Upper – inner first floor bathroom
- 360 N. Upper – a ground floor bathroom
- Thomson – basement
- 4th St Apartments – bathroom of the apartment

Once in the designated shelter area, sit below window level, away from doors. As a general rule, take refuge in a location that is away from windows, in an inner room of a building, at least one floor below the level that attaches to the roof. Evacuation locations will be identified during the first Hall Meeting.

## Residence Life Procedures

### Check-in/Check-out

On designated dates and times, residential students should check in at the Residence Life office upon their arrival on campus. In order to move into the residence halls, students must complete the following:

1. A room and board contract,
2. A room condition report inventorying furnishings and condition, and
3. A room key signature form to pick up their key.

Check out is required in the event of a room change, or final departure (withdrawal, dismissal, end of the school year/graduation, etc.) from the University. If a student is leaving the University, failure to check out properly will result in a minimum fine of \$100 and continuation of room and board charges. If the contract has expired, the University will consider the property abandoned, and anything left in the room will be discarded. The following conditions must be met to check out properly:

1. All personal belongings must be moved out of the room prior to being checked out by an RA. If items are left, there will be a removal charge.
2. The room must be clean. If the room is not cleaned properly, there will be a minimum of a \$200 charge.
3. The room condition report form must be completed and signed by the RA.
4. The room key must be returned to the Residence Life back desk.
5. The resident must move out within 24 hours of termination of student status (withdrawal) or at the end of the term by the time designated by the Office of Residence Life in the Room and Board Contract.

### Damage

Residence hall facilities are financed in large part by room and board payments. Current rates are possible because the University expects students to assume financial responsibility for any damage they may cause, instead of distributing the cost of damages to all residents. Transylvania makes every attempt to be fair in assessing damage charges. If anything in the residence hall is damaged, your RA should be notified immediately. The University will assess those responsible for damage caused by arson, negligence, and vandalism to both common areas and individual rooms. Students will be billed directly for all charges.

For your protection, members of the Residence Life staff make a complete inventory of each room when you move into your room. Discrepancies between the check-in and check-out inventories may result in replacement or repair charges divided among the last occupants of the room unless those directly responsible assume responsibility for

replacement. When changing rooms during the academic year, you must review your room inventory form with your RA to identify any damages. All damages discovered after a move will be assessed to the remaining occupants of the room.

### ***Repair and Replacement Charges***

These prices are estimates and are subject to change.

Bed Frame Reassemble \$10  
 Bookshelves Replace \$25  
 Closet Rehang Doors \$5 on Top (per door)  
 Desk Refinish \$50  
 Desk Replace \$300  
 Desk Chair Replace \$110  
 Door, Lockset and Hinges Replace \$850  
 Drawer Repair \$30  
 Drawer Replace \$50  
 Drawer Front Replace \$30  
 Dresser Refinish \$50  
 Fire Extinguisher Replace \$90  
 Fire Extinguisher Recharge \$45  
 Fire Exit Sign Replace \$150  
 Improper Checkout Fee \$100  
 Light Lens Cover (over room) Replace \$22  
 Lock Change and 2 Keys Replace \$75  
 Mirror Replace \$25  
 Public area furniture found in student room Move \$25 (per piece)  
 Room Cleaning Fee \$200 (per room)  
 Room Cleaning Fee \$250 (smoke smelling room) (per room)  
 Room Painting (one wall) \$50  
 Room Painting (total room) \$250  
 Remove Student-Owned Furniture \$50 (per item)  
 Screen Replace \$85  
 Student room furniture removed without permission \$25 (per piece)  
 Towel Bars Replace \$25  
 Wastebasket/Recycle Bin Replace \$10  
 Window Replace \$300  
 Window Blinds Replace \$85

### **Furnishings**

Two beds, two desks, two chairs, two closets, two chests of drawers, and mini-blinds are

provided in each double room at the beginning of the year unless otherwise indicated at room sign-up. Residents may supplement their room furnishings by adding carpet, plants, desk lamps, etc., provided they meet safety expectations outlined in the electrical appliance section. Removal of university furniture is not permitted.

### **Lockouts and Key Loss**

The Department of Residence Life and Housing issues each resident a key for his or her room that is not to be transferred or used by anyone else. Residents are responsible for the room key at all times. If you find yourself locked out of your room, contact the Department of Public Safety at x8118 and a Residence Life staff member on duty will let you into your room. Lockouts that occur before midnight cost \$10; lockouts after midnight cost \$15. These costs will double after a student receives three lockouts. These charges are applied to student accounts.

To ensure the safety and security of all residents, it is our policy to replace the lock and keys any time a key is lost. There is a \$75 charge to cover the cost of new keys and a new core. If you fail to return your room key to the Residence Life office upon leaving University housing, you will be assessed \$75 to cover the replacement cost.

### **Maintenance and Housekeeping**

For safety, sanitation, or general maintenance, the University reserves the right to enter your room at reasonable times during the work day, whether or not you are present. If there is an emergency, rooms may be entered in the presence or absence of the resident at times other than regular working hours.

The University reserves the right to inspect, maintain, and repair residence hall rooms; to replace damaged or obsolete University furnishings; and to remove from the room, without the owner's consent, any objects or materials that constitute a safety or sanitation hazard or are University property.

Between terms, residence hall rooms are exclusively under the control of the Residence Life office, even if the resident plans to return to the same room the following term. During this time, when the maintenance staff is inspecting, cleaning, and repairing rooms, the University will exercise all reasonable care to protect the resident against loss or theft of personal items but otherwise cannot assume responsibility for items that are lost, stolen, or damaged.

Transylvania housekeeping staff will ensure the general cleanliness of residence halls, public areas, and restrooms; however, students are expected to do their part in keeping

their assignment clean. Housekeeping services are not offered for individual rooms, suites, University apartments or houses.

Maintaining cleanliness in the residence halls is essential for a healthy living environment and air quality. Kentucky experiences an unusually humid cooling season that wreaks havoc on the HVAC systems commonly found in institutional environments, such as dormitories. This becomes a problem during the fall and early summer months when windows are opened, outdoor temperatures are moderate, and cooling demands are low. Those conditions describe an environment where the HVAC systems provide little humidity control. Transylvania Physical Plant has and will continue to take steps:

- to ensure that HVAC systems are operating properly and keep drip pans clean, flowing properly and unobstructed;
- to vent moisture-generating appliances, such as dryers;
- to measure and maintain low indoor humidity;
- to work with Residence Life in continual monitoring of spaces and follow-up on any reports;
- to perform regular building/HVAC inspections and maintenance as scheduled; and
- to remove and/or clean any mold-affected materials or areas as they are identified.

Microbial growth thrives in wet or humid conditions. Cleanliness in the residence hall living environment can assist in improving air quality. We would ask students to assist us by taking the following steps:

- Maintain your residence in a responsible fashion for optimum health.
- Clean any spills immediately and thoroughly.
- Avoid leaving open food containers out, seal all containers after use and refrigerate perishable foods.
- Cleaning of personal bathroom is the responsibility of each resident, while cleaning of community bathrooms is the responsibility of housekeeping. Report any mold or mildew immediately through a work order.

Climate Controlling room climate is essential to the success managing indoor air quality and comfort. Moisture and humidity provide conditions which are favorable for microbial growth.

- Do not block HVAC air supply or vents. Reduced air flow to the HVAC system can result in excess moisture and promote mold growth within the system and dorm rooms.
- Bathroom exhaust fans should be kept running during and after showering to help remove moisture from the air.
- Keep doors to community bathrooms closed so that moisture does not go into the hallways and can evaporate through the exhaust vents.
- Hang damp or wet towels to allow for thorough drying after use to prevent mold,

mildew and odors. Do not hang damp or wet items over furniture in the room or closet doors as this can lead to mold in porous substances.

- Keep windows closed when the air conditioning is running. The condensation created during cooling season by open windows mixing with conditioned air indoors is capable of creating significant mold and moisture.

To complete work requests quickly and efficiently, complete a maintenance request at the following link. <https://inside.transy.edu/physical-plant-work-request/>

### **Renters Insurance**

As stated in the Room and Board Contract, the University will not be responsible for loss or damage to the personal property of the student. Students or their parents or guardians are encouraged to carry appropriate insurance to cover such loss. Many students are covered under parents/guardians homeowners insurance. We encourage each student to check and if not covered by then to purchase renters insurance.

### **Room Changes**

<http://inside.transy.edu/residence-life/roommate-conflict-and-room-changes/>

Room change requests are administered by the Assistant Director of Residence Life for each respective area of campus. The process to request a room change is outlined in the above link. Because of safety and emergency issues, changes not approved may result in disciplinary action. In the beginning of each year, roommates meet with their resident advisor (RA) and set mutual guidelines for the room through a form called a roommate contract. This contract can be revisited at any time during the year.

Process complete in order to be considered for a room change:

- Talk to your roommate about the issues in the room
- Talk to your Resident Advisor to receive guidance in resolving the conflict and to review your roommate contract
- Participate in a roommate mediation with your RA
- Involve the Area Coordinator if needed
- Attend a roommate mixer (if being offered)

### ***Room Change Process***

First year students are rarely granted single rooms. Residence Life offers roommate mixers to allow first year students who are having trouble the opportunity to find a new roommate. Upperclass students seeking a single room as a result of a roommate conflict (based on availability) will be responsible for paying the private room rate. Any student who finds themselves living alone but does not wish to pay for a single room must keep

the other half of the room available to receive a roommate at any time. If a roommate is found and the student does not accommodate them, the single room fee will be added to the student's account.

- If a student changes rooms for any reason, the following must be completed:
- Check out of your current room with your RA. This will involve signing the Room Inventory Report (RCR) that you signed when you moved in at the beginning of the year.
- Return your old key to Residence Life Information Desk within 48 hours. Students may hold onto both keys while they move.
- Check into your new room with your new RA. You will sign another RCR when your move is completed

### **Room Entry and Search/Seizure**

The University respects and is committed to protecting each student's rights. It is also responsible for ensuring that adequate attention and protection are extended to all persons on campus, to the educational and service functions of the University, and to University property.

The University will, upon notification of at least 48 hours, conduct health and safety inspections on a regular basis. State and federal laws govern the entry of police officers into your room to investigate illegal activity. Lawful searches include, but are not limited to, a search with a search warrant and a search in which the resident has given permission for the search (verbally or by waiver). Residence Life staff will not enter or search your room without your permission unless there is an immediate and serious threat to the safety and well-being of persons or property, or for reasons stated below. Under such conditions, staff may enter and search your room whether you are present or not. The staff member will be assisted by another member of the Student Life staff, an officer from the University Department of Public Safety, or municipal safety officials if it is thought that such danger is connected with chemicals, explosives, weapons, or other items that could cause serious personal trauma or injury.

The same procedure is prescribed if the potential danger involves assault or other acts that might jeopardize persons or property, or are serious violations of state/federal law. During fire or tornado evacuations, staff may enter student rooms unassisted. If a staff member enters your room with your permission or in the process of an evacuation, and sees a violation that threatens the health, safety, and welfare of the University community, the staff member will confiscate all objects or materials that constitute a threat and take them to the Department of Public Safety. Other staff members or students may be asked to assist in an emergency situation requiring room entry if the situation threatens immediate harm to individuals. Staff will not, except as noted above, admit a

third party to your room without obtaining your written or verbal permission.

### **Room Selection**

Returning students may request a room and roommate for the following year during housing sign-up each spring. Lottery numbers are assigned based on academic credits earned. New students are assigned rooms and roommates by the Department of Residence Life. Each room is normally designated for double occupancy. During room selection in the winter term, all enrolled students will complete a Housing Contract, identifying if they plan to live on or off campus for the following year. Students who do not plan to return to University housing must state their intentions to the Department of Residence Life and complete the Housing Verification Form to confirm compliance with the off campus housing policy. Housing Verification Forms must be returned to the Department of Residence Life. Students who fail to notify the office will face penalties according to the following schedule:

- If the Student wishes to cancel the contract and satisfies the aforementioned conditions for residing off campus, the Student must notify the Department of Residence Life and Housing in writing by April 2019. The specific date for this notice will be posted in early 2019.
- If the student notifies the Department of Residence Life and Housing of cancellation after the April deadline, the student will incur a \$750 contract cancellation fee.
- If the student notifies the Department of Residence Life and Housing after May 25, 2019, but prior to the start of school, the student will be billed 15% of the yearly room and board rate. For example, a student with a yearly room and board rate of \$10,820.00 would owe \$1,623.00.
- If the student cancels during the school year, for reasons other than departure from the University or for academic reasons approved by the Dean of Students or Housing Exemption Committee, the Student is responsible for the room and board charges for the full year as the University has committed this space to the student and the board charge to the University's meal plan provider.

