

# Thomas University

Volume V

## Student Handbook & Policies



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## **5.1. General Information**

### **5.1.1. Administrative Services**

**General Administration.** The Administrative Team of Thomas University consists of the President, Senior Vice President for Finance and Administration, Vice President for Institutional Advancement, Vice President for Enrollment Management, Vice President for Student Life, Associate Vice President of Academic Affairs, Athletic Director and Director of Institutional Effectiveness.

All administrative offices are open Monday through Thursday from 8 a.m. to 6 p.m. and on Friday from 8 a.m. to 5 p.m.

#### **Student Life Administration.**

The Vice President for Student Life, whose office is located on the Magnolia Campus in the Student Life Building, is responsible for administrative oversight of university housing and residential life, student clubs/organizations, student activities, career center, and other initiatives designed to enhance the experience of Thomas University students outside the classroom.

#### **5.1.1.1. Student Responsibilities**

Students must assume full responsibility for understanding the policies, procedures, rules, and regulations of the university. Students who accept an offer of admission to Thomas University are expected to be responsible citizens of the university and community, to respect the rights of others, and to observe Federal, State, and local laws.

### **5.1.2. Academic Services**

#### **5.1.2.1. Academic Advising and Assistance**

Students are assigned to an academic advisor who will assist in identifying a progression of courses and determining the appropriate classes to take each semester. Advisor will be assigned at the time of matriculation to Thomas University. Students should discuss their academic progress and any concerns they may have with their advisor on a regular basis.

If you are having academic difficulty, your professor is the best resource for resolution. In addition to specific advice or assistance, your professor can inform you of other available support.

#### **5.1.2.2. Orientation**

On-campus New Student Orientation is conducted prior to the beginning of the Fall semester for all students new to Thomas University. All students new to Thomas University (Fall semester) are required to attend New Student On Campus Orientation (except students who are only online students or take classes at another site). For more information regarding orientation, contact the Associate Vice President of Enrollment Management or the Vice President for Student Life. Online orientation is provided for all students new to Thomas University who matriculate in either Spring or Summer semester.

#### **5.1.2.3. Student Support Services**

Student Support Services provides academic services such as peer tutoring, remedial courses, and academic advising. Tutors are available in most subjects. Students must meet Federal regulations and be accepted into a program of study to participate in Student Support Services.

#### **5.1.2.4. Academic Resource Center**

The Thomas University Academic Resource Center, located on the Forbes Campus in the Magnolia Building, provides individual tutoring and group workshops to help students develop the language, research, and math skills and strategies necessary to become confident, active, and independent learners. Hours of operation are posted each semester on the [university web site](#).

### **5.1.2.5. Library**

The Library is located on the east end of the Forbes campus in the academic complex. The Library has two computer rooms with updated and networked microcomputers for student use. Copying services are available to students in the library for a nominal fee. For additional information regarding the library's main collections, media and journal/periodical collections, equipment and data bases refer to the following link <http://www.thomasu.edu/Content/Default/14/4903/206/library/about/collections.html> .

Students at Thomas University may check out library materials by displaying their Thomas University Student ID card. There is a daily fine for overdue materials. If you lose library materials, you will have to pay replacement cost, a processing fee, and any fine that might have accrued.

Information regarding Library hours, schedule, contact information, and special hours for holidays and academic breaks are located on the following link: <http://www.thomasu.edu/Content/Default/14/64/0/library/library.html>.

### **5.1.3. Registrar's Policies**

#### **5.1.3.1. Registration**

The Office of Student Success is the best source of information about Registration. Consult the Thomas University Academic Calendar for the appropriate dates each semester. All tuition and fees are due one week after drop/add. If a student does not have sufficient financial aid or a third party amount to completely pay their tuition and fee charges, they may sign up for a payment plan. Students will be withdrawn from all classes if the account is not paid in full or a payment plan established by one week after drop/add. Refer to the catalog and/or website for semester-specific deadlines. For more information on tuition and fee payments, contact the Business Office".

#### **5.1.3.2. Changes in Schedule**

##### **Drop/Add**

A Drop/Add period is held at the beginning of each term (16 week, 5 week, 8 week, & 10 week) to allow for changes in course schedules during the first week of classes. Students must contact their advisors to make changes to their schedule. A Student cannot add or drop a course after the Drop/Add period ends. Consult the Thomas University Catalog for Drop/Add dates.

Students who do not attend the first day of class or login to an online class will be dropped from the course.

##### **Withdrawing from courses**

Students may withdraw from a course following the drop/add period until the 60% mark of the semester as designated on the academic calendar, and after conferring with an advisor. It is the student's responsibility to meet with his or her advisor for review and approval. If a student wishes to withdraw from a course with a "W" as the grade, the request must go through the student's advisor for review and approval. Advisors submit a withdrawal online form to the Registrar. Students who fail to withdraw officially using the formal withdrawal process will receive a grade of "F" in courses for which they have registered.

A withdrawal before midterm is non-punitive, and a grade of "W" is assigned. Students will not be allowed to withdraw after the withdrawal date published on the academic calendar. However, in cases of extreme hardship and/or extenuating circumstances where an incomplete is not warranted, a student may petition for withdrawal by completing the appropriate forms, obtaining required signature from the Chief Academic Officer, and forwarding the form to the Registrar's office. The student must have been passing the course at the time of the withdrawal petition. If approved, the Registrar may assign a grade of "W." An instructor may administratively withdraw a student from class at any time during the semester for failure to attend. See the Thomas University Catalog for details.

### 5.1.3.3 Academic Transcripts

The Registrar's Office is responsible for maintaining the official transcript of your academic work. You may request a copy of your academic transcript by completing a request form available from the Registrar, or online.

Any delinquency in bookstore charges, residence life fees/fines, graduation fees or library fine payments will cause transcript service to be withheld until all accounts have been cleared.

Official transcript requests are \$5.00. The fee must be paid before the official transcript will be prepared.

### 5.1.3.4 Disclosure of Student Records

Thomas University complies with the Family Educational Rights and Privacy Act of 1974 ("Buckley Amendment," 20 U.S.C. 1230, 1232 g) to better guarantee the rights of privacy and access to student records.

Generally, schools must have written permission from the student to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date, and place of birth, honors, and awards, and dates of attendance. However, schools must tell students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify students annually of their rights under FERPA.

Thomas University students and alumni have the right to inspect their educational records by submitting a written request twenty-four hours in advance. The right of inspection includes academic records and related support documents maintained in the registrar's office, student support services, the business office, and/or the financial aid office.

### 5.1.3.5 Academic Requirements for Financial Aid

The United States Department of Education and Federal law, as described in Part 668.18 (e) of the Student Assistance General Provisions, mandates institutions of higher education to establish and enforce standards of "satisfactory progress" for students receiving financial aid. Thomas University makes these standards available to all students and the Office of Financial Aid adheres to all applicable regulations. For additional information, contact the Office of Financial Aid.

**Time Limits of Degree Programs.** Be sure to determine the time allowed to complete all work for your degree program. This information is available in the Thomas University Catalog.

**Probation.** If your cumulative grade point average after the first semester is below the minimum level indicated for satisfactory academic progress, you will be placed on Academic warning.

**Removal from warning.** Students will clear warning status when their cumulative grade point average is at the level

specified in the Thomas University Catalog. Students may continue attending classes while on warning if they maintain a semester grade point average of 2.0 or higher during the probationary term.

**Financial Aid Suspension.** In the event you fail to maintain satisfactory academic progress as defined above, and you are receiving financial aid, you also will be placed on financial aid suspension. If you fail to meet the minimum standards while on financial aid warning, all financial aid will be suspended. Students whose financial aid has been suspended, and who leave the university, will not be eligible for financial aid until the qualitative and quantitative criteria for financial aid are satisfied.

Specific guidelines for maintaining financial aid eligibility and guidelines for appeal and reinstatement of aid can be found in the [Thomas University Catalog](#).

The termination of eligibility to receive financial assistance has no effect on the right of a student to enroll at Thomas University.

### **5.1.3.6. Veterans and International Students**

The Registrar is responsible for certification and eligibility services for international students. Any student requiring assistance in processing paperwork should contact the Registrar in the Campus Center Building.

The Senior Financial Aid Counselor is responsible for certification and eligibility services for Veterans. Any veteran student requiring assistance in processing paperwork should contact the Senior Financial Aid Counselor in the Enrollment Services Building.

### **5.1.3.7. Graduation**

Degrees will be conferred summer, fall, and spring, upon the recommendation of the faculty, to students who have successfully completed all program requirements. One commencement ceremony for all students graduating in summer, fall, and spring of an academic year is conducted following spring semester. All students completing graduation requirements during this period are [encouraged](#) to participate in the ceremony.

Students who expect to graduate must do the following:

1. Complete the Graduation Application located in the Registrar section of the website. Deadline for fall graduates is March 1st, spring graduates October 1st, and summer graduates December 1st. The Graduation Application begins the degree audit process to be sure all academic requirements have been met
2. Pay graduation fees by the payment deadline of the term in which a student is graduating
3. Clear all accounts in the Business Office
4. Official transcripts and diplomas will not be provided until all requirements have been met.

## **5.2. Student Services**

### **5.2.1. E-Bookstore**

Once you have secured your semester schedule, you will need to purchase your textbook. The TU online bookstore is located on <http://bookstore.mbsdirect.net/thomasu.htm>.

1. Log in to your TU Bookstore account (The link to log in is located on the upper left under the Thomas University logo). If you are a new student and/or you have never used the online bookstore, you will need to set up an account. Please be sure to use your entire student email address and a password that you will remember.
2. You can either shop by schedule using your complete student ID (A00000 \_ \_ \_ \_ \_) or shop by adding individual classes.
3. Select which books you would like to purchase, choose “no thanks” for the ones you do not wish to



purchase. Click to add items to your cart. Proceed to checkout.

4. Follow the on-screen instructions to complete your purchase.
5. Your payment options include credit, debit, PayPal, and TU Student Account.

If you are using your Student Account, you must then enter your Student ID and Password

Student ID: (A00000 \_ \_ \_ \_ \_)

Password: (Firstname.Lastname) (capitalizing first letter of each name)

\*Please Note: Student Accounts and Financial Aid in the Bookstore expire on a set date each semester (the expiration date is typically the last day of the semester's first week). You will be notified of the dates via your TU student email address.

\*You are not required to purchase your textbooks through the Blackboard Store.

## **5.2.2. Financial Aid**

Thomas University is committed to providing access to higher education for those individuals who will benefit from this experience. The university realizes that the cost of attending an institution of higher learning can sometimes be financially prohibitive. Therefore, Thomas University is committed to extending financial aid assistance to qualified students through federal and state grants, athletic and institutional scholarships, corporate and community organizational scholarships, and private donors. Guidelines for applying for financial assistance are detailed in the [Thomas University Catalog](#), on the [Thomas University Financial Aid website](#), or by visiting the Office of Financial Aid in the Enrollment Services Building for further information.

### **5.2.2.1. Time Limit for Financial Aid**

**Time Limit for Financial Aid.** Students will be permitted to receive financial assistance until graduation or until exceeding the maximum amount of credit hours allowed to graduate. A student may receive financial aid not to exceed 150% of the total hours required for his or her degree.

Students taking development courses (those courses with prefix number 100 or less) may receive financial aid not to exceed 30 semester hours of required developmental courses.

### **5.2.2.2. Financial Aid Notification**

The Office of Financial Aid will notify, by letter, any student receiving financial assistance who does not meet minimum satisfactory progress standards or who is being placed on financial aid suspension. This notice will be addressed to the student's most current address on file with the Office of Financial Aid.

Students who lose their eligibility for financial aid have the opportunity to appeal for reinstatement with the Director of Financial Aid.

## **5.2.3. Food Services**

Food Service is an ancillary program provided by Thomas University. The Director of Food Services is responsible for the operation of the Hawk's Nest dining hall. The Hawk's Nest provides breakfast, lunch, dinner, and snack options Monday through Thursday for resident and commuting students, staff, and community customers. The dining area in the Campus Center seats 60 to 100 persons. The adjoining terrace on the east side of the building greatly enlarges both the seating and serving capacity when the weather permits.

The dorms located on the Magnolia Campus have a kitchen area located in the common area in each quad for those students living in these dorms. The kitchen area includes a microwave, range, and oven, refrigerator with icemaker, cabinet space, table and chairs.

Students living in the Pinetree Residence Hall have a meal plan built into the cost of their housing. This plan consist of two meals per day, breakfast and dinner, which is served five days a week. Meals offered at the Pinetree Residence Hall will also be available to other TU students.

## 5.2.4. Health Services

Students are expected to have their own family physicians and arrange for any necessary health insurance.

There is no university health clinic; if an emergency arises, Archbold Memorial Hospital is located four blocks from the university campus.

First-Aid kits are available in the Enrollment Services Building, business office, library, campus center, and science labs for emergency use. Students requiring emergency medical treatment will have their families contacted to provide transportation home or to a medical facility. In the event the student's family cannot be contacted or cannot provide transportation, an emergency medical service unit will be called. Students are responsible for all expenses incurred.

### 5.2.4.1. Immunization Policy

Students residing in University Housing are required to have a record of immunization in file in the Office of Student Life. Students in the Nursing and Medical Laboratory Science programs are also required to have a record on file with the Nursing Department. Measles, mumps, and rubella immunizations are required. Tetanus- diphtheria, varicella, hepatitis B, and meningitis vaccinations are recommended. Georgia law requires that you receive a meningitis vaccination or waive this immunization. Residential students failing to submit necessary documentation may be prohibited from entering campus until such paperwork is received. The record of immunization for university housing students is kept on file and will be valid throughout the tenure of the student's enrollment. This policy is in place to protect students against communicable diseases that are preventable and to reduce the likelihood of an epidemic or threatened epidemic on the Thomas University campus.

Students living in University Housing must submit a [Certificate of Immunization](#) to Thomas University Office of Student Life 1501 Millpond Road Thomasville, GA 31792 or Fax: 229-584-2434.

## 5.2.5. Career Center

The Career Services is a resource for both current students and alumni of Thomas University. We strive to assist students start preparing for their future career as early as possible. The staff is available to assist students through various assessments, résumé building and developing interview skills. We also assist with making connections with potential employers. This is accomplished by organizing on-campus employer visits and an annual career fair here on the TU campus. The Career Center provides the following services:

- Resume Writing and Cover Letters
- Mock Interview Training
- Career Fairs
- Career Counseling
- Networking
- Internship Opportunities
- Job Search Assistance

## 5.2.6. Campus Bulletin Boards

Any person or representative of any group, organization, institution, company or business wishing to use the bulletin boards must abide by the following rules:

- Items posted must have information about goods, services, or activities that have a direct benefit to TU students
- Individuals posting items are responsible for the removal of the item upon the termination date
- Care should be taken not to cover other posted items
- Personnel from the Office of Student Life will remove any posters that do not meet the above requirements.

## **5.2.7. Internet Services**

Our goal in providing network services to students is to promote educational excellence at Thomas University by facilitating resource sharing, innovation and communication. Students have access to e-mail communication, information and news, public domain and shareware of all types, and discussion groups on an ever-increasing range of topics.

### **5.2.7.1. Internet Usage Policy**

Thomas University provides Internet access to all enrolled students, faculty and staff. The purpose of Thomas University Internet access is to support education by providing access to unique resources and the opportunity for collaborative work.

Use of Thomas University Internet access must be for academic activities consistent with the educational objectives of Thomas University. Use of another organization's network or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any U. S. or state regulation is prohibited. This includes, but is not limited to, copyright materials, threatening or obscene materials, or material protected by trade secret. Use for commercial activities is not acceptable. Use for product advertisement or political lobbying is also prohibited.

More information related to acceptable use of Thomas University Internet access is available in the Thomas University Catalog.

### **5.2.7.2 Acceptable Use**

The purpose of Thomas University network access to the internet is to support education by providing access to unique resources and the opportunity for collaborative work. Use of the access must be for academic activities consistent with the educational objectives of Thomas University. Use of another organization's network or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any U. S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Use for commercial activities is not acceptable. Use for product advertisement or political lobbying is also prohibited.

### **5.2.7.3 Netiquette**

You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:

- Limit use to one hour if others are waiting.
- Be considerate in your choice of sites and graphics. The viewing of sexually explicit materials may constitute sexual harassment under federal law.
- Be polite. Do not get abusive in your messages to others.
- Use appropriate language. Do not swear, use vulgarities, or use any other inappropriate language. Illegal activities are strictly forbidden
- Do not reveal the personal address or phone numbers of students or colleagues.

Note that e-mail is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities. Do not use the network in such a way that you would disrupt the use of the network by other users. All communications and information accessible via the network should be assumed to be private property of the university.

### **5.2.7.4 Security**

Security on any computer system is a high priority, especially when the system involves many users. If you feel you can

identify a security problem on the internet, you are required to notify an administrator. Do not demonstrate the problem to other users. Do not use another individual's access without written permission from that individual. Attempts to log onto the internet as a system administrator will result in cancellation of user privileges.

### **5.2.7.5 Internet Vandalism**

Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, internet, or other networks that are connected to the internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.

### **5.2.7.6 File Sharing Policy**

TU affirms its compliance with copyright and information security laws. The University prohibits the use of the TU's network and information technology resources for illegal activities. Examples of relevant TU policies and resources include the E-Mail Policy, CNS Acceptable Use Policy, Digital Millennium Copyright Act Policy, Peer to Peer File Sharing Policy, Copyright and Fair Use web page, and the Student Handbook.

It's a violation of U.S. Copyright Law and University policies to illegally share copyrighted material over the University network, including through the use of e-mail, web pages, and peer-to-peer file sharing software. This applies to University owned computers as well as personally owned computers if they are accessing the University network. Please be sure that you have rights for any material you are making available or sharing on the University network.

TU may terminate the network access and accounts of users who are found to have repeatedly infringed the copyrights of others. TU complies fully with the federal Digital Millennium Copyright Act of 1998 ("DMCA") and has in place the mandated process for receiving and tracking alleged incidents of copyright infringement.

The unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject you to disciplinary action as well as civil and criminal liabilities. A summary of the civil and criminal penalties for violation of Federal copyright laws is as follows:

1. The infringer may be required to pay the actual dollar amount of damages in an amount equal to the profits gained from the infringement or, alternatively, pay what are termed "statutory damages". Statutory damages can range from \$750 to \$30,000 for each work infringed, unless the court finds that the infringement was willful. In such cases, the maximum penalty is increased to \$150,000.
2. The court may also award attorney fees and court costs, issue an injunction to stop the infringing acts and impound the illegal works.
3. The infringer can be sent to jail for up to 10 years.

