



**Saint Leo University  
Student Code of Conduct  
2022 - 2023**



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## PREFACE

### SAINT LEO UNIVERSITY CORE VALUES

Saint Leo University offers a practical, effective model for life and leadership in a challenging world. As such our community has adopted six steadfast moral guidelines to help us recognize the dignity, value, and gifts of all people. We expect all members of our community to use and embrace the following values in their day-to-day lives in order to strengthen our commitment to each other, our University, and to God.

**Excellence** – Saint Leo University is an educational enterprise. All of us, individually and collectively, work hard to ensure that our students develop the character, learn the skills, and assimilate the knowledge essential to become morally responsible leaders. The success of our University depends upon a conscientious commitment to our mission, vision, and goals.

**Community** – Saint Leo University develops hospitable Christian learning communities everywhere we serve. We foster a spirit of belonging, unity, and interdependence based on mutual trust and respect to create socially responsible environments that challenge all of us to listen, to learn, to change, and to serve.

**Respect** – Animated in the spirit of Jesus Christ, we value all individuals’ unique talents, respect their dignity, and strive to foster their commitment to excellence in our work. Our community’s strength depends on the unity and diversity of our people, on the free exchange of ideas, and on learning, living and working harmoniously.

**Personal Development** – Saint Leo University stresses the development of every person’s mind, spirit, and body for a balanced life. All members of the Saint Leo University community must demonstrate their commitment to personal development to help strengthen the character of our community.

**Responsible Stewardship** – Our creator blesses us with an abundance of resources. We foster a spirit of service to employ our resources to university and community development. We must be resourceful. We must optimize and apply all the resources of our community to fulfill Saint Leo University’s mission and goals.

**Integrity** – The commitment of Saint Leo University to excellence demands that its members live its mission and deliver on its promise. The faculty, staff, and students pledge to be honest, just, and consistent in word and deed.

### SAINT LEO UNIVERSITY NON-DISCRIMINATION EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT.

Saint Leo University has a strong commitment to principles of equal employment opportunity and equal access to education. Saint Leo University does not discriminate based on age, color, disability, ethnic origin, genetic information, sex, gender, nationality, race, religion, or veteran status, or any other category protected by federal, state, or local law in its educational programs, admissions policies, financial aid, employment, or other school administered programs.



For the most up to date EEO Statement, please visit <https://www.saintleo.edu/about/title-ix>.

The policy is enforced by Saint Leo University and by applicable laws such as Title IX of the Education Amendments of 1972, Title VII and Title IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act, Age Discrimination Act of 1975, and Florida Civil Rights Act of 1992.

Contact Information for the Title IX Coordinator:

<b>Name:</b>	Vanessa O’Connell
<b>Title:</b>	Title IX Coordinator
<b>Office Location:</b>	Benedictine Hall, 3rd Floor room (by appointment only)
<b>Email Address:</b>	<a href="mailto:vanessa.oconnell@saintleo.edu">vanessa.oconnell@saintleo.edu</a> and <a href="mailto:titleixcoordinator@saintleo.edu">titleixcoordinator@saintleo.edu</a>
<b>Telephone Number:</b>	(352) 588-8406
<b>Mailing Address:</b>	Saint Leo University Human Resources ATTN: Vanessa O’Connell, Title IX Coordinator, 33701 SR 52, PO Box 6665, Saint Leo, FL 33574

The Director of Accessibility Services, Dr. Michael Bailey, may be contacted at [michael.bailey02@saintleo.edu](mailto:michael.bailey02@saintleo.edu).

#### **DISCLAIMER**

When this document went to publication (Last Revised: August 2022), all the information contained in it was updated. Since this document is prepared in advance of the academic year, changes may be necessary. If this occurs, students will be notified electronically, and the online version will be updated on the University website. Students are encouraged to reference the online version ([www.saintleo.edu/code-of-conduct](http://www.saintleo.edu/code-of-conduct)) for the most up-to-date information.

Students at Saint Leo University are provided a copy of the Student Code of Conduct annually in the form of a link on the Saint Leo University website. Hard copies for University Campus undergraduate students are available upon request from the Residence Life Office. Students are responsible for having read and abiding by the provisions of the Student Code of Conduct.

#### **DEFINITIONS**

- A. Absentia – Refers to holding a conduct meeting in the absence of student due to the student’s failure to schedule a conduct meeting or to the student missing the scheduled conduct meeting.
- B. Advisor – Most frequently, a full-time faculty or staff member, assists a student by providing support throughout the conduct process. With prior permission of the Conduct Officer, legal counsel or family member(s) may be granted permission to attend the conduct meeting but not actively participate and/or represent the student in the process.
- C. Appellate Officer – Means any person authorized by the Associate Vice President for Student Affairs or designee to consider an appeal from a Conduct Officer’s determination that a student has violated University policy, procedure, or other reasonable expectations or from sanctions imposed as a result of a Conduct Officer’s determination.
- D. Clery Act – Refers to the Jeanne Clery Disclosure of University Campus Security Policy and University Campus Crime Statistics Act. This act is the landmark federal law that requires colleges and universities across the United States to disclose information about crime on and around their University Campuses.

- E. Complainant(s) – Defined as the party who makes a complaint through a university proceeding.
- F. Conduct Officer – The University official designated on a case-by-case basis by the Associate Vice President for Student Affairs or designee to conduct investigations and make determinations about possible infractions. Nothing prevents the Associate Vice President for Student Affairs or designee from authorizing the same Conduct Officer to impose sanctions in all cases.
- G. E-mail – Refers to the official University E-mail address provided to each student. The University uses E-mail to conduct official business and, therefore, E-mail containing official business of the University shall be addressed to the student’s official University E-mail address and shall not be addressed to alternative addresses. Once E-mailed, such notice is considered delivered.
- H. FERPA – Refers to a federal law that protects the privacy of student education records. “FERPA” stands for the Family Educational Rights and Privacy Act (sometimes called the Buckley Amendment).
- I. Member of the University community – Includes any person who is a student, staff member, faculty member, or University official.
- J. Organization – Means any athletic team, service organization/trip or any group/association of persons who have complied with the formal registration requirements for the University, as applicable, or any group that has been recognized by the University as a part of the University’s organization or programming.
- K. Policy – Defined as the written regulations of the University as found in, but not limited to, the Student Code of Conduct, Guide to Residential Living, Other Policies and Procedures, and the Academic Catalog.
- L. Preponderance of the evidence – Defined as “more likely than not that an event occurred” and is the standard used to make decisions in the conduct process in all cases.
- M. Residence hall – Defined as any University owned/operated/leased student housing facility.
- N. Respondent(s) – Defined as the party who gives response to a complaint in a university proceeding.
- O. Student – Defined as any person who is admitted and enrolled at Saint Leo University (Campus, Undergraduate, Graduate, Online, and Educational Centers) for any academic period. Persons who are not officially registered for a particular term but who have a continuing student relationship with Saint Leo University are considered “students” for purposes of applying this Student Code of Conduct. A person is also considered a student for purposes of this Student Code of Conduct during any period while the student is under suspension from the University or when the person is attending or participating in any activity preparatory to the beginning of school.
- P. Title IX – Refers to a comprehensive federal law that prohibits discrimination based on sex in any federally funded education program or activity, as defined in the Title IX Sexual Harassment Grievance Policy.
- Q. University – Saint Leo University (Campus, Undergraduate, Graduate, Online, and Educational Centers).
- R. University official – Includes any person employed or appointed by the University, performing assigned administrative or professional responsibilities. This includes but is not limited to a student staff member(s) acting on behalf of the Division of Student Affairs.
- S. University Campus – Includes all land, buildings, facilities, web-based platforms, and other property in the possession of or owned, used, or controlled by the University, or as defined by Clery Act geography.

