

# Lincoln Memorial University Residential Student Handbook 2019-2020 ACADEMIC YEAR

## PURPOSE

Residence Life on a university campus can be one of the most meaningful ingredients in a college experience. We are happy to take this opportunity to *welcome* our students to Lincoln Memorial University's residence hall community and to help prepare you for life in a residence hall. One meaningful part of a University education is the learning that comes from living with others. A good deal of adjustment occurs in the transition from high school to University and from home life to residence hall life, and sometimes even from year to year. LMU's Residence Life Program is designed to help you make personal, social and academic adjustments in as healthy a way as possible, and to make your living experience both educational and enjoyable. You will meet individuals who will become lifelong friends, given the opportunity to expand your sense of community service and you will improve your leadership skills. **In addition to the policies outlined in the Lincoln Memorial University Student Handbook, the Residential Student Handbook serves as a community living standard that all residents are expected to uphold.**

# Residential Student Handbook

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# **SECTION I: RESIDENCE LIFE OVERVIEW**

## **RESIDENCE LIFE STAFF**

Randy Lunsford, Area Coordinator for Residence Life  
James Agnew, Area Coordinator for Residence Life  
Evelyn Farmer, Assistant Director of Residence Life  
Travis Smith, Director of Residence Life

## **COMMUNITY LIVING**

An important part of the total college experience is to live in a residence hall and participate more fully in college-related activities. Therefore, programs and activities are planned to promote socialization, cultural awareness, good health practices, and life-learning experiences. Living in the residence halls is a privilege and each student is responsible for helping to create an environment which promotes safe, healthy and comfortable living for all. Each floor should reflect the character of the students residing on that floor and express a sense of community. Good taste should be shown when promoting one's floor during Theme Weeks, Homecoming and Holidays.

LMU offers a wide variety of activities outside the classroom. Some are sponsored by the University, while others are created and organized by campus organizations. Some activities include dances, contests, Founders' Day, Homecoming, athletic events, intramurals, comedians, and other types of activities and entertainment. Students are encouraged to contact a member of the Student Services if they want to request a certain activity.

### **PROGRAMMING**

The programming efforts of the Resident Assistants seek to challenge students to grow and develop in many dimensions. These dimensions are designed to grow residents in life and social skills, while informing residents of the resources available on campus. Students who are interested in the Lincoln Activities Board are encouraged to speak with their Resident Assistant, Area Coordinator or the Director of Student Life to communicate their interests directly.

## **HOURS & OPERATION**

### **RESIDENCE LIFE OFFICE SCHEDULE AND STAFF DUTY**

The Residence Life Staff is available 24/7 for students living in campus housing. On campus residents dial (423)869-6500 for 24/7 access to Residence Life Staff on campus. The Residence Life office is located in Student Center 317-319 and is open from 8:00AM-6:00PM during the school year.

During breaks that the University remains open the office is open from 8:00AM-4:30PM. Residence Life Staff are on duty from 4:30PM to 4:30PM the following day. During that time each staff member is on duty from 4:30PM-12:00AM and is “on call” from 12:00AM-4:30PM until his/her shift ends. Residence Life staff members are always available for students living in campus housing and willing to help with any problem or concern, regardless of the hour.

### **RESIDENCE HALL CLOSURES**

The residence halls and dining services close during Thanksgiving Break, Winter Break and Spring Break. Students who wish to stay during these breaks will be charged, because this time is not included in the semester’s residence hall rate. The only students who will not be charged are athletes who are in season and required by coaches to stay on campus and students who are working for the university. Students who stay during these breaks may be subject to being moved into another residence hall during the break since a minimum number of residence halls are kept open. Students who do not turn in their keys to the Residence Life Staff during these breaks will be charged for staying the break.

### **SUMMER HOUSING**

Students staying for the summer must have an academic or other University related reason for applying to remain in on campus housing. Students who stay during the summer will be relocated into available housing. This is necessary for cleaning and maintenance of the buildings. The charge for the summer term is based off that year’s semester charges for the building being utilized.

## **SECTION II: PROCEDURES**

### **AREA MEETINGS**

Regular area meetings are held during each semester to provide students with information relevant to their area and residence life in general. Students are required to attend these meetings as information is communicated which will impact what goes on in the residence halls. Furthermore, hall meetings are an important part of getting to know other residents in your building.

### **CHECK IN PROCEDURES**

All students are required to check into the residence hall to which they have been assigned. The RA or AC of their assigned residence hall will assist them by providing an emergency contact form, key assignment, and Room Condition Report. The emergency contact form must be completed prior to moving into the residence hall. The resident is responsible for completing and submitting their Room Condition Report within the first two weeks of school and within 48 hours of moving into a new space during the semester. If you do not have a completed RCR on

file upon check out the room will be assumed to have been in pristine condition prior to move in. At no time are students permitted to randomly switch rooms or roommates during the check-in process. Concerns about check-in should be directed to the RA or AC of the assigned building.

## CHECK OUT PROCEDURES

A student is required to check out when vacating a room at the end of a term. Proper check out procedure consists of making an appointment with the RA or AC, emptying the room of personal belongings, cleaning the room, being present during the inspection of the room, signing the check-out paperwork, and turning in keys. Any deviation from this procedure will result in a fine and/or loss of deposit being assessed for damages, cleaning, keys, and/or improper check-out. Cancellation of housing by a resident during the semester forfeits the housing deposit.

Any items left in a room after check-out will become the property of LMU to use or to dispose of as deemed proper. Rooms not cleaned, left with food, trash, belongings, or damage to the room will result in charges.

## CONSOLIDATION

Most residence hall rooms are double occupancy. In the event that a resident is left without a roommate for whatever reason, or if the Office of Housing and Residence Life determines that there is a need to combine two or more apartments in order to provide space for more residents, a policy called “consolidation” applies. This policy is usually enacted during the first month of each semester but can be enforced as needed by the Director of Residence Life.

Students without roommates have options appropriate to their situation. Options may, but will not necessarily, include the following:

- (1) find a roommate or move in with someone on the consolidation list;
- (2) pay an additional charge for a private room (Only in Liles and West); or
- (3) be assigned a roommate at the discretion of the Director of Residence Life.

## EMERGENCY PROTOCOLS

### INJURY OR ILLNESS

For illness, injury, or maintenance emergencies, the RA or AC on duty should be contacted. He/she will make an evaluation of the best action to take. Ambulance or maintenance calls should be made by Residence Life staff members only.

### FIRE EVACUATION (INCLUDING DRILLS)

Fire evacuation is an important factor in campus safety. When an alarm is sounded, either through mechanical indication or by voice, evacuate the building immediately. Students should be sure to take shoes and a coat when evacuating a building (if indicated by the weather). If one is convenient, a towel should be taken by the resident and placed over the mouth and nose to help filter smoke from the air breathed.

**Residents of West should go to the cafeteria parking lot.**

**Residents of Pope, Mitchell, and Dishner should go to the lower parking lot of their area.**

**Residents of The Village apartments should go to the Tex Turner parking lot.**

**Residents of LP should go to the lower parking lot of their area.**

**Residents of The University Inn, Mars, and Lee should go to the grass lawn directly across the parking lot from the buildings.**

It is important for a student to make contact with his/her RA and/or AC so they know that the student is safe. The AC and/or RA may do a roll call of residents to ensure everyone is accounted for. Residents will be notified when it is safe to reenter the building.

### **BOMB THREATS**

Bomb threat evacuation will follow the same procedures as fire evacuation. Students must vacate the building quickly, being prepared to remain outside for the amount of time necessary to ensure the building is safe.