Under the law, it is not necessary to establish that the infringer made a profit from the infringement in order to establish liability for the infringement. Therefore, liability can be imposed for common illegal peer to peer file sharing, for example the improper downloading of music and video files, even if the infringer has not gained a profit from the illegal activity. For Users who distribute any quantity of copyrighted materials, or advertise their services to Users even though they receive no financial benefit, they may also be subject to criminal investigations and incarceration.

Open the following link for the full text of Chapter 5 of the Copyright Law of the United States of America, "Copyright Infringement and Penalties" <http://copyright.gov/title17/92chap5.html>.

### **5.2.8. Thomas University Identification Cards**

The Office of Student Life is responsible for assisting Thomas University students, faculty and staff members in obtaining their official Thomas University Identification Card. This identification card is necessary in order to check out resource materials from the library or other campus offices, attend student activities on campus, meal plan purposes, receive discounts from local businesses, and for general campus identification and security purposes. The Thomas University

Identification Card (ID) is considered to be an “official” identification resource.

All students who use on-campus resources or attend one or more classes on campus are required to obtain an ID. Students should have their ID card on them at all times while on campus. In order to obtain an ID card, you must present a current course schedule, your valid TU student ID number, and one form of valid, government-issued identification (driver’s license, passport, etc.). ID pictures will be taken in person. ID cards are issued throughout the course of the academic year by appointment only. Students should have their ID cards validated at the **beginning of each academic semester (Fall 2018, Spring 2019, etc.)**. To have an ID card validated, you must present a course schedule for the current semester. The University provides the first ID card as part of the student fees; however, cards can be replaced for a \$5 fee.

Off-site and online only students may obtain an ID card upon request.

All faculty and staff members are also required to obtain an ID. Faculty and staff should have their ID card on them at all times while on campus. In order to obtain an ID card, you must present valid documentation noting University employment and one form of valid, government-issued identification (driver’s license, passport, etc.). ID pictures will be taken in person. ID cards are issued throughout the course of the academic year by appointment only. Faculty and staff should have their ID cards validated at the **beginning of each academic year (Fall 2018, Fall 2019, etc.)**. To have an ID card validated, you must present valid documentation noting University employment for the current academic year. The University provides the first ID card; however, cards can be replaced for a \$5 fee.

### **5.2.9. Resource Center for Students with Disabilities**

Thomas University is committed to the requirements of making all programs, services, and facilities accessible to and usable by individuals with disabilities in order for students to obtain maximum benefit from their educational experience. Resource Center staff members are available to assist students with disabilities and may serve as liaisons with faculty, staff, and local agencies on behalf of expressed need for accommodation.

Students with disabilities are responsible for making sure that the Thomas University Office of Disability Support Services is made aware of his/her disability requiring accommodation in his/her educational process. Any student requiring assistance beyond the regular classroom needs to speak with the instructor about the nature of the disability at the beginning of the term. Not all disabilities are obvious and may require documentation, as is the case with learning disabilities. Students with disabilities should contact the Director of Disability Support Services. Students are responsible for requesting accommodations in a timely manner so that instructors, professors, and coordinators may plan for those accommodations, for more details see Academic Accommodations for Students with Disabilities in the Thomas University Catalog.

The university campus is accessible and special parking is available. For information and assistance, students should contact the Thomas University Resource Center for Students with Disabilities at (229) 226-1621 ext. 1149.

## **5.3. University Housing and Residence Life**

Thomas University maintains University Housing facilities that are designed to promote quality living and learning experiences for our students. Students requesting Thomas University Housing accommodations should contact the Housing Manager or complete the Housing Application found at <https://www.thomasu.edu/student-life/campus-life/housing/>.

The guidelines established for students living in University Housing are in APPENDIX A.

University Housing residents are subject to a Code of Discipline, which can be found in APPENDIX B.

### **5.3.1. First and Second Year Residency Policy**

Students classified academically as a freshman or sophomore, who are full time degree-seeking students are required

to live in University housing. In general, first year undergraduates are assigned to the Pinetree Residence Hall. However, because of limited space, assignments are made on a first come first served basis.

Students may apply for an exemption to the residence requirement. For more information, please contact the Office of Student Life or complete the form located on <https://www.thomasu.edu/student-life/campus-life/housing/> and submit to the University Housing Manager.

## **5.4 Student Conduct and Discipline**

The University has the right and responsibility to develop policies and procedures that protect its educational purpose and objectives by setting standards of conduct. The principles and procedures established for student conduct and discipline have been adopted to protect students and the academic atmosphere of the University. Students are guaranteed certain rights within these policies and procedures.

### **5.4.1 Student Bill of Rights**

**Right to Academic Freedom:** Students have the right to seek knowledge in an environment conducive to free inquiry

**Right to Fair Academic Evaluation:** Students shall have the right to fair academic evaluation. However, students must meet the requirements of the instructors

**Right to Confidentiality of Student's Records:** Students have the right to have their records kept confidential in accordance with the federally mandated Buckley Amendment

**Right to Due Process:** Students are to be free from punishment that is arbitrary and capricious. When charged with misconduct, students have the right to due process. Any administrative action that adversely affects a student may be appealed by the student

**Right to Inquiry and Expression:** Students have the freedom to seek knowledge, debate ideas, examine and discuss all issues of interest, and to express opinions publicly and privately as long as these expressions of opinion do not interfere with the same rights and freedom of others or violate federal, state, or local laws.

### **5.4.2 Academic Violations**

#### **5.4.2.1 Code of Academic Honor**

Thomas University considers academic integrity to be essential for intellectual development. As an institution fundamentally concerned with the free exchange of ideas, the university depends on the academic integrity of each of its members. In the spirit of this free exchange, students and instructors of Thomas University recognize the necessity and accept the responsibility for academic integrity.

The university defines violations of this policy to include plagiarism, cheating, providing false information, copyright violation, misrepresentation of credentials, theft or damage of property, and alteration of university documents. Neither faculty members nor students shall claim credit for another's work or accomplishments or use another's ideas in a written paper or presentation without appropriate attribution through proper documentation. For a lengthy discussion of the ethics of scholarly writing, refer to the most current edition of the Publication Manual of the American Psychological Association.

The Thomas University Honor Code was initially adopted by the University Board of Trustees as the University Policy Governing Academic Integrity in 2004. This followed unanimous approval by the Faculty Senate, the Student Government Association, and the University Administration. The Academic Honor System of the university is based on the premise that every member of the university community has the personal responsibility:

- to uphold high standards of academic honesty and intellectual ownership;
- to refuse to tolerate academic dishonesty in the University community; and
- to foster a high sense of honor and social responsibility on the part of all students.

**All students are considered bound by the Honor Code upon admittance to the University.** As a member of the Thomas University student body, it is understood that you agree to the following honor code oath: “As a member of the Thomas University student body, I will not lie, cheat, or steal in any endeavor related to my academic pursuits, nor will I tolerate this behavior in others.”

Each member of the university community is responsible for abiding by the Academic Honor Code at all times.

### **5.4.2.2 Enforcement of the Honor Code**

#### **Academic Integrity of Student Work**

Based on the university’s policies related to academic integrity, the following guidelines outline the expectations for faculty members in helping the university maintain the academic integrity of its degrees and promoting a community that values academic honesty.

#### ***Ongoing Actions***

Course instructors and students are expected to use the plagiarism detection service provided by the university, currently Turnitin.

#### ***Suspected Violations of Academic Integrity***

If a potential violation of academic integrity (plagiarism, cheating, providing false information, misrepresentation of credentials, copyright violation, etc.) is identified, the instructor should follow the process for Honor Code violations as outlined below.

In the event that a charge of violating academic integrity occurs at the end of the semester, a grade of “Incomplete” will be assigned until the matter is resolved. In the event that a charge at the end of a semester involves a graduating senior, a diploma will not be awarded to the student until the matter has been resolved sufficiently to justify the awarding of a degree. In all cases, the student’s right to appeal the charge will follow the prescribed procedures, and every effort will be made to ensure the timely and fair adjudication of the case.

#### **1. Investigation Process**

Should an instructor suspect that a student has violated the academic Honor Code, the instructor will conduct an appropriate investigation, which may include use of a plagiarism detection service and a request that the student provide complete copies of all sources used in the work under question. (If another university employee or a student suspects that a student has violated the Honor Code, he or she will report the suspicion to the instructor who will then conduct an appropriate investigation.) If the instructor finds that the student may have violated the Honor Code, he or she will send a letter of inquiry via email to the student which will describe the concern and give the student an opportunity to respond to this evidence in writing. The instructor should copy the program director on this email. The instructor will review the inquiry letter and the student’s response and make a determination if a violation has occurred and if so, which sanction(s) to impose. Possible sanctions for a first infraction include one or more of the following: a requirement to redo work, a reduction in grade for the work, or award of a failing assignment grade. The instructor will notify the student via email of the sanction and copy the program director. A copy is also placed in the student’s academic record.

Suspected violations of academic integrity that are reported to the university by students or other community members will be investigated by the program director or their designee, and a disposition will be provided to the student in the same manner.

Thomas University believes that upholding academic integrity is among its highest callings and, to that end, provides educational opportunities for students to explore both the ethical necessity and the technical methods of conducting research that meet the highest standards laid out in the Thomas

University Honor Code. All students who are found to have violated the principles of academic integrity but are not dismissed from the university will be required to take and successfully complete a course on academic integrity to build their understanding and skills in upholding academic integrity. This course must be taken in the same term or the term immediately following the finding of an academic integrity violation.

## **2. Sanctions and Records**

Thomas University takes all violations of the Code of Conduct very seriously and takes actions that are appropriate to the violation.

The university can impose additional sanctions upon a student whose violation of the Honor Code is severe or follows a prior history. These sanctions include but are not limited to: award of a failing grade for a course; placement on a status of academic warning; removal from internship, clinical, or practicum placements; academic suspension; and permanent dismissal from the university.

All disciplinary actions are recorded in the student's file, which remains permanently on record. The existence of a prior violation in a student's file will lead to stronger sanctions for subsequent acts.

Students who have been dismissed from the university for violation of the Honor Code are not eligible for readmission.

## **3. Appeals**

In the event that the student denies the allegation of an Honor Code violation or objects to the severity of the sanction, he or she may appeal to the program director. (If the program director is the instructor, the appeal is directed to the division chair. If the division chair is the instructor, the appeal is directed to the Honor Council.) The program director will confer with the instructor, review the charge, and confer with the accused student. The program director will inform the student of his or her determination and the sanction to be imposed via email within five (5) business days of receiving the appeal. The sanction may be more or less severe than that recommended by the instructor. The student will be advised that he or she may accept the determination and sanction of the program director or may request a hearing by the Honor Council. The student must email the request for a hearing to the program director within 48 hours of receiving the program director's determination and sanctions.

The program director will refer the request for a hearing as well as a notice of the charge to the chair of the Honor Council within 48 hours of receiving the request.

The procedure for the hearing is as follows:

### **Notice**

The Chair of the Honor Council will provide the student, instructor, and program director with notice of the hearing within five (5) business days of receipt of the charge and appeal. The notice will include:

- a)** a statement of the date, time and place of the hearing;
- b)** a statement of the composition of the Honor Council and the nature of the hearing; and
- c)** a statement of the charge.

All parties shall be notified of the hearing at least one week in advance. The accused student, however, may waive the right to the one-week notification of his or her case. The student will acknowledge receipt of the notice by signing and returning it by email to the Chair of the Honor Council. The signed notice will become a part of the record.



## **Safeguard of Student Rights**

The Committee will consist of the elected members of the Academic Affairs committee of the Faculty. At least two of the members must come from a division other than that of the student being charged. If multiple elected members of the committee are from the student's division, Associate committee members will serve. All members of the Committee, except the Chair, will refrain from pre-hearing conferences with any student involved in a scheduled hearing. The chair will advise the student of his or her rights and of the evidence being presented.

### **An Orderly Hearing**

Honor Code hearings are considered to be of an administrative nature; hence, the presence of counsel and the cross examination of witnesses are precluded. The student has the right to call witnesses to testify on his or her behalf and to present evidence in his or her defense. The hearing will be closed to any other persons not immediately involved in the situation.

If a student fails to appear at the specified hearing time, the hearing may proceed in the student's absence, and a decision may be rendered. The student, however, may request a postponement in the hearing, provided that the request is made in writing to the committee chair at least 24 hours in advance of the hearing for good cause. The chair may grant the request at his or her discretion.

The Chair may admit credible affidavits, and the members shall use their discretion in determining the validity or amount of weight to be given to such affidavits. After all witnesses have been heard and all other testimony has been presented, the student shall be allowed to summarize his or her position. Upon the completion of the presentation of evidence, the chair shall recess the hearing, and the members shall meet privately to determine whether the charges are substantiated. During the deliberations, each member bears an equal responsibility for decision-making and must cast a vote for or against all motions. All decisions are determined by majority vote. The chair votes only in the event of a tie.

All aspects of deliberations must be treated as confidential by the committee members. If the student is found guilty of academic dishonesty, the Honor Council will recommend sanctions. Such sanctions may be of an academic, as well as of a disciplinary, nature and may be more or less severe than that recommended by the instructor and/or program director.

### **Appeal**

The findings of the Honor Council are final and are not subject to appeal.

## **5.4.6. Intellectual Property**

### **5.4.6.1. Purpose**

The faculty, administration, and Board of Trustees of Thomas University (TU) want to encourage the creation of original works by faculty, staff, and students at TU. The purpose of this Intellectual Property Policy is to protect the rights of the creators and the university, and to delineate the ownership rights of these works. The policy regarding ownership of copyrightable works must be consistent with the United States Copyright Law, and the policy regarding ownership of patentable works must be consistent with the United States Patent Law.

### **5.4.6.2. Applicability**

This Intellectual Property Policy applies to any faculty member, staff member, or student who creates a copyrightable or patentable work using the university's resources. Copyrightable and patentable materials include books, journal articles, texts, bibliographies, study guides, laboratory manuals, syllabi, tests, proposals, lectures, musical or dramatic

compositions and performances, art works, unpublished scripts, films, film strips, charts, transparencies, and other visual aids, video and audio recordings, live video or audio broadcasts, architectural designs, programmed instruction materials, websites, computer programs, inventions, discoveries, and trade secrets. Other types of materials may also be subject to copyright and patent laws.

#### **5.4.6.3. Ownership**

The foundation of TU's Intellectual Property Policy is based on the longstanding academic tradition of granting faculty, staff and students the ownership of all copy-rights and patents which result from their research, teaching, and writing activities. Therefore, any copyrightable material or patentable invention or process that is developed or created by a faculty member, staff member, or student at TU will generally remain wholly the property of the creator. This remains true whether the materials are created during the course of the creator's university-related duties or on his/her personal time, for campus-based courses or distance learning. TU's facilities, supplies, clerical support, travel expenses to professional meetings, book purchases, campus library and interlibrary loans, computers, computer software, and data are all used by university employees to fulfill their university-related duties. TU will not claim ownership of created works based on such normal use of TU resources.

#### **5.4.6.4. Exceptions**

Under certain conditions, TU may be entitled to own or share in the profits generated from copyrights or patents if a specific agreement has been made in writing between TU and the creator of the materials clearly defining the terms of ownership. All such agreements will be made between the faculty member, staff member or student and the President of Thomas University. At any time, the owner of a copyright or patent can voluntarily share with TU the profits from their creation. Any such agreement should also be made between the creator and the President.

#### **5.4.6.5. Assigned Tasks and Work for Hire**

The ownership of internal documents developed outside of teaching assignments because of assigned University duty or as a work-for-hire (e.g., committee reports, policy initiatives, brochures, website design) resides with Thomas University unless other arrangements are made in advance.

#### **5.4.6.6. Statement of Commitment**

Thomas University is committed to creating an environment where faculty, staff, and students feel supported in their teaching and research activities. This Intellectual Property Policy is intended to encourage excellence and promote creativity in scholarly research and teaching pursuits at TU by protecting the rights of the university, its faculty, staff, and students.

### **5.5. Non-Academic Violations**

#### **5.5.1. General Student Complaints Policy and Procedure**

Students have the right to seek a resolution to a dispute or disagreement concerning a university policy or action through a designated procedure.

This procedure does not apply to academic appeals, which are conducted according to the steps outlined in the Thomas University Catalog. Violations of academic integrity are addressed and appealed according to the Honor Code. Non-academic violations are addressed and appealed according to the policies outlined in the Thomas University Student Policies Handbook. Please refer to Section 5.5.5.

#### **5.5.2. Drug and Alcoholic Beverages Policies**

Thomas University is committed to establishing and maintaining a drug-free campus. The unlawful manufacture, distribution, dispensation, possession or use of any illegal drug is prohibited in all areas of Thomas University,

including buildings, vehicles, and grounds. Thomas University is a tobacco and smoke-free campus.

The sale, distribution, and /or consumption of alcoholic beverages is not permitted on campus or any campus sanctioned university housing or university activity. Violations of these policies shall be considered sufficient grounds for disciplinary dismissal.

### 5.5.3. Thomas University Sexual Misconduct Policy

It is the policy of Thomas University to maintain an environment that is free of all forms of discrimination and harassment, including sexual misconduct for students, faculty, administrators, staff, volunteers, and visitors that is free of all forms of discrimination and harassment, including sexual misconduct. The University has enacted this Sexual Misconduct Policy to reflect and maintain its institutional values and community expectations, to provide for fair and equitable procedures for determining when this Policy has been violated, and to provide recourse for individuals and the community in response to violations of this Policy.

This Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, domestic violence, dating violence and stalking. This Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to this Policy. All of the foregoing conduct shall be referred to as “Prohibited Conduct.”

Thomas University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title IX and Title VII of the Civil Rights Act of 1964, and other applicable statutes. This Policy prohibits sexual harassment against Thomas University community members of any sex, sexual orientation, gender identity, or gender expression in the context of education or employment. This Policy also prohibits gender-based harassment that does not involve conduct of a sexual nature.

Upon receipt of a formal written complaint, the University will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. In addition, the University will fulfill its obligations under the Violence Against Women Reauthorization Act of 2013 (“VAWA”) amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) in response to reported Prohibited Conduct. Students or employees who are found to have violated this Policy may face disciplinary action up to and including expulsion (students) or termination of employment (faculty or staff).

Thomas University also prohibits other forms of discrimination and harassment as described in Policy Equal Employment Opportunity in the Employee Handbook.

Prior to the articulation of the Policy, it is important to note options for assistance following an incident of sexual violence. Whether or not an individual chooses to formally report an incident, **receiving immediate medical attention and/or counseling is vital to the individual’s overall health and wellness.** Likewise, seeking immediate medical attention is vital to preserve evidence if an investigation is to follow. More detailed information on resources is also available at the end of this Policy.