### ***Single Rooms***

When possible, private rooms are assigned on the basis of class standing. Seniors are given first preference, then juniors, and finally, sophomores. An additional charge is made for private rooms with the exception of Hazelrigg, singles at the 4th St Apartments, and other rooms designed as singles. If you wish to be considered for a private room, place your name on the waiting list during housing sign-up in the spring. Students requesting a single room for medical accommodations should directly contact the Disability Services Coordinator for guidance and support.



The Disability Services Office is committed to helping students at Transylvania University reach their individual and academic goals. We recognize our responsibility to provide equal access to opportunities for persons with disabilities under Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA) of 1990, and the Amendments Act of 2009.

Please contact the Disability Services Office for information on applying for a medical single space. <http://www.transy.edu/campus/disability-services>

### **Study Abroad Housing**

Specific spaces are not held for students studying abroad. Housing is available for students returning from studying abroad. These students are expected to contact the Department of Residence Life at least two months prior to their return to campus.

### **Summer Housing**

Residence Life will provide summer housing options for students each summer if space is available. Costs may vary depending on the space availability. Additional information about Summer Housing will be sent out to students in March before the summer.

## **Residence Life Services**

### **Laundry Facilities**

Transylvania provides Crimson Card and/or coin-operated washers and dryers in Forrer Hall basement (off the rear lobby), the basements of Poole Residence Center and Hazelrigg Hall, in the Rosenthal Complex, on each floor of Thomson Hall, on the third floor of Dalton-Voigt, and in the Fourth Street Apartments laundry room. Laundry in washers and dryers should be attended at all times. Transylvania University will not assume responsibility for lost or stolen items. Washer and Dryer cycles cost \$1.25 per load.

### **Storage**

The University has NO storage space for personal property during the academic year OR during the summer. Personal property left behind will be viewed as abandoned and will be discarded. The residents will be charged for disposal of property and related cleaning fees.

### **Study Lounges**

Unless already reserved, study rooms and lounges are available in a variety of locations on campus. Some are for residents, while others may be used by any students on a 24-hour basis. Those designated 24-hour are:

- Campus Center Breezeway
- Thomson Hall Lobby and Basement Conference Room

Rosenthal Commons can be accessed via a key checkout system from the Campus Center. Bassett, Pioneer, Poole, Dalton-Voigt and Hazelrigg have study lounges for residents and invited guests.

### **Trash and Recycling Disposal**

Students are responsible for removing their trash and recycling to university designated trash rooms or dumpsters. Excessive trash build up will be charged to the residential community.

Trash dumpsters are located in the rear of Forrer Hall, to the north side of Poole Residence Center and in the parking lot at the east end of the Rosenthal Complex.

Recycling can be taken to the Campus Center Lobby. See additional guidance for recycling in the Sustainability Section.

## **Student Life**

### **Services and Resources**

#### **Bookstore**

The Transylvania University Bookstore, located at 132 West 3rd Street across from the John and Donna Hall Softball Complex, is managed by Follett Higher Education Group. In addition, the bookstore offers a textbook rental program that allows students to save up to 80 percent on many required textbooks. Many textbooks are also available in an eBook format at a cost savings. You can visit during normal business hours or shop 24/7 at [www.transyshop.com](http://www.transyshop.com)

Hours of Operation (during school year)

Monday – Friday: 8:30 a.m. – 5:30 p.m. Saturday: 10 a.m. – 2 p.m. Sunday: Closed

Summer Hours

Monday- Friday: 9 a.m. – 5 p.m. Saturday: 10 a.m. – 2 p.m. and Sunday: Closed

## **Campus Mail**

U.S. mail will receive priority at all times for delivery and is distributed to individual mailboxes before 4:30 pm. There is no mail delivery on Saturday, Sunday, or legal holidays. You will receive electronic or written notice if you have received an oversized package. Outgoing U.S. mail may be deposited in the mail slot by the campus resident mailboxes. Stamps may be purchased at the Old Morrison post office.

Campus mail may be deposited at the Residence Life Information Desk, William T. Young Campus Center information desk, or Old Morrison post office. Bulk campus mailings must be received 48 hours prior to the date of delivery. Student organizations' on-campus bulk mailings must be approved by a member of the Student Life staff. University office bulk mailings will be expedited by the Director of Residence Life. Commuter students may request an on campus mailbox through the Department of Residence Life.

## **Crimson Card (Identification/Meal Cards)**

Transylvania issues a Crimson Card to all students. This card serves as a photo I.D. and controls access to meal plans and to many campus buildings. It can also serve as a debit card for vending, washers and dryers, and at the bookstore. To activate the debit card feature, visit the Crimson Card Office in room 108 of Old Morrison Hall. You may add Crimson Cash online with a credit or debit card at <https://get.cbord.com/transy>. Use your Transy network ID to login. A lost card can be replaced at the Crimson Card Office for a fee of \$10.

## **Dining Services**

Transylvania's Dining Service is operated by Sodexo Campus Services, a national company serving college, university, hospital, and business accounts.

At Transylvania, Sodexo provides dining service in the university Dining Hall for resident and commuter students, faculty and staff members, and campus visitors. Each day it offers at least six lunch and dinner entrees, vegetables, salad bar, quick foods, pastas, desserts, and beverages.

Four meal plans (19/week, 14/week, 10/week and a 160 Meal Block plan) are offered. The 14 and 10 meals can be chosen in any combination in the seven-day period between Saturday breakfast and Friday dinner (daily limit of one per meal period).

To add variety Sodexo also offers food service at: Jazzman's and the Rafskeller. Sodexo

encourages open communication and welcomes your suggestions and comments. For information regarding dining services on campus, meal plans, dining hours and other options, please go to this link to learn more:

<https://transylvaniadining.sodexomyway.com/index.html>

### ***Meal Plan Options***

Students may choose from several meal plan options. If no meal plan is selected by June 5th, the 14 meal plan will be assigned to students residing in housing assignments that require a meal plan: Bassett Hall, Dalton-Voigt Hall, Hazelrigg Hall, Pioneer Hall, Poole Residence Center, Rosenthal Complex, and Thomson Hall. Commuters are not required to have a meal plan, but have several options: 40 Block and 60 Block.

### ***How Meal Swipes Work***

Every Saturday, students' Crimson Cards are credited with the number of meals corresponding to the meal plan. One meal may be used at each meal time, breakfast, lunch and dinner. If a meal time is skipped, the unused meal may not be used at a later time.

Example: If you miss breakfast, you cannot use meal swipes to eat two lunches or two dinners.

### ***Block Plans***

Block plans include meals that are all loaded at the beginning of each semester. Students who choose the block meal plan will be able to use their meals whenever they like throughout the semester. Multiple meal swipes can be used at each meal time with the block plans. Unused meals at the end of the semester are not refundable and will not carry over to the next academic year.

### ***Dining Dollars***

The 14 meal, 10 meal plan, 160 block plan, and commuter meal plans options have an allotment of Dining Dollars.

- Dining Dollars may be used at any of the dining locations for meals or snacks.
- Dining Dollars may not be used for laundry, books, snack machines, overdue library fines or uses aside from eating.
- Half of the flexible Dining Dollars will be allotted at the beginning of the Fall Term and half at the beginning of the Winter Term.
- Unused dollars from the Fall Term carry over to the Winter Term.
- Unused dollars are not refundable and do not carry over to the next academic

year.

If you have questions about the Meal Plan Options, please contact the Department of Residence Life at (859) 233-8181. For more information about meal plans, Dining Dollars and Sodexo, our food service provider, please visit: [Transy Dining](#)

### ***Meal Equivalency***

A meal in Forrer Dining Hall is all that you care to eat. In the Rafskeller and Jazzman's Café, a meal equivalency can be used. The equivalency amount is predetermined. The amount spent on a meal can be equal to or less than the equivalency amount. Purchases over the equivalency amount can be paid for by Dining Dollars, Crimson Cash, or cash.

### ***Dining Feedback through Student Government Association***

The Student Government Association (SGA) is the preferred avenue for relaying concerns about dining service. SGA meetings are open to everyone and will be advertised in Tnotes and the Events Calendar. SGA senators are there to serve as a liaison between dining staff and students and to provide an open line of communication.

### ***Dress***

Appropriate dress, including shirts and shoes, is required at all times in the dining room.

### ***Special Diets***

Health reasons may make it necessary for a student to be on a special diet. The University will make every effort to arrange a diet designed specifically for the student requesting it. To request a special diet, bring a signed letter from your doctor stating the kind of diet. It is also helpful if your doctor can provide sample diets along with a list of foods you can and cannot eat. The General Manager will then set up procedures with you for obtaining your direct dietary needs. Students with severe food allergies should consider meeting with dining services in order to determine how to best meet their needs.

### ***Information Technology***

Transylvania University's Information Technology Department provides computers in academic labs, network infrastructure and in-room connection services in the residence halls in support of the educational mission of the University. Use of these services is a privilege. As such, it is the responsibility of each student, faculty and staff member to use

these services appropriately and in compliance with all University, City, County, State and Federal regulations, or face possible revocation of such privilege.

Under that authority, Information Technology has established policies that are governed by the Student Handbook. Please read carefully; failure to follow these guidelines may initiate disciplinary action and could result in the disabling of your computer account(s) and loss of residential internet access. All technology policies may be found here:

<https://docs.google.com/document/d/1SFCR-vKGYCiMHnclckrOu4RE7rGKeg5bSS3wZ08S6io/>

### **International Student Services**

Services for international students are coordinated through Dr. Michael Covert, Dean for Students. Please contact him at [mcovert@transy.edu](mailto:mcovert@transy.edu) or stop by his office in William T. Young Campus Center for assistance. Additional support staff include:

Alice Schaaf, Assistant Director of International Recruitment, [aschaaf@transy.edu](mailto:aschaaf@transy.edu)  
Denise Hall, Designated School Official, [dwhall@transy.edu](mailto:dwhall@transy.edu)

### **Student Wellbeing**

<https://inside.transy.edu/student-wellbeing/>

The Office of Wellbeing promotes student retention, academic advancement and graduation by helping students attain and maintain their optimal level of wellness. We educate and motivate students to become knowledgeable about their overall health and encourage them to see the potential impact of their health behaviors on themselves and society and to incorporate that knowledge to become independent, informed guardians of their own well-being.

- Staff psychologists and counselors are on campus every business day, September through May, offering evaluation, counseling and interventions. There is no fee for these services, which are by appointment only. For more information go here, <https://inside.transy.edu/student-wellbeing/counseling-services/>.
- A nurse practitioner is on campus every business day, September through May, to provide evaluation and treatment for acute illness, minor injury, routine physicals, allergy injections, TB screening, flu vaccines, birth control, STI testing and counseling. Appointments may be made online through our website, and walk in hours are also available. There is no fee for the medical visit. Some services such as on-site lab tests (flu, mono, strep), TB tests and flu vaccinations will be billed to the student's account (see fee schedule). Any outside lab work or radiology that is ordered can be billed to insurance by that provider. All sexual health resources (including testing) is free for students, faculty and staff. After hours emergencies should be routed through the Department of Public Safety.

- Health education including, but not limited to, substance use and abuse, hazing prevention, suicide prevention, physical activity, nutrition, bystander accountability, stress management, violence prevention, and sexual health is available.
- We can provide referrals to outside providers and agencies as necessary.

### ***Hospitals and Emergency Care***

Lexington has many private hospitals and a major regional medical center at the University of Kentucky. Emergency care is only a moment away through the Lexington-Fayette Urban County Fire Department's emergency care squads. If emergency care is needed, first contact 911 who will dispatch an ambulance and then the Department of Public Safety at 233-8118.

### ***Student Health Insurance***

Transylvania students may purchase health insurance plan through <https://www.healthcare.gov/> or they can be carried on their family's plan. Individuals needing help accessing health insurance should contact the Director of Student Wellbeing. The University strongly recommends that each student have health insurance coverage, be aware of any restrictions, and have a copy of their current insurance card. International students are required to have health insurance coverage.