### **SEVERE WEATHER**

Weather warnings such as thunderstorms, tornadoes, and earth tremors should be taken seriously. Residents will be expected to vacate their rooms with a blanket and/or pillow. Interior hallways of lower floors will be the best location to avoid injury. Flashlights and battery radios would be helpful, as would study or entertainment material since warnings can last for hours.

**Residents of Liles and West should go to the second floor hallway of their building.**

**Residents of Pope, Mitchell Dishner, Shelton, Langley, Mars, and Lee should go to closets or bathrooms of their suite.**

**Residents of LP should go to the basement.**

**Residents of The Village apartments should go to the bathrooms or closets of their suite.**

**Residents of The University Inn should go to the first floor hallway or staircase of The University Inn.**

During weather warning the elevator should not be used in any building. Residents failing to abide by set emergency procedures will be subject to disciplinary action up to and including being removed from the residence halls.

### **DAMAGES**

Financial liability for damages lies with the residents in the bedroom, suite, apartment, or building. Repeated damages have a direct impact on housing rates if no responsible party is found or comes forward. If damages occur in an apartment, suite or the common areas of a building and no individual takes responsibility, Residence Life will divide the charges among the occupants and bill their student accounts. This includes, but is not limited to, common entryways, hallways, lounges, kitchens and the immediate exterior/grounds (including littering). If damage occurs in a suite or an apartment, the residents of the suite/apartment will be held responsible. If damage occurs, please report to your RA or to the office of Residence Life as soon as possible. A work order will be

submitted to repair the damage and the responsible parties will be subject to appropriate charges. A damage liability form is available through your RA. If the person responsible for the damage completes and submits the form, a discount may be applied to the charge.

## **HEALTH & SAFETY**

### **HEALTH AND SAFETY INSPECTIONS**

The University recognizes a resident's desire for privacy, particularly in the context of their group living situation, and will do what it can to protect and respect their privacy. However, the University, through Residence Life staff, reserves the right to enter a resident's room and/or apartment to determine compliance with health and safety regulations. Health and safety checks will take place a minimum of two times per semester and residents will receive notification of the check at least 48 hours in advance of the check.

During a Health and Safety Inspection, Residence Life staff will check individual bedrooms, common spaces including refrigerators. Health and Safety Inspections serve as prevention for fire, pests, and other damaging issues.

### **LIABILITY AND RISK**

Lincoln Memorial University assumes no liability for loss, injury, or damage to personal property incidental to the occupancy or use of the residence halls, and each resident accepts full responsibility for the safety and security of his/her own personal property. Students are strongly encouraged to purchase renter's insurance. The resident agrees to hold the University harmless and indemnify it from any and all liability resulting from the use of University owned housing facilities by the student. Please refer to the Student Handbook regarding Lost and Found.

### **MAINTENANCE REQUESTS**

Students who need maintenance in their rooms or are aware of repairs that need to be done on their floor are able to submit their own digital work order at this link:

<https://www.lmunet.edu/administration/maintenance-request.php>

Residents are also welcome to notify their Resident Assistant or their Area Coordinator. Maintenance requests will be submitted within 24 hours of the request to Physical Plant and Properties.

Requests should be completed within a reasonable amount of time after being submitted. In the event that a request is not completed, residents should contact their RA about the concern until the problem is resolved.

### **PERSONAL SAFETY**

Students should notify the Residence Life Staff of their building if they plan to leave campus for an extended period of time. In the event that a residential student is taking evening classes and

would like an escort to or from their class, the student can contact the Office of Campus Police and Security to make these arrangements.

### **SECURING OUTER DOORS OF RESIDENCE HALLS**

The residence halls are considered private dwellings of the campus. The exterior doors are to remain locked at all times unless prior approval is given from Residence Life Staff. This policy promotes safety, security, and privacy for residents.

### **TRASH DISPOSAL**

All residential students are expected to deposit trash from their living spaces in the appropriate locations. In Liles and West, there are garbage chutes in the middle of each hallway. All trash should be placed in these chutes in bags. All other residents on campus should place trash in the dumpsters located in the parking lot behind the dining hall. In the evenings when it is not being utilized by facilities the trash truck is located behind The Village residence halls and residents may place their properly bagged trash in the bed of the truck. There are also dumpsters in The University Inn parking lot for residents of Mars, Lee, and The University Inn This also applies to end-of-semester periods. If trash is left within the halls, then the person responsible may be fined. If we are unable to identify the person responsible, the building or area may be fined.

## **HOUSING DEPOSIT**

If a student chooses to live on-campus, his/her housing application must be returned to the Residence Life Office with a \$200.00 for undergraduate or \$500 for Graduate and Professional reservation and damage deposit. The deposit may be paid by cash, check, money order, or debit card through the cashier's office. The deposit is refundable at the end of the student's residency if the student checks out in good order, cancels his/her room reservation by July 1 (Fall) or December 1 (Spring) and has no charges on their account. These requests must be received in writing no later than July 1 of the semester that the student leaves housing. Refunds may take up to 60 days to process. Cancellation of housing by a resident during the year forfeits the housing deposit.

## **KEYS AND LOCK OUTS**

### **ISSUED KEYS**

A student receives a key which opens the front door and room upon check-in. Each student is responsible for keeping his/her room door locked as well as the outside residence hall doors. Keys are turned into the Residence Life Office when University housing is closed (Winter, and Summer Breaks). Duplicating university keys is prohibited. Possession of university keys other than those assigned is not permitted.

### **LOST OR STOLEN KEYS**



A lost key should be reported immediately to the Residence Life Staff and a charge of \$50.00 will be assessed for the lost room keys. If keys are not turned in at designated times (holidays or breaks) the resident will be a charged for staying the entire break. The student must turn in all residence hall keys upon check-out with a Residence Life staff member. The charge for not returning keys at check-out is \$50.00.

### **LOCK OUT PROCEDURE**

In the event that a resident becomes locked out of their residence hall space the resident should go to the Office of Residence Life. When the office is closed, residents should call the 24/7 Residence Life Line at (423)869-6500. Students are reminded that responding to a lockout call is not an emergency and the staff will respond as soon as possible. Excessive lockouts may result in disciplinary action or fines.

## **MEAL PLANS**

### **MEAL PLAN REQUIREMENT**

All undergraduate students living in campus residence halls are required to participate in one of the meal plans. If students would like to change their meal plan upon the start of a new semester, they may do so for a limited time in the Office of Residence Life.

### **MEAL PLAN OPTIONS**

- Meal Plan #1: 19 meals per week
- Meal Plan #2: 15 meals per week/150 flex dollars
- Meal Plan #3: 10 meals per week/300 flex dollars

### **MEAL PLAN ACCOMMODATIONS**

Any student who must follow a specific diet may supply the Director of Food Services with a prescription diet from the student's physician. Every effort will be made to accommodate the student's special dietary needs. The LMU cafeteria serves breakfast, lunch and dinner. A schedule of hours is posted in the cafeteria. Students with special schedules (student teaching, practicum, internship or clinicals) may discuss their class schedules with the Director of Food Services for possible accommodations.

## **RESIDENCY EXPECTATION**

All full-time undergraduate students, attending class on the Harrogate campus, must reside on campus unless they are:

- *At least 21 years of age regardless of class ranking.*
- *Residing with a parent or legal guardian within 65 miles of campus.*
- *Married and residing with their spouse.*

All student-athletes receiving athletic aid are required to live on campus as stated in the Athletic Handbook. Residence halls are available to students who wish to live on campus. International students who are in the United States on I-20 forms must reside on campus. Each full-time undergraduate student on the main campus must register with the Office of Residence Life by completing a Housing Application or Housing Waiver Application. A petition for exception to the residency rule may be sent to the Office of Housing and Residence Life.