The following information with regards to the Thomas University Sexual Misconduct Policy can be found in

## Appendix F:

Scope of the Policy, Prohibited Conduct and Definitions, Confidentiality, Title IX Coordinator, Deputy Coordinator, and Responsible Employees, Reporting, Supportive Measures, Prevention, Awareness Programs and Training, Investigation and Resolution Grievance, Hearing and Appeals

### **5.5.4. Traffic Violations**

Traffic and parking regulations at Thomas University have been implemented to provide safety and convenience to all members of the university community. Students who operate motor vehicles on campus or on any university-sanctioned property are expected to adhere to the applicable laws of the State of Georgia and to obey all posted signs related to traffic regulations and parking. These rules shall be applicable to all individuals who operate or park on the Thomas University campus at any time. Vehicles that violate these regulations may be towed or impounded at the owner's expense. Additionally, fines, penalties, and other sanctions may be imposed against any person in violation of any provision of these rules. Thomas University assumes no responsibility for the care and/or protection of any motor vehicle or its contents when the vehicle is operated or parked on university property.

### **5.5.5. Student Code of Conduct**

Students must assume full responsibility for understanding the policies, procedures, rules, and regulations of the university. Students who accept an offer of admission to Thomas University are expected to be responsible citizens of the university and community, to respect the rights of others, and to observe the laws of the state of Georgia. Student offenses at Thomas University are categorized accordingly: Offenses related to persons; related to property; related to the operations of the University; and related to Welfare, Health, or Safety. Detail of each category of offense by category may be found in APPENDIX D.

#### **5.5.5.1. Campus Judicial Procedure**

The Judicial Review Board provides an avenue for due process for students accused of Level IV Violations of the Student Code of Conduct or students who wish to appeal a decision rendered against them. Violations are classified according to levels and penalties are levied accordingly. See APPENDIX B.

Students accused of a Level I or Level II violation will be referred to the Residence Hall Director for a decision and appropriate disciplinary action. If the accused student is not satisfied with the decision being rendered, the student may appeal to the Housing Manager within five (5) days of the initial decision. The decision of the Housing Manager in Level I and Level II cases is final. Students accused of a Level III violation will be referred to the Housing Manager for a decision and appropriate disciplinary action. If the student is not satisfied with the decision, the student may appeal to the Vice President for Student Life within five (5) days of the initial decision. All Level IV violations will be referred to the Judicial Board of Review. Please refer to Section 5.5.5.6 for Procedural Timetable.

The Judicial Review Board has full authority to dispense disciplinary action based on the facts of the case. Disciplinary actions are defined in the Student Code of Conduct and are based upon the severity of the offense APPENDIX B.

The Judicial Review Board meets only when a case is classified as a Level IV case or a student request an appeal by the Judicial Review Board. The Chair of the Judicial Review Board will convene the board and summon all parties to the hearing as needed. Failure to abide by a summons from the Chair of the Judicial Review Board is a disciplinary offense, which may result in further disciplinary action.

Thomas University falls under the jurisdiction of local law enforcement. Students violating criminal or civil codes will be prosecuted by local authorities and will be provided the judicial processes thereof.

### **5.5.5.2. General Authority in Matters of Student Conduct and Discipline**

**Violations of Law:** Students charged with violation of a Federal, State, or local law, may be brought before the appropriate civil authorities as a result of direct investigation by such authorities or upon the filing of information by the complaining party. Students, as citizens, are entitled to the protection of law as administered by the courts of this jurisdiction.

**President's Authority.** The University President is the ultimate authority in matters of student conduct, discipline, and the promulgation of rules, regulations, and policies for student governance. Students are expected to conduct themselves as a responsible member of the university community.

### **5.5.5.3. Reporting Alleged Violations**

It is the responsibility of the Vice President for Student Life to file Level IV cases with the Chair of the Judicial Review Board within 10 days of the initial report of the violation unless there are extraordinary reasons why the case was not filed in a timely manner.

### **5.5.5.4. Elements of Essential Fairness in University Judicial System**

Students are entitled to the following rights where the student may be impacted by the disciplinary action. Students are entitled to:

1. be informed in writing of the alleged violation of the Student Code of Conduct or the corresponding legal charge. An alleged violation of law will be handled through the processes of local law enforcement
2. be informed in writing of the procedures of the Judicial Review Board, which will hear Level IV cases or student appeals
3. have 72 hours in which to answer charges
4. a fair and impartial hearing, including the right to cross-examine witnesses and to present evidence on their behalf
5. be informed in writing of the decision
6. be assisted by an advisor of the student's choice. The name and address of the advisor shall be submitted no later than 72 hours prior to a hearing
7. a public hearing, if so desired by the student
8. appeal the decision of the Judicial Review Board through the established process.

### **5.5.5.5. Structures of the Judicial Review Board**

The University President, or his/her designee, shall appoint members of the Judicial Review Board, which should include two faculty members, two students, a staff member, and the Chair of the Judicial Review Board. Individuals subject to disciplinary actions shall have their cases heard by the appropriate person or body.

All appointments to the Judicial Review Board are for a period of one academic year, (beginning of fall semester to end of summer semester) with new members eligible to substitute for absentee members during summer semester (or earlier, as directed by the Chair of the Judicial Review Board), after their selection but prior to the beginning of their standard term of membership. Nominations may be from any source, including self-nominations. Nominations are normally solicited during the fall (and early spring) semester and evaluated at the spring meeting of the Selection Committee. Existing members are subject to re-appointment at the spring meeting.

### **5.5.5.6. Procedures of the University Judicial System**

1. **Reporting.** Anyone who alleges a violation of the Student Code of Conduct should report to an administrator in

the Office of Student Life. Violations may be alleged by students, faculty, and staff of the or by any aggrieved party. Level IV alleged violations are referred to the Chair of the Judicial Review Board.

2. **Screening.** Students charged with violations of Level IV of the Student Conduct Code shall have their cases adjudicated by the Chair of the Judicial Review Board. The Chair may examine prior records of discipline from the Judicial Review Board, and the record(s) may be introduced in subsequent disciplinary proceedings.
3. **Information Session.** The student will be notified to schedule an appointment for an information session. At this session, the Chairperson will explain the student's rights, alleged charges of violation of the Student Code of Conduct, the elements of essential fairness afforded to the student within the university judicial system, and the student's options within that system. The student will then select one of the following hearing options for a disposition of the case within 72 hours of the filing of formal charges.
4. **Formal Hearing.** The Chair of the Judicial Review Board shall have jurisdiction over Level IV violations and student request for appeal of alleged violations of the Student Code of Conduct when a formal hearing is mandated or requested.
  - a) **Process:** The Chair of the Judicial Review Board notifies all involved parties that they must participate in the hearing. This process must be completed no later than three class days before the actual hearing date. In the interest of justice the Chair of the Judicial Review Board may waive this requirement upon motion of the parties
  - b) **Written Responses:** The Chair of the Judicial Review Board may require the parties to submit a written response prior to holding a hearing
  - c) **Presence at Hearing:** All parties, including witnesses, shall be present for a hearing at the time and location designated by the Chair of the Judicial Review Board. Failure to appear may result in an unfavorable judgment. In the case of a student sexual violence situation, both parties will have the same access to information to be presented in the hearing and the complainant in the case may elect to participate in the hearing by phone rather than in person. Issues involving sexual violence will also have the Title IX Coordinator present at the hearing.
  - d) **Public Hearings.** All records and hearings are closed
  - e) **Intimidation.** No person shall threaten, coerce, intimidate, or otherwise attempt to improperly influence any member of the proceeding, litigant, witness, or other person involved or potentially involved in cases over which the university has jurisdiction
  - f) **Order of Hearing.** The hearing shall proceed in the following manner:
    - i. review of charges(s) and evidence submitted by the Chairperson;
    - ii. opening statement by the party bearing the burden of proof of a violation of the SCC or legal charge;
    - iii. opening statement by the student alleged to have committed a violation of the SCC or law;
    - iv. questioning of witness(es) and both parties by the Judicial Review Board at the discretion of the Chair, parties may be questioned individually or together;
    - v. closing argument by the student alleged to have committed a violation not bearing the burden of proof;
    - vi. closing argument by the party bearing the burden of proof;
    - vii. all parties and witnesses dismissed; and
    - viii. Judicial Review Board will discuss and decide, record the majority vote, verdict, and penalty

- g) **Time Limit on Hearings:** The Chair of the Judicial Review Board will determine the total time allotted for the hearing and may limit the time for any aspect of the hearing
  - h) **Evidence:** All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible. The Chair of the Judicial Review Board may exclude irrelevant, immaterial, or unduly repetitious evidence
  - i) **Decisions:** The decision of the Judicial Review Board committee shall be communicated by letter from the Chair to the parties, the Vice President for Student Life, and the President in writing through email, within 24 hours.
5. **Summary Adjudication:** A student may waive the right to a formal hearing and request a summary adjudication by the Judicial Review Board. A request for a summary adjudication must be presented in writing by the student to the Chair of the Judicial Review Board, and is acceptable only after the student has been advised of his/her rights under this code during the information session.
6. **Appeals:** Any student found guilty of a violation of the Student Code of Conduct may appeal the decision. The student must file the appeal in writing or via email with the Chair of the Judicial Review Board and the Vice President for Student Life, stating what is being appealed and the justification for the appeal, within 10 class-days of the hearing decision. Upon receipt of the appeal letter, the Chair of the Judicial Review Board and the Vice President for Student Life shall convene within 10 class-days to address the issue. The Chair of the Judicial Review Board and the Vice President for Student Life shall hear the reason for the appeal from the student, shall review the summary record of the hearing, may review the entire record of the hearing, and shall make a judgment based on this information. The Chair of the Judicial Review Board and the Vice President for Student Life may decide to hear and consider testimony not presented at the hearing, but it has no requirement to do so. The Chair of the Judicial Review Board and the Vice President for Student Life shall deliberate its decision in private.
7. **Commencement of Penalty:** The penalty shall not commence until all appeals within the university have been exhausted.

#### 5.5.5.6.1. Campus Judicial Review Procedure Timeline

Action	When
The Vice President for Student Life will file all Level IV cases with the Chair of Judicial Review Board	within 10 days of initial report of violation
Chair of Judicial Review Board will notify the accused student to schedule info session	
The accused student will select a hearing option (if applicable)	72 hours after formal charges filed
The accused student will answer charges	72 hours after notification
The accused student may waive right to hearing and request summary adjudication to Chair of Judicial Review Board	after information session
The accused student will select an advisor and give the name to the Chair of the Judicial Review Board	72 hours before hearing
The Chair of Judicial Review Board will notify all involved parties they must participate	3 class days before hearing
The Chair of Judicial Review Board may require parties to submit written response	prior to hearing
The Chair of Judicial Review Board shares the decision from hearing with involved parties, Vice President for Student Life and President	within 24 hours after hearing/decision made
The accused student may file an appeal to Chair of Judicial Review Board	within 10 class days of hearing decision

### 5.5.5.6.2. Penalties

The following are possible penalties for violation of the Student Code of Conduct and may be imposed singly or in combination:

- a. **Apology.** A written apology, from the student to the appropriate person(s) or department.
- b. **University Service.** Student performs assigned tasks for the university, not to exceed one hundred hours, as a form of restitution.
- c. **Restitution.** Written direction to replace, repair, or make specific compensation for property of the university or another, which was damaged, destroyed, or misused, or to reimburse an individual for expenses or losses incurred as a result of the actions during the commission of an offense.
- d. **Fine.** A fine is money to be paid as punishment for certain offences. The amount of a fine can be determined case by case. There may be occasions with certain policy violations that a fine is levied against a student. For example, leaving an exterior door propped open is a security violation, which places students at risk and will result in a fine.
- e. **Reprimand.** Written statement expressing disapproval of conduct. A record of reprimand shall be maintained in the Office of Student Life for the period that the reprimand is in effect.
- f. **Probation.** Conditional retention of student status for a specified period of time, during which the student cannot have any other infractions of the Student Code of Conduct, Honor Council, or be suspended. A student's university privileges including University housing may be restricted or revoked during the time of probation.
- g. **Suspension.** Separation from the university for a specific period of time, not to exceed two years. During the period of suspension, a student is excluded from classes and all other university privileges or activities. At the conclusion of the period of suspension, the student will be permitted to return to the university on a one-year probationary basis if the student also has met applicable readmission criteria.
- h. **Dismissal.** Indefinite suspension from the university. In order to be readmitted, a student dismissed for disciplinary reasons must file a petition for judicial clearance with the Vice President for Student Life, who will present the petition to the President for review and decision. All dismissed students who receive a judicial clearance are subject to all readmission criteria of the university. A petition for readmission may not be submitted until after one full academic year from dismissal.
- i. **Expulsion.** Permanent separation from the university without the opportunity for readmission.

Violation for hazing will result in disciplinary action for the individual and/or group. Penalties may range from a reprimand to expulsion. Hazing is defined as any action, activity, or situation that recklessly, negligently, or intentionally endangers the mental or physical health or safety of a person for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of the university. Any activity as described above upon which the initiation, admission into, or affiliation with a university organization is directly or indirectly conditioned shall be presumed to be a forced activity, the willingness of an individual to participate in such activity notwithstanding.

A student will not be permitted to register or enroll for classes, receive grades, receive transcripts, have transcripts forwarded to others, be awarded a degree, or otherwise receive the benefits of student status until the terms of the restitution or judicial hold are complied with. The President or a designated representative may clear judicial holds. Failure to comply by a set date may cause a judicial hold to be placed on the student's file.



### 5.5.5.6.3. Administrative Suspensions Not within the Judicial System

1. **Immediate Suspension for Disruptive Activity.** Students shall be subject to administrative suspension by the President or a designated representative pending a hearing on the charges(s) where:
  - a. The student is ordered by an official or faculty member to cease and desist any activity which disrupts the orderly operation of the university; and
  - b. The student persists in the activity, which is disruptive after receiving the warning and order to cease and desist, and the disruptive activity still disrupts the orderly operation of the university; and
  - c. The President or a designated representative shall decide on the evidence that the activity disrupts the orderly operation of the university.
2. **Suspension for the Protection of the University Community.** Students charged with or convicted of, a violation of law, Board of Trustees policies, or university regulations injurious to the health and welfare of the university community shall be subject to administrative suspension, by the President or a designated representative.
3. **Conditions of Administrative Suspension Not Within the Judicial System.** Where a student is suspended as a result of a charge(s), they shall be entitled to an administrative hearing within 72 hours (during regular University operations) after a written request is delivered to the Chair of the Judicial Review Board, provided that the time period prescribed above shall not include weekends or holidays. Written notice of the time and place of such hearing, along with the name of the hearing officer, shall be transmitted in writing to the student charged. If the hearing is not held within 48 hours as herein provided, the suspension shall be automatically lifted, provided that a delay caused by the student or by circumstances beyond the control of the university shall stop the running of the 48-hour period, and the suspension shall be continued.

### 5.5.5.6.4 Administrative Suspension not within the Judicial System Procedure

Action	When
President or designee will notify the accused student of administrative suspension	immediately
The accused student will submit a written request to Chair of Judicial Review Board requesting an administrative hearing	72 hours after suspension
Written notice of hearing and hearing officer will be given to the accused student	
Automatic lift of administrative suspension	If hearing not held within 48 hours, barring extenuating circumstances

## 5.6 Student Activities & Organization

### 5.6.1 The Role of Student Organizations at Thomas University

Student organizations play a vital role on the Thomas University campus. Student organizations bring students with common interests together and in turn provide leadership and team building skills that will be essential after college. Being a member of a student organization can be an important factor in the success and enjoyment of the college experience. While academic learning is the primary goal of college, co-curricular activities help students learn and grow beyond the classroom and provide students with hands-on training in leadership skills. Participation in student organizations offers the student opportunities for fellowship, leadership, recreation, and meaningful interaction with faculty, staff and students. Students are also encouraged to start their own student organizations to meet the needs of

the student community.

#### **5.6.1.1. Contracts**

Only duly authorized officers of Thomas University may act as legal representatives of the institution. No student or student organization, including the Campus Activity Board, may legally or financially bind the university in any way.

#### **5.6.2. Campus Activity Board (CAB)**

The purpose of the Campus Activity Board (CAB) is to provide a means for responsible and effective student participation in the organization and operation of student activities. Thomas University believes that part of a student's education is the development of his or her talents outside the classroom.

Students are selected by the Selection Committee each spring to serve a one-year term. Under the guidance of the Coordinator of Student Activities, the Campus Activities Board (CAB) is responsible for the planning and implementation of all student activities and events.

#### **5.6.3. Student Activities**

Campus Activity Board (CAB) sponsors a full range of activities for the students each semester. These events may include welcoming activities, commemorative events, Homecoming, Fall Harvest Festival, seasonal activities, and a variety of lectures based on student leadership and success. Other events are added based on student interests and requests. All activities are funded through student activity fees.

#### **5.6.4. Student Clubs and Organizations**

Students are encouraged to form clubs and organizations that assist in creating networks of individuals with similar interests. Clubs and organizations may be nationally affiliated; based on academic majors or other career needs; assist in meeting physical/spiritual needs; social in nature; or organized to promote shared values and experiences of members of the Thomas University student body. Contact the Office of Student Life for a current listing of all active clubs and organizations on campus.

Students are invited to participate in Community Chorus, Jazz Ensemble, Theater, and other clubs and organizations. The procedures to establish a club or organization include the following:

1. **Application.** An application for a proposed club or organization must be submitted to the Coordinator of Student Activities and updated annually. The application must contain the names, addresses and signatures of ten charter members, a provision for membership requirements, a faculty advisor, a meeting schedule, and a purpose that is consistent with the philosophy of Thomas University
2. **Approval.** A club shall become an official organization if approved by the Vice President for Student Life. Official recognition of an organization is granted on a year-to-year basis. A renewal application must be submitted during the fall of each year
3. **Show of Good Standing.** Each official club may be required to submit an annual report with its renewal application. This report must show that it is currently actively working towards the purpose of the organization by either: 1) development of service projects for the university or community; or 2) actively working towards the objectives of the club's specialized areas of interest
4. **Funding.** Thomas University will provide no direct financial aid to any student club or organization. However, a space for a club meeting may be scheduled through the Office of Student Life on a space available basis. Limited funding resources may be available through surplus Campus Activity Board funds. An approved club may present a written request to the Campus Activity Board (CAB) for financial assistance on projects which are determined by CAB to have value to the student body of the university
5. **Membership.** With the exception of national honor societies, membership in clubs and organizations shall not be denied to any currently enrolled Thomas University student if the criteria for membership are met

6. **Club Officers.** All official clubs and organizations must have constitutions or bylaws which specify minimum requirements for membership, however all club officers must maintain a minimum 2.0 cumulative grade average or higher, and be free of academic probation. Club officers must also meet general club membership requirements as set forth by the club and approved by the Campus Activity Board
7. **Advisor.** A faculty advisor is required for all clubs. The advisor shall be responsible for ensuring club/organization compliance with University policies and procedures, serving as the University's official representative to the organization, checking student eligibility, and functioning as a resource person to the organization
8. **Amendments and Resolutions.** Any amendment or resolution to a club's application shall be submitted to the Vice President for Student Life for approval by the Campus Activity Board
9. **Authority.** All clubs and organizations shall be subject to all rules and regulations deemed to be in the best interest of the university
10. **Probation.** Any club that does not meet the university requirements, rules, and regulations shall be placed on probation for a period of one semester. A club placed on probation must meet all requirements within the one semester probationary period or request an extension in writing. If the club does not meet all requirements within the one semester probationary period or request an extension in writing, it shall be suspended. A club must obtain the approval of the Campus Activity Board upon recommendation of the Vice President for Student Life, in order to be removed from probation
11. **Reactivation.** In the event a club is disbanded for any reason, it may only be reactivated by beginning with paragraph one of the above procedure.