### ***Voter Registration***

To satisfy requirements of the Higher Education Amendments of 1998 and in an effort to encourage civic responsibility, Transylvania makes available voter registration forms to students. Students may pick up a registration form at the Office of Campus and Community Engagement or download the necessary forms from the Kentucky State Board of Elections. <http://elect.ky.gov/Pages/default.aspx>

Typically there are voter registration drives held during the fall term or before the May primary. Within three weeks of completing your registration form and submitting it to the county clerk's office, you should receive a postcard through the US Postal Service indicating that you are registered to vote, your voter precinct and polling location. If you would like to see if you are registered to vote in Fayette County, visit the Fayette County Clerk Voter Registration and Sample Ballot website.

<https://www.fayettecountyclerk.com/web/elections/verifyvoter.htm>

### **Procedures**

## Canvassing

Canvassing by non-Transylvania Groups - Canvassing is defined in this policy as an activity undertaken to gain support for some purpose, but not to solicit money for any purpose (campaigns, charity, and commercial alike). On the basis of this definition, non-Transylvania groups wishing to canvass students, faculty, and staff on the Transylvania University campus grounds must have prior permission from the Vice President of Marketing and Communications and/or the Communications Policy Committee, and may conduct their canvassing only on public/city streets and sidewalks.

Canvassing may not occur in the interior of campus or within buildings. Any canvassing, or direct contact with a target group of individuals must follow established guidelines of the University and be approved by the Vice President of Marketing and Communications and/or the Communications Policy Committee. Political candidates and/or their representatives may be invited to campus if approved by Vice President of Marketing and Communications and/or the Communications Policy Committee.

### **Free Speech, Activism & Demonstrations (Updated 11/1/18)**

The University endorses free speech and sharing of ideas and ideally this discourse is open and candid and characterized by mutual respect and civility. The University encourages a balanced approach in all communications and the inclusion of contrary points of view. One of the primary functions of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function, a free interchange of ideas is necessary not only within the university but also with the larger society.

At Transylvania University, freedom of expression is vital to our shared goal of the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement or opposition. The right of freedom of expression at the University includes peaceful activism and orderly demonstrations by members of the University community in designated areas. The designated area on campus for Transylvania community members is Alumni Plaza or an approved alternate space.

For both Transylvania community members and non-Transylvania community members, the University has long recognized that the right to demonstrate does not include the right to engage in conduct that disrupts the University's operations or endangers the safety of others.

**To assist students in engaging in campus activism without disrupting the regular and essential operations of the university, the following guidelines have been established:**



- Students wishing to stage a demonstration, display, rally, speaker, or engage in other forms of student activism will contact and arrange a meeting with the Dean of Students (or designee) to discuss the policy, demonstration-specific regulations, and safety issues. This includes consideration for the following:
  - Nature of the event
  - Security needs of the event
  - Time of the event
  - Any other necessary accommodations
- After speaking with Dean of Students (or designee), a recap of what was discussed will go to the student, Communications office, and to the appropriate space manager. It is the student's responsibility to complete the space reservation process following the meeting. The space reservation system can be found on Inside Transy under Facilities - Reserving Space on Campus.
- Demonstrations or other forms activism may not interfere with the academic and educational mission of the University. This includes obstruction, impairment, or interference with University sponsored activities, meetings, or facilities in a manner that is likely to deprive others of the benefit or enjoyment of the activity or facility.
- All displays and materials must be dated and include the names of the sponsoring office, organizations or individual.
- Transylvania University strives to promote intellectual inquiry and exchange in a respectful and civil manner. The safety of all participants is of utmost importance.
- The use of unwelcome physical contact between demonstrators, counter demonstrators, the audience, the speaker or performers or University Officials is not permitted.
- If a campus event is disrupted by a group or individual, a representative of the University may request the action to stop or for the person or group to leave the event and move to the approved location for demonstrations. Disruption may also result in possible arrest and criminal charges such as disorderly conduct or trespassing.
- In the event of a campus public safety concern, the Department of Public Safety (DPS) or University Staff member will contact the hosts before handling any situation of non-violent behavior unless the disruption necessitates action to prevent greater confrontation.
- DPS has the authority to act upon any acts of violence, threats of violence, or overcrowding without first contacting the event host. If DPS has been contacted by the host and asked to deal with a person or persons creating a non-violent disturbance, DPS will start by asking the person or persons to stop the disruptive behavior prior to asking that the person or persons leave the event.

This policy is for students of Transylvania University.

## **Posting/Display/Advertisement Guidelines**

Any posting/display/advertisements on University property or within University facilities must adhere to the following guidelines:

- For fire safety and aesthetic reasons, all signs, posters, banners, etc., must be confined to bulletin boards and window wall in front lobby of Forrer Hall. Interior walls, entrances, and the exteriors of all buildings should be kept clear unless approved in advance by the Vice President of Marketing and Communications and/or the Communications Policy Committee.
- All displays and materials must be dated and include the name of the sponsoring office, organization, or individual. No materials may be posted or displayed for more than two weeks or within 48 hours after an event. No display may exceed 3'x3' in size or take up more than half of the space on which it is being posted. Push pins (not staples or tape) should be used to post on all bulletin boards. Clear packing tape is recommended for postings on the window wall of front lobby. The use of double-sided tape and duct tape is strictly prohibited on all surfaces. The organization or individual is responsible for the display removal and for residue and/or other damage caused. Charges may be assessed, and continued violation may result in disciplinary action.
- Window paint or displays must be approved in advance by the appropriate office.
- Sidewalk chalk is permitted only for advertising Transylvania approved events. The chalk must be water-soluble sidewalk chalk, which wears away with water or foot traffic. Chalking on the exterior walls of any campus building is prohibited. If chalking in inappropriate locations or with the wrong type of materials results in damage to University property, restitution will be required from the responsible party. All posting rules apply. All chalking, except for athletic events, must be approved by the Vice President of Marketing and Communications and/or the Communications Policy Committee. Athletic events chalking must be approved by the Director of Athletics.

Posted materials, displays, or advertisements that are in conflict with these University guidelines are prohibited. This policy includes but is not limited to: t-shirts, websites, sidewalk chalk, invitations, signs, posters, banners, etc. Reference to alcoholic beverages or any other drug is prohibited. Inappropriate displays or materials will be subject to removal immediately. Bulk mail advertisements by student groups that use the on-campus mailbox system must be approved by Campus and Community Engagement Office and submitted 48 hours in advance. No group may sell advertisement space without appropriate approval by Campus and Community Engagement Office.

## **Reservation for Outdoor Campus Space**

Any individual (faculty, staff or student) or group wishing to reserve any outdoor space, outside of athletic venues, on campus must contact the Vice President for Marketing and Communications for approval. The Vice President of Marketing and Communications will confer with any department on campus that may be potentially affected by the request.

- Individual or groups that are permitted to reserve outdoor space are responsible for any special set up and clean up.
- Property may not be damaged or defaced. Any damages incurred or cost for cleanup will be charged to the individual making the reservation.
- Signs and other materials must be stand alone, approved prior by VP for Marketing and Communications, and self-supporting (not stapled, taped, glued, or otherwise adhered to any university property).
- Writing on university property, even with washable chalk, is not permitted without express consent. The University reserves the right to deny any request that is believed to be an inappropriate use of the outdoor campus space.

### **Solicitation/Sale of Goods**

The University reserves the right of final approval for all soliciting agents. Solicitation and/or sale of commercial goods or services on Transylvania's campus must be registered with the William T. Young Campus Center Director at least one week in advance. A vendor sales agreement must be on file to sell any product or service on campus. A copy of the agreement will serve as identification and must be in possession of the vendor while on campus. The University will not permit solicitation by companies and organizations that do not have contractual ties with Transylvania. In addition, the number and kind of vendor invited to campus will be strictly limited. No vendors or solicitors are allowed on the floors of the residence halls and must remain in the area designated by the contract. A fee of 20 percent of net sales or \$50, whichever is greater, will apply. Recognized student organizations participating in fundraising activities are exempt from this fee.

### **Student Services Deposit**

All students must maintain a student services deposit with the University. An initial student services deposit of \$250 will be paid by new students as part of their acceptance process; continuing students must maintain a balance of \$250 in order to register for classes and reserve housing. If a student's balance goes below \$250, he or she will be billed the amount to raise their deposit to its original balance. Deductions from the student services deposit may include, but are not restricted to, lock changes, room cleaning, damage or theft of University property, unpaid parking citations, health services fees (medications, vaccinations, etc.) or library fines. Upon graduation, the student may choose to donate the remaining balance in this fund to the University or have it refunded to them.

## **Sustainability**

<http://inside.transy.edu/engagement/sustainability/>

Sustainability refers to the capacity of society to meet current needs without degrading the environmental, social and economic systems on which future generations of all species will rely. The University affirms sustainability as a core value and integrates it into the intellectual and social life of students, faculty, and staff by encouraging study, discussion, and participation in sustainable practices on campus and in the community. Students should behave in a way that supports the University's sustainable efforts. Recycling The University strongly encourages all students, faculty and staff to recycle.

Blue recycling bins are located in each resident's room and throughout the residence halls, academic buildings, and administrative buildings. The University participates in Lexington's single stream recycling program so recyclables can be placed in the blue recycling bins unsorted. Acceptable recyclables include: cardboard, paper (including glossy and colored), aluminum, steel, glass (any color), and #1 & #2 plastics with a screw top. In addition to the materials that can be recycled in the blue bins, the University offers ink cartridge, battery, and small electronics (cell phones, MP3 players, etc.) recycling. Green bin recycling locations:

- Recycling bins in Pioneer, Bassett, and Dalton-Voigt Trash Rooms
- Campus Center lobby
- Old Morrison post office
- Brown Science Center, room 111

## **Energy Policy**

<https://inside.transy.edu/student-handbook/wp-content/uploads/sites/11/2017/03/Energy-Policy-Rev-11-7-2016.pdf>

The energy policy provides a formalized standard of indoor temperature ranges to be expected by building occupants depending upon season. These temperatures are consistent with policies of our peer institutions and with research performed by the American Society of Heating, Refrigeration and Air conditioning Engineers (ASHRAE). Enforcement of the policy will prevent inefficient and wasteful operation of centralized equipment from occurring. The policy supports the University's educational mission and commitment to sustainability. Energy reduction resulting from this measure helps curtail global social and environmental impacts including the country's dependency on foreign fossil fuels and the production of greenhouse gases that contribute to global warming. Students, faculty and staff are all asked to support the energy policy by engaging in simple practices to minimize their energy use. Here are a few simple tips on ways students can use less energy:

- Students should turn off all electrical appliances when not in use unless it is detrimental to do so (e.g., a refrigerator or freezer). This includes turning off your computer when it is not in use, especially at night.
- Students are also encouraged to enable the energy conservation settings on their desktop or laptop, which can reduce the amount of energy consumed by 80-90% when the unit is not actively being used.
- Students should turn off and unplug gaming consoles when not in use; some systems use almost as much energy turned off as when turned on.
- Students are encouraged to minimize the number of appliances they bring to campus; those they do bring should have the ENERGY STAR label.
- Students are encouraged to use surge protectors or Smart Strips to reduce the amount of energy lost through phantom load. (Phantom load is energy used by electronics even when the device is turned off.)
- Chargers should be unplugged when not actively charging a device to reduce phantom load.

### ***Getting Around Green***

Students should commute responsibly. Students should maintain motor vehicles so they run efficiently and utilize carpooling or alternative transportation when possible. The University is located within walking/biking distance of many restaurants and cultural enrichment activities in the downtown Lexington area. For the benefit of bicyclists, there are several bike racks located throughout campus with a capacity of roughly 170 bikes.

Bikes are also available in the Campus Center for students to borrow free of charge. The University is located less than one mile from the Transit Center of Lexington's mass transit service, Lextran, and stops for five different Lextran routes are located on campus. This includes four traditional Lextran bus routes costing \$1 per ride.

## **Code of Student Conduct**

### **Core Values of Student Conduct**

- ***Integrity***: Transylvania University students exemplify honesty, honor and a respect for the truth in all of their dealings.
- ***Community***: Transylvania University students build and enhance their community.
- ***Social Justice***: Transylvania University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.

- **Respect:** Transylvania University students show positive regard for each other, for property, and for the community.
- **Responsibility:** Transylvania University students are given and accept a high level of responsibility to self, to others, and to the community.