## **SAINT LEO UNIVERSITY STUDENT CODE OF CONDUCT**

### **SECTION 1: PREAMBLE AND STUDENT'S RIGHTS AND RESPONSIBILITIES**

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

A community exists based on shared values and principles. At Saint Leo University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Code of Conduct. These standards are embodied within a set of core values that include excellence, community, respect, personal development, responsible stewardship, and integrity.

Members of the Saint Leo University community bear responsibility for their conduct and assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these six core values by engaging in violation of the rules below, University Campus conduct proceedings are used to assert and uphold the Student Code of Conduct.

The student conduct process at Saint Leo 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 and the core values. 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 students are unable to conform their behavior to community expectations, the student conduct process may determine that the student(s) should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings and the University's Title IX process. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts or Title IX process. Due process, as defined within these procedures, assures written notice and a conduct meeting before an objective Conduct Officer who will decide based on the preponderance of the evidence or more likely than not standard. No student will be found in violation of Saint Leo University policy without information showing that a policy violation occurred. Any sanctions given will be proportionate to the severity of the violation and to the student's cumulative conduct history

#### **A. Amnesty**

In line with the University's core value of responsible stewardship, the University maintains an amnesty policy to protect students (including student organizations) when reporting themselves, friends, or another member of the University community who is in medical distress. The University has the amnesty policy in place to encourage students to act responsibly and report emergencies without fear of University-imposed disciplinary consequences because its primary concern is the health, safety, and well-being of students.

Students who qualify for the following two options (i and ii) may be required to participate in a meeting with the Associate Vice President for Student Affairs or designee and comply with any/all recommendations prescribed from them (including any associated costs with those recommendations) to avoid going through the University Conduct process.

##### **i. For the Reporting Party**

Saint Leo University provides amnesty to the reporting party who may be hesitant to report serious violations of the Student Code of Conduct to University Officials because

they fear that they themselves may be accused of minor policy violations at the time of the incident. For example, this would apply to students who are reporting physical abuse, but who have also engaged in underage alcohol consumption and/or substance use. Educational options will be explored, but no conduct proceedings or conduct record will result. Records regarding the provision of amnesty, however, will be maintained.

ii. For Those Who Offer Assistance

To encourage students to offer help and assistance to others, Saint Leo University pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Associate Vice President for Student Affairs or designee, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result. Records regarding the provision of amnesty, however, will be maintained.

The protocol applies only to the Saint Leo University Student Code of Conduct. Law enforcement agencies may act within their jurisdictions in enforcing the laws enacted by the State of Florida, the United States, or any other state or nation where jurisdiction may be invoked.

This policy does not apply to other prohibited behavior including, but not limited to, the distribution of illegal substances, sexual misconduct, or abuse.

B. Disciplinary Records

All conduct records are maintained by the University for seven (7) years from the time of their creation except those that result in separation (suspension or expulsion, including from housing) and those that fall under Title IX, which are maintained for a minimum of seven (7) years. Students requesting access to their student disciplinary/conduct records(s) must do so in writing to the Office of Residence Life. A student may, upon graduation or permanent separation, submit a written request to the Associate Vice President for Student Affairs, asking that minor disciplinary actions may be expunged. The decision of the Associate Vice President or designee for Student Affairs is final.

This policy is subject to the provisions of FERPA.

## **SECTION 2: JURISDICTION**

The Student Code of Conduct and the student conduct process applies to the conduct of individual students, as well as all University-affiliated student organizations. The Associate Vice President of Student Affairs or designee will serve as convener and executer of the Student Code of Conduct and 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. If sanctioned, a hold may be placed on the student's ability to re-enroll, obtain official transcripts, and/or graduate; all sanctions must be satisfied prior to re-enrollment, obtaining transcripts, and graduating. In the event of serious misconduct committed while still enrolled but reported after the respondent(s) has graduated, Saint Leo University may invoke an investigation that may result in the revocation of that student's degree.

Although the University is not responsible or liable for student off University Campus events or behavior, it does reserve the right to respond to behavior off University Campus that violates University expectations, Core Values, and Policies, in the interest of protecting students and the academic community from harm, and as part of fulfilling its educational mission. The University will act if the continued presence of the student presents a danger to the health, safety, or welfare of the University Community, or it is disruptive to the orderly processes and functions of the University.

University policies and other expectations govern students participating in Saint Leo University or Saint Leo University-affiliated study abroad programs or other University-sponsored activities no matter where they occur.

The Student Code of Conduct may be applied to behavior conducted online, via E-mail or another 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 information about policy violations is posted online. Saint Leo University does not regularly search for this information but may take action if and when such information is brought to the attention of Saint Leo University officials. However, most online speech by students not involving Saint Leo University networks or technology will be protected as free expression and not subject to this Student Code of Conduct, with notable exceptions including, but not limited to:

- A. 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”.
- B. Speech posted online about the University or its community members that causes a significant on University Campus disruption.
- C. Speech that the University determines is offensive and not in accordance with the University’s core values.

The Student Code of Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. The Student Code of Conduct may also be applied to resident non-students, including, but not limited to campers, high school bridge program participants, recruits on official visits, and continuing education programs by contractual agreements. Visitors to and guests of Saint Leo University may seek resolution of violations of the Student Code of Conduct committed against them by Saint Leo University student community members.

There is no time limit on reporting violations of the Student Code of Conduct; however, the longer someone waits to report a violation, the harder it becomes for Saint Leo University officials to obtain information, witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the Saint Leo 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 University Safety, Residence Life, and/or to Student Affairs.

Normally, students who withdraw or take a leave of absence/hiatus from the University prior to their conduct meeting will have their case suspended and a Student Affairs Hold will be placed on their account until the matter is resolved. However, circumstances may dictate moving forward with the conduct process due to other community members involved. Students who withdraw or take a leave of absence/hiatus from the University after the date stated in the letter to schedule a conduct meeting will have the case heard in absentia if they fail to appear. If the student withdraws following the conduct meeting, the student will be subject to the findings and sanctions imposed from the process. Should the student decide to return to the University, the student will be required to have the conduct meeting and/or complete all sanctions assigned (if found responsible for alleged violations) prior to the Student Affairs Hold being removed from the student’s account. Please note that this Student Affairs Hold may prevent a student from receiving a transcript if the student is attempting to transfer or graduate.

Saint Leo University-issued E-mail is the primary means of communication with students. Students are responsible for all communication delivered to their Saint Leo University-issued E-mail address.



### **SECTION 3: VIOLATIONS OF THE LAW**

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

Saint Leo University reserves the right to exercise its authority of remedial action upon notification that a student is facing criminal investigation and/or complaint. Additional grounds for remedial actions are outlined in Section 5A1.

Students are under a continuing duty to report any arrests, pending charge(s) (excluding minor traffic citations), notice to appear citation(s), or criminal conviction(s), even if the adjudication or sentence has been withheld. This reporting obligation includes specifying the charge(s), when and where it occurred, and the case number (if any). This information must be provided in writing (E-mail or letter) to the Associate Vice President or designee within ten (10) business days following the reportable event as listed above.