An application for clubs and organizations may be obtained from the Coordinator of Student Activities. Any registered student organization, after scheduling time and space with the Coordinator of Student Activities, may hold group meetings or other peaceful assemblies both inside buildings and outdoors. A group may utilize public address systems and other electrical amplification equipment. Student gatherings must not disrupt nor interfere with the operation of the institution, nor interfere with or impede vehicular or foot traffic.

#### 5.6.4.1. Clubs and Organizations

**Alumni Association:** Membership in the Alumni Association is open to all graduates of Birdwood College, Thomas County Community College, Thomas College, and Thomas University, as well as all former students who were regularly matriculated in degree credit courses.

Note: The purpose of the association is to support Thomas University with the emphasis on improving the university's programs, creating institutional pride, developing and enhancing the university's image, and meeting the needs of the university through fund-raising.

**ALPHA CHI:** Alpha Chi, a national honorary, is open to students with junior and senior standing. Students must be in the top 10% of their class, have a minimum GPA of 3.5, participate in student activities, show evidence of community participation, and be of good character and reputation.

**ALPHA PHI SIGMA:** Alpha Phi Sigma, a national honorary for criminal justice students, recognizes scholastic excellence by undergraduate and graduate students in the criminal justice sciences. Students must maintain a 3.0 cumulative GPA and a 3.2 in the criminal justice field.

**ALPHA SIGMA LAMBDA:** Alpha Sigma Lambda is an honor society for adult students who accomplish academic excellence while facing competing interests of home and work. Every spring, an honor ceremony is held to induct new members into the society. The requirements for membership are detailed in the Thomas University catalog.

**Art/Nighthawk Review:** The Nighthawk Review is Thomas University's creative arts journal. The journal highlights the

creative work of students, staff, faculty, and friends of Thomas University. The Creative Writing Club meets on Thursdays

#### **Arts for the Community at Thomas University (ACTU):**

**CHI SIGMA IOTA:** Chi Sigma Iota, the international honor society for counseling, in which TUs chapter is Rho Chi Sigma. CSI is dedicated to promoting excellence in counseling. Students are nominated by faculty evaluation, must have a minimum 3.5 GPA over a period of at least 2 semesters in a graduate counseling program and in good standing with the university.

**Creative Writing Club:** This club meets is sponsored by the English department and meets weekly during the fall and spring semesters to showcase art, photography, poetry, fiction and essays from the Thomas University community and beyond. It is open to all students. So, if you like to write poetry, fiction, or non-fiction and/or like to draw, please feel free to come by and be a part of our club!

**Fridays at Noon:** "Fridays at Noon" offers bi-monthly lunch concerts that feature regional and national performing artists. A complimentary lunch is provided.

**Goalline Ministries:** Goalline Ministries uses the powerful medium of athletics to bring the good news of Jesus Christ into the lives of athletes and students on the college level. The dynamic that characterizes Goalline is its commitment to service the local community by equipping, empowering and encouraging students to make a difference for Christ.

**History Club:** The history club is organized to encourage students to have fun with history and understand that history does not occur just in the classroom. Thomasville offers many opportunities for students to interact with the community and enjoy events, and the club promotes that visibility. The club also provides field trips to not only places close to Thomasville but also to venues like Atlanta, Washington, and Williamsburg, VA.

**HONOR Council:** Primary responsibility for implementation of the Honor Code is vested in the Honor Council, which is composed entirely of members of the student body. The Honor Council has two major roles: education and enforcement.

**KAPPA DELTA PI:** Kappa Delta Pi is an international honor society in education. It is open to students with a declared major in education. These students may be second semester sophomores, juniors or seniors with a minimum of 3.5 on a 4.0 scale and a passing score on the GACE1 exam.

**PHI ALPHA:** Phi Alpha is the international Honor Society for social work. To be eligible for membership, undergraduate students must meet the following requirements: declare social work as their major; achieve at least sophomore status; complete a minimum of 9 hours of required social work courses; have an overall grade point average of at least 3.0 on a 4.0 system; achieve a minimum grade point average of 3.25 in required social work courses.

**PSI CHI:** PSI Chi is a national honor society in psychology. Membership is an earned life honor. Undergraduates must have an overall cumulative GPA of 3.0, rank in the upper thirty-five percent of their class, must demonstrate superior scholarship in psychology, and demonstrate high standards of personal behavior.

**Psychology Club.** The Psychology Club is an organization open to psychology majors and those with a special interest in psychology. Activities include trips to psychology conferences and movie nights.

**SALUTE National Honor Society:** The SALUTE National Honor Society (Service – Academics – Leadership – Unity – Tribute – Excellence) is an honor society, made possible by a generous grant from the American Council on Education/Wal-Mart Foundation, dedicated to recognizing military and veteran students who have displayed outstanding performance in the classroom. This extraordinary honor society is now one of the honor societies now recognized at Thomas University, and the only honor society for veterans only. The SALUTE National Honor Society defines a veteran as any active duty service member, National Guard, or reserve, who has been honorably discharged, regardless of time served or participation in armed conflict.

**SIGMA BETA DELTA:** Sigma Beta Delta is a national honor society in business. Its purpose is to encourage and recognize scholarship and accomplishment among students of business, management, and administration, and to encourage and

promote aspirations toward personal and professional improvement and a life distinguished by honorable service to humankind. It is open to students in the business administration program who rank in the upper 20% of their class.

**STTI PHI TAU Chapter:** The mission of the Honor Society of Nursing, Sigma Theta Tau International is to support the learning, knowledge and professional development of nurses committed to making a difference in health worldwide.

**Sundays at Four:** Sundays at Four offers monthly concerts that feature local, regional and nationally-known artists who perform a wide-range of musical styles. Concerts are held at the Thomasville Center for the Arts (TCA), Trinity Anglican Church (Trinity), Thomasville Music and Drama Troupe (TMDT).

**The Thomasville Signers/Thomas University Community Chorus:** This is a community chorus with weekly rehearsals on Monday nights. Participation requires the ability to sing on pitch and a desire to improve singing skills. The Chamber Singers are a smaller choir performing more challenging.

**Thomas University Jazz Ensemble:** Weekly rehearsals are open to all as a way to explore both traditional and modern jazz standards with an emphasis on improvisation and performances throughout the region.

**TU Book Club:**

**TU Film Club:** The film club is part of the ACTU, whose mission it is to combine the gifts and energies of Thomas University personnel and students (Act I) with those of community members (Act II) to provide excellent art events for the community.

**TU Theater:** TU Theatre features annual productions with free admission for all. Productions include staged readings, scene work, and short classroom presentations in the fall and a one-act play in the spring.

### **5.6.5. Intercollegiate, Club and Intramural Athletics**

Thomas University offers a full range of athletic opportunities at all levels. University athletes compete in soccer, basketball, swimming, softball, baseball, and golf under the auspices of the National Association of Intercollegiate Athletics (NAIA Sun Conference). Intramural leagues are held dependent upon student interest and request.

## APPENDIX A

### Housing and Residence Life Guidelines

#### Scope and Purpose

##### Thomas University Residence Life

1. Thomas University maintains a Residence Life staff that promotes quality living and an environment conducive to the learning experience for our students. Due to restricted space limitations, Thomas University does not provide housing for married students. University is assigned on a first come first served basis, with freshman being assigned to the Pinetree Residence Hall depending upon availability.
2. Students residing within the Thomas University Housing, or any additional sanctioned “overflow” facility, shall have the following characteristics:
  - a. student shall be a full time student in pursuit of a degree
  - b. student shall maintain a full time academic load while living in University housing (fall/spring)
3. The residential student who drops below the required full time academic load during the course of an academic term (fall/spring) shall have their housing eligibility status reviewed
4. During summer semester, the residential student must carry a minimum of ½ the full time academic load at the initiation of the summer term.

#### Mission and Goals

##### The mission and goals of the Office of Residence Life.

1. Thomas University supports interaction that promotes awareness and understanding of the diversity that exists within and outside the University community. We encourage acceptance and appreciation of individuals regardless of race, gender, age, ethnicity, able-bodiedness, sexual orientation, socio-economic status, or religious affiliation. We believe each person has value and should be treated with dignity and respect.
2. Thomas University strives to:
  - a. Provide students with a "living and learning" environment that supports the academic mission of Thomas University while enabling the independence and personal growth;
  - b. Provide affordable, safe, well-maintained and furnished housing for our students;
  - c. Foster a community that adopts a high standard of understanding and mutual respect towards its members;
  - d. Assist students with the transition from co-dependent, familial living to the University and throughout the entire University experience through counseling, peer education/outreach, social interaction and educational programming.

##### Residence Life's Six Principles of Community

In the Office of Residence Life, we believe that a college education extends well beyond the classroom. The college experience includes growing and learning through programs, events and activities as well as the experience of living cooperatively with others. We strive to create a learning and living environment that is consistent with the **Six Principles of Community**:

1. Educationally Purposeful: The Residence Life staff will strive to create a place where faculty and students share academic goals and work together to strengthen teaching and learning on campus
2. Open: The Residence Life staff will strive to create a place where freedom of expression is uncompromisingly protected and where civility is powerfully affirmed
3. Just. The Residence Life staff will strive to create a place where the sacredness of the person is honored and

where the acceptance of diversity is aggressively pursued

4. Disciplined. The Residence Life staff will strive to create a place where individuals accept their obligations to the group and where well-defined governance procedures guide behavior for the common good
5. Caring. The Residence Life staff will strive to create a place where the well-being of each member is sensitively supported and where service to others is encouraged
6. Celebrative. The Residence Life staff will strive to create a place in which the heritage of the institution is remembered and where rituals affirming both tradition and change are widely shared.

*In order to accomplish these Six Principles of Community principles, Thomas University works to provide a living environment where scholarship, learning and positive community ideals can flourish. We encourage a respectful environment with appropriate community standards. The responsibility for reaching these goals rest equally with students and staff members alike:*

***Expect Thomas University to...***

***We Expect You to...***

Provide a safe and secure residential community;

Keep your room and exterior doors locked to prevent access by strangers and to report unusual activity or suspicious individuals to Student Life/Residence Life immediately.

Provide a reasonably peaceful and quiet space to study and sleep;

Observe all courtesy and quiet hours by keeping your stereo and voice at reasonable volumes in and around the facility and to remind others that you expect the same.

Respect your privacy and the proportionate use of your room in terms of space and time;

Communicate with your roommate about your preferences for hours of sleep, study, guests in the room; and to work through differences in a calm and adult-like manner.

**THOMAS UNIVERSITY RESIDENCE HALL STAFF**

**Residence Life Staff**

The Vice President for Student Life is the full-time administrator at Thomas University who has responsibility for the overall operation and management of the Residence Hall facilities, creating a vision that promotes student development living in TU facilities, policies and student success programming.

The Housing Manager has oversight responsibility for all housing staff and all aspects of on/off campus University housing. The Housing Manager is responsible for maintaining a safe, secure, and healthy living environment. The Housing Manager supervises the Resident Director.

The Resident Director is the full-time live-in manager for University Housing. The Resident Director monitors the conduct of residential students while enforcing University and housing policies; maintains accurate records; conducts necessary facility inspections; and supervises the Resident Assistants.

The Resident Assistants are community builders who live in assigned Thomas University Housing. They serve as the primary resource to the residents for information and assistance. RAs are full-time students trained to help with most situations that may arise. They are responsible for providing information and referrals to residents; providing educational programs; providing crisis and emergency support; providing general help with residence matters; enforcing University and Residence Life policies; and overall support to all residential students.

## **Residence Life Staff Interventions**

Resident Assistants are present within university housing to assist students in their transition to the University and to participate in the educational process. They provide peer counseling and are often the first point of contact for residents needing referral to other campus resources. The Residence Assistants and the Resident Director attempt to resolve conflicts, which arise within the living community and ensure that residents are acting responsibly.

It is expected that members of the Residence Life staff will uphold University policies. This entails not only being positive role modeling but also the accurate and prompt documentation of reported University policy. Staff members are expected to address student issues as quickly as possible. After the situation has been addressed, an Incident Report will be submitted to the Resident Director and the Housing Manager. Students who have violated University policy should expect some form of disciplinary action.

If an Incident Report results in university disciplinary sanctions levied against a student, that student has the right to appeal the decision. The appeal of any disciplinary sanctions must be made within two business days of the incident and subsequent sanctions. University officials will only hear appeals based on the improper application of University policy.

## **THE UNIVERSITY HOUSING CONTRACT**

### **Housing Contract**

The Thomas University housing contract is a legal and binding document when it has been signed and returned to the Office of Residence Life with a \$300 Room Reservation Fee. The housing contract is in effect for the full academic year if it is executed before the start of the school year; or for the remainder of the academic year if entered into at any time during the course of the year. The University Housing contract does not include vacation housing during the following times: Fall Break; Thanksgiving; Semester Break and Spring Break.

### **Agreement Term**

This Student Residence Agreement pertains to all residential students in housing managed by the Office of Student Life. The Office of Student Life reserves the right to make changes to this agreement ongoing and will post the most current edition online. Students are also responsible for reading the Student Policies Handbook as part of gaining greater understanding of the conditions of their stay in university housing.

Our primary means of communication is through a student's official TU email. Any reminders, official statements, and announcements will be communicated through email. Residents are expected to check their TU email account regularly and keep up with the emails from the Office of Student Life. Thomas University is not responsible for missed deadlines or missed response to requests as a result of a student's negligence to read their emails.

### **Eligibility**

In order to be eligible for occupancy in University Housing, the student must be a full-time degree-seeking student. A student may drop below full time status if they are in their last semester in fulfilling graduation requirements.

### **Rates**

The student agrees to pay all room rates as published for the term of agreement. Semester charges for the room and board are billed to student accounts and processed according to the Billing and Financial Procedures of the University. The University reserves the rights to adjust room and board rates during the term of this agreement. Rate increases will require a 30-day calendar notice to residential students.

### **Contract Period**

The University Housing Contract is for one full academic year, or any remaining portion of the academic year. Upon entering into this contract, the Student and their Guarantor (if applicable) agree to pay all Housing fees during the period of the contract.



## **Annual Renewal/Not-Returning Notice**

All students living in Thomas University Housing are required to complete and submit a new application accompanied with a room reservation fee each academic year to secure housing and/or notify housing they are not returning.

## **Room Reservation Fee**

A room reservation fee of \$300 is to be submitted by all incoming students. This fee requests a space in student housing. It is credited to the students' room and board charges (if applicable) for the semester when the student is assigned and moves on campus. Refer to the Cancellation Policy for information on refund and forfeiture of the Room Reservation Fee.

## **Cancellation Policy**

For students requesting a release for fall and spring semester:

If the Office of Student Life receives written notification of cancellation from an incoming new or returning student (including juniors or seniors) for **Fall Semester**, cancellations:

- postmarked on or before July 1: room reservation fee refunded
- received after July 1 and prior to the July 15 - room reservation fee forfeited
- received on or after the first day of classes – student is responsible for full amount of semester housing.

If the Office of Residence Life receives written notification of cancellation from an incoming new student for **Spring Semester**, cancellations:

- postmarked on or before November 27 - room reservation fee refunded
- received after November 27 - room reservation fee forfeited
- received on or after first day of classes – student is responsible for full amount of semester housing.

No cancellation fee will be charged if canceling for the following reasons: 1) graduation; 2) transfer from the university; 3) marriage

If you are transferring from the university, you must provide proof that you have enrolled in another institution. The student must provide an official transcript dated after the official census date of the institution to which you are transferring. Mail the transcript to the Office of Student Life at 1501 Millpond Road Thomasville, GA 31792.

## **Payment in Full**

The full Housing Fee for one semester, in addition to the Room Reservation fee, must be paid in full by the first day of class. A payment plan is available. Please contact the Office of Student Accounts for more information at 229.226.1621 ext. 1881.

## **Immunization Policy**

Students residing in University Housing are required to have a record of immunization on file in the Office of Student Life. Measles, mumps, and rubella immunizations are required. Tetanus-diphtheria, varicella, hepatitis B, and meningitis vaccinations are recommended. Georgia law requires that you receive a meningitis vaccination or waive this immunization. Residential students failing to submit necessary documentation may be prohibited from entering campus until such paperwork is received. The record of immunization for University Housing students is kept on file and will be valid throughout the tenure of the student's enrollment. This policy is in place to protect students against communicable diseases that are preventable and to reduce the likelihood of an epidemic or threatened epidemic on the Thomas University Campus.

Students living in University Housing must submit a Certificate of Immunization (<https://www.thomasu.edu/student-life/campus-life/housing/immunization-policy/>) to Thomas University Office of Student Life 1501 Millpond Road Thomasville, GA 31792 OR email directly to [studentlife@thomasu.edu](mailto:studentlife@thomasu.edu) OR Fax: 229-584-2434.

## **Room Entry**

Authorized University personnel may enter a student's room at any time. Room searches will occur when University officials believe a search is necessary to resolve a life, safety or health threatening situation, or when it is suspected that State law or University policy is being violated; to perform requested or preventative maintenance; or, if there is a cry for help, the smell of smoke, or to silence a disruptive noise.

Property can be seized and removed from a resident's room if it constitutes an imminent danger or disruption to the resident or others, when the property is University owned, when state law or University policy is being violated, or when the property is unauthorized.

## **Rules and Regulations**

The University at its sole discretion may amend the rules and regulations. The University agrees to provide one-week notice to the student prior to such amendments taking effect. The University reserves the right to amend the rules and regulations without one week notice in cases where it deems, in its sole discretion, that such amendment is critical to maintaining the safety of its housing facilities. The student will be notified of changes via Thomas University student email.

## **Liability**

The University will not be liable for damage to or loss of property or any personal injury within or in the vicinity of any University Housing facility. As a part of the consideration for this contract, student and guarantor (if any) hereby waive any claim against and covenant not to sue Thomas University or the employees thereof for damage to or loss of property or any injury that might occur within or in the vicinity of University housing, from whatever cause.