Transylvania University students are responsible for knowing the information, policies and procedures outlined in this document. Transylvania University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. This code provides for specific rights and protections, but is not intended to create rights beyond the background laws framing such codes, generally.

Students are encouraged to check online <https://inside.transy.edu/student-handbook/> for the updated versions of all policies and procedures.

### **Philosophy Statement**

The Transylvania University community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program within the Division of Student Life is committed to an educational and developmental process that balances the interests of individual students with the interests of the Transylvania University community.

A community exists on the basis of shared values and principles. At Transylvania University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Code of Student Conduct*. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of Transylvania University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the *Code of Student Conduct*.

The student conduct process at Transylvania University is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that

the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all. Fair process, as defined within these procedures, assures written notice and a hearing before an objective decision maker. No student will be found in violation of Transylvania University policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

The conduct process at Transylvania University, and those working within it, are vetted carefully for conflicts-of-interest. To raise issues of potential conflict, please contact the Dean of Students Office.

### **Rights of Students**

1. Students will be free from illegal search and seizure.
2. Students will have the same rights of privacy as any other citizen and surrender none of these rights by becoming members of the University community. Please see Room and Board Contract for certain exceptions.
3. Students may establish, issue, and distribute student-directed publications that are in no way published under the auspices of the University and are published without financial support from the University. Regulations will not be designed to restrict student access to these publications on University property. Student-directed publications that are published under the auspices of the University and/or are funded by the University will be free of censorship. The University will honor this freedom by publicly recognizing and protecting the student editors' and managers' right to establish editorial policies within the bounds of prevailing legal and journalistic standards. Specifically, student editors and managers may not be suspended or removed in response to pressure by individuals or organizations/groups disagreeing with editorial policies, positions, or opinions. The University must reserve its right to censor or prevent distribution of any publication that endangers lives or property or is patently defamatory.
4. The University will not interfere with students' rights to join associations that promote their common interests.
5. Students will have the opportunity to participate in the formulation of policy

directly affecting them through membership on appropriate committees of the SGA.

6. No disciplinary sanctions may be imposed upon any student for violations of rules for which there is no actual or constructive notice.
7. All students will have the rights of fundamental fairness in any conduct proceeding or disciplinary action as established in the student conduct system.
8. It is recognized that free speech is essential in a democratic society. In addition, allowing students the opportunity to hear views opposed to their own is essential to the liberal arts mission of Transylvania. Students have the right to free and open discourse without being censored on the basis of the content of their message. The exercise of free speech does not, however, include libel, threats, discriminatory acts, other forms of harassment, or speech commonly protected by academic freedom or by the courts. Individual free speech rights will be fully and fairly considered in determining whether speech lies within these boundaries.

### **Jurisdiction**

Students at Transylvania University are provided a copy of the *Code of Student Conduct* annually in the form of a link on Inside Transy. Hard copies are available upon request from the Division of Student Life. Students are responsible for having read and abiding by the provisions of the *Code of Student Conduct*.

The *Code of Student Conduct* and the student conduct process apply to the conduct of individual students and all Transylvania University-affiliated student organizations/groups. For the purposes of student conduct, Transylvania University considers an individual to be a student when they become enrolled and thereafter as long as the student has a continuing educational interest in the educational program of Transylvania University.

Transylvania University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. When violations are alleged, a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate, until the hearing occurs. In the event of serious misconduct committed while still enrolled but reported after the responding party has graduated, Transylvania University may invoke these procedures and should the former student be found responsible, Transylvania University may revoke that student's degree.



The *Code of Student Conduct* applies to behaviors that take place on the campus, at Transylvania University-sponsored events and may also apply off campus when the Dean of Students or designee determines that the off-campus conduct affects a substantial Transylvania University interest. (Adopted, with gratitude, from Penn State University.) A substantial Transylvania University interest is defined to include:

- Any situation where it appears that the student’s conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the Transylvania University;

The *Code of Student Conduct* may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. Transylvania University does not regularly search for this information but may take action if and when such information is brought to the attention of Transylvania University officials. However, most online speech by students not involving Transylvania University networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

- A true threat, defined as “a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals”;
- Speech posted online about the Transylvania University or its community members that causes a significant on campus disruption.

The *Code of Student Conduct* applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, campers and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements. Visitors to and guests of Transylvania University may seek resolution of violations of the *Code of Student Conduct* committed against them by members of Transylvania University community.

There is no time limit on reporting violations of the *Code of Student Conduct*; however,

the longer someone waits to report an offense, the harder it becomes for Transylvania University officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit Transylvania University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Division of Student Life and/or to the Department of Public Safety.

Transylvania University email is the Transylvania University's primary means of communication with students. Students are responsible for all communication delivered to their Transylvania University email address.

### **Violations of the Law**

Alleged violations of federal, state and local laws may be investigated and addressed under the *Code of Student Conduct*. When an offense occurs over which Transylvania University has jurisdiction, the Transylvania University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

Transylvania University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions are imposed until a hearing on the complaint can be held, typically within two weeks. A student may also request an informal show cause hearing with the Dean of Students to show cause why the interim suspension or other interim restrictions should be lifted or modified. All interim actions will minimize the disruptive impact on the educational progress of the responding party, to the extent possible. The interim suspension may be continued if a danger to the community is posed and/or Transylvania University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, Transylvania University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will typically be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by the reporting party to allow the criminal investigation to proceed before the Transylvania University process.

### **Policies and Code of Student Conduct**

#### **A. Core Values and Behavioral Expectations**

Transylvania University considers the behavior described in the following subsections as inappropriate for the Transylvania University community and in opposition to the core values set forth in this document. These expectations and rules apply to all students. Transylvania University encourages community members to report to Transylvania University officials all incidents that involve the following actions. Any student alleged to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 7: Conduct Procedures.

***Integrity: Transylvania University students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:***

- 1) **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments;
- 2) **Academic Dishonesty.** Acts of academic dishonesty as outlined in the University Catalog;
- 3) **Unauthorized Access.** Unauthorized access to any Transylvania University building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any Transylvania University building or failing to timely report a lost Transylvania University identification card or key;
- 4) **Collusion.** Action or inaction with another or others to violate the *Code of Student Conduct*;
- 5) **Election Tampering.** Tampering with the election of any Transylvania University recognized student organization;
- 6) **Taking of Property.** Intentional and unauthorized taking of Transylvania University property or the personal property of another, including goods, services and other valuables;
- 7) **Stolen Property.** Knowingly taking or maintaining possession of stolen property;
- 8) **Copyright.** Students and student organizations should follow all copyright law, especially as it pertains to copying of artwork or images and showing of movies or videos. Organizations/groups may not show films in public areas unless licensed to do so. For more information contact the Office of Campus and Community

Engagement.

- 9) Social Media.** The use of social media websites is increasingly common for University departments, students and employees. Social media sites, such as LinkedIn, Facebook, Twitter, YouTube and many others allow faculty, staff and students to stay connected in their personal and professional lives. This policy has been created to ensure operation of such media is in accordance with University policy and represents the University's best interest. Students are expected to act responsibly and to follow the same behavioral standards online as they do in real life situations. Students are encouraged to be prudent when posting information on social media sites, and to refrain from posting private (where the subject has a reasonable expectation of privacy, and/or would expect to be asked for consent to the posting of images publicly or online) or unauthorized images. Pictures and information brought to the attention of the University administration describing or documenting behavior considered to be in violation of University policy will be subject to further investigation and may result in appropriate disciplinary action.

***Community: Transylvania University students build and enhance their community. Behavior that violates this value includes, but is not limited to:***

- 10) Disruptive Behavior.** See section on Free Speech, Activism & Demonstrations
- 11) Unauthorized Entry.** Misuse of access privileges to Transylvania University premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a Transylvania University building;
- 12) Trademark.** Unauthorized use (including misuse) of Transylvania University or organizational names and images;
- 13) Damage and Destruction.** Intentional, reckless, and/or unauthorized damage to or destruction of Transylvania University property or the personal property of another;
- 14) IT and Acceptable Use.** Violating the Transylvania University Acceptable Use and Computing Policy, found online at:  
[https://docs.google.com/document/d/1SFCR-vKGYCiMHnclckrOu4RE7rGKe\\_g5bSS3wZ08S6io/edit](https://docs.google.com/document/d/1SFCR-vKGYCiMHnclckrOu4RE7rGKe_g5bSS3wZ08S6io/edit)
- 15) Gambling.** Gambling as prohibited by the laws of the State of Kentucky.

- 16) Weapons.** Weapon-Free Campus Policy: Transylvania University students are prohibited from possessing weapons anywhere while on university property. This includes carrying weapons on their person, in their clothing, a purse, backpack, locker, or in their office or campus living quarters. Weapons include dangerous instruments that can be used to inflict bodily harm upon individuals or cause damage to buildings. Examples of weapons include, but are not limited to, firearms, pistols, guns, BB guns, explosives, knives, fireworks, and anything that is not defined as a weapon but is used as a weapon in a dangerous, violent manner. In addition, based upon the risk presented, look-alike or replica weapons are also prohibited. This policy applies to all students. Penalties for violating this policy will be solely determined at the discretion of the university up to and including immediate termination of employment or dismissal from the university. Any questions or concerns should be brought to the attention of the Risk Management Advisory Committee via the VP for Finance and Business.
- 17) Explosives and Hazardous Chemicals.** All explosives, including ammunition for firearms, fireworks, smoke bombs, or other combustible compounds are prohibited on campus. Hazardous chemicals and materials are forbidden, especially in residential areas. Any violation will result in disciplinary action, and materials may be confiscated. Persons finding such materials must contact the Department of Public Safety for proper disposal.
- 18) Tobacco.** Smoking or tobacco use is not permitted in any area of campus.
- a) Transylvania is a tobacco free campus. The policy prohibits the use of all types of tobacco, both smoking and smokeless, in all Transylvania buildings and on campus grounds. Smoking in vehicles on campus property is also prohibited. The policy applies to all members of the Transylvania community and visitors to campus. Cessation programs are available to faculty, staff, and students. Complaints regarding visitors or non-Transylvania community members can be routed to the Department of Public Safety.
- 19) Fire Safety.** Violation of local, state, federal or campus fire policies including, but not limited to:
- a) Intentionally or recklessly causing a fire which damages Transylvania University or personal property or which causes injury.
  - b) Failure to evacuate a Transylvania University controlled building during a fire alarm;
    - According to Section 14028 of the Code of Ordinances of

Lexington, persons making false alarms can be fined \$20-\$100 or be imprisoned for five to 30 days, or be fined and imprisoned;

- c) Improper use of Transylvania University fire safety equipment; or
- d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on Transylvania University property. Such action may result in a local fine in addition to Transylvania University sanctions;
- e) Lighted candles or other burning materials, including incense, are a major cause of fire and may not be used in student rooms. Candle warmers are permitted;
- f) Open Flames: Open flame devices are defined as candles, torches, grills (gas and charcoal), butane burners, or any other flame-containing device. The use of open flame devices is strictly limited on campus. Candles may only be used in outside areas unless prior approval has been given by a member of the Student Life Staff and the building supervisor. Any use of torches or bonfires on campus must be approved in advance by the Office of Campus & Community Engagement. Approval for such use is not guaranteed. Grills may be used outdoors only provided they are at least ten feet from any structure. They do not require pre-approval for use. Propane tanks and lighter fluid may not be stored indoors.
- g) Electrical Appliances: Because of the danger of fire, only certain electrical appliances are permitted in student rooms. You may have LG extensions cords, radios, stereos, televisions, clocks, lamps, hair dryers, electric razors, coffee pots with automatic shut-offs and fans. Refrigerators over three feet tall and microwaves drawing more than 700 watts, halogen bulbs and upward facing lamps, hot plates, toaster ovens, other open-burner cooking units, ceiling fans, and electric space heaters are not permitted. The residence hall staff has the authority to remove unauthorized or potentially dangerous electrical devices.
- h) Vaping: Because of the danger of fire, vaping is not permitted indoors.

**20) Animals.** Per state and local health regulations, pets are not permitted in university buildings with the exception of fish in aquariums. Aquariums are limited to 5 gallons in size. Violations will be reported and students may be issued a fine if the pet(s) is not removed immediately. Students will be responsible for any repairs and damages associated with the presence of an illegal pet, such as carpet cleaning or damage to furniture.