## ROOM ASSIGNMENTS

Lincoln Memorial University believes that residence hall living is an educational experience that contributes to the development of each student. The residential experience provides many opportunities for students to meet friends, develop personal relationships, and learn to live and communicate with a diverse group of people. As part of this process, returning students take part in housing status where they have the option to submit roommate and room preferences. The Residence Life Office coordinates all assignments, taking into account priority and availability once room assignments have been made, students are not permitted to make changes without prior permission of their Area Coordinator.

## ROOM CHANGES

A student who wishes to change rooms within his/her residence hall must have written permission from their Area Coordinator in advance. A room change must be completed within 24 hours after the reassignment is authorized. Students need to be aware that room changes will occur after the first two weeks of classes and will result in an administrative charge of \$50.00. A student must complete check-out procedures of the vacated room with his or her RA to ensure that the room is left in proper condition. Any damage or cleaning charges assessed must be paid.

## ROOM ENTRY

The University reserves the right to enter a student's room under any of the following conditions:

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- Health and safety inspections
- Maintenance or repairs
- Periodic pest control spraying
- To check for damages
- At the beginning of a break or holiday
- To quell disturbances
- For emergencies such as fire, injury, or illness of resident
- Periodic inspections and inventory
- Reasonable cause to suspect the violation of University policies
- Other reasons as stated in the presence of the resident

## ROOMMATE AGREEMENTS

Roommate Agreements are a form that is completed by all roommates. It serves as a catalyst for discussions regarding sharing a space and documents the compromises made for all involved to better utilize and enjoy the space provided. These agreements are available through the RA for your area. This form may also be used as part of a roommate mediation.

## SECTION III: AMENITIES & RESOURCES

### BULLETIN BOARDS

Bulletin boards are provided in each of the residence halls in order to provide residents with information about activities occurring within the residence halls and around campus. Students are encouraged to read these boards frequently in order to be informed about campus life. Only Residence Life Staff are permitted to post on the bulletin boards located within the residence halls.

### CABLE

Lincoln Memorial University provides digital cable via either Vyve Broadband or Sunset Digital. One cable jack is installed in each bedroom and each lounge/living room. Cable boxes may be picked up from the Office of Residence Life during normal business hours. Splicing/splitting of the cable line or tampering with the data ports is prohibited.

### INTERNET

Internet access is available in all residence halls on campus. Students must bring their own device to access the Internet from their residence halls. The LMU Network supports both Windows based and Apple Mac based computers. The IS Helpdesk is more familiar with Microsoft Windows environments, but can offer basic help for Apple Mac computers as well. Wireless-N is available in all residence halls on the main campus, and wired ports are also available in most rooms. To access the LMU Network and the Internet from your room, your computer must have either a Wireless B, G, or N card. To access the student wireless network, connect your computer to the network named LMU\_OpenAccess and enter your LMU MyLMU account credentials when prompted.

Students who wish to connect to the Internet will be required to keep their computers in compliance with IS policies, which will include installing a network access control (NAC) client on their local PC. This client is used by the University to assure that the student computer has updated virus protection, is running an authentic operating system and has all the necessary security patches for that operating system installed. This client is a non-intrusive application that

can easily be removed when the student disconnects from the University's network. Students will not be allowed to connect to the network without this application.

If you have difficulty accessing the LMU Network or the Internet from your residence hall, contacting the IS Help Desk is preferred so that they are able to work with the resident directly, but as always you are able to contact the Resident Assistant (RA) for your residence hall/floor.

## **LAUNDRY**

Laundry facilities are available for every residential student. On-Campus apartments are equipped with washers and dryers. Laundry Rooms are available in each building for individual residents to use. All laundry is free of charge to residential students. If there are issues with a washer or dryer appliance, residents should contact the Residence Life Staff for assistance.

## **LOUNGE & STUDY SPACES**

West, Liles, and LP Halls provide students with lounge areas. Lounge areas are available as study spaces and socialization. These lounge areas are open to students who reside in the building and are equipped with comfortable furniture and may some have recreational equipment.

## **VENDING MACHINES**

University Inn, West, Liles, and LP Hall have vending machines located on the first floor. Soda and snack machines are available to students; however, change is required to access these machines.

## **SECTION IV: CODE OF CONDUCT**



# Lincoln Memorial University

## CODE OF STUDENT CONDUCT 2019-2020

The purpose of the Code of Student Conduct is to provide a structure to hold students accountable for their actions and decisions in an effort to educate and transform future behavior on campus.

The Code of Student Conduct (“Code”) is intended to describe the types of behaviors that conflict with University standards and set forth the general procedures (“Conduct Process”) that shall be used to ensure these standards are met by all students. The Conduct Process provides students the opportunity to respond to allegations brought against them and to offer their perspective regarding the allegations. It is designed to fit within the University’s larger education system and does not function as a court of law. Where the allegations are more serious, and therefore the consequences are potentially more serious, the rules of procedure are more formally structured. The Conduct Process is not a substitute for the criminal and civil courts and, therefore, may function simultaneously to any criminal, civil, or administrative proceedings.

### **JURISDICTION**

The Code applies to any individual admitted and/or enrolled into a program of study at Lincoln Memorial University. Programs of study which require licensure to enter the profession may have separate or additional procedures for addressing behavioral issues for students enrolled in those programs. Conduct issues involving students from those programs may be forwarded to those programs for resolution. The Code applies to any student behavior occurring from the time of admission/enrollment through the actual awarding of a degree. A student who has an unresolved conduct matter at the time of commencement will may be prohibited from participating in commencement ceremonies and a decision on degree conferral shall be delayed until the conduct matter is resolved.

### **OFF CAMPUS CONDUCT**

As a student, and thereby a representative of the Lincoln Memorial University community, behavior of students both on and off campus is a reflection of the University. Violations of the Code have a negative impact on the University community and the pursuit and achievement of its mission, vision, values, and bylaws. Therefore, alleged violations of the Code which occur off campus shall subject the student to investigation, review, and action under the Code.

### **LAWS AND REGULATIONS**

Students are also subject to all applicable international, federal, state, and local laws and regulations. Alleged violations of laws and regulations that occur on or off campus are also considered violations of the Code and subject to University investigation, review, and action. Each student is individually responsible for being informed of the laws and regulations. Ignorance of the law is not an acceptable defense for prohibited conduct.

## CODE OF STUDENT CONDUCT

LMU students are expected to maintain high standards of private and public conduct both on and off campus. The following enumerated sections constitute conduct which conflicts with the community standards of LMU. Engaging in such conduct and other generally prohibited behaviors, whether or not covered by specific regulation, shall subject a student to disciplinary action.

### Section 1 –Abuse or Physical Harm

- A. Intentionally or recklessly causing physical harm to others or causing apprehension of harm.

### Section 2.1- Alcohol

- A. Students may not possess, consume, sell, or distribute alcoholic beverages on campus, unless attending a University event where alcoholic beverages are available or as otherwise allowed in the Code.

#### *Alcohol Education*

- B. All undergraduate students, regardless of transfer status, must complete online alcohol education before the established deadline. Students will be automatically enrolled for the online module and will receive an email at their LMU email address with instructions on completing the course.

### Section 2.2- Alcohol (Residential)

PLEASE NOTE: All students are subject to the enforcement of local, state, and federal alcohol laws. The following applies to alcohol possession and consumption in residential facilities owned and operated by Lincoln Memorial University.

#### *Undergraduate Residence Halls*

- A. No alcoholic beverages are permitted in any designated undergraduate residence halls on campus at any time by any person, regardless of age. Designated undergraduate residence halls are Burchett, McClelland, Norton, Peters, West, Liles, LaFrentz-Poole, Pope, Mitchell, and Dishner.