Student acknowledges and agrees that the University does not provide insurance to cover the loss of property. The student is advised to obtain insurance covering personal property.

The University will not be responsible for items the student may leave behind when he/she vacates housing; including items left by a student who leaves because he/she is no longer eligible for housing services.

## **Student Code of Conduct**

Students must assume full responsibility for understanding the policies, procedures, rules, and regulations of the university. Students who accept an offer of admission to Thomas University are expected to be responsible citizens of the college and community, to respect the rights of others, and to observe the laws of the State of Georgia. Offenses related to persons; property; operations of the University; and welfare, health, or safety are listed and detailed in APPENDIX D.

## **Residence Life and Housing Policies**

Residence Life Policies and the University Housing Agreement govern all residential students. The following policies are specific to all student housing facilities and are additions to existing policies in the above document and in the contract. The Office of Residence Life reserves the right to hold residents accountable for not adhering to these policies, which may include moving a resident out of the room or terminating residency.

## **Alcohol**

It is unlawful for any person under the age of 21 years to have in his/her possession any alcoholic beverages in either public or private spaces. Thomas University policy further prohibits the possession, distribution, consumption, or sale of alcoholic beverages on campus or at University functions. For these reasons, alcoholic beverages are strictly prohibited in and around the Thomas University Residence Halls or other facilities leased by the University that serve in a residential capacity. Thomas University has a "zero tolerance" alcohol policy and the first violation of this policy shall be immediate grounds for University disciplinary sanctions.

## **Bicycle Storage**

Bicycles are permitted on campus and a bicycle rack is provided. The Residence Life staff may remove bikes that appear abandoned. Please remember that for fire safety, space and maintenance issues, students are discouraged from keeping their bicycles in their rooms or in hallways.

## **Cable Television Access**

Each room in the Magnolia Residence Halls is equipped with a television and basic cable television service. This service will enable students with a cable-ready TV or a converter box to access the regular service channels that are offered. Premium channels are not available to student housing facilities. Cable television access is provided to residence living in the Pinetree Residence Hall but residents must provide their own television.

## **Common Areas and Lounges**

Thomas University also provides lounge furniture and recreational games within the Common Areas of the Pinetree Residence Hall facility. These furnishings are provided so that students may enjoy group settings and be comfortable in the common areas. Furnishings are not to be removed from the common areas. If common area furnishings are found in individual rooms, disciplinary action may be taken with the possibility of fines being assessed.

## **Wi-Fi Internet Access**

Wi-Fi access points are located throughout Pinetree Residence Hall and an access point is installed in each quad in the Magnolia Residence Halls. For Wi-Fi access, contact a member of the Housing staff.

## **Confidentiality**

Residence Life staff will respect private information that residents may share. Staff, however, will not and cannot promise absolute confidentiality. For resident safety and security reasons, staff members are required to report certain situations or incidents to their supervisors. These situations may include but are not limited to alcohol and drug abuse, emotional distress, suicide concerns, sexual assaults, eating disorders and other serious issues.

## **Damage Responsibility**

Students are held financially responsible for damage to the room, its furniture and fixtures, any missing furniture, and the condition of the areas in and around the University Housing facility. The Resident Director and Resident Assistant will inspect the room following student departure to determine if any damage has occurred and the amount of the charge for repair.

Students are responsible for the condition of the common areas. If you rearrange furniture to accommodate group meetings, please respect the residence life staff by returning the furniture to its original place. Dispose of all garbage within the common area and take care to avoid damaging the furniture or facilities. The cost of repairing damage and/or replacing missing/stolen items in the common areas will be shared equally among all residents unless it is known who is specifically responsible. If you know who is responsible, please inform your Resident Assistant or Manager of Housing so that the appropriate people will be charged.

## **Dealing with Conflict**

Students may experience difficulties with their roommate sometime throughout the course of the year. We encourage all residents to attempt to resolve these issues directly with your roommate. If you are not successful in resolving issues, reach out to your Resident Assistant for help to work through the conflict. If you live in off campus university housing, contact the Resident Director for assistance. In the rare instance that an acceptable solution cannot be found, it may be possible to change rooms or switch roommates. In this event, you must work directly with the Housing Manager in an attempt to determine if a change is necessary and if the change can be made. If changes can be made, you will need to complete all appropriate room change forms and complete the proper check-out procedures for your current room assignment as well as check-in procedures for the room you will be moving into.

## **Decorating/Displaying of Items**

Residents interested in decorating their rooms must adhere to the following guidelines: 1. Fire safety equipment must remain intact and uncovered. Tapestries, posters, and other large wall coverings may not be hung across the ceiling. Decorations must not obstruct exits or access to fire safety equipment. No bookshelves, lamps, or other furnishings may be affixed to walls or ceilings. Decorative/holiday lights must be UL approved and may not be left on unattended. They may not be strung through doorways, windows, hung from the ceiling or placed on bed frames. Live garland, wreaths, or trees are prohibited in University Housing facilities. Screws and nails may not be used to hang items. Residents are to use 3M Strips that remove without leaving a mark or damaging the wall. Residents may be billed for holes, tape residue, or damage their decorating leaves behind. Obscene or patently offensive material may not be displayed in windows or on the outside of room or apartment doors.

## **Electrical Appliances and/or Cooking Equipment**

Due to electrical requirements and safety precautions, some electrical appliances or equipment are strictly prohibited. These include, but are not limited to appliances with open heating elements (oil popcorn maker, toaster, toaster oven, hot plate-burner type, counter top grill, pizza baker/carousel, counter top sandwich maker, broiler, hotplate, etc.)

*Note: If assigned to an apartment, you may bring these items.*

All electrical appliances and equipment brought into university housing must be tested and listed by an approved agency. These include Factory Mutual (FM), American National Standards Institute (ANSI), and Underwriter's Laboratory (UL). Approved devices are designated with the agency's label.

With an increase in new cooking appliances and devices, this list is not all-inclusive. Please use the above as guidelines. If you have questions regarding an appliance, please ask the Resident Director. All approved cooking appliances and electrical devices must have self-contained, thermostatically controlled heating units and be equipped with automatic shut off. Appliances must not have frayed cords, bent prongs, or be plugged into multiple (octopus) outlets. It is required that students use a UL approved power strip with its own fuse or circuit breaker. It will protect sensitive electronic equipment from damage due to power outages or surges.

## **Emergencies**

In the case of a life-threatening emergency, immediately contact 911. In all other emergencies, your first point of contact is the Resident Assistant (RA).

## **Entrance Door Security**

Outside entrance doors or any other doors providing locked security to a common area must never be propped open. Designated emergency exit doors are restricted to use only during emergencies.

## **Entry and Search**

Authorized University Staff have the right to enter and search rooms at any time. The authorized staff should knock, announce themselves, receive permission to enter, and then enter. In cases where the staff member suspects that a rule violation is taking place, the health and safety of a student is involved, or there is a need to conduct university business, that staff member may enter after knocking and announcing himself or herself. If possible, a reasonable effort will be made to have a resident of the room present.

## **False Information**

Students supplying false information or identification to university staff will be subject to disciplinary sanctions.

## **Fire Safety**

When the fire alarm sounds at any Residence Hall, all residents must evacuate the building. If you are assigned to the apartments, wake your roommates, alert your neighbors and evacuate the building towards the street, not towards

the parking lot.

Periodically check your battery operated smoke detector. When Health and Safety Inspections are made, Residence Life staff will check the smoke detector and will request that maintenance change the batteries when necessary. You will be held personally responsible to all alterations or removal of this equipment. Contact your Resident Assistant if your smoke detector needs batteries or is not functioning correctly. Removal or tampering with the smoke detection system within the residence halls will result in a fines or disciplinary

### **Furniture**

Residents are encouraged to arrange the furniture in their personal space to create a comfortable environment. Residents are prohibited from removing University furnishings. All other building furniture must remain in its assigned location. This requirement prohibits residents from placing common area furniture or any furnishings from another TU facility in their housing assignment and from “swapping” University furnishings with other residents. Removal of extra or unwanted furniture must be approved by the Housing Manager. During check out, room furniture should be returned to its original positions. The resident assumes responsibility for all property damage that exceeds normal use, wear and tear. Damage or missing property will be billed to the student’s business account during checkout time from the facilities.

All furniture within the room is designed for use “AS IS”. While we encourage students to arrange their furnishings in comfortable and inviting manners, the beds and other furnishings are not to be raised, elevated or lofted in any manner.

### **Game Play**

Residential students are prohibited from bicycle riding, skating/rollerblading, skateboard riding or participating in physical games that may result in injury to the individual or damage to the facility within the University Housing facilities. Such games include, but are not limited to softball/baseball catch, tag games, hackysack, football, soccer, kickball, golf, tennis, volleyball, etc. Students participating in these activities within the residence halls or housing facilities will be asked to refrain from these activities and may be subject to disciplinary sanctions.

### **Guest/Visitation**

Having guests in the Pinetree Residence Hall and University Housing facilities is a privilege, not a right. Residents are responsible for the behavior and actions of their guest(s) at all times. Guests must be properly signed in and must always be escorted by a host resident. Not more than two guests may stay up to three consecutive nights, or a total of 10 days per semester. A resident’s right to privacy and sense of security in his/her room supersedes a roommate’s privilege to have guests. Therefore, regardless of gender or time of day, residents must have the consent of their roommate(s) and the apartment mates in order to have guests anywhere in the room or apartment. It is the roommates’ responsibility to discuss guest visitation and to hold each other accountable. Residents uncomfortable with or incapable of discussing guest’s expectations with their roommates should ask a Residence Life staff member for assistance immediately.

Conduct that infringes upon the rights of others including (1) failure to respect a roommate’s right not to have unwanted guests present in the room/apartment, or (2) failure to respond to requests for guests to leave at any time, may result in judicial action. Even with roommate consent, residents may not host overnight guests for more than two nights in a seven-day period without approval from the Resident Director.

Only residents assigned to a particular room or apartment may live there. Anyone else, including family members is considered a guest and subject to guest visitation policies. No guests under the age of 12 are allowed in university housing facilities between 8 p.m. and 10 a.m. Opposite gender guests are not permitted to stay overnight in the residence halls or in other University Housing facilities. The hours of visitation for guests of the opposite sex in student rooms are from 10 a.m. until 12 a.m. Sunday through Thursday, and from 10 a.m. until 1 a.m. Friday and Saturday.

### **Harassment**

Thomas University is committed to providing a living and learning environment that is free of all forms of abuse, assault, harassment, and coercive conduct, to include all forms of sexual misconduct. Please refer to the Thomas University Policy Manual; Volume VII of the Student Policies, Section 7.5.4 for detailed information about the Student Code of Conduct at Thomas University. If you are a victim of harassment, please call the Housing Manager at 229-977-6563.

### **Housekeeping**

Members of the Thomas University maintenance staff will maintain the public areas of the student housing facilities on a regular basis. Residential students are responsible for cleaning up after themselves in their private space, as well as assisting in keeping the common areas clean. Residents are responsible for taking their own garbage to the large garbage receptacle located on every housing facility property. Garbage from individual rooms is not to be placed in the garbage cans within the common areas of the building. Students who persist in leaving garbage around the common areas are in violation of university policy.

### **Hall Access and Room Keys**

The Residence Life staff will provide you with a room access card/fob, a room key, and mailbox key when you check in at the facility. The access card will open the front entry door, as well as the door to the back patio. Your key will allow you access to your room. Please be sure to carry your student ID card, access card and room key with you at all times. Only residents of the University on campus housing will be given an access key. All keys assigned must be returned at check-out to avoid penalty fee.

### **Hate Crimes and Bias-Motivated Incidents**

Thomas University values and encourages diversity and is committed to providing a safe environment that protects the rights of all persons connected with the university. The University has no tolerance for acts of intimidation, assault, battery, vandalism, destruction or defacement of property, stalking and other actions that violate criminal and/or civil laws, University policies or student behavior codes.

When such actions appear to be directed at individuals because of their race, gender/gender expression, sexual orientation, age, national origin, marital status, creed, religion, socioeconomic status, physical or mental disability, they are considered to be (1) hate crimes or (2) bias-motivated incidents. Those who commit such actions may be seen to pose a risk to the safety and welfare of a class of individuals. All reported incidents will be investigated. Report all incidents to the Resident Director.

### **Health and Safety Inspections**

The purpose of Health and Safety Inspections is to ensure student rooms and common areas are in reasonable condition and do not present health or safety hazards to individuals or the community. Inspections are conducted a minimum of three times per semester. Students will be notified twenty-four (24) hours in advance of the first inspection. Other inspections will not be announced. When possible, one resident of the room or quad should be present at the time of the Health and Safety Inspection.

During room inspections. Residence Life staff members will inspect the general condition of the living space including bathroom, closets, kitchen (if applicable), all appliances, outlets, and fire safety equipment. Residents will be notified when health or safety violations are found and will be given a twenty-four (24) hour opportunity to address and correct the violation/s. Failure to correct inadequacies may result in an assessment of fines and/or possible university disciplinary sanctions.

Any illegal or prohibited items will be confiscated and referred to the Housing Manager for judicial action. Failure to correct a violation or repeated violation of health and safety standards may result in judicial action or removal from the dorm.

### **ID Cards**

The Office of Student Life provides Thomas University ID cards. Students, faculty, and staff may obtain an ID card during

scheduled days, times, and locations at the beginning of each semester. Understanding that we cannot accommodate every schedule, you may schedule an individual appointment with the Coordinator of Student Activities.

All students participating in the Pinetree Meal Plan must obtain a valid ID card to be granted access.

### **Illegal Drugs**

Thomas University is committed to establishing and maintaining a drug-free campus. The unlawful manufacture, distribution, dispensation, possession and/or use of any illegal drug or paraphernalia is strictly prohibited in all areas of Thomas University. This policy extends to all facilities that are leased by the University for residential purposes. Thomas University has a “zero tolerance” policy toward illegal drugs and the first violation of this policy shall be immediate grounds for University disciplinary sanctions as well as possible referral to local, state, and/or federal law enforcement agencies. If illegal drugs of any variety are found on student housing property, all residents of the apartment or room will be removed from housing immediately.

### **Laundry**

The Pinetree Residence Hall has a laundry room for student use. The laundry facility is free for their use. While using the laundry room, please abide by the rules. The Magnolia dorms have wash machines and dryers located in the common area in each quad.

### **Lifesaving Devices**

Tampering with lifesaving devices (which include but are not limited to, fire extinguishers, fire alarm boxes, sprinklers, exit signs, and smoke or heat detectors) constitute a violation of safety standards and is prohibited. Behavior that results in the activation of a fire alarm system is prohibited and will result in disciplinary action, which could result in criminal proceedings.

### **Locked Out and lost or stolen keys/access cards or fobs**

If you lock yourself out of your room between 7 a.m. and 12:00 midnight contact an RA or the Resident Director. If you lock yourself out between midnight and 7 a.m., contact the security officer on duty or a friend.

If your access card/fob or room key is lost or stolen, it is important to the safety and security of all residents to immediately report this loss to an RA or the Resident Director. If your access card is missing, the card will be cancelled immediately and a new access card will be issued. The resident will pay a \$100 fee at the time of access card replacement. If your room key is misplaced, maintenance will be contacted to have the door re-keyed with new keys being issued to yourself and your roommate. The resident will pay a \$100 fee at the time of key replacement.

### **Pets**

Pets are strictly prohibited from living in and/or visiting the residence hall. No animals are allowed within University Housing common areas or individual rooms or apartments. In the event that a service animal is required, contact the Resident Director for approval.

### **Postal Service**

The Pinetree Residence Hall has mailboxes located inside the residence hall. The mailboxes at the Magnolia Residence Halls are located outside between the two buildings. The United States Postal Service maintains regular delivery of the mail. If you are receiving a package that is too large for the mailbox, have it delivered to the Thomas University Magnolia Student Life Building to avoid delivery issues. Packages will be held here for student pick-up. If you have a package delivered to the Pinetree Residence Hall, inform the Resident Director to coordinate a pick-up time.

### **Room Assignments and Roommates**

The Residence Life staff make every effort to select a roommate that matches your interests in critical areas, in order to place students in situations that will be the most comfortable for them.

## **Room Care and Maintenance**

If your room or another area in student housing is in need of maintenance or repair, contact your Resident Assistant or the Resident Director. A service request will be submitted to Thomas University maintenance to address the issue. If the requested service is not provided in a timely fashion, you should contact the RA or Resident Director immediately.

## **Solicitation**

Door-to-door solicitation in University Housing is strictly prohibited. If you are approached in your residence hall by a salesperson, immediately report the incident to the Resident Assistant, Resident Director, or Housing Manager.

## **Storage**

The University does not provide storage space for trunks, suitcases or any other student items. Closets, dressers and the area under the beds provide storage space. If possible, you should coordinate what you will bring with your roommate and plan to bring only items that will fit in your room and/or car. Storing personal property and furniture in University Housing over the summer is not permitted.

## **Theft**

Theft is most likely to occur during the first few weeks of classes since students tend to be preoccupied with moving in, getting settled and becoming acclimated to campus. Remember to lock bikes and room doors and to keep backpacks and book bags with you.

Inventory your belongings. Write down serial numbers for all of your valuables. We also strongly recommend the purchase of insurance if you are not covered by a homeowner's insurance policy.

## **Tobacco and Smoke-Free Campus**

Thomas University is a tobacco and smoke-free campus. The use of tobacco is prohibited within university buildings and walkways, in university vehicles, and on university owned property, not otherwise leased to another organization. This policy applies to all faculty, staff, students, contractors, vendors, and visitors at all university locations. In support, Thomas University provides tobacco cessation and cessation and prevention services.

Parking lots owned or operated by the university are included in the ban. This includes university owned vehicles and use of tobacco in privately owned vehicles parked on university property. This policy applies to all students, faculty, staff, contractors, vendors, and other visitors to all university property. Prohibited tobacco products include, but are not limited to, cigarettes, e- cigarettes, cigars, cigarillos, pipes, hookahs, all smokeless tobacco, and vaporizers. The use of these items is prohibited.

## **Open Flame**

Due to safety concerns, the use of open flames (candles, incense, sage, etc.) is strictly prohibited in all student housing facilities. If these items are found, they will be immediately confiscated.

## **Quiet Hours, Courtesy Hours and Quiet Zones**

Students living in University Housing are expected to respect the rights of others by refraining from excessive noise (stereos playing out the windows, excessive noise from within the room, etc.) Courtesy hours are in effect at all times. During Quiet Hours, audible noise must not be heard outside the room with the door closed.