### **SECTION 4: PROSCRIBED CONDUCT**

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

Saint Leo University considers the behavior described in the following sub-sections as inappropriate for the Saint Leo University community and in opposition to the core values set forth in this document. Failure to adhere to any university policy or procedure subjects that person or organization to disciplinary action, including sanctions outlined in [Section 6: Sanctions](#). Saint Leo University encourages community members to report to Saint Leo University officials all incidents that involve the following actions.

#### **B. Policies**

##### **B1. ABUSE (Physical, Mental, or Verbal)**

*Values: Community, Respect, Integrity*

Physical, mental, or verbal abuse of any person or animal is prohibited. No student shall cause harm to another or aid in commission of an act that causes physical or emotional harm to others, or which intimidates, degrades, demeans, threatens, or otherwise unreasonably interferes with another person or animal's rights or comfort. Please note this encompasses all means of communication, including but not limited to, electronic and social media.

##### **B2. ACADEMIC HONOR CODE**

*Values: Excellence, Respect, Integrity*

Saint Leo University holds all students to the highest standards of honesty and personal integrity in every phase of their academic life. All students have a responsibility to uphold the Academic Honor Code by refraining from any form of academic misconduct, presenting only work that is genuinely their own, and reporting any observed instance of academic dishonesty to a faculty member. Please consult the Academic Catalog for Academic Policies.

Additional information regarding the Academic Honor Code can be found in the following document:

<https://faculty.saintleo.edu/academic-affairs-resource-center/academic-standards-honor-code>.

##### **B3. ALCOHOL**

*Values: Community, Respect, Personal Development, Integrity*

Excessive drinking and intoxication will not be tolerated. Members of the Saint Leo University community

who choose to drink alcohol irresponsibly will be held responsible for their behavior that occurs while under the influence.

- A. Any violation of Florida State laws regarding alcohol will be considered grounds for University disciplinary action. These include:
  - i. Possession and/or consumption of alcoholic beverages if under the age of 21 (including alcohol-based drinks, e.g., FourLoko).
  - ii. Selling, giving, serving alcoholic beverages, or permitting alcohol to be served to persons under 21.
  - iii. Misrepresenting or misstating one's age or using altered identification for the purpose of procuring alcoholic beverages.
  - iv. Consuming or possessing open containers of alcoholic beverages including secondary containers, while in municipal parks, playgrounds, sidewalks, streets, or being found in the state of intoxication on a street or in a public place. This open container law applies both on and off University Campus. This includes the consumption/possession of open alcohol in residence hall corridors, lounges, and any public areas both on and off University Campus.
  - v. Common sources of alcohol, including but not limited to, kegs and party balls (empty or full) are prohibited, except as outlined in the Social Event Guidelines.
  - vi. Devices and games designed for the rapid consumption of alcohol or any other substance including, but not limited to beer pong, water pong, funnels and/or beer bongs are prohibited.
  - vii. Driving with a blood alcohol level of 0.08% or more.
  - viii. Possession and/or consumption of alcoholic beverages is strictly prohibited on University Campus before the start of classes regardless of age. University Campus is considered "dry" for new and returning students during Orientation/Week of Welcome (fall, spring, summer) and for other students who have been approved to return early. This includes all approved students participating in extended housing.
- B. Students who are over 21 years old may complete and submit a Residence Life Wet Room Agreement that would allow 21-year-old students to consume alcohol within that room.
  - i. Possession of alcohol and/or alcohol containers within any room/suite that is not authorized to be a "wet room", regardless of occupant's age, constitutes a violation of the University's alcohol policy.

Note: The University considers students to be in possession of alcoholic beverages if the alcoholic beverages are in their assigned residence hall room, personal vehicle, assigned common space, on their person, on their personal property, or in any other location where the students have knowledge of the presence of alcoholic beverages and access to consume the alcoholic beverage.

#### B5. UNIVERSITY CAMPUS FACILITY USE

*Values: Community, Respect*

Access to Saint Leo University facilities is limited to Saint Leo University students, faculty, staff, and authorized visitors. Student Organizations must be registered with Student and Family Engagement to access facilities without being charged. Classroom and administrative buildings are normally open on weekdays during daytime hours and locked on evenings and weekends. Unauthorized or illegal use of facilities is prohibited.

Tampering with, forcing, or gaining entry without permission or damaging University mailboxes/lockers is prohibited.

Residential facilities are locked 24 hours daily. University Safety personnel perform preventative patrols

on all University Campus facilities, including University Campus residences. Community spaces are designed to create interaction amongst residents, and should be utilized for their intended purpose and not for purposes such as unsanctioned temporary housing, storage, sleeping overnight, etc.

Items including, but not limited to, skateboards, roller blades, and scooters, are not to be used inside any University Campus buildings, parking garages, or loggias (bikes and cleats are not permitted in University Campus buildings or loggias). Scooters may only be used on University Campus roads and the Bowl sidewalk. All other sidewalk usage is prohibited.

#### B6. COMPUTER & OTHER ELECTRONIC DEVICE MISUSE

*Values: Excellence, Community, Respect, Integrity*

##### A. Computer Misuse:

- i. Theft or other abuse of computer resources includes, but is not limited to:
  1. Unauthorized entry into a file, to use, read, change the contents, or for any other purpose.
  2. Unauthorized transfer of a file.
  3. Unauthorized use of another individual's identification and password.
  4. Providing your individual identification and password to another individual.
  5. Use of computing facilities to interfere with the work or reasonable enjoyment of another student, faculty, member, or University Official.
  6. Use of computing facilities to interfere with normal operation of the University computing system.
  7. Violations of the University's Acceptable Use policy.
  8. Use of computing facilities to violate federal, state, local laws, or University policy.

##### B. Electronic Device Misuse:

- i. Individuals are subject to electronic monitoring while on Saint Leo University premises, University network, and in secure areas. This monitoring is used to measure policy compliance as well as to protect Saint Leo University, its personnel, and others. In areas where there is a reasonable expectation of privacy, such as bathrooms, dressing rooms, and locker rooms, no visual or audio monitoring will be performed without prior notice or without direction from law enforcement.

#### B7. DAMAGE TO PROPERTY

*Values: Community, Respect, Responsible Stewardship, Integrity*

Damage and/or vandalism to University property or the property of others is prohibited. Property damage may include, but is not limited to harm to an automobile, a street sign, a tree, a home, or any other possession. The amount of recovery for property damage may be established by the evidence of replacement value, cost of repair, and loss of use until repaired or replaced.

#### B8. DISCRIMINATION

*Values: Community, Respect, Integrity*

Discrimination is defined as unwelcome conduct based on actual or perceived membership in a protected class, by any member or group of the University community.

Saint Leo University has a strong commitment to principles of equal employment opportunity and equal access to education. Saint Leo University does not discriminate based on age, color, disability, ethnic origin, genetic information, sex, gender, nationality, race, religion, or veteran status, or any other

category protected by federal, state, or local law in its educational programs, admissions policies, financial aid, employment, or other school administered programs.

For the most up to date EEO Statement, please visit <https://www.saintleo.edu/about/title-ix>.

The policy is enforced by Saint Leo University and by applicable laws such as Title IX of the Education Amendments of 1972, Title VII and Title IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act, Age Discrimination Act of 1975, and Florida Civil Rights Act of 1992.

The Title IX coordinator, Vanessa O'Connell, may be contacted at [titleixcoordinator@saintleo.edu](mailto:titleixcoordinator@saintleo.edu) or [vanessa.oconnell@saintleo.edu](mailto:vanessa.oconnell@saintleo.edu).