#### *Graduate Residence Halls*

- B. Alcoholic beverages are permitted in residential rooms in designated graduate residence halls, subject to the general limitations and restrictions identified herein. Designated graduate residence halls are University Inn, Mars, Lee, Dawson, Shelton, and Langley.

#### *General Limitations and Restrictions*

- C. Common source distribution devices for alcohol are strictly prohibited.
- D. Students under the legal age of 21 may not possess, consume, sell, or distribute alcohol at any time regardless of location.
- E. Students of legal age may not provide to or encourage the possession, consumption, sale, or distribution of alcohol by any underage student.
- F. Empty bottles, cans, or containers of alcohol may not be utilized as room décor and must be disposed of properly and immediately.

#### **ME-RAP** (*Medical Emergency and Responsible Action Policy*)

Fear of getting in trouble should not stop students from getting medical assistance for a peer who may be in danger due to alcohol consumption. ME-RAP provides limited medical amnesty from student conduct charges and sanctions for students who actively assist to obtain help for a peer in need of critical medical attention due to the consumption of alcohol.

Full detailed policy language and conditions for ME-RAP can be found in Section 2.3.

- G. Alcoholic beverages are strictly prohibited in any public areas (including hallways), lounges, pool area, laundries, pavilions, common areas, etc.

### **Section 2.3- Medical Emergency and Responsible Action Policy (ME-RAP)**

In order to promote the health, safety, and well-being of students, this policy provides that the University, through the Office of the Assistant Dean of Students and Director of Student Development, may provide amnesty from charges and sanctions for first-time alcohol violations under the Code for those students who act responsibly to provide active assistance for the intoxication of the student or others.

- A. In order to be considered for amnesty, a student must demonstrate proactive responsible action and active assistance by making timely contact with University staff and/or the local 911 to request/obtain medical attention for the intoxicated student. If either University staff or 911 have already been made aware of the emergency at the time the student makes contact, amnesty is not an available option for the student.
- B. In order to be considered for amnesty, the student who requests medical attention must remain with the intoxicated student until help arrives. The student must follow the directions of the personnel providing assistance to the intoxicated student.
- C. This policy only applies to medical emergencies resulting from the use of alcohol. It does not apply to any other prohibited behaviors resulting from the use of alcohol such as disorderly conduct; hazing; property damage; possession, consumption, distribution of drugs; etc.
- D. A student who assisted the intoxicated student in the purchase, supply, or consumption of alcohol is not eligible for amnesty under this policy.
- E. In situations where an intoxicated student seeks medical care for him/herself, the University may issue educational requirements, such as additional alcohol education and/or substance abuse assessment and counseling. Failure to complete the educational requirements will result in forfeiture of amnesty and action will be taken under the Code.
- F. Amnesty for an intoxicated student who seeks medical care for him/herself is intended to encourage the student to make better choices in the future. The record of the alcohol incident resulting in amnesty will be used as evidence of a prior violation in the dispensation of any subsequent alcohol violation by the student.

### **Section 3- Appliances (Residential)**

- A. Personal refrigerators may not exceed 3.5 cubic feet.
- B. Personal microwaves may not exceed 1000 watts and 1.0 cubic feet.
- C. The only heating related appliances permitted in residential spaces are coffee pots and crockpots.
- D. University owned appliances within residential spaces should be well maintained including but not limited to regular cleaning and proper use.
- E. Grills of any type are not permitted on campus. There are outside grills located on the campus for student use.

### **Section 4.1- Arson & Fire Safety**

- A. Intentionally or recklessly causing a fire that may result in damage to the premises.
- B. Misuse of fire safety equipment, including transmittal of a false alarm or tampering with smoke/heat detection devices or with extinguishing equipment.
- C. Failure to evacuate during a fire alarm.
- D. Falsely reporting fires, bomb threats or other emergencies (either to LMU personnel or local 911 / police force dispatch personnel), falsely setting fire alarms and the non-emergency use of emergency equipment.

### **Section 4.2- Arson & Fire Safety (Residential)**

- A. Candles, open flame lamps, halogen lamps, and incense are not permitted in rooms
- B. Extension cords are not permitted in residential spaces. Students should use surge protectors.
- C. Items should not be hung or attached to the ceiling as this is prohibited due to fire safety regulations.

#### **Section 5- Bullying or Harassment**

- A. Forms of physical or mental harassment, abuse, threat, and/or intimidation. Any action which intentionally and unreasonably subjects another person to public ridicule. Including but not limited to creating and/or sharing:
  - Information regarding another individual without consent.
  - Digital or photographic image(s) that a reasonable person would find objectable or obscene.
  - Media containing harassing, crude, intimidating, degrading or targeted content towards another individual.

#### **Section 6- Controlled Substances, Drug Paraphernalia, and other Substances**

- A. The use, possession, consumption, cultivation, manufacture, sale, or distribution of illegal drugs or significantly mind-altering substances, pharmaceuticals, drug paraphernalia, or otherwise, (including salvia divinorum, medical marijuana, and synthetic forms of banned substances, including but not limited to, K2, Spice, Black Magic, etc.).
- B. Inappropriate/illegal use or distribution of any pharmaceutical product, including using a controlled prescription medication belonging to another person.
- C. Misuse of a prescription or non-prescription drug whether or not the student has been prescribed the drug.
- D. Being in the presence of others while the above-mentioned drug activity is occurring.
- E. Possession, use or manufacture of drug paraphernalia.

#### **Section 7- Courtesy & Quiet Hours (Residential)**

- A. Student residents are expected to be respectful of other community members during and outside quiet hours and should maintain reasonable noise levels at all times. In the event that a resident is approached about being quiet during quiet hours, students should be courteous to the request and maintain a lower noise level immediately.
- B. Residents are expected to observe quiet hours from 10:00PM-10:00AM, Sunday evenings through Friday mornings. Weekend quiet hours are observed from Friday evening through Sunday morning during the hours of 12:00AM-10:00AM.
- C. During exam periods, a 24-hour quiet period will be enforced beginning the Friday of the last day of classes and ending Saturday morning at the conclusion of Finals Week during the fall and spring semesters.

#### **Section 8- Damage to Property**

- A. Intentional or reckless damage to University property or someone's personal property.  
*See the "Procedures" section of the Residential Section of this Handbook for additional information regarding Residential Damages.*

#### **Section 9- Disorderly Conduct**

- A. Behavior that would be considered unbecoming or which would tarnish the reputation of LMU and/or its constituents.
- B. Behavior that is, reckless, lewd, indecent, obscene and/or disruptive to the educational learning environment.



- C. To be compliant, associated with, or to be present during the act by another that constitutes a violation of Code of Conduct.
- D. To be present, but take no action to confront, prevent, or report a violation of the Student Code of Conduct.

**Section 10- Falsification**

- A. Providing false identification or information with intent to deceive. This includes, but is not limited to, lying, withholding information, forgery, falsification or misrepresentation of documents or instruments of identification, and the obstruction of University's student processing system.
- B. Falsification of University documents of any kind.

**Section 11- Furniture (Residential)**

- A. University-owned residence hall furniture must remain in the designated room. Students are not permitted to move furniture from apartment suite living rooms into a bedroom. Mattresses must remain in assigned bedrooms. Under no circumstances may furniture leave the building or common areas.
- B. Outside furniture is not permitted unless approved by the Office of Residential Housing.
- C. Carpets and rugs are permitted in residence hall rooms as long as they are not affixed to the floor.
- D. Bed risers may not exceed 12 inches and must be designed exclusively to support and raise furniture.