- a) Service and Support Animals (as approved through Disability Office) are permitted on campus as permitted by law. See TU Service Policy

for more details and stipulations:

<http://www.transy.edu/sites/default/files/downloads/tu-animal-policy.pdf>

**21) Wheeled Devices.** Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted to be ridden inside Transylvania University buildings, residence halls, or on tennis courts. Hoverboards are prohibited from campus. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to Transylvania University property caused by these activities.

## **22) Residence Life Policies**

- a) Adhesive Floor Coverings: Wood or any other floors that use adhesive may NOT be adhered to your room floors. They may be placed on the floor like a rug. Residents of the room will be billed the cost of any necessary cleaning or repairs if the floor is damaged
- b) Lockouts and Key Loss: The Department of Residence Life and Housing issues each resident a key for his or her room that is not to be transferred or used by anyone else. Residents are responsible for the room key at all times. If you find yourself locked out of your room, contact the Department of Public Safety at x8118 and a Residence Life staff member on duty will let you into your room. Lockouts that occur before midnight cost \$10; lockouts after midnight cost \$15. These costs will double after a student receives three lockouts. These charges are applied to student accounts. To ensure the safety and security of all residents, it is our policy to replace the lock and keys any time a key is lost. There is a \$75 charge to cover the cost of new keys and a new core. If you fail to return your room key to the Residence Life office upon leaving University housing, you will be assessed \$75 to cover the replacement cost.
- c) Lofts and Waterbeds: Due to the potential for damage to life and property, loft construction is not permitted; however, students are permitted to use bed risers as long as the beds are not bunked in Poole, Hazelrigg, 4th street apartments, and select houses. Lofts and bunked beds increase fire risk factors and hamper safe evacuations by adding flammable materials to the room, placing one occupant's bed closer to the ceiling where smoke collects, and making emergency evacuation more difficult. Waterbeds are not permitted in the residence halls due to the inherent potential for water damage and the problems associated with filling and draining.

- d) Visitation and Guests: To safeguard residents' privacy, the visitation policy applies to all residential units on campus and fraternity and sorority chapter rooms. Guests are allowed in these areas when accompanied by residents 24 hours a day. Residents are responsible for their guests at all times. Restrooms are available in each hall's lobby area for use. Individuals, whether members of the university community or strangers without escort, may be asked to leave. Quiet hours will take precedence over visitation; therefore, non-residents may be asked to leave a residence hall at any time. Violation of this policy may result in disciplinary action. Exceptions to this policy may be required for maintenance and/or emergencies. Residents may host overnight guests in their living quarters when it is acceptable to all others involved. For safety reasons, the Resident Advisor should be informed of an overnight guest's stay. You are responsible for your guests' actions and all university policies apply. The Dean of Students and his/her staff reserve the right to ask guests to leave the campus or to have them removed from campus if their behavior conflicts with campus expectations. Cohabitation occurs when a guest/person who is not assigned to a room occupies the room for more than three consecutive nights. Repeated violations of this policy may result in the removal or restriction of visitation privileges.
- e) Noise: To ensure a pleasant living environment and good conditions for studying, TVs, music, or any form of musical instrument should be audible only in the room in which they are being played. Loud conversation and other forms of vocal disturbance including vocal noise (singing, chanting, etc.) in public areas (hallways, lounges, bathrooms, stairwells, outdoor spaces, etc.) are to be kept to a minimum. Noise complaints from other residents in the residential areas will result in referral to the conduct system which may result in disciplinary action. Sounds that occur outside of or are emitted from buildings are also restricted by the Lexington-Fayette County Noise Ordinance, LFC Code sections 14-70 through 14-80. This ordinance legally defines a noise disturbance as ANY SOUND which "annoys or disturbs a reasonable person of normal sensitivities." Specifically: Between the hours of 11 p.m. and 7 a.m. No operation of non-commercial loudspeakers or public address systems. In effect 24 hours a day: No operation of or playing of radios, televisions, drums, musical instruments, or similar devices that create a noise disturbance across a dwelling unit boundary. No use of the above sources that create a continuous noise disturbance in excess of 50 feet from the device when operating a motor vehicle in a public place. If complaints are filed by off-campus neighbors, violators are subject to sanctioning both



from the University and the Fayette County Court. If you are having an event outdoors that will include excessive noise (amplified sound, loud singing/chanting, etc), please reference the Outdoor Events section in the Events Policy.

- f) Quiet Hours: On Sunday through Thursday, quiet hours begin at midnight. On weekend nights, quiet hours begin at 2:00 a.m. and end at 10:00 a.m. All other hours are designated as courtesy hours. Regardless of the time of day, members of the community are never permitted to disrupt the peace of others. All residents should have the ability to sleep or study at all times. If these rights are violated as described here, residents are first encouraged to address the situation. If this is ineffective, residents should inform a member of the Residence Life Staff or the Department of Public Safety. At this point, the following options are available in order to resolve the violation:
- The University reserves the right to require visitors of the room to leave should they be found in violation of the noise policy.
  - If the behavior is repeated, the Student Conduct Board or any designee of the Dean of Students will have the authority to remove any object(s) causing excessive noise (music equipment, musical instrument, computer, etc.) from the violator's room to be kept until the resident in questions can return the items home.
  - Should a themed hall (Greek hall, themed housing, etc.) be consistently found in violation of the noise policy, then the Dean of Students or designee has the right to assign sanctions to the organization as necessary
- g) Damage: Residence hall facilities are financed in large part by room and board payments. Current rates are possible because the University expects students to assume financial responsibility for any damage they may cause. If an individual student is not found to be directly responsible, the charge will be assessed to the appropriate floor or community. Transylvania makes every attempt to be fair in assessing damage charges. If anything in the residence hall is damaged, your RA should be notified immediately. The University will assess those responsible for damage caused by arson, negligence, and vandalism to both common areas and individual rooms. Students will be billed directly for all charges. For your protection, members of the Residence Life staff make a complete inventory of each room when you move into your room. Discrepancies between the check-in and check-out inventories may result in replacement or repair charges divided among the last occupants of the room unless those directly responsible assume responsibility for replacement. When changing rooms during the academic year, you must review your room inventory form with your RA to identify any damages.

All damages discovered after a move will be assessed to the remaining occupants of the room.

- h) Removal of University Furniture: All university furniture must remain in designated spaces without approval of the Department of Residence Life.

***Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing university community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others.***

***Conduct that violates this value includes, but is not limited to:***

- 23) Non-Discrimination:** Transylvania University is committed to ensuring that the institution is free of harassment and discrimination on the **basis of race, color, citizenship status, sex, age, disability, pregnancy, creed, sexual orientation, gender identity, gender expression, marital status, predisposing genetic characteristic, national or ethnic origin, religion or religious belief or veteran's status or any other category protected by applicable state or federal law or local ordinance.** This policy applies to, but is not limited to, recruitment and admission of students, recruitment and employment of faculty and staff, the operation of any of its programs, promotion, demotion, transfer, position advertising, reduction in force, termination, rates of pay and selection for training. Consistent with this policy, the University does not tolerate discrimination or harassment of employees, students or other individuals associated with the University. This policy applies to all faculty, staff, administration, supervisors, employees, students, applicants, volunteers and visitors to campus, including guests, patrons, independent contractors, vendors or clients of Transylvania University. The Non-Discrimination and Anti-Harassment Policy and Procedure can be found in more detail here: <https://inside.transy.edu/human-resources/documents/>

All forms of unlawful harassment and discrimination that are included under sexual misconduct (that is, sexual harassment, sexual violence, intimate partner violence, sexual exploitation, or stalking), will be addressed and resolved under the [University's Sexual Misconduct policy](#).

- 24) Harassment.** For purposes of this policy, harassment (other than sexual harassment, which is addressed in the University's Sexual Misconduct Policy) means unwelcome verbal, written, electronic, physical, and/or visual conduct

based on a person's actual or perceived protected class status, which both (1) unreasonably interferes with the person's work or educational performance; and (2) is severe or pervasive enough to create an environment that both a reasonable person and the specific person being harassed find to be intimidating, hostile, or offensive.

**25) Retaliatory Discrimination or Harassment.** Any intentional, materially adverse action taken by an responding individual or allied third party, absent legitimate nondiscriminatory purposes, toward a participant or supporter of a participant in a resolution process under this Code.

**26) Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, Transylvania University processes including conduct and academic integrity hearings including, but not limited to:

- a) Falsification, distortion, or misrepresentation of information;
- b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c) Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
- d) Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
- e) Failure to comply with the sanction(s) imposed by the campus conduct system;
- f) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

***Respect: Transylvania University students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:***

**27) Harm to Persons.** Intentionally or recklessly causing physical harm to, or endangering the health or safety of, any person.

**28) Threatening Behaviors:**

- a) **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b) **Intimidation.** Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

**29) Bullying and Cyberbullying.** Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control

another person physically or emotionally, that are not protected by freedom of expression.

**30) Hazing.** Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in an organization/group. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy.

- a) Such activities and situations may include but are not limited to paddling in any form, excessive fatigue, physical or psychological shocks, kidnaps, degrading, humiliating or fear-provoking games or activities, forced alcohol consumption, late work sessions which interfere with scholarship, menial tasks, and any other activity that is not consistent with the ideals and purposes of the student organization, or the regulations and policies of Transylvania University. Sanctioning will be decided in conjunction with the appropriate inter/national office and may include loss of campus recognition.

***Responsibility: Transylvania University students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:***

**31) Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the Transylvania University's Alcohol Policy: All members of the Transylvania community—faculty, staff, and students—share a common cause in creating and fostering a campus culture in which there is no place for dangerous and irresponsible alcohol consumption. The university's alcohol policy is consistent with Kentucky State Law prohibiting the consumption and serving of alcoholic beverages by and to individuals who are under 21 years old. Individuals who are of legal drinking age and choose to consume alcohol must do so in a responsible manner. Additionally, members of the university community are responsible for behaving in a manner that is not disruptive or endangering to the university community. Being under the influence of alcohol will not be considered a mitigating factor for an individual's behavior. The following sanctions do not preclude the possibility of any criminal actions taken for violations of state law. Violation of the directives of the university alcohol policy including possession, and or transportation and or procurement and or distribution and or public use and or use by an individual less than 21 years of age.

- a) Underage Violation: Possession or consumption of alcohol by an individual less than 21 years of age.
- b) Quantities: Consumption on campus by individuals of age is for individual consumption. To discourage mass consumptions of alcohol, the university restricts the amount of alcohol one person may possess as part of the alcohol policy. Alcohol quantities are limited to a 6-pack of 12 oz. individual servings of beer, a 750ml bottle of wine, or a half pint of liquor. Any container larger than the above stated is strictly prohibited and considered a violation. The possession of kegs, coolers of alcoholic punch, cases of beer, or handles of liquor will be considered a more significant violation.
- c) Discrete Transportation and Possession of Unopened Alcohol: Anyone transporting alcohol through a public area must do so discreetly in a container through which one may not identify the contents. Anyone transporting alcohol by individuals age 21 or older through a public area may be required to present identification. If an ID cannot be produced, the alcohol may be disposed of as a result.
- d) Unregistered Social Event: Unregistered social events are prohibited in the residence halls. Residence Life will educate residents on the unregistered social event policy, fire code and safety during gatherings. At any given time, the number of individuals in a dwelling unit must adhere to the fire code regulations. Violation of the unregistered social event will be considered a major offense and will be sanctioned for an organization/group or individuals at the minimum of a third offense as described below. The presence of an alcohol policy violation including underage possession, consumption, transportation, intoxication or possession of alcohol by anyone in excess of permitted quantities and any of the following constitutes an unregistered social event:
  - The number of people in the hallway, stairwell, bathroom, lobby, commons building or dwelling unit exceeds fire code.
  - You are unable to safely and freely move about the hallway because your path is impeded.
  - There were invitations, advertisements, an identifiable theme or loud and pervasive music throughout the floor. Examples of violations:
    - Underage consumption of alcohol.
    - Possession of alcohol in a public place (parking lot, porch, or back circle, etc.) regardless of age.
    - Providing alcohol to those under age 21.
    - Providing large quantities of alcohol to others.
- e) Typical Sanctions for Alcohol Violations

- First violation: The student will meet with a representative from the Student Life staff or the Student Conduct Board, will receive a follow-up warning letter, and may pay a minimum fine of \$75 fine and complete an alcohol class. The Dean of Students may choose to notify parents depending on the severity of the violation.
  - Second violation: A hearing will be conducted by the Student Conduct Board or a representative of the Dean of Students office. Sanctions may include a minimum fine of \$150, 10 to 20 hours of service work, referral to student counseling for an alcohol assessment, disciplinary probation status, and parent/guardian notification.
  - Third violation: A hearing will be conducted by the University Conduct Board or a representative of the Dean of Students office. Sanctions may include a minimum fine of \$300, 20 to 30 hours of service work, referral to student counseling for an alcohol assessment, social probation status (may include loss of university privileges), residence hall dismissal or reassignment, parent/guardian notification, and university suspension.
- f) Intoxication: Appearing intoxicated to the degree that the individual may endanger themselves or another person, or creating a nuisance. Examples of violations:
- Intoxication in community spaces such as lounges, hallways, parking lots or back circle.
  - Under the influence of alcohol and causing damage to property (exit signs, doors, electronic entrance devices, vehicles, etc).
  - Under the influence of alcohol to the extent that assistance of others is needed.
  - Under the influence of alcohol and causing a disruption (verbally harassing others, fighting with others, misconduct at university events, or generally disturbing the peace).
- g) Typical Sanctions for Intoxication Violations
- First violation: Depending on the severity of the incident, a hearing will be conducted by the Student Conduct Board, the University Conduct Board, or a representative of the Dean of Students office. Sanctions may include a fine of \$75, 20 to 30 hours of service work, social probation (may include loss of university privileges), completion of an alcohol class, referral to student counseling, and parent/guardian notification.