The Director of Accessibility Services and The Section 504 Coordinator, Dr. Michael Bailey, may be contacted at [michael.bailey02@saintleo.edu](mailto:michael.bailey02@saintleo.edu).

Complaints of discrimination should follow the procedures outlined in the Code of Conduct, section C4. Crime Reporting.

#### STATEMENT ON HATE-MOTIVATED VIOLATIONS

Saint Leo University defines hate-motivated offenses as conduct (harassment or physical acts) directed at an individual(s) based on age, color, disability, ethnic origin, genetic information, sex, gender, nationality, race, religion, or veteran status with the intent to intimidate or injure an individual(s), physically, mentally, or emotionally. Hate-motivated offenses compromise the integrity of the Saint Leo University community and may constitute violations of the Saint Leo University Student Code of Conduct. Harsher sanctions may be imposed when behavior is determined to have been motivated by hate. Students found responsible for such violations are subject to a range of disciplinary sanctions including University expulsion/dismissal.

Saint Leo University seeks to foster a safe environment conducive to learning and the free exchange of ideas. Saint Leo University, however, is steadfast in its intolerance for hateful behavior that is directed at an individual(s) with the motivation of causing harm. This position is a permitted exercise of the University's authority to educate and discipline its students.

Members of the Saint Leo University community affected by hate-motivated offenses are strongly encouraged to report the incident. Such offenses can be reported (formally/informally) to a variety of offices on University Campus including, but not limited to: University Safety, Counseling, Residence Life, Student Activities, Student Affairs, Title IX, and Human Resources.

#### B9. DISRUPTIVE BEHAVIOR

*Values: Excellence, Community, Respect, Integrity*

Any behavior that infringes on the rights, privileges, or property of others, or which impedes or is reasonably expected to impede the safety of community members, or the educational process is prohibited. This includes, but is not limited to:

- A. Disruption of the University community
- B. Disruption or obstruction of teaching, research, and/or administration
- C. Disruption of disciplinary proceedings
- D. Sports, games, or activities in residence hallways/rooms that create a disruption
- E. Disruption of other University activities, including its athletic events, social events, or community service functions on or off University Campus

- F. Disruption of other authorized non-University activities, when the act occurs on University premises
- G. Unauthorized entry into any University building/room

Disruptive class behavior is unacceptable. Disruptive class behavior is behavior that, in the judgment of the instructor, impedes other students' opportunity to learn and which directly and significantly interferes with class objectives. Should such behavior occur, the instructor may request the student to leave class and will refer the matter to the Associate Vice President for Student Affairs or designee. Permission to return to class will be granted only after the student meets with the Associate Vice President for Student Affairs or designee. Instructors are encouraged to refer to this policy in their syllabi and to establish clear classroom behavior expectations. This policy may not be used to inhibit legitimate classroom dissent or discussion with the course instructor or other students.

#### B10. FALSIFICATION

*Values: Excellence, Respect, Personal Development, Integrity*

Falsification of any University records, including, but not limited to, records of admission, registration, financial aid, housing, student discipline, academic, health, and parking decals is prohibited. The University vigorously pursues allegations of providing false information to any University Campus official or providing false, altered, or forged academic work or educational records. This also includes the falsification of evidence used in a university conduct process.

#### B11. FIRE SAFETY

*Values: Community, Respect, Integrity*

Students are expected to act with due regard for the health and safety of others. Violations of this standard would include, but are not limited to:

- A. Failing to evacuate a building or failing to cooperate with authorities during a fire alarm or drill
- B. Deliberate or negligent activation of a false alarm
- C. Tampering with fire safety equipment
- D. Creating a safety hazard
- E. Starting a fire or causing an explosion.

Students will be held financially liable for the fines imposed by the Fire Department, applicable expenses (clean up, recharging a fire extinguisher, etc.) in addition to possible University sanctions.

#### B12. FIREWORKS, EXPLOSIVES, WEAPONS & OTHER DANGEROUS ITEMS

*Values: Community, Personal Development, Integrity*

The possession, use, or sale of weapons, ammunition, combustibles, fireworks, explosive devices or any other substance or devices designed to harm or incapacitate is prohibited on University Campus (including vehicles). Any item that is used in a manner meant to intimidate, scare, or threaten and not used for its originally intended purpose will be deemed a weapon.

"Weapons" are defined and include, but are not limited to, handguns, rifles, BB guns, paintball guns, pellet guns, stun guns, chemical weapons, knives (blades over 4 inches in length), slingshots, bows and arrows, and martial arts weapons.

Pursuant to Florida law, firearms are not permitted on University Campus.

Hoverboards or other similar devices (including but not limited to, self-balancing scooters, hands-free segways, 10 Hawks, Skywalkers, and personal golf carts) are not allowed anywhere on University Campus.

#### B13. GAMBLING

*Values: Integrity, Responsible Stewardship*

The University prohibits activities involving gambling or placing a bet of money or any item of any value in a game of chance. To be considered prohibited gambling by the University, the activity must involve the following three elements:

- A. Consideration: the participants pay or give something of value to play
- B. Chance: the game involves more chance than skill
- C. Prize: the winner receives anything for playing

In addition to sanctions that may be imposed by the University, participants may also face consequences under state law.

#### B14. HANDBILLS & NOTICES

*Values: Community, Respect, Responsible Stewardship, Integrity*

In compliance with the University Posting Policy posting of handbills, notices, and signs on University property is a privilege, not a right. All individuals, student organizations, businesses and vendors must receive permission from Student Affairs via the [University Posting Policy Form](#) to post on the Saint Leo University or on other property owned or used by Saint Leo University. Event promotional materials are prohibited from using direct or indirect references to alcohol.

#### B15. HAZING

*Values: Excellence, Community, Respect, Personal Development, Integrity*

Saint Leo University prohibits hazing. As used in this policy, “hazing” means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution. “Hazing” includes, but is not limited to, “pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that can subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.” [Florida Statute 1006.63(1)]

Note that hazing can be, and in many instances is a crime in Florida and can subject participants to criminal investigation and/or penalties in addition to University sanctions.

#### B16. IDENTIFICATION CARDS

*Values: Excellence, Respect, Integrity*

An identification card is issued to each student and shall be always carried while on University Campus. Students living in certain Residence Halls on University Campus will need the card for entrance to the facility. Lending this card for any purpose to anyone, failing to present it when requested by a University official, or falsifying/altering an identification card is prohibited.



The possession, use, manufacture, or sale of government-issued identification cards is strictly prohibited. The State of Florida considers creating or using fake identification cards to be felony offenses.

#### B17. ILLEGAL SUBSTANCES

*Values: Excellence, Community, Respect, Integrity, Personal Development*

Saint Leo University has zero tolerance for the illegal use, possession, and/or distribution of drugs. The University expects all members of the community to comply with state and federal laws pertaining to illegal drugs. The sale, purchase, manufacture, possession, distribution and illegal use of controlled substances, synthetic/designer drugs (such as K2, bath salts, hemp, etc.), drugs and drug paraphernalia, including hookahs, are prohibited. Saint Leo University follows Florida's statutory definitions of drugs, synthetic/designer drugs, and drug paraphernalia. For purpose of clarification, "designer drugs" are substances designed to produce a pharmacological effect and to evade federal and state statutory provisions that apply to controlled substances.