**Section 12- Hazing and Pre-initiation Activities**

- A. Any reckless or intentional act, occurring on or off campus, that produces mental, emotional, or physical pain, discomfort, embarrassment, humiliation, or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected for affiliation or initiation. This includes any activity, whether it is presented as optional or required, that places individuals in a position of servitude as a condition of affiliation or initiation.

Hazing is strictly prohibited by the University. Any individual or organization found in violation of this policy is subject to disciplinary action and/or criminal prosecution. Retaliation against any person who is involved or cooperates with an investigation of hazing is strictly prohibited. If you are aware of an incident of Hazing, you must report such incident to the Office of the Assistant Dean of Students & Director of Student Development.

**Section 13- Identification**

- A. Failure to obtain and wear an LMU ID Card. ID Cards should be worn while on any of LMU's campuses and should be visible on the person.

**Section 14- Noncompliance**

- A. Demonstrating insubordination by failing to comply with the directive of University officials, faculty, and/or staff (including Resident Assistants).

**Section 15- Pets (Residential)**

- A. Non-carnivorous fish are the only pets allowed. Tanks for such fish should not exceed 10 gallons.
- B. Animals are strictly prohibited in the halls, unless authorized under the University's policies pertaining to service animals and emotional support animals.

**Section 16- Public Law**

- A. Being charged with a violation of any local, state, or federal law after admission to and/or while enrolled in a program of study at Lincoln Memorial University.

**Section 17- Sexual Misconduct or Harassment**

- A. An actual or attempted act of sexual misconduct, rape, sexual assault, sexual battery, sexual exploitation, sexual harassment, or other forms of non-consensual sexual activity.

Sexual Harassment is any unwelcome conduct of sexual nature including sexual attention, requests for sexual favors, or other verbal or physical conduct of a sexual nature directed at any individual that is so severe, pervasive, or persistent that it limits the individual's ability to participate in or benefit from an educational program.

**Section 18- Solicitation**

- A. Unpermitted solicitation of funds or services.  
*See Approval Request for Fundraising in the Student Organizations Handbook*

**Section 19- Space Personalization (Residential)**

- A. Residents whose spaces are equipped with personal bathrooms are expected to provide their own toilet tissue and shower curtains with rods.
- B. Residents are responsible for removing any decorations and/or anything else not provided by the University prior to checking out of the room.
- C. Residents are not allowed to use nails, hooks or anything that will put a hole in the wall, peel the paint off or leave marks. Residents are responsible for removing adhesive strips or putty.
- D. Residents are not allowed to paint the walls of their residential space.
- E. Residents are not authorized to perform any type of repair to damages themselves. Maintenance Requests should be submitted in a timely manner to address issues.
- F. String lights used for decoration should not be hot to the touch.
- G. Curtains may be added to the windows if tension rods are used as long as no damage is caused, if damage occurs the resident(s) will be charged. Nothing is permitted to be displayed in or attached to windows and nothing is to be placed between the blinds and the window.

**Section 20- Storage (Residential)**

- A. Storage is not provided for students' personal belongings. All items left in rooms after the student checks out will become the property of LMU to use or dispose of as deemed necessary.

**Section 21- Theft**

- A. Theft of University property or of someone's personal property is strictly prohibited.

**Section 22- Tobacco Usage**

- A. Smoking and all other tobacco usage is prohibited on or in all University buildings/grounds, LMU-affiliated off-campus locations and clinics; and any buildings owned, leased or rented by LMU in all other areas. Tobacco usage includes but is not limited to, the personal use of any tobacco product, whether intended to be lit or not, which shall include smoking tobacco or other substances that are lit and smoked, as well as the use of cigarettes, cigars, cigarillos, pipes, hookahs, electronic cigarettes, or any other nicotine delivery through vapor devices; chewing tobacco; smokeless pouches; any form of loose-leaf, smokeless tobacco; and the use of unlit cigarettes, cigars, and pipe tobacco.

**Section 23- Trash and Cleanliness (Residential)**

- A. Residents are responsible for the cleaning of individual rooms and supplies, equipment, and labor are the shared responsibility of the roommates.
- B. Students should bag their trash, and ensure it is properly disposed of in the designated dumpsters.

- C. Residents are also responsible for contributing to the cleanliness of the hallways, restrooms, and common areas. Items left in common areas will be placed in the trash cans in those areas.

*See the "Procedures" section of the Residential Section of this Handbook for additional information regarding Trash and Cleanliness.*

#### **Section 24.1- Unauthorized Entry**

- A. Entering another student's room, faculty or staff offices, or any other campus facility without permission. This includes unauthorized entry into any facility outside of regular business hours.
- B. Use of another's keys to enter a space without permission.
- C. Duplication or improper use of keys to any University Premises.

#### **Section 24.2- Unauthorized Entry (Residential)**

- A. Residents are not permitted to duplicate, lend, swap, or exchange room and/or suite keys with others.
- B. To ensure the safety and security of students and property, exterior doors must remain closed and locked at all times.

*See the "Procedures" section of the Residential section of this Handbook for additional information regarding Keys.*

#### **Section 25- Guests (Residential)**

- A. ***The Residential Guest policy is designed to balance the needs and interests of all members of the residential community while supporting residence hall safety, resident comfort, student development, academic achievement, and campus community.*** A guest is an individual who is not an enrolled student at Lincoln Memorial University or an individual who is not assigned to live in University housing.
- B. All guests must register with the Office of Residential Housing in order to visit and be present in any residential facility on campus.
- C. Regular Visitation hours for all residence halls is from 8:00AM – 2:00AM on weeknights (Sunday-Thursday). Visitation on the weekends (Fridays and Saturdays) is not limited to specific hours as long as all roommate(s) are amenable to a guest being present in the residential space.
- D. Guests must be escorted by their host at all times regardless of building or residential community. Guests may not be left in residential facilities while hosts are not present. In buildings with a shared bathroom facility (West and Liles), Guests may only use the restroom facilities specific to the guest's gender and only with the host/hostess standing by the outer door.
- E. Guests may not be provided with an access card or key to any residential facility.
- F. Guests are expected to follow all University policies and procedures. Residential Students accept responsibility for the actions and behaviors of their guests. Failure of guests to follow policies could result in a guest being removed from campus.
- G. Children are not allowed in residential facilities at any time. Guests must be at least sixteen (16) years old and present a valid state issued ID that contains proof of age in order to register as a guest.
- H. Family members must register as guests with the Office of Residential Housing. Family members of Residents who are younger than sixteen (16) may register as guests but the resident or another registered family member must be present with the child at all times and the child is prohibited from staying overnight.
- I. Hosts of a guest are responsible for obtaining a temporary parking pass for their guest from Parking Services.
- J. Guests must register as an overnight guest at least five (5) business days prior to planned arrival in order to stay overnight in any residential facility. Roommates must be agreeable to overnight

guest presence. An overnight guest may not stay more than two sequential nights and may not register with a different roommate to extend guest presence. Residential students may not register as an overnight guest of another residential student.

- K. Any person who 1) stays in a residence hall without permission from the Office of Residential Housing; 2) attempts to or actually registers fraudulently in order to avoid room and board costs; or 3) assists another in staying without permission or attempting or actually registering fraudulently may be charged the full cost of room and board for that semester and/or may be suspended.

**Section 26- Windows (Residential)**

- A. Nothing should be hung or thrown from windows.
- B. Windows must not be used to enter or exit a residential space, unless necessitated by an emergency.