- Second violation: A hearing will be conducted by the University Conduct Board or representative of the Dean of Students office. Sanctions for repeat intoxication violations without any other violations will result in the maximum sanctions as described in the first violation. A repeat intoxication violation along with additional violations such as vandalism or verbal harassment may result in suspension or expulsion from the university.
- h) Medical Amnesty Policy: When a student's health and safety are in jeopardy as the result of alcohol or other drug consumption, immediate medical attention should be sought by calling the Department of Public Safety (233-8118) or 911 for assistance. Formal disciplinary action for a violation of the alcohol policy will not be taken for those who seek or receive medical assistance for themselves or others, though violation of other student conduct rules such as vandalism, disorderly conduct, and sexual misconduct may still apply. A student who receives medical assistance from the Department of Public Safety or medical service providers will be required to meet with the Dean of Students (or designee) and counseling services, and parent/guardians may be informed.

**32) Drugs.** Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the Transylvania University's Drug Policy:

- a) Illicit drugs are prohibited and will be responded to in a manner consistent with and in cooperation with the local community and its officials, enforcing Federal and State laws. In order to enforce our policy, Assistant Directors of Residence Life, the Department of Public Safety, and the Dean of Students' staff may enter a student's residential room if there is sufficient reason to suspect possession or use of illicit drugs. Staff will announce to the student that unless immediate entry to the room is provided by the occupant, staff will unlock the door and enter to continue the investigation.
- b) Typical Sanctions for Illegal Substance/Drug Violations
- First violation: Depending on the severity of the incident, a hearing will be conducted by the University Conduct Board or a representative of the Dean of Students office. Sanctions may include a fine of at least \$125, 20 to 30 hours of service work, social probation (which may include loss of university privileges), completion of an alcohol/substance class, referral to student counseling, and parent/guardian notification.

- Second violation: A hearing will be conducted by the University Conduct Board or representative of the Dean of Students office. Sanctions for repeat drug violations without any other violations may result in the maximum sanctions as described in the first violation. A repeat drug violation along with additional violations may result in suspension or expulsion from the university.

c) Associated Risks

- Physical – Use/abuse of alcohol and other drugs often is accompanied by accidents and personal injury including but not limited to cuts, sprains, bruises, and broken bones. Personal injury may be caused by self or others. Sexually transmitted diseases (STDs), physical violence and assaults have a high correlation to the misuse/abuse of alcohol and other drugs. Poisoning can and often does occur because of these substances, and can result in death.
- Continued and long-term use/abuse of alcohol and controlled substances have been demonstrated to have a negative effect on almost every major body organ and systems. Persons who regularly use or abuse these substances have the decreased ability to fight off normal germs, and therefore have a higher incidence of illnesses requiring personal and medical treatment. The ingestion of alcohol also leads to impaired sleep. The use of alcohol or controlled substances has further been related to weight gain and poor nutrition. The ability to tolerate alcohol is identified as both a physical risk and a psychological risk, which may be one of the first indicators of developing alcoholism.
- Psychological – The use/abuse of alcohol or controlled substances very often leads to forgetfulness, the inability to concentrate, impaired decision-making skills, the inability to recall previously known information or events (blackouts), anxiety, paranoia, and hallucinations.
- Interpersonal/Social – Problems with personal identity, failure to meet personal goals, loss of student status, loss of job (work study or other), loss of scholarships, and ineffective communication skills with both friends and family are some of these risks. Accountability for actions is an adult characteristic. Persons who are under the influence of alcohol or other controlled substances continue to be held



accountable for their actions regardless of the level of drug-induced impairment.

- Other – Destruction of personal property or community property is a risk to all who misuse these substances. Responsibility for another person’s actions secondary to enabling maladaptive behavior may result in a financial obligation to all persons present.
- d) Resources: Transylvania provides special assistance for substance abuse and chemical dependency through its counseling services. Mental Health counselors are available by appointment or referrals may be made off campus. . On-campus educational programs and extended education for offenders are scheduled periodically for students. Additional educational benefits are coordinated through the office of Student Wellbeing. Staff may obtain counseling from the Woodland Group at their own expense, or faculty and staff members who participate in the employee group health insurance plan may be able to obtain partial reimbursement for private counseling and rehabilitation. This is a directed provider plan so the employee should consult the literature of health care plans for details. This coverage is available whether or not a faculty or staff member is found to be in violation of these policies. Other resources exist within the community:
- Ridge Behavioral Health Services - inpatient and outpatient services are offered to anyone with alcohol and/or substance abuse problems. They are available 24 hours a day (call 859-269-2325). Costs are assumed by the patient.
  - Self-help groups (ACA, Alanon, Alateen, AA, etc.) are active in the community and are open to anyone. For more information please contact the Office of Student Wellbeing.

**33) Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over the counter medications;

**34) Food Eating Contests.** All events that involve any type of eating contest are prohibited because of the risk associated. Consuming food at a rapid pace and/or consuming large amounts of food or beverages in a short period of time are dangerous to a person’s health. Remember that your organization is responsible for the safety of the participants at your event and could be held liable for any injuries or illnesses;

**35) Failure to Comply.** Failure to comply with the reasonable directives of Transylvania University officials or law enforcement officers during the

performance of their duties and/or failure to identify oneself to these persons when requested to do so;

**36) Other Policies.** Violating other published Transylvania University policies or rules, including all Residence Hall policies;

**37) Health and Safety.** Creation of health and/or safety hazards (blocking egress, dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.);

**38) Violations of Law.** Evidence of violation of local, state or federal laws, when substantiated through the Transylvania University conduct process.

### **Overview of Conduct Process**

This overview gives a general idea of how Transylvania University's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of Transylvania University rules.

### **Problem Resolution and Grievance Procedures**

Learning to address issues and solve problems in an informal, proactive way helps students improve their knowledge of the University as well as develop personally. In order to help students resolve problems or grievances, this section serves to inform students of the recommended procedures. At each step attempts are made to resolve every issue.

1. The first step in resolving a grievance may be for the aggrieved person to discuss the matter with the person he or she feels to be responsible for the offense. This could include faculty, staff, or other students.
2. Issues related to grades or academic coursework should be addressed with the course instructor, then the appropriate division chair, and finally the Dean of the College. Issues related to campus life, student organizations, student interests, and any other issues should be addressed with associated faculty/staff advisor, appropriate Director and then the Dean of Students.
3. If the issue is not resolved as described above, a complaint can be placed with the Dean of the College or the Dean of Students.

### **STEP 1: Response to Complaint**

When a complaint is received, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
- A decision on the allegation, also known as an “administrative” resolution; (STEP 2A)
- A decision to proceed with additional investigation and/or referral for an investigation and Board/Council resolution. (STEP 2B). The Dean of Students or designee will determine the appropriate hearing panel: Student Conduct Board or University Conduct Board.

### ***Student Conduct Rights***

A student who allegedly violated a university policy will be granted these rights in order to ensure fundamental fairness in the conduct process.

1. Notice—to be informed in writing of the specific violation(s) in which the student is suspected of involvement. Such notice will include the time and place of the hearing. It is the student’s responsibility to check their Transylvania e-mail daily.
2. Procedures—to be informed in writing of the conduct process. The student has the right to review official documents in their disciplinary file in advance of a determination. The student may request a different hearing officer, which will be granted at the discretion of the Dean of Students.
3. Hearing—to have the opportunity to be heard in person before a decision is made, unless the accused student fails to appear at the hearing. In such a case, the student waives their right to review or appeal the decision.
4. Witness—to be able to offer evidence by presenting material relevant to the case and/or having witnesses speak. It is the responsibility of the parties to provide a list of witnesses to the Dean of Students or designee at least 48 hours prior to the hearing. The names of all witnesses will be exchanged between the parties in advance of the hearing. Witnesses will be notified of the expectation to attend by the Dean of Students. Exceptions to the deadline may be determined by the appropriate hearing officer/board. The University may also call witnesses not identified by the parties, again with 48 hours notice. This “power of subpoena” is limited to a formal request; a witness cannot be required to appear before the board. Witnesses are to be available for the duration of the hearing and will be called as needed throughout the hearing.
5. Supporter—to have a Transylvania University faculty member, staff member,

student, or other eligible and available individual attend the hearing in the role of a friend and supporter, but who is not permitted to speak in the hearing. All parties have the right to have a supporter present, who may be an attorney, but who still functions only in the role of supporter. Parties will inform the Dean of Students of the identity of their advisor at least 48 hours prior to the hearing.

6. **Written Decision**—to have written notification of the results of the hearing and any sanction(s), as permitted by law, as soon as possible after the conclusion of the hearing. This notification will include the finding and rationale, and will be shared with all parties to the extent permitted/required by law. The notification will explain when the decision is considered final, will inform of any changes to the decision before it is finalized, and will outline all appeal options.
7. **Appeal**—The student’s right to request an appeal is described at the end of this section.

#### **STEP 2A: Administrative Resolution**

Once notice is received, a preliminary inquiry determines whether there is reasonable cause to believe this Code has been violated. If not, this process ends. If reasonable cause is found, additional investigation may then be commenced and/or a hearing may be held. A formal notice of the complaint will be issued, and an administrative hearing will be held before an administrator determined by the Dean of Students. All sanctions are finalized by the hearing officer.

#### **STEP 2B: Board Resolution**

Once notice is received, a preliminary inquiry determines whether there is reasonable cause to believe this Code has been violated. If not, this process ends. If reasonable cause is found, additional investigation may then be commenced and/or a Board hearing may be held.

A formal notice of the complaint will be issued, and a hearing will be held before a conduct board, consisting of panelists, as determined by the Dean of Students. There are two boards: the Student Conduct Board and the University Conduct Board. An investigation will typically proceed to the University Conduct Board where the outcome may include separation from the university.

If the student is found in violation(s), sanctions will be recommended by the panel or administrator to the Dean of Students or designee who will review and finalize the sanctions, subject to the Transylvania University appeals process by any party to the

complaint.

## **Student Conduct Authority**

### **A. Authority**

The Dean of Students is vested with the authority over student conduct by the President. The Dean of Students or designee oversees and manages the student conduct process. The Dean of Students or designee may appoint administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process.

The Dean of Students or designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit. If the allegation is based on sexual misconduct, the complaint is forwarded to the Title IX Coordinator.

### **B. Gatekeeping**

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. The Dean of Students or designee will make this determination.

### **C. Conflict Resolution Options**

The Dean of Students or designee has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution as available and only with trained staff. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response.

### **D. Composition of the Student Conduct Board**

The Student Conduct Board consists of a maximum of 13 members: a hearing officer, a deputy hearing officer, and student panelists as the deputy hearing officer has a dual role as a panelist. The hearing officer will be elected by the Student Conduct Board in the spring, no later than two weeks after the SGA Senate elections or no later than a week before finals week. The hearing officer need not be an SGA Senator but must have served at least one year on the Student Conduct Board before being eligible for the position. The student serving as hearing officer may serve in that position for only one year.