The University responds to the issue of substance abuse in three ways: education for the University community about drug use and its consequences, confidential counseling for those with personal problems related to drug abuse and illegal substance abuse/use, and disciplinary action. In the spirit of our Core Values, the University must and does pursue all means possible to support the laws regarding illegal drug use, possession, or distribution. The University Campus is not a sanctuary from law enforcement. Saint Leo University will cooperate with law enforcement in any criminal violations or investigations.

##### A. Disciplinary Action

- i. The Associate Vice President for Student Affairs or designee will investigate and hold a conduct meeting with students charged with violating the University policy regarding illegal drugs and/or drug paraphernalia. Sanctions considered regarding illegal use of drugs or distribution are listed below. The Associate Vice President for Student Affairs or designee will notify parents/guardians and/or coaches when appropriate and permitted by FERPA.
- ii. The sanctions imposed takes into consideration factors such as the quantity of the illegal substances, previous offenses, intent to sell or manufacture, etc. The sanctions considered for a first offense involving small quantity of marijuana or paraphernalia may be a combination of the following:
  1. Community Probation or Suspension from the University.
  2. Immediate Residence Hall Suspension (removal and/or denied access to any Residence Hall facility for a designated period of time without refund).
  3. Community Service (40 hours).
  4. Mandatory Drug Counseling.
  5. Parental and/or Coach Notification.
  6. Participation in an online course designed to assist students with marijuana-related topics and healthy lifestyle choices. There is a fee associated with this course for which the student is responsible.
  7. Illegal Substance Use/Dependency Evaluation. Students using or found in possession of marijuana (excludes paraphernalia) may be required to be evaluated for drug use and dependency by an approved outside agency. Such evaluation will be at the student's expense and the student must agree to release the results of that evaluation to the designated University official. The student will be required to follow through on any treatment plan the evaluator deems appropriate. Failure to follow this agreement may result in suspension from the University.

- iii. The sanction considered for a second offense of a small quantity of marijuana or paraphernalia is a two-semester suspension from Saint Leo University.
  - iv. The sanction considered for possession and/or use of any other illegal substances or large quantities of marijuana is an immediate two-semester suspension or permanent dismissal from Saint Leo University.
  - v. The sanction considered for intent and/or sale, manufacture, or distribution of any illegal substances is separation from Saint Leo University without the opportunity for readmission.
- B. Education
- i. Courses, programs, workshops, and training sessions developed and coordinated by various departments are presented throughout the academic year
  - ii. Student Affairs works cooperatively to provide information sessions throughout the academic year. Major University Campus events are sponsored during theme weeks (National Collegiate Drug Awareness Week, etc.).
- C. Counseling
- i. Counseling Services provides confidential, personal, and group counseling. The office is staffed with licensed mental health counselors.
  - ii. Off University Campus referrals will be made on a request basis or if deemed appropriate. These services are confidential and follow the ethical standards and guidelines of the American Counseling Association.

In addition to sanctions that can attach for university policy violations related to drugs, the University, in accordance with the Higher Education Act (20 U.S.C. 1091- r), provides the following notice to all students regarding the possible impact of drug convictions on federal financial aid:

- A. A student who is convicted in a court of law of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any federal grant, loan, or work assistance . . . shall not be eligible to receive any federal grant, loan, or work assistance . . . from the date of that conviction for the period of time specified in the following table:
- i. If convicted of an offense involving:
    - 1. The possession of a controlled substance:
      - First offense – 1 year ineligibility
      - Second offense – 2 years ineligibility
      - Third offense – Indefinite ineligibility
    - 2. The sale of a controlled substance:
      - First offense – 2 years ineligibility
      - Second offense – Indefinite ineligibility
- B. Students should contact Student Financial Services for details on how to restore financial aid eligibility. If students have questions about the law, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243).

#### B18. IMPLIED CONSENT

*Values: Integrity, Respect, Community*

All students within the direct vicinity (room, vehicle, outdoors, parking lot, etc.) where an alleged violation of University policy, laws, or other regulations occurs are responsible for behaviors and/or objects (alcohol, drugs, etc.) in that direct vicinity, regardless of that student's actual participation in the behavior, or direct possession of the items and/or use, or duration of time present.

#### B19. LAWS (FEDERAL, STATE & LOCAL)

*Values: Excellence, Community, Respect, Personal Development, Responsible Stewardship, Integrity*

Students are responsible for compliance with all public laws. Any act that could constitute a violation of law may establish cause for legal and/or disciplinary action by the University, regardless of if Law Enforcement is involved. Additionally, in accordance with Section 2: Jurisdiction, the University reserves the right to take disciplinary actions if a student is arrested or issued a Notice to Appear. The University Campus is not a sanctuary from Law Enforcement Agents. Law Enforcement Agents have jurisdiction on University Campus and, when possessing proper documents, may legally make arrests or search any room or building without prior notice to University officials. Moreover, the University will not intervene to protect a student from the consequences of their arrest or conviction, on or off University Campus.

#### B20. MOTOR VEHICLES

*Values: Community, Respect, Personal Development, Integrity*

Students must register motor vehicles with the University Safety Office and to operate motor vehicles in accordance with Saint Leo University Parking and Traffic Regulations, county, and state laws. Copies of the Saint Leo University Parking and Traffic Regulations are available at the University Safety Office or online at [Parking and Traffic Handbook](#).

#### B21. FAILURE TO COMPLY

*Values: Excellence, Community, Respect, Personal Development, Integrity*

Students must comply with all University policies and reasonable requests or orders by authorized University officials or representatives acting on behalf of the University, including Student Affairs student staff.

#### B22. RESIDENTIAL LIVING

*Values: Excellence, Community, Respect, Personal Development, Integrity*

Students must comply with the [Guides to Residential Living](#) while in the residence halls. All students in a room will be held responsible for behaviors or objects in that room, regardless of whether they were participating in the behavior, were in possession of the items, or how long they may have been in the room. When a student enters a room where a violation is taking place, under the “[Implied Consent](#)” policy, the student is putting themselves at risk of disciplinary action.

#### B23. SEXUAL MISCONDUCT

*Values: Excellence, Community, Respect, Personal Development, Integrity*

Conduct under this policy is addressed regardless of the sexual orientation, sex, gender, gender identity, or gender expression of the Complainant or Respondent. Sexual misconduct includes any incidents of sexual harassment, dating violence, domestic violence, sexual assault, and stalking that do not meet the jurisdictional requirements defined by the Title IX of the Educational Amendments of 1972. Reports of Sexual Misconduct should follow the procedures outlined in the Student Code of Conduct, Section 5: Conduct Procedures.

For information concerning the Saint Leo University Title IX Sexual Harassment Grievance Policy and other Title IX resources, please refer to the Saint Leo University Title IX website, <https://www.saintleo.edu/about/title-ix>.