**Section 27- Weapons, Firearms, and Dangerous Materials**

- A. Possession, sale, storage, or use of gun ammunition, explosives, weapons, or potentially dangerous and unauthorized recreational equipment (including but not limited to archery equipment, tasers, air-soft guns, or paintball guns) are prohibited
- B. Possession, sale, or use of firecrackers, fireworks and other flammable materials or chemicals which are disruptive, explosive, or corrosive are prohibited.
- C. Possession sale, or use of bladed items over three inches long are prohibited.
- D. Hunting on campus and surrounding parklands or farmlands owned by the University are prohibited.

## **THE CONDUCT PROCESS**

The conduct process relies on the following personnel and committees:

### **VICE PRESIDENT/DEAN, ENROLLMENT & STUDENT AFFAIRS**

The Office of the Dean of Students administers the Code of Student Conduct and Conduct Process for LMU. Incident Reports and Complaints about potential violations of The Code as well as any inquiries concerning the overall conduct process should be directed to the Office of the Dean of Students. This office is located on the 2<sup>nd</sup> floor of the Whitford-DAR building.

### **Assistant Dean of Students & Director of Student Development**

The Assistant Dean of Students is responsible for properly implementing fair conduct procedures and overseeing the administration of the student conduct process. This includes the identification of potential violations of the Code of Conduct, the investigation and presentation of cases on behalf of the University during Hearings, and the investigation and resolution of cases through informal resolution. The Assistant Dean of Students may designate any other appropriate administrator to perform these duties.

### **CONDUCT OFFICERS**

Conduct Officers are administrators designated and trained by the Assistant Dean of Students to resolve incidents via the informal process. A Conduct Officer may find a student responsible for violations of the Code and assign appropriate sanctions.

### **DOCUMENTATION**

When an alleged violation of University policy has occurred, all available documentation shall be compiled and considered as part of any resolution proceedings. Documentation shall include but is not limited to incident report(s), police reports, witness reports, photos, recordings, etc. Incidents that involved Campus Police and Security should include a copy of the police report.

### **DUE PROCESS**

Due process is defined as providing for fair treatment through established rules, principles, and process. Allowing and affording full due process is central to the integrity of all conduct proceedings. Records shall be retained to demonstrate due process.

### **RIGHTS OF STUDENTS**

Students have rights under the conduct process and as incidents are reviewed and resolved to a satisfactory degree as determined by the University. Those rights are herein enumerated:

1. **Right to an Advisor.** Students shall have the right to have a non-attorney advisor of their choosing to be present during meetings with the University. Students may be accompanied by one non-attorney advisor of their choosing throughout all aspects of their case and to all meetings and hearings. The advisor is not an advocate, but rather a source of personal and moral support to the student. An advisor may not be a witness, speak, or otherwise participate on behalf of the student. The Office of the Assistant Dean of Students and Director of Student Development will communicate all information concerning all aspects of the case directly to the student. No information will be discussed with or provided to an advisor absent the student's involvement. Timelines, meetings, hearings, and/or deadlines for submission of materials may not be altered to accommodate an advisor. If the Office of the Assistant Dean of Students and Director of Student Development is resolving a case of student conduct, a parent /guardian, at the discretion of the Assistant Dean of Students or her designee, may also accompany a student in addition to a non-attorney advisor if the advisor is not the student's parent.

2. **Right of Reasonable Notice and Due Process.** Students shall have the right to proper notice and due process through established student conduct procedures. Students shall be reasonably notified prior to a meeting or hearing to resolve an incident of potential violation of conduct. Reasonable notice is considered at least 48 hours in advance of any scheduled meeting or hearing. If a student receives a student conduct citation and wishes to schedule a meeting, the student is responsible for scheduling the meeting. All notices shall be sent to the student's University email address provided through the LMU designated domain. No notice shall be sent to non-LMU email addresses.
3. **Right to Review and be Informed of Conduct Policies.** Students shall have the right to read and review the conduct process and policies associated with student conduct.
4. **Right of Confidentiality.** Student shall have the right to confidentiality as governed by the *Family Education Rights and Privacy Act ("FERPA")* and according to the University's policies and procedures. However, the student has the right to waive confidentiality to the extent permitted by FERPA. (Please be advised that pursuant to FERPA, some exceptions apply such that confidential information may be disclosed without the student's consent — including, but not limited to, instances of health and safety emergencies involving the University, students, or the community.)

#### **INTERIM SUSPENSION**

Interim Suspension is issued in extreme or unusual cases when there is reason to believe, supported by sufficient evidence, that the continued presence of a student on campus presents an immediate danger or threat of harm to himself/herself or other members of the campus community. This may include but is not limited to, threat of disruption of any University operations or activities. Interim Suspension includes the immediate suspension of all student privileges associated with attending the University, including its related functions. A student who has been placed on Interim Suspension may not attend classes, may not participate in any University activities, and may be prohibited from being on University property pending the investigation of potential violations of the Code and outcome issued by a Conduct Resolution Panel.

The student will be provided an Interim Suspension letter that states that the student is either 1) suspended from the university and/or 2) is banned from all or selected campus events, activities or facilities until a Conduct Resolution Panel meeting can be convened. Upon receipt of the interim suspension, if the student is on campus or in university facilities, the student will be expected to vacate campus including their residential space (if they are a residential student). Upon receiving an Interim Suspension letter, the student can immediately request an interim suspension review by emailing a request to the Assistant Dean of Students and Director of Student Development. If the review is granted, the student will be given an opportunity to demonstrate why his or her continued presence on campus does not constitute a threat to themselves, others, or property. As part of the review, the student may be required to submit to an immediate medical/psychological evaluation. If the decision to issue Interim Suspension is upheld, the suspension and/or ban from campus events, activities, or facilities will remain in effect until the Conduct Resolution Panel has convened to review and hear the circumstances of a student's case/incident. The Conduct Resolution Panel meeting determines the outcome and sanctions based on the student's behavior that is the subject of the suspension.

#### **STANDARD AND BURDEN OF PROOF**

In the University's conduct process, a reasonable person's perspective will be used to determine whether the burden of proof has been met. The burden of proof utilized in resolution of incidents through the conduct process is "More Likely than Not."

- The "More Likely than Not" standard allows for a finding of responsibility if it is determined that it is more likely than not that a violation of the Code occurred based on information provided during the process.

The University bears the burden of proving that a student has violated the Code.

### **RESOLUTIONS**

There are two methods by which suspected violations of the Code may be resolved; through Informal Resolution or Formal Resolution

#### **INFORMAL Resolution**

Informal Resolution allows students suspected of a violation of the Code to resolve the violation administratively without going before a Formal Conduct Resolution Panel. Either of the following two approaches may be considered to achieve Informal Resolution:

- **Conduct Citation Letter and/or Fine** – A student may receive a conduct citation letter for some first-time violations as outlined in the Sanctioning Guidelines below. If a student receives a conduct citation letter and/or fine, the student may either 1) request an informal resolution meeting with a Conduct Officer or 2) accept the conduct citation letter as a written warning and pay any applicable fine imposed.
- **Resolution Agreement** – A student shall be provided with a notice to appear before a Conduct Officer. If the student admits appropriate responsibility for the alleged violations, the Conduct Officer and the student may enter into an informal resolution agreement reflecting the agreed upon Code violations. The conduct officer shall assign sanctions appropriate to the agreed upon violation(s) utilizing the conduct sanctioning grid and professional discretion. A disciplinary record will be created reflecting Code violations and sanctions contained in the resolution agreement. There is no right to appeal a resolution agreement. If the student does not admit appropriate responsibility for the alleged violation(s) or if the student does not agree to enter into the resolution agreement proposed by the Conduct Officer, the matter shall be scheduled for formal resolution.

#### **FORMAL Resolution**

If Informal Resolution is not appropriate for the violation or if an informal agreement is unable to be reached, a suspected violation of the Code will be heard formally as outlined below.