The deputy hearing officer must also serve at least one year on the conduct board before

being eligible for the position and must also be a panelist at the same time. The deputy hearing officer will be elected in the fall by the hearing board after jury selection. A simple majority vote decides.

Appropriate violations will be heard by the Student Conduct Board, which consists of the hearing officer and five student panelists selected at random from the student conduct system roster by the hearing officer. The remaining student members of the student conduct system will be designated as alternates in the event that one or more of the randomly selected Student Conduct Board members cannot serve at the hearing. The hearing officer will function to ensure that the hearing procedure is performed in the spirit of fundamental fairness by facilitator of the hearing process, determining compliance with procedural guidelines, and providing past disciplinary records to the Student Conduct Board during the sanctioning process. For this purpose, the hearing officer has been deemed by the University as having a legitimate educational interest in accessing past disciplinary records of the responding party to a complaint. The hearing officer will make a recording of the hearings, which will be kept until all appeals are resolved. In cases which result in suspension or expulsion, the recording will be maintained by the Dean of Students for seven years from the time of its creation. Additionally, the hearing officer will serve as liaison to the Student Affairs staff and will provide the recommendations of the hearings to the Dean of Students or designee for finalization.

#### 1) Qualifications for Student Conduct Board Members

- Be in academic good standing and have completed 15 hours of academic credit with a cumulative GPA of at least 2.0.
- Be in good standing with the conduct process throughout the semester in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the panel. A serious history of misconduct could disqualify a student for service.
- To go through a minimum of 4 hours of training.

#### **E. Composition of the University Conduct Board**

The Dean of Students or designee will be responsible for assembling the Hearing Panel according to the following guidelines

- 1) The membership of the panel is selected from the faculty, staff, and student pools and trained annually by the Dean of Students or designee. Students are selected from the membership of the Student Conduct Board. The remaining

membership will be composed of a maximum of 8 faculty and 8 staff.

- 2) For each complaint, a voting panel will be chosen from the available pool, and is usually comprised of one student, one faculty member, one staff member, and one non-voting chair. Availability may determine a different composition for the Panel, and in complaints involving discrimination or other sensitive issues, the Dean of Students or designee will usually use three faculty or staff members for the panel. The Dean of Students or designee appoints the non-voting chair of the Hearing Panel, who assures that Transylvania University procedures are followed throughout the hearing. The Chair receives special additional training for that role. The parties will have an opportunity to object to any panel member on the basis of demonstrable bias, to be determined by the chair. If any member is unseated, an alternate will be appointed. Panelists should recuse themselves, as well, if any potential for bias of conflict-of-interest is apparent to them.
- 3) The faculty and staff members described above are used as panelist for both the University Conduct Board and the Sexual Misconduct Board.
- 4) Qualifications for Faculty and Staff Members of the University Conduct Board
  - Recommended and selected by the President of Transylvania University.
  - Participate in both student conduct and sexual misconduct training on an annual basis.
- 5) The non-voting advisor to the University Conduct Board is the Dean of Students or designee with responsibility for training the University Conduct Board, conducting preliminary investigations, and ensuring a fair process for the parties. In the event of a resignation from the University Conduct Board, the Dean of Students or designee will solicit a replacement from the group from which the representative came.

#### **F. Administrative Hearing Officers**

Administrative Hearing Officers (AHO) are administrators or staff members selected by the Dean of Students or designee.

#### **G. Appeals Committee**

The three member Appeals Committee is drawn from the University Conduct Board, with the only requirement being that they did not hear the original complaint and have no

conflicts-of-interest in hearing the appeal. Any committee member with a known conflict should recuse themselves, and an alternate will be appointed. The committee reviews appeal requests submitted by the Dean of Students or designee. If an all administrative/staff panel is used to hear a complaint, the Appeals Committee will also be comprised of only administrative/staff members.

## **H. Interpretation and Revision**

The Dean of Students or designee will develop procedural rules for the administration of hearings that are consistent with provisions outlined within this document. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Dean of Students or designee may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this document. The Dean of Students or designee may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of this document will be referred to the Dean of Students, whose interpretation is final. This document will be updated ongoing under the direction of the Dean of Students or designee with a comprehensive revision process being conducted on a regular basis.

## **Formal Conduct Procedures**

### **A. Transylvania University as Convener**

Transylvania University is the convener of every action within this document. Within that action, there are several roles. The responding party is the person who is alleged to have violated the code of student conduct. The reporting party, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. In proceedings other than informal resolutions, there is an investigator(s) whose role is to present the allegations and share the evidence that the Transylvania University has obtained regarding the allegations.

### **B. Organization or Group Violations**

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;



- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Hearings for student organizations/groups follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and/or individually and will be proportionate to the involvement of each individual and the organization. Where witnesses are also responding parties, the University may combine hearings for multiple responding parties, when appropriate. Where only individual responsibility is sought for organizations/groups actions, the conduct process for individual sanctions will be followed. Where organizations/groups sanctions are also applied, they will be applied through a separate hearing, and do not constitute double jeopardy. Organizations/group sanctions can be applied to the collective action of an organization/group, even where individual actions are unknown, by naming the executive officers of the organization/group as the responding parties on behalf of the organization/group. Organizations/group sanctions are outlined in the section below on Sanctions.

### **C. Amnesty:**

When a student's health and safety are in jeopardy due to alcohol consumption, immediate medical attention should be sought by calling the Department of Public Safety (859-233-8118) or 911 for assistance. Formal disciplinary action for a violation of the alcohol policy will not be taken against those who seek or receive medical assistance for themselves or others, though violation of other student conduct codes such as vandalism, disorderly conduct, and sexual misconduct may still apply. A student who receives medical assistance from the Department of Public Safety or medical service providers will be required to meet with the Dean of Students (or designee) and counseling services, and parent/guardians may be informed. Abuse of amnesty requests can result in a decision by the Dean of Students or designee not to extend amnesty to the same person repeatedly.

The Transylvania University has a Safe Harbor rule for students. The Transylvania University believes that students who have a drug and/or addiction problem deserve help. If any Transylvania University student brings their own use, addiction, or dependency to the attention of Transylvania University officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

#### **D. Filing a Complaint**

Any member of the Transylvania University community, visitor or guest may allege a policy violation(s) by any student for misconduct according to this document. A complaint may also be filed with the Dean of Students or designee and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party, and should be submitted as soon as possible after the offending event occurs.

Transylvania University has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process. The Dean of Students or designee will assume responsibility for the investigation of the alleged violation as described in the subsection below.

Complaints/charges will be prepared in writing and submitted to the Dean of Students or designee through the Incident Reporting Form at

[https://cm.maxient.com/reportingform.php?TransylvaniaUniv&layout\\_id=4](https://cm.maxient.com/reportingform.php?TransylvaniaUniv&layout_id=4)

Complaints/charges should be submitted as soon as possible, but preferably within two weeks of the alleged misconduct.

#### **E. Investigation**

The Dean of Students or designee will appoint an investigator(s) for allegations. The investigator(s) will take the following steps, if not already completed by the Dean of Students or designee:

- 1) Initiate any necessary remedial actions on behalf of the victim (if any);
- 2) Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a Transylvania University proxy or representative;
- 3) Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;
  - a) If the victim of the complaint is reluctant to pursue the process, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;
  - b) Notify the victim of whether Transylvania University intends to

- pursue the complaint regardless of their involvement, and inform the victim of their rights in the process and option to become involved if they so choose;
- c) Preliminary investigation usually takes between 1-7 business days to complete;
- 4) If indicated by the preliminary investigation and authorized by the Dean of Students or designee, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated Transylvania University policy, and to determine what specific policy violations should serve as the basis for the complaint;
    - a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
    - b) A comprehensive investigation usually takes between one day and two weeks;
  - 5) Meet with the party bringing the complaint to finalize the party bringing the complaint's statement, which will be drawn up by the investigator or designee as a result of this meeting;
  - 6) Commence a thorough, reliable and impartial investigation;
  - 7) Interview relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy;
  - 8) Obtain documentary evidence and information that is available;
  - 9) Obtain physical evidence that is available;
  - 10) Complete the investigation promptly by analyzing available evidence without unreasonable deviation from the intended timeline;
  - 11) Investigator presents collected information to the administrative hearing officer or hearing panel;
  - 12) The administrative hearing officer or hearing panel makes a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);

## **F. Interim Action**

Under the *Code of Student Conduct*, the Dean of Students or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve Transylvania University property and/or to prevent disruption of, or interference with, the normal operations of the Transylvania University. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business

days pending the scheduling of a campus hearing on alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim suspension may request a meeting with the Dean of Students or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the Transylvania University may still proceed with the scheduling of a campus hearing.

During an interim suspension, a student may be denied access to Transylvania University housing and/or the Transylvania University campus/facilities/events. As determined appropriate by the Dean of Students or designee, this restriction may include classes and/or all other Transylvania University activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean of Students or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

### **G. Hearing Options & Preparation**

The following subsections describe the Transylvania University's conduct hearing processes. No student may be found to have violated the *Code of Student Conduct* solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the complaint will be presented to, and considered by, the Dean of Students or designee, AHO or panel presiding over the hearing.

Preparation for a hearing is summarized in the following guidelines:

- 1) **Notice:** Once a determination is made that reasonable cause exists for the Dean of Students or designee to refer a complaint for a hearing, notice will be given to the responding student. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Dean of Students or designee; mailed to the local or permanent address of the student as indicated in official Transylvania University records; or emailed to the student's Transylvania University-issued email account. The letter of notice will include the alleged violation and notification of where to locate the *Code of Student Conduct* and Transylvania University procedures for resolution of the complaint. A meeting with the Dean of Students or designee may be arranged to explain the nature of the complaint and the conduct process.
- 2) **Alleged Victim:** If there is an alleged victim of the conduct in question, the alleged victim may serve as the party bringing the complaint or may elect to have the Transylvania University administration serve as the party bringing the

complaint forward. Where there is no alleged victim, the assigned investigator or designee will serve as the party bringing the complaint forward.

- 3) **Collection of Information for Hearing:** At least 48 hours before any scheduled formal hearing:
- a) The responding student can deliver to the Dean of Students or designee a written response to the complaint;
  - b) If the responding student desires to have witnesses at the hearing they must deliver to the Dean of Students or designee a written list of witnesses with contact information;
  - c) The responding student should deliver to the Dean of Students or designee all physical evidence the student intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Dean of Students or designee can arrange for its presence;
  - d) If the party bringing the complaint desires to have witnesses at the hearing they must deliver to the Dean of Students or designee a written list of witnesses with contact information;
  - e) The party bringing the complaint should deliver to the Dean of Students or designee all items of physical evidence needed at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Dean of Students or designee can arrange for its presence;
  - f) The party bringing the complaint and the responding student will notify the Dean of Students or designee of the names of any advisors/advocates who may be accompanying the parties at the hearing.
- 4) The Dean of Students or designee will ensure that the hearing information and any other available written documentation is shared with the parties before any scheduled hearing. In addition, for cases going before the University Conduct Board, the parties will be given a list of the names of all the panelists in advance. Should any party object to any panelist, that party must raise all objections, in writing, to the Dean of Students or designee immediately. Hearing officers will only be unseated if the Dean of Students or designee concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist who feels they cannot make an objective determination must recuse themselves from

the proceedings.

#### **H. Panel Hearing Procedures**

The Dean of Students or designee will appoint one panelist as the Chair for the hearing. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to provide adequate notice to the Dean of Students or designee. Except in cases of grave or unforeseen circumstances, if the responding student fails to give appropriate adequate notice or if the responding student fails to appear, the hearing will proceed as scheduled. If the party bringing the complaint fails to appear, the complaint may be dropped unless the Transylvania University chooses to pursue the allegation on its own behalf, as determined by the Dean of Students or designee.

The Dean of Students or designee (or designee), the Chair and the Panel will conduct panel hearings according to the following guidelines:

- 1) Hearings will be closed to the public.
- 2) Admission to the hearing of persons other than the parties involved will be at the discretion of the panel chair and the Dean of Students or designee.
- 3) In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Dean of Students or designee may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.
- 4) The parties have the right to an advisor/advocate of their own choosing. Typically advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor, including faculty, parents, or attorneys. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair and suggest questions to their advisee.
- 5) The party bringing the complaint, the responding student, the panel, and the Dean of Students or designee will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the Chair, at the discretion of the Chair). Unduly repetitive witnesses can be limited at the discretion of the panel Chair and/or the Dean of Students or designee.