Some conduct that may be addressed under this policy can consists of the following:

- A. **Sexual or Gender-Based Harassment:** Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-

verbal, graphic, physical, or otherwise, when one or more of the following conditions are present:

- i. Submission to or rejection of such conduct is either an explicit or implicit term or condition of an individual's employment or advancement in employment, evaluation of academic work or advancement in an academic program, or basis for participation in any aspect of a Saint Leo University program or activity (quid pro quo);
  - ii. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual (quid pro quo); or
  - iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's learning, working, or living environment; in other words, under an objective standard, a reasonable person would find the conduct to be sufficiently severe, pervasive, or objectively offensive as to create an intimidating, hostile or offensive learning, working, or living environment; the University will also consider the Complainant's subjective view of the conduct.
- B. Gender-Based Harassment:** Includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature. Examples of conduct that may constitute Sexual or Gender-Based Harassment include but are not limited to:
- i. Sexual assault, sexual exploitation, relationship violence, or stalking as defined by this policy;
  - ii. Physical conduct, including unwelcome touching or sexual advances within the working, living, or learning environment;
  - iii. Verbal conduct, including lewd or sexually suggestive comments, jokes, or innuendoes or unwelcome comments about an individual's sexual orientation or gender identity; or
  - iv. Written conduct, including letters, notes, or electronic communications containing comments, words, jokes, or images that are lewd or sexually suggestive or relate in an unwelcome manner to an individual's sexual orientation or gender identity.
- C. Sexual Assault/Rape:** Sexual assault is having or attempting to have sexual contact with another individual by force or threat of force, without consent, or where that individual is incapacitated or unable to give consent. Sexual contact includes but is not limited to:
- i. Sexual intercourse (anal, oral, or vaginal), the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.
  - ii. Sexual touching (fondling) or intentional contact with the Complainant's body.
- D. Sexual Exploitation:** Sexual exploitation refers to specific forms of sexual misconduct that involve non-consensual use of another individual's nudity or sexuality, excluding behavior that constitutes one of the other sexual misconduct offenses. Examples of sexual exploitation include but are not limited to:
- i. Voyeurism (such as watching or taking pictures, videos, or audio recordings of another person engaging in a sexual act without the consent of all parties); Trespassing, spying, or eavesdropping.
  - ii. Disseminating, streaming, or posting pictures or video of another in a state of undress or of a sexual nature without the person's consent;
  - iii. Administering alcohol or drugs to another person for the purpose of making that person vulnerable to non-consensual sexual activity;
  - iv. Exposing one's genitals to another person without consent;
  - v. Prostituting another individual; or
  - vi. Knowingly exposing another individual to a sexually transmitted infection or virus without the other individual's knowledge.
- E. Domestic/Relationship Violence:** Domestic/relationship violence includes any act of violence or threatened act of violence, including sexual misconduct, or physical assault, against a person who is, or has been involved in a sexual, dating, domestic, or other intimate relationship with that

person. Physical Assault includes threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person.

- F. **Stalking:** Stalking occurs when a person engages in a course of conduct toward another person under circumstances that would cause a reasonable person to fear bodily injury or experience substantial emotional distress. Course of conduct means two or more acts including but not limited to unwelcome acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.
- G. **Discrimination:** An umbrella term encompassing multiple types of actions involving the unfavorable treatment of an individual or a group of identifiable individuals based on an individual's sex and/or gender.
- H. **Hostile Environment:** Unwelcome conduct by an individual or individuals against another individual based upon their protected class that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile, or offensive.
- I. **Retaliation:** Retaliation means any adverse action taken against an individual for making a good faith report of prohibited conduct or participating in any investigation or proceeding under this policy. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy and is prohibited by the University.

#### **OTHER RELATED DEFINITIONS: CONSENT, FORCE, AND INCAPACITATION**

- A. **Consent:** Consent is the voluntary agreement to engage in a specific sexual activity with another person. Consent requires an outward demonstration, through mutually understandable words or actions, indicating that an individual has freely chosen to engage in a sexual activity.

Consent cannot be obtained through:

- i. the use of force or coercion
- ii. by taking advantage of the incapacitation of another individual.

In evaluating whether consent was given, consideration will be given to the totality of the facts and circumstances, including but not limited to the extent to which a Complainant affirmatively gives words or actions indicating a willingness to engage in sexual activity; whether a reasonable person in the Respondent's position would have understood such person's words and acts as an expression of consent; and whether there are any circumstances, known or reasonably apparent to the Respondent, demonstrating an incapacity to consent.

Silence, passivity, or the absence of resistance does not imply consent, and relying solely on nonverbal communication may result in a violation of this policy. It is important not to make assumptions; if confusion or ambiguity arises during a sexual interaction, it is essential that each participant stops and clarifies, verbally, the willingness to continue. Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must cease. Prior consent does not imply current or future consent; even in the context of an ongoing relationship, consent must be freely sought and freely given for each instance of sexual activity.

- B. **Force or Coercion:** Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

Coercion is conduct, including intimidation and express or implied threats of physical, emotional, or other harm, that would reasonably place an individual in fear of immediate or future harm and that is employed to compel someone to engage in sexual activity.

- C. **Incapacitation:** Incapacitation is a state beyond drunkenness or intoxication. An individual who is incapacitated lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. Mentally helpless means a person is rendered temporarily incapable of appraising or controlling one's own conduct. Physically helpless means a person is physically unable to communicate unwillingness to an act.

The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred or incomprehensible speech, vomiting, unsteady gait, combativeness, or emotional volatility. Evaluating incapacitation also requires an assessment of whether a Respondent knew or should have been aware of the Complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent's position. Being intoxicated or impaired by drugs or alcohol is never an excuse for committing Prohibited Conduct and does not extinguish one's responsibility to obtain informed and freely given consent.

#### B24. SMOKING

*Values: Community, Respect, Personal Development*

Florida Clean Indoor Air Act (s.386.201, et seq.) stipulates that there is to be no smoking inside any educational facility in the state. This includes residence hall rooms and balconies adjacent to student rooms and covered loggias. Smoking and all devices used for smoking (hookahs, pipes, vapor-generating electronic devices, etc.) are not permitted in any University buildings or facilities. Additionally, the University has designated a smoking minimum distance of 25 feet from building entrances/exits. For more information, please visit the [Smoking and Tobacco Use policy](#).

#### B25. SOLICITATION

*Values: Excellence, Community, Respect, Responsible Stewardship, Integrity*

In compliance with the University Solicitation Policy, the University prohibits solicitation, sales, or door-to-door canvassing by students or non-students on University property except with permission of the Director of Student & Family Engagement or designee via the approval of a completed University Solicitation Form. No concession for profit or other commercial business will be operated on University property without the written permission from the Business Affairs Office. For more information on this policy, visit the Student & Family Engagement office (SAB first floor).

#### B26. THEFT OR UNAUTHORIZED POSSESSION

*Values: Excellence, Respect, Integrity, Community, Responsible Stewardship, Personal Development*

The taking, sale, or possession of property without the express consent of the owner is prohibited. This includes both private property and property owned or controlled by the University.

#### B27. USE OF SAINT LEO UNIVERSITY NAME OR SYMBOLS

*Values: Excellence, Integrity*



No individual, group, or organization may use Saint Leo University's name, seal, symbols, logos, slogans, or songs without the written authorization of the Associate Vice President for Student Affairs or designee and University Communications. The University name may be used for the purpose of identifying institutional affiliation so long as it is made reasonably clear that the University is not endorsing or condoning any given activity by the individual, group, or organization using the name.