- The Assistant Dean of Students and Director of Student Development shall convene a hearing before a Conduct Resolution Panel. The Panel shall be composed of one (1) student and three (3) faculty/staff, for a total of four (4) panel members. The panel members shall be selected from a pool of Conduct Resolution Panel members who are trained regarding the Code of Student Conduct and the Conduct process. In the event any selected panel member has a conflict of interest, the Assistant Dean shall relieve the panel member and select another panel member.
- Conduct Resolution Panel members shall select one of its members to serve as a Chairperson. The Chairperson shall have responsibility for leading and conducting the hearing and for ensuring that all paperwork and outcome materials are promptly returned to the Assistant

- Dean of Students and Director of Student Development. The Chair person shall be a non-voting member.
- The Assistant Dean of Students and Director of Student Development shall serve as the University's advocate during the hearing. The Assistant Dean shall present to the Conduct Resolution Panel information regarding the alleged Code violation(s), including but not limited to written materials, evidence, and any supporting documentation. The Assistant Dean shall ensure the integrity of the formal process is maintained, provide clarification on the process and information presented as needed, and make sanction recommendations, as appropriate. The Assistant Dean shall not serve as a voting member of the Conduct Resolution Panel.
  - During a Conduct Resolution Panel, the student will serve as their own advocate. An advisor may not speak for a student during the hearing. During the hearing, the student will be asked what the student believes to be the student's level of responsibility for violating the Code. The student will also be asked to explain what happened from the student's perspective and also respond to panel member questions. The student will be able to confirm or refute the evidence presented as well as present any additional evidence or witnesses that the student believes is appropriate in the student's defense.
  - If a student is found responsible, the panel shall assign sanctions appropriate to the violation(s) of the Code using the Sanctioning Guidelines. The student will be provided written notice of the outcome and decision of the Conduct Resolution Panel. A disciplinary record will be created reflecting Code violations and sanctions determined by the panel.

Regarding Resolutions, it should be noted that the following includes the governing standards for determining how student behavior will be assessed:

- Formal Resolution hearings shall be audio recorded for purposes of making a record of the hearing. The Panel members' deliberation discussions shall not be audio recorded.
- If a student fails to attend an informal or formal resolution meeting, the hearing will proceed in the student's absence.
- Attempts to commit a violation will be deemed as serious as actually committing the act.
- When it is determined that a violation of the Code of Student Conduct occurred at an individual's residence, all residents may be held accountable unless compelling information, as determined by the conduct officer, is presented during adjudication of the case.
- Unless specifically stated within the definition of a violation, intent is not an element in determining responsibility, but it will be considered in the enforcement of sanctions.
- University officials may be notified of conduct violations prior to the final resolution and outcome. Such officials include, but are not limited to, Academic Deans, Coaches, and Advisors of Co-Curricular activities.
- In accordance with FERPA, University officials may notify parents, or designated legal guardians, regarding violations of law or institutional policy governing use or possession of alcohol or controlled substances if the student is under 21 and after the institution has determined a conduct violation with respect to said use or possession.



### APPEALS

A student may request to appeal a determination made by the Conduct Resolution Panel. Students requesting appeal must submit the request in writing to the VP/Dean of Students within three (3) business days of receipt of the Conduct Resolution Panel determination. The VP/Dean of Students will review the request for appeal and determine if the request should be granted or denied. A request for appeal shall only be granted where it is clearly demonstrated in the student's request for appeal that one of the following circumstances exists:

- ***New Information*** – There is new information that was not allowed or that was unable to be presented or that may have been unavailable at the time of the formal resolution hearing that could have altered the outcome if the information had been considered by the Conduct Resolution Panel.
- ***Extraordinarily Disproportionate Sanctions*** – The sanctions imposed are excessively harsh or unreasonable based on the circumstances.
- ***Flaw in the Process*** – There was a clear flaw in the Conduct process that may have resulted in an inappropriate outcome.

Mere disagreement with the Panel's determination is not grounds for an appeal. If a request for appeal is denied, the Student shall be notified in writing. If a request for appeal is granted, the VP/Dean of Students shall work with the chair of the Student Appeals Committee to convene a Student Appeals Committee (within 5 business days) to review the matter. The student shall be notified in writing.

The Appeals Committee shall consist of:

- Appeals Committee Chair (Non-voting);
- One Senior Administrator;
- One Academic Dean Representative; and
- One Student Representative

When deemed appropriate, the VP/Dean of Students may designate an alternate non-voting Chair. A review by the Appeals Committee is not an opportunity to re-hear the matter. Rather, the Appeals Committee is charged with reviewing the information to determine if the matter should be sent back to the Conduct Resolution Panel for rehearing due to the circumstances set forth in the Student's request for appeal. The Appeals Committee shall review all documents, written materials, and evidence presented at the Formal Resolution hearing. The Appeals Committee shall also have access to the audio recording of the hearing. The Appeals Committee may, at their discretion, choose to call witnesses to provide clarification regarding documents, written materials, and evidence as necessary.

The Appeals Committee may either overturn or uphold the Panel's determination as follows:

- **OVERTURN** (*with feedback and direction*): This decision indicates that the Appeals Committee found evidence to support that the case should be heard again. The Appeals Committee will send the case back to the Conduct Resolution Panel for rehearing. The Appeals Committee will provide to the Conduct Resolution Panel feedback and direction in writing to help ensure that certain items are addressed and resolved in the rehearing. The rehearing determination may not be appealed.
- **UPHELD** – This decision indicates that the Appeals Committee did not find evidence to support that the case should be heard again and that the Panel's determination should stand.

**CONDUCT STANDING**

An active conduct record is defined as one in which any case(s) remain open. Conduct records shall be closed when all sanctions are completed and fulfilled.

An active conduct record may affect student applications, leadership positions, and/or awards while a student is enrolled. Upon graduation or departure from the University, an active conduct record could result in the student account being placed on hold, thus limiting access to transcripts or student records.

**ALTERATION OF PROCESS**

The Office of the Assistant Dean of Students and Director of Student Development reserves the right to alter the conduct process during the summer months and/or when school is not in session in order to address conduct issues in a timely manner. This alteration in process may include but is not limited to use of distance technology, extension of outlined timeframes to accommodate lack of personnel, etc.

## SANCTIONING GUIDELINES

### INTRODUCTION

The Code of Student Conduct Sanctioning Guidelines have been developed by a representative committee of faculty, staff, and students to offer general sanctioning guidelines for violations of the Code and to ensure a level of consistency among conduct officers and hearing panels when issuing sanctions. While it is sound practice for conduct officers and hearing panels to sanction within the established guidelines, the following recommendations are not designed or intended to be prescriptive. Conduct officers and hearing panels are empowered by the Code to utilize their professional judgment when weighing relevant aggravating or mitigating factors, if any. These officers may determine if any deviation from the minimum standard sanctions outlined in the attached sanctioning grid are appropriate.

### GOALS

Consistent with the mission, vision, values, and bylaws of Lincoln Memorial University, sanctions are and should be designed to support the learning environment through achievement of the following goals:

- To **Reestablish Order and Repair the Harm**. This involves considering the common good, and sometimes may necessitate the temporary or permanent removal of the student from the University community.
- To **Reimburse and/or Restore the Student**. This involves returning the student to good standing within the University community, provided the safety of the community is not jeopardized by the student's presence; and/or to Reimburse the community for costs that may be associated with address in a situation
- To **Reflect**. This allows the student to think about their actions and the impact that their actions may have had upon themselves, others, and the University community.

## SANCTION TYPES

### REESTABLISH AND REPAIR

Students may receive sanctions focused on reestablishing order within the community and repairing the harm caused by a student. These sanctions follow different tracts related to a student's enrollment status at the University and a student's housing status at the University.