- 6) Pertinent records, exhibits, and written statements may be accepted as information for consideration by the panel and the Dean of Students or designee. Formal rules of evidence are not observed. The panel Chair and/or the Dean of Students or designee may limit the number of character witnesses presented or may accept written affidavits of character instead.
- 7) All procedural questions are subject to the final decision of the Dean of Students or designee.
- 8) After a panel hearing, the panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the *Code of Student Conduct*. The Dean of Students or designee will be present and available as a resource during all deliberations. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The Dean of Students or designee is responsible for informing the panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The panel chair will provide to the student the findings along with recommended sanctions. The panel Chair will prepare a written deliberation report and deliver it to the Dean of Students or designee, detailing the recommended finding, the information cited by the panel in support of its recommendation, and any information the panel excluded from its consideration and why. This report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Dean of Students or designee following the end of deliberations.
- 9) The Dean of Students or designee will consider the recommendations of the panel, may make appropriate modifications to the panel's report and will then render a decision and inform the responding student and party bringing the complaint (if applicable by law or Transylvania University policy) of the final determination within seven (7) days of the hearing.
- 10) Notification will be made in writing and may be delivered by one or more of the following methods: in person by the Dean of Students or designee (or designee); mailed to the local or permanent address of the student as indicated in official Transylvania University records; or emailed to the student's Transylvania University--issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.

- 11) There will be a single verbatim record, such as an audio recording, for all panel hearings. Deliberations will not be recorded. The record will be the property of the Transylvania University and maintained according to the Transylvania University's Retention of Student Records Policy.

## **I. Findings**

The following options describe how to proceed depending on whether the responding student is found responsible using a standard of preponderance of evidence.

### **1) The Responding Student is Found "Not Responsible"**

Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed.

### **2) The Responding Student is Found "Responsible"**

The administrative hearing officer or the hearing panel will recommend appropriate sanctions for the violation, for approval by the Dean of Students or designee. In cases involving discrimination, recommended sanctions will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the Transylvania University community.

## **J. Conduct Sanctions**

One or more of following sanctions may be imposed upon any student or student organization for any single violation of the *Code of Student Conduct*:

- 1) *Warning*: An official written notice that the student or organization/group has violated Transylvania University policies and/or rules and that more severe conduct action will result should the student or organization/group be involved in other violations while the student is enrolled or the or organization/group is active at the Transylvania University.
- 2) *Restitution*: Compensation for damage caused to the Transylvania University or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.



- 3) *Fines*: Reasonable fines may be imposed. Fines may include:
  - a) \$75.00 Fine - Alcohol First Violation
  - b) \$150.00+ Fine - Alcohol Second Violation
  
- 4) *Community/Transylvania University Service Requirements*: For a student or organization/group to complete a specific supervised Community or University service hours.
  
- 5) *Loss of Privileges*: The student or organization/group will be denied specified privileges for a designated period of time.
  
- 6) *Confiscation of Prohibited Property*: Items whose presence is in violation of Transylvania University policy will be confiscated and will become the property of the Transylvania University. Prohibited items may be returned to the owner at the discretion of the Dean of Students or designee and/or Department of Public Safety.
  
- 7) *Behavioral Requirement*: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
  
- 8) *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
  
- 9) *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
  
- 10) *Transylvania University Housing Probation*: Official notice that, should further violations of Residence Life or Transylvania University policies occur during a specified probationary period, the student may immediately be removed from Transylvania University housing. Regular probationary meetings may also be imposed.
  
- 11) *Transylvania University Housing Reassignment*: Reassignment to another Transylvania University housing facility. Residential Life personnel will decide on the reassignment details.

- 12) *Transylvania University Housing Suspension*: Removal from Transylvania University housing for a specified period of time after which the student is eligible to return. Conditions for readmission to Transylvania University housing may be specified. Under this sanction, a student is required to vacate Transylvania University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Housing and Residence Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for Transylvania University housing, the student must gain permission from the Director of Housing and Residence Life (or designee). This sanction may include restrictions on visitation to specified buildings or all Transylvania University housing during the suspension. Students will be financially responsible for their room and board bill even while on suspension.
  
- 13) *Transylvania University Housing Expulsion*: The student's privilege to live in, or visit, any Transylvania University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
  
- 14) *Transylvania University Probation*: The student or organization/group is put on official notice that, should further violations of Transylvania University policies occur during a specified probationary period, the student or organization/group may face suspension or expulsion. Regular probationary meetings may also be imposed.
  
- 15) *Eligibility Restriction*: The student or organization/group is deemed "not in good standing" with the Transylvania University for a specified period of time. Specific limitations or exceptions may be granted by the Dean of Students or designee and terms of this conduct sanction may include, but are not limited to, the following:
  - a) Ineligibility to hold any office in any student organization recognized by the Transylvania University or hold an elected or appointed office at the Transylvania University; or
  
  - b) Ineligibility to represent the Transylvania University to anyone outside the Transylvania University community in any way including: participating in the study abroad program, attending conferences, or representing the Transylvania University at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

- c) Inability to recruit, rush, initiate new members, receive University funds, or other organization/group restrictions as appropriate.

16) *Transylvania University Suspension*: Separation from the Transylvania University for a specified minimum period of time, after which the student or organization/group is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. For suspension of a student, the student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students or designee. During the suspension period, the student or organization/group is banned from university property, functions, events and activities without prior written approval from the Dean of Students or designee. This sanction may be enforced with a trespass action as necessary. This sanction may be noted as a Conduct Suspension on the student's official academic transcript.

17) *Transylvania University Expulsion*: Permanent separation from the Transylvania University. The student is banned from university property and the student's presence at any Transylvania University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction may be noted as a Conduct Expulsion on the student's official academic transcript. For organizations/groups, this sanction takes the form of withdrawal of University or recognition of the organization/group.

18) *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Students or designee or designee.

The above sanctions may be imposed upon organizations/groups found to have violated the *Code of Student Conduct*. Additionally, organizations/groups may be subject to deactivation, derecognition, loss of all privileges (including status as a Transylvania University registered organizations/groups), for a specified period of time.

#### **K. Notification of Outcomes**

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or forcible or

non-forcible sex offense, Transylvania University will inform the alleged victim/reporting party in writing of the final results of a hearing regardless of whether Transylvania University concludes that a violation was committed. Such release of information may only include the responding party's name, the alleged violation committed, and the sanctions assigned (if applicable).

In cases where Transylvania University determines through the student conduct process that a student violated a policy that would constitute a "crime of violence" or non-forcible sex offense, the Transylvania University may also release the above information publicly and/or to any third party. FERPA defines "crimes of violence" to include:

- 1) Arson
- 2) Assault offenses (includes stalking)
- 3) Burglary
- 4) Criminal Homicide—manslaughter by negligence
- 5) Criminal Homicide—murder and nonnegligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9) Forcible sex offences
- 10) Non-forcible sex offences

#### **L. Failure to Complete Conduct Sanctions**

All students, as members of the Transylvania University community, are expected to comply with conduct sanctions within the timeframe specified by the Dean of Students or designee. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the Transylvania University and may be noted on, or with, the student's official transcript at the end of the semester. In such situations, resident students may be required to vacate Transylvania University housing within 24 hours of notification by the Dean of Students or designee, though this deadline may be extended upon application to, and at the discretion of, the Director of Housing and Residence Life and/or the Dean of Students or designee. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Dean of Students or designee.

#### **M. Appeal Review Procedures**

Any party may request an appeal of the decision of the Panel or Administrative Hearing

Officer by filing a written request to the Dean of Students or designee, subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

### **GROUND FOR APPEAL REQUESTS**

Appeals requests are limited to the following grounds:

- 1) A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- 2) To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. Failure to provide information during or participate in an investigation or a hearing, even resulting from concern over pending criminal or civil proceedings, does not make evidence “unavailable” at the time of the hearing. A summary of this new evidence and its potential impact must be included;
- 3) The sanctions imposed are substantially outside the parameters or guidelines set by the Transylvania University for this type of offense or the cumulative conduct record of the responding student.

Appeals must be filed in writing with the Dean of Students or designee within three (3) business days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the Dean of Students or designee.

The Dean of Students or designee will share the appeal by one party with the other party (parties) (e.g., if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). The Dean of Students or designee will refer the request(s) to Transylvania University’s designated Appeal Review Officer. The Dean of Students or designee will also draft a response memorandum to the appeal request(s), based on the Appeal Review Officer’s determination that the request(s) will be granted or denied, and why. All request-related documents are shared with all parties prior to submission to the Appeal Review Officer.

The designated Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the Dean of Students or designee on any procedural or substantive questions that arise.

If the appeal request is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the Appeal Review Officer determines whether to refer the appeal to the Appeals Panel or to remand it to the original decision-maker(s), typically within 3-5 business days. Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds.

Where the original decision-maker may be unduly biased by a procedural or substantive error, a new panel will be constituted to reconsider the matter, which can in turn be appealed, once. A full rehearing by the Appeals Panel are very rarely used. Where new evidence is presented or the sanction is challenged, the Appeals Review Officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the Appeals Panel with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeals Panel must limit its review to the challenges presented.

On reconsideration, the Appeals Panel or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeals Panel are to be made within five (5) days of submission to the Panel and are final, as are any decisions made by the original hearing body, Dean of Students or designee as the result of reconsideration consistent with instructions from the Appeal Review Officer.

### **THE APPEALS PANEL**

Three-member Appeals Panels are drawn from the hearing panel pool, with the following requirements to serve:

- 1) they did not serve on the Panel for the initial hearing

- 2) they were not involved in the investigation in any way
- 3) they have been properly trained in appeals procedures

The Appeal Review Officer will have final authority to approve all those serving on the panel. The parties may challenge a panelist(s) on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse themselves. The Appeals Review Officer will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeals Review Officer will solicit a replacement from the pool of panelists.

The Dean of Students or designee serves as the non-voting advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the parties.

The presumptive stance of Transylvania University is that all decisions made and sanctions imposed by the original decision maker are to be implemented during the appellate process. At the discretion of the Dean of Students or designee when necessary, implementation of sanctions may be stayed pending review only in extreme circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Dean of Students or designee, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

#### **OTHER GUIDELINES FOR APPEALS**

- All parties will be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original decision-maker for reconsideration (remand) should be pursued;
- Appeals are not intended to be full rehearings of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal; Witnesses may be called if necessary.
- Appeals are not an opportunity for appeals panelists to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

#### **N. Retention of Student Disciplinary Records**

To minimize the risk of improper disclosure, disciplinary records are kept under the supervision of the Dean of Students office in an off-site online computer database with servers in multiple locations separate from student academic records in the Registrar's office. Records from disciplinary hearings are maintained for seven years, with the exception of cases resulting in suspension or expulsion, which will be maintained indefinitely. Should the integrity of the confidential records be violated, all affected parties would be notified in writing from the Dean of Students Office. Student disciplinary records are protected educational records as defined by the Family Educational Rights and Privacy Act (FERPA). Students have discretionary authority over whether or not any outside individual or agency may access these records. Several exceptions to this include:

1. Transylvania University will fully comply with a lawfully-issued subpoena or court order and will notify students of its intent to comply with such directives.
2. Disciplinary records may be shared with other University officials on a case-by-case basis, where those officials are determined to have a legitimate educational interest.
3. Disciplinary records may be shared with officials at other colleges and universities when a student seeks to transfer.
4. The University will typically note an expulsion on a student's transcript, and may note a suspension on a transcript.
5. FERPA has been amended (by the Higher Education Reauthorization Act of 1998) to allow for parental notification in the event of alcohol and drug violations for financially dependent students under the age of 21. Transylvania University provides for limited parental notification in these cases.
6. FERPA has been amended (by the Higher Education Reauthorization Act of 1998) to allow for public notification of the outcome of the disciplinary process in the event of acts of violence or non-forcible sexual offenses. While Transylvania University does not provide public release for individual disciplinary records, these events may result in parental notification.

## **O. Approval and Implementation**

This *Code of Student Conduct* was approved and implemented on August 24, 2018.