#### B28. VISITORS

*Values: Community, Respect, Integrity*

Students are welcome to bring visitors to the University Campus but must assume responsibility for the conduct of their visitors. Students choosing to have their guest stay with them on University Campus must comply with the following:

- A. Residents may have a guest stay in University Campus housing a total of three days in a semester. In special circumstances, Residence Life may grant permission to extend a stay to seven days in a semester. A guest is defined as an individual not assigned to that room/building. Overnight visitation is not to be confused with co-habitation. Co-habitation (generally defined as two people living together as if a married couple) is not permitted in the residence halls.
- B. Guests staying more than three days in any semester must be registered with Residence Life.
- C. Guests are not permitted unless all roommates consent to their presence.
- D. A student host is responsible for the actions of their guest(s) while they are on University Campus. Therefore, a student host will be held accountable through the conduct process for individual policy violations by their guests.
- E. Guests must be escorted and are expected to abide by all University Campus policies and regulations.
- F. Students are prohibited from inviting or hosting a person in their room, residence hall, or on University Campus when the student knows that that person has been banned/trespassed from University Campus by law enforcement or University officials. Any student or person who knowingly violates this section is subject to all applicable University sanctions in addition to any applicable civil and criminal penalties.
- G. Saint Leo University students who are guests of another Saint Leo University student are required to abide by the Visitors policy as well as the host.
- H. In compliance with building/room occupancy limits, residents are limited to a maximum of 2 guests per resident.

#### B29. PETS

*Values: Community, Respect*

No pets or animals are allowed in University buildings, athletic venues, or the pool area, with the exception of approved animals used to aid students with disabilities and service animals accompanying visitors or guests of students. Any pets or animals should be properly restrained at all times. Any exceptions must be approved by Accessibility Services. For University Campus residential students, refer to policy number 11: Pets (in the Guides to Residential Living) for additional residence hall policies.

#### B30. VIOLATION OF OTHER PUBLISHED UNIVERSITY POLICIES

*Values: Excellence, Community*

Failing to abide by all published University Policies. These include, but are not limited to, University policies published in academic catalogs, on the University website, and in any other University publication or on forms and agreements.

### B31. OTHER BEHAVIORS THAT IMPACT THE UNIVERSITY COMMUNITY

*Values: Community, Respect*

Students must not engage in behavior that could have a negative impact on the University community. No list of behaviors can be exhaustive, and situations may arise that are not expressly addressed by University policies, but are contrary to the welfare of the University community. With these incidents, the interpretation of the behavior will be made by the Conduct Hearing Officer.

### B32. HARASSMENT

*Values: Community, Respect*

Threats, intimidation, coercion, or any other conduct that places a reasonable person in fear or physical harm, through words, or actions, or objectively disrupts a person's daily activities, including education, employment, and residential living. Harassment does not include conduct protected by the First Amendment.

## SECTION 5: CONDUCT PROCEDURES

This overview gives a general idea of how Saint Leo University's conduct proceedings work, however, all situations are not of the same severity or complexity and may require flexibility of the order in which each step of the process is executed. The University Campus conduct process commences with notice to a University Official of a potential violation.

### A. NOTICE OF REPORT

An individual may submit a report to University Safety or Residence Life of an alleged policy violation(s) or by submission of a [Community Report](#).

Additionally, University Officials may act on notice of a potential violation whether a formal report has been made or not. All reports should be submitted as soon as possible after the incident occurs.

#### i. REMEDIAL ACTION

In certain circumstances, the Associate Vice President of Student Affairs or designee may impose a remedial action upon notice of report. During a remedial action, the student(s) or organization may be issued contact restrictions, denied access to University facilities (including classes), and/or all other University activities or privileges for which the student or organization might otherwise be eligible unless written permission is obtained from the Vice President of Student Affairs or designee. Contact restriction is defined as the immediate restriction of personal contact with another individual or group for a stated period of time. Specific guidelines will be outlined in the Remedial Action letter.

At the discretion of the Vice President of Student Affairs or designee and with the approval and collaboration of the appropriate administrators/faculty, alternative coursework options may be pursued to ensure minimal impact on the student(s) academic progress.

Remedial actions may be imposed:

1. When a student or organization represents a threat of harm to self or others
2. When a student or organization is facing allegations of criminal activity or serious University judicial action

3. To preserve the integrity of an investigation
4. To preserve the Saint Leo University property and/or to prevent disruption of, or interference with, the normal operations of Saint Leo University

At the time that the remedial action is issued, a student will receive a remedial action letter/e-mail stating the details and terms of the action. The remedial action may be reviewed, amended, or revoked at any time during the conduct process based on the discretion of the Conduct Officer. Remedial actions may be appealed to the Associate Vice President for Student Affairs or designee utilizing the Remedial Action Appeal form as outlined in the remedial action letter.

#### B. REPORT PROCESSING

Upon receipt of the incident report, a Conduct Officer is assigned and begins reviewing the report to identify complainant(s), respondent(s), and any other relevant witnesses. A preliminary investigation may occur at this time, including, but not limited to, identifying an initial list of all policies that may have been violated, reviewing the history of the parties involved, the context of the incident(s), and the nature of the complaint.

If there is insufficient information through the investigation to support reasonable cause, the report will be closed with no further action. However, if there is enough information to support reasonable cause, the report will proceed to a conduct meeting.

#### C. NOTICE OF CONDUCT MEETING

Once a determination is made that reasonable cause exists, the respondent(s) will be referred to a conduct meeting. Notice will be given to the respondent(s) via Saint Leo University issued E-mail account. Once E-mailed, such notice will be presumptively delivered. The letter of notice will:

- i. Include the alleged charges, incident date and time, and notification of where to locate the Student Code of Conduct;
- ii. Direct the respondent(s) to contact the Conduct Officer within a specified period of time to schedule their conduct meeting;
- iii. Inform the respondent(s) of the ramifications for failure to schedule/participate in the conduct meeting.

#### D. CONDUCT MEETING/INVESTIGATION

As part of the conduct meeting/investigation, the respondent(s) can provide factual information about what occurred. The Conduct Officer will adhere to the following guidelines:

- i. CONDUCT MEETING GUIDELINES
  1. Conduct Meetings will be conducted in private.
  2. Admission of any person to the conduct meeting is at the discretion of the Conduct Officer.
  3. In incidents involving more than one respondent, the Conduct Officer may choose to hold separate conduct meetings.
  4. The respondent(s) may select a Saint Leo University student, faculty, or staff advisor to assist in preparation of the conduct meeting. If the individual consents to serve as an advisor, the advisor may accompany the respondent(s) to the conduct meeting and may consult with the respondent(s) prior to or during the conduct meeting but may not address the Conduct Officer. Advisors

may contact the Conduct Officer prior to the conduct meeting to clarify procedural questions or concerns.

5. Persons to be present at conduct meeting may include the Conduct Officer, respondent(s), student's advisor, and if deemed appropriate, witnesses relevant to the case. Relevant witnesses will be present only during their own testimony, subject to questions from the Conduct Officer; however, they may be required to remain available for the duration of the conduct meeting. Additionally, relevant witnesses may be interviewed by the Conduct Officer outside of the conduct meeting as part of the investigation process.
6. Pertinent records, documents, written statements, or other items may be accepted for consideration by the Conduct Officer at their discretion.
7. Any conduct meeting may be postponed, recessed, or continued at the discretion of the Conduct Officer.
8. After the investigation process, the Conduct Officer will determine whether the respondent(s) has violated University policy.
9. The Conduct Officer's determination will be made on the standard of preponderance of the evidence.

ii. ABSENTIA

If a respondent(s) fails to schedule/participate in the conduct meeting by the Notice of Hearing deadline, the conduct meeting/investigation will be conducted in absentia. When the conduct meeting is heard in this manner, the respondent(s) loses the ability to appeal any decision based on new information or other relevant facts not brought out in the original process.