Specifically, these types of sanctions may include:

- Conduct Citation
- Informal Meeting
- Probation
- Suspension (*Recommendation*)
- Expulsion (*Recommendation*)
- Dismissal from a course/class (*Recommendation*)
- Housing Relocation
- Removal from Housing
- Loss of Privileges

### REIMBURSE AND/OR RESTORE

Fines and restitution may be used as one method to help to restore the student to good standing within the University community impacted by the student's behavior. While there are not specific fines outlined in the Sanctioning Guidelines for each code violation, students may be billed for the actual repair and/or replacement cost associated with damage to real or personal property, in addition to any other sanction imposed. Other restorative methods may also be considered to assist in restoring the student to good standing with the University.

### REFLECT

Consistent with the Code of Student Conduct's purpose to provide a structure to hold students accountable for their actions and decisions in an effort to educate and transform future behavior on campus, reflection and developmental sanctions are used in conjunction with other sanctions to balance individual accountability with educational opportunities for the student

Reflection and developmental sanctions cannot be assigned via a "one-size fits all" standard since each student possesses a unique set of characteristics that may contribute to his/her behavior. These sanctions are structured by the conduct officer or hearing board to allow each student the best opportunity to reflect, gain new information, and consider more deeply how his/her behavior impacts him/herself and the community. As a result, examples of these sanctions, including educational projects, may include, but are not limited to:

- Alcohol & Drug Education Programs
- Apology Letters
- Mentoring Meetings
- Educational Projects
- Reflection Papers
- Referrals to Campus Resources
- Restorative Service Hours

## SANCTIONING CONSIDERATIONS

### AGGRAVATING FACTORS

An aggravating factor is a circumstance, or set of circumstances, that may result in more significant sanctions for a violation of the Code. Examples of an aggravating factor may include, but are not limited to:

- Nature and Severity of the Incident
  - Committing multiple violations of the Code during a single incident;
  - Committing a violation of the Code that results in significant injury, trauma, and/or harm to another person, property, and/or the University community.
  
- Alcohol and Other Drugs
  - Committing a violation of the Code while under the influence of alcohol and/or other drugs;
  - Committing a violation of the Code in connection with participating in a high-risk drinking activity, such as binge drinking, drinking games and/or using alcohol-related paraphernalia (e.g. beer funnels/bongs, alcohol luges, paint sticks, shot skis)
  - Causing or requiring others to engage in such behaviors associated with alcohol and/or drugs
  
- Prior Student Conduct History
  - Committing multiple violations of the Code throughout the student's tenure at the University;
  - Committing a violation of the Code while on an active sanction (Until any sanction is completed, it is considered "active.")
  
- Bias-Related Conduct
  - Committing a violation of the Code which demonstrates clear bias against another individual;

Bias related conduct is defined as and refers to language and/or behaviors which clearly demonstrate intentional bias, unfairness, against an individual (or group of individuals) because of, but not limited to, and individual's actual or perceived:

- Color
- Disability
- Ethnicity
- Gender
- National Origin
- Race
- Religion
- Sexual Orientation

Bias related conduct is intolerable in view of the University's commitment to respect for all members of the community and may be considered an aggravating factor for any violation of the Code, regardless of the seriousness of the violation.

- Retaliatory Conduct
  - Committing a violation of the Code against another individual that is motivated by that individual's involvement in the filing or investigation of a student conduct complaint.

### **MITIGATING FACTORS**

A mitigating factor is a circumstance, or set of circumstances, that may merit consideration of a lesser sanction. Examples of a mitigating factor may include, but are not limited to:

- Nature and Severity of the Incident
  - Committing a violation of the Code that was in self-defense and/or defense of others.
- Risk and Harm
  - Committing a violation of the Code that did not pose any direct risk and/or harm to an individual, property, the University, or the broader community in which we live.
- Accountability & Responsibility
  - Committing a violation of the Code, but exhibiting a significant amount of cooperation with University and public officials responding to the incident.

Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 1- Abuse	<b>Reestablish and Repair</b>	Suspension	Suspension or Expulsion	Expulsion
	<b>Reflect</b>	Reflection Paper	Consistent with Circumstances	N/A
Section 2.1- Alcohol	<b>Reestablish and Repair</b>	Consistent with Circumstances	Probation	Suspension
	<b>Reflect</b>	Alcohol Education Course	Consistent with Circumstances	Consistent with Circumstances
Section 2.2- Alcohol (Residential)	<b>Reestablish and Repair</b>	Consistent with Circumstances	Probation	Suspension
	<b>Reflect</b>	Alcohol Education Course	Consistent with Circumstances	Consistent with Circumstances

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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 3- Appliances (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reflect</b>	N/A	N/A	N/A
Section 4.1A- Arson <i>(Intentional Reckless Causing of a Fire)</i>	<b>Reestablish and Repair</b>	Suspension	Expulsion	N/A
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	N/A
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	N/A
Section 4.1B- Arson <i>(Tampering or misuse of Fire Equipment)</i>	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances



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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 4.1C Arson <i>(Failure to Evacuate During an Alarm)</i>	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 4.1.D Arson <i>(Falsely reporting fire, bomb threats, etc)</i>	<b>Reestablish and Repair</b>	Suspension	Expulsion	N/A
	<b>Reflect</b>	Reflection Paper	N/A	N/A
Section 4.2- Arson & Fire Safety (Residential) <i>(Candles, inappropriate extension cords, etc)</i>	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances

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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 5- Bullying or Harassment	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 6- Drugs	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	N/A
Section 7- Courtesy & Quiet Hours (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reflect</b>	Restorative Service Hours	Restorative Service Hours	Restorative Service Hours

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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 8- Damage to Property	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 9- Disorderly Conduct	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 10- Falsification	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances

Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 11- Furniture (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property
	<b>Reflect</b>	N/A	N/A	N/A
Section 12- Hazing	<b>Reestablish and Repair</b>	Suspension	Expulsion	N/A
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	N/A
Section 13- Identification	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reimburse and/or Restore</b>	Cost of New ID	Cost of New ID	Cost of New ID
	<b>Reflect</b>	N/A	Meeting with Campus Police	Consistent with Circumstances

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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 14- Noncompliance	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 15- Pets (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reimburse and/or Restore</b>	Minimum \$150 fine <i>(in addition to actual cost for any damages)</i>	Minimum \$150 fine <i>(in addition to actual cost for any damages)</i>	Minimum \$150 fine <i>(in addition to actual cost for any damages)</i>
	<b>Reflect</b>	Restorative Service Hours	Restorative Service Hours	Restorative Service Hours
Section 16- Public Law	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances

Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 17- Sexual Misconduct or Harassment	<b>Reestablish and Repair</b>	Suspension	Expulsion	N/A
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	N/A
Section 18- Solicitation	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 19- Space Personalization (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances

Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 20- Storage	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	N/A	N/A	N/A
Section 21- Theft	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 22- Tobacco Usage	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances

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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 23-Trash & Cleanliness (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reimburse and/or Restore</b>	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property	Actual costs for damages to real or personal property
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 24.1- Unauthorized Entry	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 24.2- Unauthorized Entry (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances



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Violation	Type of Sanction	1st Violation	2nd Violation	3rd Violation
Section 25- Guests (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 26- Windows (Residential)	<b>Reestablish and Repair</b>	Written Warning	Probation	Suspension and/or Eviction
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	Consistent with Circumstances
Section 27- Weapons	<b>Reestablish and Repair</b>	Probation	Suspension	Expulsion
	<b>Reflect</b>	Consistent with Circumstances	Consistent with Circumstances	N/A