### **Quiet Hours**

Sunday - Thursday	10:00 p.m. until 10:00 a.m.
Friday - Saturday	1:00 a.m. until 12:00 p.m. (noon)

*Quiet Hours are in effect 24 hours a day during the last week of class and during Final Exams week.*



## Visitation

Residence Hall visitation is permitted during the times designated below:

Sunday - Thursday	10:00 a.m. until 12:00 a.m. (midnight)
Friday - Saturday	10:00 p.m. (noon) until 1:00 a.m.

All visitors must sign the visitor's register located in entrance to the main lobby. Visitors are to remain in the presence of their host while they are in the residence halls. Host residents are responsible for all actions of their visitors.

## Weapons

The following items are **strictly prohibited** in University Housing or within any Thomas University facilities: firearms, ammunition, explosive devices, switchblades, any knives with blades longer than 3.5", metal knuckles, straight razors, martial arts weapons, air guns, paintball guns, spud guns, fireworks, sling shots, camping stoves, or any other item that the residence life staff determines to be a possible threat to the health or safety of other residents. Residents found to have any of these materials in their possession will have the items confiscated and risk possible University disciplinary sanctions.

## APPENDIX B

### CODE OF DISCIPLINE

### Student Offenses by Level

All offenses are documented and retained in the office of the Vice President for Student Life.

#### Level 1 Offenses

Level I Offense	Examples	Possible Penalties
Disruption to a resident's right to reasonable use of the facility  Compromising basic health/hygiene standards  Significant nuisance issues	Quiet hour violations  Visitation violations  Excessive disruption within the hall or the surrounding community  Improper cleaning or garbage removal  General uncleanliness  Disorderly conduct  Other minor breaches of policy	Apology  University Service  Restitution  Reprimand  Possible escalation to Level II offense

#### Level 2 Offenses

Level II Offense	Examples	Possible Penalties
Significant disturbance to another individual(s) or surrounding community  Repeated disregard for policy/procedure.	Possession/consumption of alcohol within the facility  Failing to recognize authority of staff  Failing to leave a room after being requested to do so  Removing/transferring furniture  Accidentally damaging Residence Hall property  Possessing stolen goods  Smoking within the Residence Hall  Tampering with room fire detection/suppression	Apology  University Service  Restitution  Reprimand  Probation  Fine  Possible escalation to Level III offense

### Level 3 Offenses

Level III Offense	Examples	Possible Penalties
Any action that significantly endangers the safety and security of self, others, property and/or the surrounding community.	Occupying the University Housing rooftops. Engaging in activities involving drinking games Changing or tampering with security equipment Failing to follow fire or other emergency procedures Creating fire hazards Pets within the room Physical alterations Verbal/non-verbal abuse	University Service Restitution Reprimand Probation Fine Escalation to Level IV offense

### Level 4 Offenses

Level IV Offense	Examples	Possible Penalties
Any action that contravenes municipal, provincial or federal law	Possession/use of firearms in University Housing Possession or use of illegal drugs/paraphernalia Engaging in sexual, physical or mental abuse.	University Service Restitution Reprimand Probation Suspension Dismissal Expulsion Filing of formal charges.

## APPENDIX C

### Student Complaints Policy and Procedure

1. **Informal Review and Resolution.** Before filing a formal complaint, the student should discuss the concern or decision with the person with whom he/she differs and attempt to resolve the matter satisfactorily.
2. **Primary Review and Resolution.** If the complaint cannot be resolved informally, the student may file a written complaint to the chairperson or head of the department responsible for the matter in question. The reason for the complaint must have occurred no longer than one semester prior to submitting the written complaint. A meeting or communication between the student and the chairperson or head of the department must occur within ten working days of receipt of the complaint. Following review, the administrator's final decision must be conveyed to the student in writing (email or letter).
3. **Secondary Review and Resolution.** If dissatisfied with the decision of the administrator in the primary review, the student may appeal in writing to the Associate Vice President or Vice President overseeing the academic or administrative unit responsible for the matter in question. This appeal must be submitted within ten days of receipt of the written decision of the primary review. Following review, the administrator's final decision must be conveyed to the student in writing (email or letter).
4. **Documentation.** Documented formal complaints, written communication between parties, and the written decision are stored in the office where the complaint originated. If the complaint escalates to a secondary review, the record of the complaint is stored in the office of the Associate Vice President or Vice President of the academic or administrative unit responsible for the matter in question.
5. **Retaliation.** No retaliation of any kind shall be taken against a student for participation in a complaint. This policy is to ensure that students' complaints will be received, heard, and addressed with consideration of fairness and in accordance with university policies by the appropriate administrator(s).

## APPENDIX D

### Student Code of Conduct (Offenses by Category)

1. **Offenses Related to Persons.** An offense related to a person is committed when a student:
  - a. Intentionally or knowingly, and without authority or consent, limits or restricts the freedom of a person to move about in a lawful manner; Threatens (by any means), intimidates, or uses physical force in a manner that endangers the health or safety of another person or which reasonably causes another person to be fearful or to suffer physical or emotional harm. Attempts to coerce or influence any person in an effort to discourage or prevent their use of or participation in any disciplinary proceedings or
  - b. Intentionally harasses another person. Harassment of any kind is unacceptable at and is in conflict with the policies and interests of the university. Moreover, many forms of harassment have been recognized as violations of the civil rights laws by the United States Equal Employment Opportunity Commission and by the courts. Harassment is defined as verbal or physical conduct, which has the intent or effect of unreasonably interfering with an individual's or group's educational performance, or of creating an intimidating, hostile or offensive educational environment on or off campus. Harassment on the basis of race, color, gender, religion, national origin, or sexual orientation includes harassment of an individual in terms of a stereotyped group characteristic or because of that person's identification with a particular group. With reference to sexual harassment, the definition also includes unwelcome sexual advances and requests for sexual favors that might be perceived as explicitly or implicitly affecting educational decisions concerning an individual. Further information on Thomas University's policies and procedures relating to harassment can be found in Volume II of the Thomas University Policy Manual, section 2.2.
2. **Offenses Related to Property.** An offense related to property is committed when a student:
  - a. Knowingly and without consent or authorization, possesses, removes, uses, misappropriates, or sells the property or services of another person or of the university
  - b. Intentionally or negligently damages or destroys property owned or in the possession of another person or of the university
  - c. Obtains the property of another person by misrepresentation or deceptive means
  - d. Enters or uses the facilities or property of another person or the university without consent or authorization
  - e. Intentionally or negligently damages, erases, or otherwise destroys computer software, programming, or data, including the unauthorized duplication of same.
3. **Offenses Related to the Operation of the University.** An offense related to the operation of the university is committed when a student:
  - a. Engages in obscene or indecent conduct on university property or at university-sponsored events
  - b. Forges, alters, possesses, duplicates, or uses documents, records, keys, or identification without the consent or authorization of appropriate university officials
  - c. Falsifies information or records submitted to university offices, administrators, faculty, student organizations, university-wide committees, or hearing officers
  - d. Fails, without just cause, to comply with the lawful order of a university official acting in the lawful performance of their duties and authority
  - e. Permits another person to use his/her Thomas University identification card for the purpose of obtaining an improper benefit or opportunity from the university
  - f. Impersonates another person or misrepresents his/her authority to act on behalf of another or of the

university

- g. Engages in solicitation in or on university property unless such solicitation is approved by appropriate university officials
- h. Obstructs or interferes with the reprimand, discipline, or apprehension of another person involved in the commission of an offense under this code or of Georgia statute or
- i. Intentionally acts to impair, interfere with, or obstruct the orderly conduct, processes, or functions of the university.

4. **Offenses related to Welfare, Health, or Safety.** An offense related to welfare, health or safety is committed when a student:

a. Hazing

Hazing is defined as any action, activity, or situation that recklessly, negligently, or intentionally endangers the mental or physical health or safety of a person for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of the university. Any activity as described above upon which the initiation, admission into, or affiliation with a university organization is directly or indirectly conditioned shall be presumed to be a forced activity, the willingness of an individual to participate in such activity notwithstanding.

a. Firearms and Weapons

Uses, possesses, or manufactures any firearm, weapon, deadly weapon or other dangerous or flammable material which is strictly forbidden on the property owned or operated by Thomas University

“Deadly Weapon” is defined to be any firearm, knife or substance or object which, in the manner it is used, is intended to be used or threatened to be used, is known to be capable of producing death or serious bodily injury.

b. Arson

- i. Intentionally and with willful disregard to persons or property, sets fire to University property
- ii. Falsely reports a fire, activates emergency warning equipment, or communicates false information regarding the existence of explosives on university property
- iii. Abuses, removes, or damages fire or safety equipment
- iv. Fails to vacate a building or facility when a fire alarm is activated
- v. Fails to leave a building, street, walkway, driveway, or other facility of the university when directed to do so by an official of the university

c. Other Offenses

- i. Uses, possesses, distributes, sells, or is under the influence of narcotics, hallucinogens, dangerous drugs or controlled substances, except as permitted by law
- ii. Disrupts or interferes with a student disciplinary hearing
- iii. Aids, abets, hires, or otherwise procures any offense to be committed by another
- iv. Collaborates with another person to plan or endeavor to accomplish an act made unlawful by this code or
- v. Commits an offense in violation of Georgia statutes, if the judicial system acquires jurisdiction.

## APPENDIX E

### Thomas University: Policy regarding Transferable Diseases

Persons who know or who have reason to believe that they are infected with a significant infectious disease have an ethical and legal obligation to conduct themselves in accordance with such knowledge in order to protect themselves and others. In this light, students who have been diagnosed with, exposed to, or show signs of significant infectious diseases, whether symptomatic or not, are expected to seek expert medical advice and are encouraged to advise local health authorities.

#### Transferable Disease Policies: Student focused

##### **Purposes:**

The purposes of this policy are to:

- Safeguard the welfare of students
- Manage the operations of the university in an effective and efficient manner
- Inform and advise the university community
- Establish operating procedures appropriate to all constituents of the university community

##### *Scope:*

The Policy shall be implemented for transferable diseases commonly found in the university population, which can be transmitted by air, object or through casual contact. Examples listed below “include, but not limited to” the following communicable diseases:

- Chicken Pox-Varicella, Rubella - 3day measles, Rubeola - 9day measles, Meningitis - viral and bacterial, Hepatitis A, Tuberculosis (TB), Severe Adult Respiratory Syndrome (SARS), COVID 19.

Note: the scope of this policy shall also include other transferable diseases that pose risks similar to the diseases listed above, which would put the university community at risk.

##### *Objectives:*

The objectives of the Transferable Disease Policy are to:

- Define transferable diseases
- Identify reporting requirements
- Identify individuals and groups with responsibilities in the presence (outbreak) of a transferable disease
- Provide information about methods of self-protection for members of the university community

##### *Policy and Procedures:*

#### A. Procedures for Treating Students with Transferable Diseases Who Reside in University Housing:

1. Thomas University does not have a university clinic or clinical staff on campus. Students suspected of having a transferable disease must be examined by a local health care provider and obtain appropriate medical care based upon confirmed diagnosis.
2. If a student has been diagnosed as having a transferable disease by a medical agency and the student is unable to leave campus, the Vice President for Student Life (or his/her designee) shall at the “discretion of University” and “as appropriate under the circumstances”, make provisions to mitigate the problem, which may include isolating the patient on campus. This option is intended to prevent the spread of the transferable disease. The preferred practice shall be to return the student to his/her home if at all possible.
3. In the event that a student with a transferable disease must remain on campus in isolation, the Vice President for Student Life will determine the extent of the involvement of the other major university

offices in the management of the disease. This decision will be based upon the Vice President's evaluations of the risk to the university community. Major university offices may include but are not limited to: President's Office; Academic Affairs; Business Office, Student Accounts Office, Admissions; Housing & Residence Life, Physical Plant, Housekeeping, University Security, Institutional Advancement/Office of Media Relations, and Human Resources. The directors of each of these offices shall be contacted. These individuals shall implement plans to care for and to maintain a safe and orderly campus environment.

4. Before a student is discharged from isolation and permitted to return to classes/normal activities at the university, he/she must be examined by a physician. The physician must provide the Vice President for Student Life a signed statement, which indicates that the student is safe to return to class/normal activities. When a student convalesces at home, he/she shall provide a statement from his/her family physician before returning to classes/normal activities. The physician shall certify that the student is no longer infectious to others and that the student presents no risk to the university community. The Vice President for Student Life shall notify appropriate parties that the patient has been released from care and may return to class/normal activities.
5. When a transferable disease threatens the university community, the Vice President for Student Life shall inform the President of his/her decision.
6. When deemed appropriate by law or by the President, it is the responsibility of the Director of Marketing and Communications to publicly announce that an epidemic of a transferable disease has been confirmed and to state the related facts that serve to inform and protect the university community.

#### B. Procedures for Treating Student with a Transferable Disease Who Reside Off-Campus:

1. A local health care provider shall examine a student suspected of having a transferable disease and determine appropriate medical care based upon a confirmed diagnosis.
2. If a student is diagnosed as having a transferable disease, the Vice President for Student Life shall determine if the student should return to his/her home or to his/her off-campus residence. The preferred practice shall be to return student to his/her home where care can be provided and where exposure to other students is reduced.
3. In the event that a student with a transferable disease must remain off campus and in isolation, the Vice President for Student Life, shall determine the extent of the management of a communicable disease. This includes evaluation of the risk to the University community.
4. Before a student is permitted to return to classes at the university, he/she must be examined by a physician. The physician must provide the Vice President for Student Life a signed statement of non-communicability, which also indicates that the student is safe to return to class. The physician shall certify that the student is no longer infectious to others and that the patient presents no risk to the university community. The Vice President for Student Life shall notify appropriate parties that the patient has been released from care and may return to class/normal activities.
5. When a transferable disease threatens the university community, the Vice President for Student Life shall inform the President of his/her decision.
6. When deemed appropriate by the President, it is the responsibility of the Director of Marketing and Communications to publicly announce that an epidemic of a communicable disease has been confirmed, and to state the related facts that serve to inform and protect the university community.

#### C. Procedures for Managing an Epidemic among Participants in University-Sponsored Camps and



#### Conferences:

1. The program supervisor who is working with participants enrolled in university-sponsored camps or conferences shall contact the Vice President for Student Life when an occurrence of a transferable disease has been confirmed.
2. The Vice President for Student Life will determine the extent of the involvement of other major university offices in the management of the communicable disease based upon the physician's evaluation of the risk to the university community.
3. Prior to returning to the program, the participant shall be required to present a signed doctor's certificate to the program supervisor certifying that he/she is no longer contagious to others and that he/she presents no risk to the university community. This certification will be submitted to the Vice President for Student Life prior to the participant being allowed to return to the program.

#### ***Definitions:***

The following definitions pertain to this policy:

**Transferable Disease** – A transferable disease is an illness due to a specific infectious agent or its toxicity, which can be transmitted from one individual to another. This disease may be transmitted directly from one body to another without the aid of other objects or may be transmitted indirectly when an object transmits the organism.

**Transferable Period** – The transferable period is that period of time or times during which the infectious agent may be transferred directly or indirectly from an infected person to another person.

#### **Responsibilities:**

It is the responsibility of all affected parties to report all transferable diseases to the Vice President for Student Life. The Vice President for Student Life shall in turn notify the President when such a disease threatens the university community.

It is the responsibility of certified and licensed health officials, external to the university, to provide a confirmed diagnosis to the appropriate university sources when a university student is known to have a confirmed diagnosis of a communicable disease.

When deemed appropriate by the President, it is the responsibility of the Director of Marketing and Communications to publicly announce that an epidemic of a transferable disease has been confirmed and to state the related facts that serve to inform and protect the university community.

## **APPENDIX F**

### **Sexual Misconduct Policy**

#### **I. Scope of Policy**

This Policy applies to all reports of Prohibited Conduct occurring on or after the effective date of this Policy (August 14, 2020).

When used in this Policy, “Complainant” refers to an individual who is alleged to be the victim of conduct that could constitute sexual harassment. “Respondent” refers to an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

A “Third-Party” refers to any other participant in the process, including a witness or an individual who makes a report on behalf of a Complainant.

The process begins with a Formal Complaint filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University.

Nothing in this Policy derogates the legal right of a parent or guardian acting on behalf of the Complainant, Respondent, or Third-Party, including, but not limited to filing a Formal Complaint.

A possible violation of the Sexual Misconduct Policy is handled through an administrative process. A Complainant may also pursue criminal or civil legal recourse concurrently. One is not dependent upon another.

#### **A. Persons Covered**

This Policy applies to all Thomas University community members, including students, faculty, administrators, staff, volunteers and visitors.

The University strongly encourages reports of Prohibited Conduct regardless of who engaged in the conduct. Even if the University does not have jurisdiction over the Respondent, the University will take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

The University will provide Supportive Measures with or without a Formal Complaint.

#### **B. Locations Covered**

This Policy applies to the University’s educational program or activity which includes locations, events, or circumstances over which the University exercises substantial control over both the Complainant and Respondent and the context in which the sexual harassment occurs.

This Policy applies to all on-campus conduct. The University strongly encourages reports of Prohibited Conduct. Even if the Policy does not apply to the conduct because of its location, the University will take prompt action to provide for the safety and well-being of the Complainant and the broader campus community under applicable University policies.

**On-Campus Conduct.** This Policy applies to conduct that occurs on-campus, including conduct which occurs on property owned or controlled, leased, or managed by the University. This policy also applies to any building owned or controlled by a student organization that is officially recognized by the University.

**University Programs.** This Policy applies to conduct that occurs in the context of University employment or education programs or activities, including, but not limited to, internship programs, graduate assistantships, or athletic travel.

**Off Campus Conduct.**

This Policy applies to all conduct that occurs on College premises and at College-sponsored activities. The College also has the discretion to discipline a student for conduct that occurs off campus, if that conduct adversely affects the University community and/or the pursuit of its objectives. VP of Student Life and the Title IX Coordinator in their sole discretion and on a case-by-case basis, decides whether campus proceedings should be initiated against a student for conduct occurring off campus and refer to the appropriate office. (See student code of conduct and employee code of conduct).

## **II. Prohibited Conduct and Definitions**

### **Gender-Based Discrimination**

Sex or gender-based discrimination refers to the disparate treatment of a person or group because of that person's or group's sex, sexual orientation, gender identity or gender expression.

#### **B. Sexual Harassment:**

Sexual Misconduct is conduct of a sexual nature or conduct based on sex or gender that is nonconsensual or has the effect of threatening, intimidating, or coercing a person. The University prohibits the following specific conduct (defined below):

- (1) An employee of the University conditioning the provision of an aid, or services of the Thomasville on an individual's participation in unwelcome sexual conduct.
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively reasonable that it effectively denies a person equal access to the University's education program or activity.
- (3) Sexual Assault (defined below); or Dating Violence (defined below); or Domestic Violence (defined below) or Stalking (defined below).