E. NOTICE OF OUTCOMES

Once a determination is made by the Conduct Officer, notice will be given to the respondent(s) via E-mail. The Notice of Outcomes will:

- i. Include the alleged charges, incident date, and date and time of scheduled conduct meeting.
- ii. Include findings, specifically whether or not the respondent(s) was found responsible or not responsible for the alleged violation(s).
- iii. Include any sanctions and associated deadlines (only if the respondent(s) is found responsible).
- iv. Inform the respondent(s) of the right to appeal and associated deadline.
- v. If appropriate, include ramifications of failure to complete sanctions.

F. APPEAL PROCESS

The respondent may submit the completed appeal form by the deadline stated in the Notice of Outcome. Failure to file the appeal by the deadline stated in the notice of outcome forfeits the right to appeal. All sanctions imposed by the original Conduct Officer remain in effect, and the respondent(s) will be informed of the status of the appeal in a timely manner. All appeals must be submitted by the student, not a representative, following instructions provided in the outcome letter. The Appeal Form is [available online](#) or via hard copy in Residence Life.

Appeal requests are limited to the following grounds:

- i. A procedural error has occurred in violation of the student's rights during the original process

- ii. New information, relevant to the case, was discovered and was verifiably not available during the original disciplinary proceedings and would have a significant impact on the outcome of the conduct meeting.

The Conduct Officer will forward the completed Appeal Form to the designated Appellate Officer. The Appellate Officer will determine if sufficient information was submitted to warrant an appeal. If the Appellate Officer determines there are sufficient grounds for appeal, the Appellate Officer will decide on the appeal. If the Appellate Officer determines there are not sufficient grounds for appeal, the Appellate Officer will inform the respondent(s) via Saint Leo University-issued E-mail and/or meeting. Decisions by the Appellate Officer are final.

## **SECTION 6: SANCTIONS**

One or more of the following sanctions may be imposed on a respondent(s) for any violation(s). If the respondent(s) fails to complete the assigned sanction(s) by the deadline, a Student Affairs Hold will be placed on their student account until the assigned sanction has been completed.

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

### **SLU01 – Article Review**

A written review of journal articles on a specific topic designed to assist the student to explore the violations in question. Specific guidelines will be outlined in the sanction letter.

### **SLU02 – Apology**

An apology reflecting an understanding of the inappropriateness of actions and the impact it had on the letter's recipient. Specific guidelines will be outlined in the sanction letter.

### **SLU03 – Newspaper Article**

A reflective letter to be submitted for approval to Residence Life for possible publication to the student newspaper. Specific guidelines will be outlined in the sanction letter.

### **SLU04 – Personal Journal**

A written daily journal for a designated period of time that addresses various questions. Specific guidelines will be outlined in the sanction letter.

### **SLU05 – Reflection Paper**

Reflective paper on a specific incident and its impact. Specific guidelines will be outlined in the sanction letter.

### **SLU06 – Research Paper**

Research paper on a specific topic citing at least three sources. Specific guidelines will be outlined in the sanction letter.

### **SLU07 – Restitution**

Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

### **SLU08 – Educational Community Service**

Completion of a determined number of hours of educational community service. Specific guidelines and hours will be outlined in the sanction letter.

SLU09 – Probationary Review Meetings

Scheduled meetings with the Associate Vice President for Student Affairs or designee. Specific guidelines will be outlined in the sanction letter.

SLU10 – Contact Restriction

Restriction of personal contact with another individual or group for a stated period of time. Specific guidelines will be outlined in the sanction letter.

SLU11 – Computer Privileges Restriction

Loss or restriction from University computer network access or privileges for a stated period of time. Specific guidelines will be outlined in the sanction letter.

SLU12 – Resident Assistant Duty

Participate in the nightly on-call, duty rotation for a specified period of time of the student Residence Life staff. Specific guidelines will be outlined in the sanction letter.

SLU13 – Behavioral Agreement

A signed behavioral agreement to live responsibly within the Saint Leo University community outlining specific behavior guidelines that must be followed. Specific guidelines will be outlined in the sanction letter.

SLU14 – Educational Bulletin Board

Design, research, and create a bulletin board on a specific topic. Specific guidelines will be outlined in the sanction letter.

SLU15 – Program Presentation

Plan, implement, and evaluate an educational program on a specific topic. Specific guidelines will be outlined in the sanction letter.

SLU16 – Alcohol and/or Drug Education

An online course designed to assist students with healthy lifestyle choices. Additionally, there is a fee associated with this sanction. Instructions for completion will be outlined in the sanction letter.

SLU17 – Substance Use Evaluation

A required substance use evaluation. Students are responsible to make arrangements for this evaluation in accordance with the outlined terms in the sanction letter. Students are required to meet the recommendations of the certified treatment professionals as indicated in this evaluation. Results must be released to appropriate University officials as per sanction letter.

SLU18 – Counseling

An assessment or an initial counseling session either at the University Counseling Center or at an approved community mental health provider. Students are required to abide by any treatment plan provided by provider.

SLU19 – Other Restrictions

Loss of specific privileges including, but not limited to, attendance at athletic and social events; organization participation; and access to specified University facilities for a designated period of time. Specific guidelines will be outlined in the sanction letter.

SLU20 – Written Warning

Notice in writing to the student that he or she is violating or has violated a specific University policy and that continuation or repetition of similar misconduct, may be cause for further disciplinary action and more severe sanctions.



SLU21 – Disciplinary Probation

A designated period that includes the probability of more severe disciplinary sanctions, which may include suspension or dismissal from the University if the student is found violating the *specified* policy during the probationary period.

SLU22 – Community Probation

A designated period of time that includes the probability of more severe disciplinary sanctions, such as suspension or dismissal from the University if the student is found violating *any* policy during the probationary period.

SLU23 – Residence Hall Probation

A designated period of time that includes the probability of expulsion from University Campus housing and/or revocation of privileges to live in University Campus housing if the student is found violating *any* policy during the probationary period.

SLU24 – Organizational Probation

A designated period of time that includes the probability of revocation of organizational privileges during the probationary period.

SLU25 – Residence Hall Suspension

Immediate removal from the University housing without refund for a designated period of time.

SLU26 – Residence Hall Dismissal

Immediate and permanent removal of the student from the residence halls without refund.

SLU27 – University Suspension

Separation of the student from the University for a definite period of time without refund, after which the student is eligible to return. Conditions for readmission may be specified.

SLU28 – Organizational Suspension

Prohibition of all organizational activities, formal and informal, both on and off University Campus for a designated period of time after which the organization is eligible for reinstatement/recognition. Conditions for reinstatement/recognition may be specified.

SLU29 – Dismissal

Immediate and permanent separation of the student from the University without refund.

SLU30 – Disciplinary Fine

Appropriate monetary penalty.

SLU31 – Parental, and/or On University Campus Employer, and/or Coach Notification

Notification to parent/guardian, and/or on University Campus employer, and/or Faculty, and/or coach concerning a specific incident, outcome and appropriate sanction(s). Notification will be in accordance with FERPA regulations. Such notification may in turn cause other non-disciplinary consequences resulting from the student's violation in relation to other University Campus activities.

SLU32 – Deferred Sanction

When significant mitigating factors are present, one or more sanctions may be deferred for implementation. Deferral may be rescinded, and additional sanctions may be imposed for any new violations, which occur during the deferred period.

SLU33 – Policy Rewrite

Submission of the violated policy hand-written by the student and submitted to the Conduct Officer by the stated sanction deadline. Specific guidelines will be outlined in the sanction letter.