Sexual harassment quid pro quo occurs when a position of authority is used threaten to impose a penalty or to withhold a benefit for sexual favors, whether or not the attempt is successful. Sexual harassment may involve behavior by a person of either gender against a person of the same or opposite gender. It should be noted that the potential of sexual harassment exists in any of the following relationships: student/student, employee/student, student/employee, and employee/employee. Here and subsequently, "employees" refers to faculty, staff, and administration. Because of the inherent differential in power between University's employees and students, sexual relationships between employees and students are prohibited.

A hostile, demeaning, or intimidating environment exists when sexual harassment is so severe, pervasive, and objectively reasonable that it effectively denies a person equal access to the University's education program or activity. A hostile environment can be created by anyone involved in a University's program or activities (*e.g.*, administrators, faculty members, staff members, campus visitors).

Explicit behaviors constituting sexual harassment include but are not limited to requests for sexual favors, physical assaults of a sexual nature, sexually offensive remarks, and rubbing, touching or brushing against another's body. More subtle behaviors may be experienced as intimidating or offensive, particularly when they recur, or one person has authority over another. Such behaviors may include but are not limited to unwelcome hugs or touching, inappropriate staring, veiled suggestions of sexual activity, requests for meetings in non-academic settings, and risqué jokes, stories or images.

These behaviors may range from the most egregious forms, such as sexual violence, to more subtle forms. The University defines acts of sexual violence as physical sexual acts perpetrated against a person's will or where a person is incapable of

giving consent (e.g., due to the individual's age or use of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give consent; For full definition of consent, please refer to Section II. C).

### **C. Additional Definitions:**

**Complainant.** Complainant refers to an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Coercion.** Coercion is inappropriate pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When a person makes clear that they do not want sex, wants to stop, or that going past a certain point of sexual interaction is unwanted, continued pressure beyond that point can be coercive.

**Consent.** Consent is a clear, unambiguous, and voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by clear actions or words. Consent may not be inferred from silence, passivity, or lack of active resistance alone. Instead, consent is affirmatively given. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one's responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity. Examples of such situations include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment. In Georgia, minors under the age of 16 years of are generally unable to provide consent, with narrow exceptions. See Georgia Code Ann. Section 16-6-3, Statutory Rape. The University recognizes the following aspects regarding **consent**:

(a) consent is a voluntary agreement to engage in sexual activity, (b) someone who is incapacitated cannot consent; (c) past consent does not imply future consent, (d) silence or an absence of resistance does not imply consent, (e) consent to engage in one form of sexual activity does not imply consent to engage in other forms of sexual activity; (f) consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another; (g) consent can be withdrawn at any time, and (h) coercion, force, or threat of either invalidates consent.

**Dating violence.** The term "dating violence" means violence committed by a person – (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship. (34 U.S.C. 12291(a) (10).

The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. [34 U.S.C. 12291(a)(8)].

**Gender identity:** A person's deeply felt internal sense of being male or female, regardless of their sex assigned at birth.

**Gender expression:** The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

**Incapacitation.** Incapacity can result from mental disability, sleep, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be – or based on the circumstances should reasonably have known to be – mentally or physically incapacitated, constitutes a violation of this Policy. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another’s ability to give consent (see full definition of “consent” above).

**Retaliation:** No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

**Reasonable Person.** Reasonable person refers to an ordinary person who exercises care while avoiding extremes of boldness and carefulness (Replevin, Black’s Law Dictionary, 10<sup>th</sup> ed. 2014).

**Respondent.** Respondent refers to an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment

**Sexual Assault.** “Sexual Assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, as defined in 20 U.S.C. 1092(f)(6)(A)(v).

CRIME DEFINITIONS FROM THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) USER MANUAL FROM THE FBI’S UCR PROGRAM

## **Sex Offenses**

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- B. Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- C. Rape - The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- D. Sexual Assault with an Object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances

where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

- E. Sodomy - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- F. Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

**Stalking.** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress. [34 USC 12291(a) (30)]

**Student.** The term student means any person pursuing academic studies at the University; this includes: (a) a person not currently enrolled but who was enrolled in the fall, spring, or summer terms preceding the alleged violation; (b) a person who, while not currently enrolled, was previously enrolled at Thomas University and who is reasonably anticipated to seek enrollment at a future date; (c) a person who has applied to or been accepted for admission to Thomas University and has accepted an offer of admission or may reasonably be expected to enroll; or (d) a person enrolled in a Thomas University program on a credit or non-credit basis.

### III. CONFIDENTIALITY

The University encourages individuals who have experienced what they believe could constitute sexual harassment to speak with someone about what happened so that support can be offered, and the University can respond appropriately. Different individuals associated with the University have different abilities to maintain confidentiality in this area.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a “**privileged communication**.”
- Some employees are required to report all the details of an incident (including the identities of both the Complainant and Respondent to the Title IX Coordinator. A report to a Responsible Employee triggers an obligation for that employee to notify the Title IX Coordinator or an Official with Authority who have the obligation (at that point) to respond. Additionally, officials with authority to implement corrective measures (Title IX Coordinator and Deputy Title IX Coordinators) will respond.
- It is also possible to report to a third-party counselor or advocate off campus who may maintain confidentiality and only inform the school that an incident has occurred. As reporting requirements vary, it is important to discuss confidentiality with the third party prior to speaking with that individual.

This Policy is intended to make individuals aware of the various reporting and confidential disclosure options available to them so they can make informed choices about where to turn if an incident occurs. The University encourages individuals to talk to someone identified in one or more of these groups. The options include:

#### A. Privileged and Confidential Communications

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a Complainant’s permission. Following is the

contact information for these on-campus individuals:

1. Rev. John Rainey – Chaplain, (229-221-3227; [jrainey@thomasu.edu](mailto:jrainey@thomasu.edu))
2. Archbold Student & Employee Assistance Program (229-228-2210; Toll-Free 1-877-327-2724; or 24 hours Helpline 1-800-238-8661.

While these professional and non-professional counselors and advocates may maintain a Complainant's confidentiality vis-à-vis the University, they may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in case of minors; imminent harm to self or others; requirement to testify if subpoenaed in a criminal case.

## **B. Requesting Confidentiality from the University: How the University Will Weigh the Request and Respond.**

If an individual discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all Thomas University community members, including the reporting individual. If they disclose to the Responsible Employee, the Responsible Employee must disclose. It is up to the Title IX Coordinator (or Deputy) to talk to the Complainant and determine if Complainant wants to move forward, or if Complainant simply wants Supportive Measures.

If the University honors the request for confidentiality, an individual must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent may be limited.

Although rare, there are times when the University may not be able to honor an individual's request in order to provide a safe, non-discriminatory environment for all Thomas University community members.

The University has designated the following individual to evaluate requests for confidentiality once the institution is on notice of alleged sexual harassment or sexual violence:

- **Chris Lyons**, Director of Human Resources & Title IX Coordinator (229-221-9154; [cl Lyons@thomasu.edu](mailto:cl Lyons@thomasu.edu))

When weighing an individual's request for confidentiality or that no investigation or discipline be pursued, The Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the Respondent will commit additional acts of sexual or other violence, such as:
  - Whether there have been other sexual harassment or sexual violence complaints about the same Respondent;
  - Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
  - Whether the Respondent threatened further sexual violence or other violence against the Complainant or others;
  - Whether the sexual harassment or sexual violence was committed by multiple Respondents;
- Whether the sexual harassment or sexual violence was perpetrated with a weapon;
- Whether the Complainant is a minor;
- Whether the University possesses other means to obtain relevant evidence of the sexual harassment or sexual violence (e.g., security cameras or personnel, physical evidence);
- Whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will consider the Complainant's request for confidentiality.

**If the University determines that it cannot maintain a Complainant's confidentiality**, the University will inform the Complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will remain ever mindful of the Complainant's well-being and will take ongoing steps to protect the Complainant from retaliation or harm and work with the Complainant to create a safety plan. Retaliation against the reporting individual, whether by students or University employees, will not be tolerated. The University will provide Supportive Measures as described in Section VI of this policy.

Because the University is under a continuing obligation to address the issue of sexual harassment and sexual violence campus-wide, reports of sexual harassment and sexual violence (including non-identifying reports) will also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

**If the University determines that it can respect a Complainant's request for confidentiality**, the University will also take immediate action as necessary to assist the Complainant. Typically like to avoid the word "protect" since we really cannot protect anyone per se.

#### **IV. TITLE IX COORDINATOR, DEPUTY COORDINATORS, & RESPONSIBLE EMPLOYEES**

**A. Thomas University has designated the following Title IX Coordinator:**

**Chris Lyons: Title IX Coordinator; 229-221-9154, [cl Lyons@thomasu.edu](mailto:cl Lyons@thomasu.edu)**

Thomas University's Title IX Coordinator oversees University compliance regarding all Title IX related matters, including the investigation of complaints. Responsibilities include, but are not limited to, the following:

- Ensuring Title IX compliance
- Assessing initial intake reports
- Understanding University policies and procedures
- Providing information about resources available to both the Complainant and Respondent
- Assigning appropriate investigators to individual cases
- Identifying the appropriate University Policy to resolve the complaint in a prompt and equitable manner
- Tracking and monitoring incidents of sex discrimination and sexual misconduct
- Providing information on options for complaint resolution
- Coordinating education and prevention efforts
- Providing information to the Clery Act administrator regarding Clery Act reportable crimes

**Thomas University has designated the following Deputy Title IX Coordinator:**

**Bob Bohman: Deputy Title IX Coordinator; 229-421-2005, [bbohman@thomasu.edu](mailto:bbohman@thomasu.edu)**

Thomas University's Deputy Coordinator is trained to receive initial intake and, if designated by the Title IX Coordinator, investigate complaints. Deputy Coordinator responsibilities include the following:

- Supporting and assisting the Title IX Coordinator
- Understanding University policies and procedures
- Providing information about resources available to both the Complainant and Respondent



- Hearing and/or receiving initial intake (fact-gathering)
- Reporting intake reports to Title IX Coordinator for assessment
- Investigating complaints (if designated by the Title IX Coordinator)
- Providing information to the Clery Act administrator regarding Clery Act reportable crimes

## **B. Responsible Employees**

All University employees who do not have legally protected confidentiality are considered Responsible Employees.

**Official with Authority** means any official of the College who has authority to institute corrective measures on behalf of the College (§106.30). Thomas University has designated the following positions as Officials with Authority:

1. Title IX Coordinator
2. Deputy Title IX Coordinator
3. Director of HR
4. Dean of Students.

**Responsible Employee** means any employee with the obligation to report sexual harassment or the responsibility to inform a student how to report sexual harassment. The College requires that all Responsible Employees share any report of misconduct with the Title IX Coordinator. A Responsible Employee is anyone who:

1. Has the duty to report to appropriate College officials' sexual harassment or any other misconduct by students or employees; or
2. A student could reasonably believe has the responsibility to assist them. All College employees who do not have legally protected confidentiality are considered Responsible Employees. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the College.
3. A Responsible Employee is any employee with supervisory or leadership responsibilities on campus, including, but not limited to, all faculty (full time, part time, and adjunct) Athletic staff (coaches, assistant coaches, trainers, and athletic administrators) administrators (those with responsibilities for administering a program or service); staff members, including Residence Life Coordinators and Resident Assistants.

## **V. REPORTING**

**The University strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response.**

The University also strongly encourages all individuals or third-party witnesses to report any incident to the University and to local law enforcement, although neither is required. These reporting options are not mutually exclusive. Both internal and criminal reports may be made simultaneously.

In order for the process to begin, the University must have actual knowledge. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any University official who has authority to institute corrective measures on behalf of the recipient. Making a report means telling the Title IX Coordinator or Title IX Deputy Coordinator what happened—in person, by telephone, in writing, or by email. But, ultimately there must be a formal writing.

At the time a report is made, a Complainant does not have to request any particular course of action, nor does a

Complainant need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The University provides support that can assist Complainant’s in making these important decisions and will respect a Complainant’s autonomy in deciding how to proceed to the extent possible. In this process, the University will balance the Complainant’s interest with its obligation to provide a safe and non-discriminatory environment for all members of the University community.

The University will investigate and resolve all formal complaints of Prohibited Conduct in a fair and impartial manner. The Parties will be treated with dignity and respect. In response to all reports of Prohibited Conduct, the University will make an immediate assessment of any risk of harm to the Parties, or the broader campus community and will take steps necessary to address those risks. These steps may include Supportive Measures and/or Emergency Removal or administrative leave of the Respondent to provide for the safety of the Complainant and the campus community.

**A. Emergency and External Reporting Options**

Complainants have the right to notify or decline to notify law enforcement. The University strongly encourages all individuals to seek assistance from law enforcement immediately after an incident of sexual misconduct. The University will help any Thomas University community member to get to a safe place and will arrange transportation to the hospital, coordination with law enforcement, and information about on- and off-campus resources and options for resolution.

Emergency Assistance:	911
Thomasville Police Dept.	229-227-3249
Campus Security (Securitas):	Observed and Report Only

If you do not wish to make a report to the police, you are still encouraged to seek professional medical advice.

**Additional off- campus assistance is available through the following:**

- Archbold Student & Employee Assistance Program 229-228-2210, Toll-Free 1-877-327-2724 or 24-Hours Helpline 1-800-238-8661 or at [www.archbold.org](http://www.archbold.org).
- Halcyon Home, Inc.: Domestic/Sexual Violence Shelter: 600 E. Clay Street, Thomasville, GA 31792. (229-226-5096). Services are available to respond to allegations of a domestic violence upon male victims. These supports for adult male victims does not include residential. Residential is for women only.
- The Treehouse Advocacy Center: Provides adult sexual assault services in Thomas County. (229)977-1639). After hours number 229-236-5437(CRISIS). Website: [treehousethomasville.org](http://treehousethomasville.org) or email: the [treehousecac@gmail.com](mailto:treehousecac@gmail.com).
- National Domestic Violence Hotline: 1-800-799-7233 (SAFE).
- Rape Crisis Center in Thomas County: (229)-435-0074.
- DHR Protective Services (child/disabled adult); (866-552-4464). Provide individual investigation of all allegations and present if necessary to the court for action as recommend by investigators.

**B. Campus Reporting Options**

The University recommends that individuals report Prohibited Conduct to:

VP of Student – Bob Bohman – Magnolia Campus 229-421-2005; [bbohman@thomasu.edu](mailto:bbohman@thomasu.edu).

Director of Human Resources – Chris Lyons- Forbes Building – Main Campus 229-221-9154; [clyons@thomasu.edu](mailto:clyons@thomasu.edu).

VP of Academic Affairs – Dr. John Meis – Forbes Building – Main Campus; [jmeis@thomasu.edu](mailto:jmeis@thomasu.edu).

The University reserves the right to grant amnesty from drug, alcohol, or other violations of the Student Code of Conduct for parties reporting allegations under this Policy (i.e., if alcohol was involved in the incident, the Respondent would not then be charged with an alcohol infraction). Decisions regarding amnesty under the Policy will be made by the Title IX Coordinator and Deputy Title IX Coordinator.

Cases of sexual violence may also be reported to the Thomasville Police Department; the University's Title IX Coordinator can assist individuals with contacting the Police Department. If an incident is criminal in nature, the University may be mandated to share certain information with law enforcement.

### **C. Anonymous Reporting**

Although the University encourages victims to talk to someone, the University provides an alternative option for anonymous reporting. Campus Conduct Reporting can be directed to the Title IX Coordinator at, [229-221-9154](tel:229-221-9154), is a confidential, independent call-in service that provides all University community members a simple and anonymous way to report any incident.

## **VI. SUPPORTIVE MEASURES**

The University will provide reasonable and appropriate Supportive Measures designed to eliminate any existing hostile environment and support all Parties involved. The University will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Supportive Measures may be implemented regardless of whether formal resolution process is sought by the Complainant or the University, and regardless of whether a crime is reported to local law enforcement. Supportive Measures are non-disciplinary, services offered as appropriate, as reasonably available, and without fee or charge to both the Complainant or Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. These Supportive Measures are designed to restore or preserve equal access to the University's education program or activity without unreasonable burdening Complainant and Respondent, including measures designed to protect the safety of all Parties or the University's educational environment, or deter sexual harassment.

Supportive Measures may include no- contact directives, changes in class or work schedules, changes in University-owned living arrangements, or any other supportive measures that the University deems appropriate. Likewise, the University may work with a reporting student to provide access to on-campus counseling services, provide information regarding off-campus services, increased security monitoring, additional academic support or even withdrawal from class (or classes) without penalty. Supportive Measures for employees may include changes in work schedules, relocating offices, provide information regarding off-campus services, increased security monitoring, or any other supportive measures that the University deems appropriate.

The University will maintain the privacy of any Supportive Measures provided under this Policy to the extent practicable and will promptly address any violation of the Supportive Measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by a Supportive Measure. The University will take immediate and responsive action to enforce a previously implemented Supportive Measure if such Supportive Measure was violated.

## **Emergency Removal**

Nothing in this Policy precludes the University from removing a Respondent from the University's education program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

## **Administrative Leave**

Nothing in this Policy precludes Thomas University from placing a non-student employee Respondent on administrative leave during the pendency of this process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

## **VII. PREVENTION, AWARENESS PROGRAMS AND TRAINING**

Thomas University is committed to preventing sexual harassment. To that end, this Policy and these procedures will be printed in appropriate University publications. In addition, educational programs will be conducted annually by the University to (1) inform students, faculty, staff and administration about identifying sexual harassment and the problems it causes; (2) advise members of the University community about their rights and responsibilities under this Policy; (3) train personnel in the administration of this Policy. The Sexual Misconduct Policy and Procedures will be issued to all incoming students and personnel.

## **VIII. RESOLUTION OF GRIEVANCE**

The Title IX Team (Coordinator and/or Deputy) will coordinate resolution of all allegations of Prohibited Conduct defined in the Sexual Misconduct Policy using the procedures in this section. Prohibited Conduct (e.g., discrimination, harassment, retaliation) based on protected status other than sex (e.g., race, color, age, disability, other classification protected by federal or state law) is prohibited by other University policies. In the event of such complaints, the University will identify, based upon the allegation, the appropriate office to coordinate resolution of the report.

Situations in which both Complainant and Respondent are employees of the College may be handled through the processes outlined in the Employee Personnel Policy 2.5.3 Prohibited Conduct or through the Title IX process depending upon the alleged Prohibited Conduct.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All investigations will be conducted in a timely and impartial manner. The Parties will be informed of the projected timeline for conclusion of the process. There may be temporary delays of the process and limited extensions of time frame for good cause. The Parties will be provided written notice of the delay and reasons for such delay.

If the conduct alleged in the Formal Complaint would not constitute sexual harassment as defined in this Policy even if proved, did not occur in the University's education program or activity, or did not occur against a person in the United States, then the University must dismiss the Formal Complaint with regard to that conduct for purposes of sexual harassment under this Policy.

The University may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; the Respondent is no longer enrolled or employed by the University; or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal

Complaint or allegations therein.

Upon dismissal of the Formal Complaint either required or permitted, the University will promptly send written notice of the dismissal and reasons for the dismissal simultaneously to each Party.

The University may consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against another Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

#### **A. Intake Meeting**

With or without a Formal Complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to supportive measures, and explain the Complainant the process for filing a Formal Complaint.

Upon receipt of a Formal Complaint, the Title IX Team will conduct an Intake Meeting with the Complainant as soon as possible. At that meeting, the Coordinator or Deputy Coordinator will address the following topics, as appropriate:

- Address immediate physical safety and emotional well-being needs
- Notify the Complainant of the right to contact law enforcement and seek medical treatment (and the right to decline to do so), and the importance of preservation of evidence
- Notify the Complainant of confidential and non-confidential reporting options on and off campus
- Provide the Complainant with information about:
  - On and off campus resources, including counseling, health, mental health, victim advocacy, and legal assistance
  - The range of Supportive Measures, including changes to academic, living, transportation, and/or working situations, or other protective measures, which are available to the Complainant regardless of whether the Complainant files a formal complaint with the University, Campus Security or local law enforcement.
  - Provide an overview of the procedural options and process, including Informal Resolution and Formal Resolution. This overview should include explanation that the Complainant will receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Complainant to prepare to participate.
  - Explain the right to a timely investigation and resolution
  - Explain the right to inspect and review evidence
  - Explain the University's policy on retaliation
  - Provide notice of any provision in the University's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process
  - Explain that the Complainant has a right to an Advisor of their choice during the process
  - Explain the right to appeal
  - Provide statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process

At the Intake Meeting, the Coordinator or Deputy Coordinator will provide the Complainant with the above-listed information in writing. If the initial Intake Meeting is conducted by a Deputy Coordinator, the meeting report will be submitted to the Coordinator for consideration. As described in the Sexual Misconduct Policy, the Complainant has the right to request that the Title IX office not share the Complainant's name (or other identifiable

information) with the Respondent, or that the Title IX office take no formal action in response to the report.

If the Complainant makes such a request, the Coordinator will balance the request with the dual obligation to provide a safe and nondiscriminatory environment for all University's community members, and to remain true to principles of fundamental fairness that require the University to provide the Respondent with notice of the allegations and an opportunity to respond before action is taken against the Respondent.

The Coordinator will make this determination consistent with the following considerations, namely:

- The seriousness of the conduct;
- The respective ages and roles of the Complainant and the Respondent;
- Whether there have been other complaints or reports of Prohibited Conduct against the Respondent;
- The right of the Respondent to receive notice and relevant information before disciplinary action is sought.

Should the Coordinator determine that, in response to the Complainant's request, the University can satisfy its obligations to the Complainant, the University community members, and the Respondent without proceeding through the process described herein, the Coordinator has the discretion to do so.

Absent a request for confidentiality as described above, the Coordinator or Deputy Coordinator will ask the Complainant questions to get a basic understanding of the reported Prohibited Conduct. The interview will include, but is not limited to, questions to understand the key facts upon which the Complainant bases the report (i.e., the who, what, where, and when) to appropriately assess how to proceed. At the conclusion of the Intake Meeting, and if the individual wishes to move forward with a formal complaint, the Coordinator and Deputy will decide:

- Does the Complainant's report state facts that, if true, could constitute a violation of the University's Sexual Misconduct Policy?
  - If yes, an initial investigation will be conducted to determine if the University should proceed through Formal or Informal Resolution

The Title IX Coordinator or Deputy will select a trained internal or external investigator or a two-person investigative team to conduct a reasonable, impartial, and prompt investigation of the complaint ("Investigation"). The Coordinator will select an Investigator based on several factors, including the Parties involved, the complexity of the complaint, the need to avoid any potential conflict of interest, and who may best conduct a fair and equitable investigation for all Parties involved. The Coordinator will notify the Complainant and Respondent, in writing, of the name of the designated Investigator(s). The Complainant will have 2 business days to object to the Investigator's selection on the basis of bias or conflict of interest. If the Complainant or Respondent objects, the Coordinator will evaluate whether the objection is substantiated. The Coordinator will remove and replace any Investigator the Coordinator finds to have a bias or conflict of interest against either party.

The Complainant and the Respondent are each permitted to select an Advisor to accompany his/her during any investigative meeting, pre-hearing conference and/or at any time following the filing of a formal complaint. The Advisor may be a mentor, family member, friend, attorney or any other supporter so long as they are not in any way involved in the resolution process, such as serving as a witness. Their role is to support the Complainant or the Respondent and, as such, are not permitted to speak in investigative meetings. However, during a live hearing, Advisors are permitted to cross examine the parties and witnesses. The University cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other does not, or cannot afford an attorney, the University is not obligated to provide one.

### **Role of the Advisor of Choice**

Both the Respondent and Complainant have the right to have an Advisor of choice. It is the responsibility of the Complainant and Respondent to communicate with the Advisor regarding allegations, times and dates of meetings, hearings, outcomes and any other information regarding the case. The Investigators, Title IX Coordinator and Deputy Coordinator will not discuss the case with any Advisor. The Advisor may:

- attend any meeting or hearing with the respective Complainant or Respondent regarding the case, if invited by the respective Complainant Respondent;
- may provide advice to the Complainant or Respondent he/she is advising through quiet conversation or written notes in any meeting or hearing related to the case;
- may be a member of the University community, but is not required to be. May be an attorney, but, is not required to be;
- during meetings with Investigators and the Title IX Team, Advisors may not represent the Complainant or Respondent; Parties are expected to respond to questions from investigators and the Title IX team directly;
- during a live hearing, Advisors may cross-examine the Parties and the Parties witnesses.

Prior to meeting with the Respondent, the University will provide written notice to the Respondent of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Additionally, the following must be provided in writing to the Respondent:

- Notify the Respondent of the right to contact law enforcement and seek medical treatment (and the right to decline to do so), and the importance of preservation of evidence
- Notify the Respondent of confidential and non-confidential reporting options on and off campus
- Provide the Respondent with information about:
  - On and off campus resources, including counseling, health, mental health, victim advocacy, and legal assistance
  - The range of Supportive Measures, including changes to academic, living, transportation, and/or working situations, or other protective measures
- Provide an overview of the procedural options and process, including Informal Resolution and Formal Resolution. This overview should include explanation that the Respondent will receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Respondent to prepare to participate.
- Explain the right to object to the assignment of the Title IX Coordinator, Deputy Coordinator or Investigators based on bias or conflict of interest within 2 business days of a decision to proceed through the process
- Explain the right to a timely investigation and resolution
- Explain the right to inspect and review evidence
- Explain that the Respondent has a right to an Advisor of their choice during the process
- Explain the University's policy on retaliation
- Provide notice of any provision in the University's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process
- Explain the right to appeal
- Provide statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process

## **B. Initial Fact-Gathering:**

The Investigator will interview both Parties and relevant witnesses and gather documentary evidence provided by the Parties and any identified witnesses. The Investigator will prepare a summary of each interview ("Interview Summary"). The University does not restrict the ability of either the Complainant or Respondent to discuss the

allegations under investigation or to gather and present relevant evidence.

Using the findings from this preliminary investigation, the Title IX Coordinator, and Deputy Coordinator will determine and notify the Complainant in writing as to whether the University should proceed through Formal or Informal Resolution using the following guidelines:

1. Any Formal Complaint that alleges sexual harassment, including sexual assault, domestic violence, dating violence, and stalking can proceed through the Informal Resolution process.
2. Complaints involving allegations that an employee sexually harassed a student are not permitted to proceed through an Informal Resolution process.
3. Some complaints that allege harassment may be appropriate for Informal Resolution. If the Coordinator determines that the complaint may appropriately be resolved through Informal Resolution, the Coordinator will ask the Complainant and Respondent, separately, whether they would agree to pursue resolution of the complaint informally. Any resolution reached through Informal Resolution will be confirmed in writing and provided to the Parties as soon as possible after reaching a resolution. If either Party does not agree to pursue Informal Resolution, or if the Complainant, Respondent, or Coordinator, at any time, determines that Informal Resolution is no longer appropriate, the Coordinator will promptly inform the Complainant and Respondent in writing that the complaint will proceed through Formal Resolution.

### **C. Informal Resolution**

If the Coordinator determines that it is appropriate, the Parties may choose to resolve complaints through Informal Resolution. Informal Resolution must be mutually agreed upon, in writing, by both parties in case. Additionally, an Informal Resolution process cannot begin unless a Formal Written Complaint is filed. The Informal Resolution process may recommend the following types of outcomes, where appropriate: facilitating an agreement between the Parties, separating the Parties, referring the Parties to counseling programs, conducting targeted educational and training programs, and mediation.

To proceed with Informal Resolution, the University must provide the Parties with written notice disclosing the allegations, the requirements of the Informal Resolution process including the circumstances under which the Parties could be precluded from resuming a Formal Resolution process arising from the same allegations. No party can be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive their right to an investigation and adjudication of a Formal Complaint.

If the parties involved in the Informal Resolution process fail to reach a mutually agreeable outcome for the alleged conduct, the allegation will be resolved via the Formal Resolution process. In that event, the Title IX Coordinator will so notify the Parties in writing and will describe next steps and timeframes for the Formal Resolution.

Agreements reached via the Informal Resolution process shall be final following three (3) business days and cannot be appealed absent the discovery of new and material information or other similar circumstances, in which case a new investigation may be initiated.

Any Party (including the Title IX Coordinator) may terminate the Informal Resolution process at any time.

### **D. Formal Resolution**

If the Coordinator determines that the Complainant's report must proceed through Formal Resolution, the Coordinator will make every attempt to notify both Parties, in writing, of the decision as soon as possible following the initial investigation. The Coordinator's written notification to the Respondent will state facts sufficient to apprise the Respondent of the nature of the allegations, including, specifically:



- Complainant's name
- Nature of the report
  - Specific policy violation(s) alleged (e.g., sexual assault, sexual harassment, retaliation)
  - Date(s) of alleged policy violation(s)
  - Location(s) of alleged policy violation(s)
  - Brief description of allegation(s)

The notice of the complaint shall be accompanied with a request for a meeting with the Title IX Coordinator or Deputy Coordinator within 3 business days. If the Respondent does not respond to the meeting request or is unable to meet within 3 business days, the Coordinator shall provide the following information in writing:

- On and off campus resources, including counseling, health, mental health, victim advocacy and legal assistance
- The range of Supportive Measures including changes to academic, living, transportation, and/or working situations, or other protective measures.
- An overview of the procedural options and process, including Informal Resolution and Formal Resolution
- Explain that the Respondent has a right to an Advisor of their choice during the process
- The University's stance on alcohol and drug amnesty
- The University's policy prohibiting retaliation

The Investigator will continue the investigation once the 3 business days has expired, or sooner if both Parties respond. The Investigator, in consultation with the Coordinator, will establish an expected, reasonable timeframe for the Formal Investigation process and notify the Parties of any delays.

#### 1. Formal Investigation

The Investigator will review the documentation from the preliminary investigation and will prepare a Preliminary Report. The Preliminary Report is a written summary of the evidence gathered in the course of the Preliminary Investigation. This evidence will include both inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the Parties. The Investigator will state specific factual findings in the Preliminary Report (e.g., "Complainant was incapacitated" or "Respondent believed that Complainant was not incapacitated"). The standard for determining each factual finding is the "preponderance of the evidence," (i.e., that it is more likely than not that the factual finding is true). The Investigator will not state ultimate findings as to whether the Respondent has, or has not, violated one or more of the University's policies. The Investigator will attach as exhibits to the Preliminary Report all Interview Summaries and any documentary evidence gathered and relied upon in the Preliminary Investigation that is directly related to the allegations in the Formal Complaint, including any evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and any inculpatory or exculpatory evidence whether obtained from a Party or other source. The University cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the University obtains that Party's voluntary, written consent to this evidence. When the Investigator determines that the Preliminary Investigation is complete, the Investigator will submit the Preliminary Report to the Coordinator. The Coordinator may require the Investigator to conduct additional investigation; if so, the Investigator will conduct additional investigation consistent with the following procedures:

- The Investigator may conduct follow-up interviews with both Parties and witnesses based upon testimonial and documentary evidence gathered during the Preliminary Investigation. The Parties and witnesses can expect that, in these follow-up interviews, the Investigator will seek responses to specific allegations or evidence. To the extent additional material, witnesses or evidence are identified during Rebuttal Fact-Gathering, the Investigator will conduct additional interviews and gather additional evidence. Rebuttal Fact-Gathering may be repeated as necessary to ensure a complete gathering of evidence.

## 2. Notice of Findings and Response

Once the Coordinator has agreed that the Investigation is complete, the Coordinator will provide the Preliminary Report to the Parties and their Advisor, if any, (for review, as soon as possible after receipt of the Preliminary Report from the Investigator. Neither the Complainant nor the Respondent (or their Advisors, including but not limited to family members and/or legal counsel) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided.

The Parties may respond to the Preliminary Report; the Parties will submit any response within 10 calendar days of being notified of their opportunity to review the report. The Parties may respond in one or both of the following ways:

- The Parties may provide a written response to the Preliminary Report, or any portion of it, including each Interview Summary. The Investigator will consider any written response provided by the Parties in preparing the Final Report.
- The Parties may submit a written request for additional investigation. Such requests may include, but are not limited to, the following:
  - i. Request(s) for follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the Investigator to pose to witnesses
  - ii. Request(s) to consider new evidence. Any request for additional investigation shall explain the reason for the request (e.g., new witnesses).

If neither of the Parties requests additional investigation, the Investigator will prepare the Final Report. If either (or both) Parties request additional investigation, the Investigator will review the request(s) in consultation with the Coordinator. The Investigator will conduct the requested additional investigation if the Coordinator determines that the request(s) will assist the Investigator in completing the investigation.

If the Investigator conducts additional investigation, the Investigator will prepare an Addendum to the Preliminary Report ("Addendum"). The Investigator will submit the Addendum to the Coordinator. The Coordinator may require the Investigator to conduct additional investigation before the Addendum is complete. Once the Coordinator has agreed that the Addendum is complete, the Coordinator will provide the Addendum to the Parties.

## 3. Final Report

Once the investigation is complete, the Investigator will prepare a Final Report. The Final Report, will have attached as exhibits the testimonial and documentary evidence from the Preliminary Investigation, the Preliminary Report, the Addendum (if applicable), and all of the Parties' responses throughout the Formal Resolution proceeding. Once the Investigator is satisfied that the Final Report is complete, the Investigator will submit the Final Report to the Coordinator. The Coordinator will send to each Party and the Party's Advisor, if any, a copy of the Final Report in an electronic format or hard copy, for their review and response.

1. No sooner than 10 (ten) Business Days after sending the Final Investigative Report, the Coordinator will meet individually with the Complainant and the Respondent.

If both Parties wish to resolve the case without an adjudication, the Coordinator can facilitate an Informal Resolution of the Formal Complaint that does not necessitate a full adjudication. The Parties must agree to this Informal Resolution in writing. [106.45(b)(9)] At the conclusion of an Informal Resolution, and upon receipt of official notification via College email, the Complainant and the Respondent have 2 (two) Business Days to change their mind about the resolution of the case. If either the Complainant or the Respondent changes their mind

regarding the agreed upon resolution, they must do so in writing and submit it to the Title IX Coordinator. Should the Party's request not be received in writing (including electronically), or does not submit within 2 (two) Business Days, the Informal Resolution will be considered final and binding.

## **IX. HEARING AND APPEALS**

### **A. Hearing (Hearing Panel)**

1. If either of the Parties do not wish to participate in the Informal Resolution prior to an adjudication by the hearing panel, the Coordinator will schedule a hearing on the case not less than 10 (ten) Business Days from the meeting to discuss the findings with the Coordinator. (this is the continuation of what was inserted above – making it clear that the Parties are not waiving their right to a Live Hearing. So, might want to do a better job than I in weaving the above language into the process and then going on to the hearing process below.

The Coordinator will set the date and time of the hearing, appoint a hearing panel consisting of three (3) trained hearing panelists and notify the Parties of the hearing date and option to call witnesses to the proceeding. Three (3) panelists will serve on the panel and will ultimately make the determination by majority opinion as to whether or not, by the preponderance of the evidence the Respondent is responsible for the alleged Sexual Misconduct Policy violation. The third panelist will serve as the panel chair and is responsible for maintaining order during the hearing panel proceeding.

The hearing will be recorded. The hearing will be live, but, may be conducted with all parties physically in the same geographical location or, at the University's discretion or request of either Party, any or all of the Parties may appear at the live hearing virtually, with sufficient technology to enable participants to simultaneously see and hear each other. The hearing will not be conducted as a court proceeding. The Parties have the right to present their opening and closing statements as well as to present their factual position and for the Panel to question the Parties and witnesses presented. However, the Parties may not cross-examine each other. The Advisor for both Parties have the right to cross-examine the other Party and all witness and ask all relevant questions and follow-up questions, including those challenging credibility. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Chair of the hearing panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a Party does not have an Advisor present at the Live Hearing, the University will provide without fee or charge to that party, an Advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a Party or witness does not submit to cross-examination at the Live Hearing, the Hearing Panel must not rely on any statement of that Party or witness in reaching a determination regarding responsibility; provided, however, that the hearing panel cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

### **Hearing Panel Determination**

A written determination is required to be submitted by the hearing panel to the Title IX Coordinator, who will meet with the Respondent and Complainant separately to deliver the written determination. The written determination must include: (a) Identification of the allegations potentially constituting sexual harassment, (b) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, (c) Findings of

fact supporting the determination, (d) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant, (e) the University appeal process.

Possible sanctions which may be assigned after a finding of Responsibility are those articulated in the Thomas University Student Handbook. This list is not exhaustive and may be modified to meet the particular circumstances of any given case:

1. Expulsion - Permanent severance of the student's relationship with the University. This severance includes being barred from campus.
2. Disciplinary Suspension - Temporary severance of the student's relationship with the University for a specified period of time.
3. Limited Suspension - A student may be denied certain privileges for a specified period of time. These privileges may include, but are not limited to, class attendance, housing, parking on campus, participation in extracurricular activities, ID card privileges, access to institutional facilities, and access to the campus.
4. Disciplinary Probation - Notice to the student that any further, major disciplinary violation may result in suspension. Disciplinary probation might also include one or both of the following: the setting of restrictions or the issuing of a reprimand.
5. Reprimand (either oral or written.)

Counseling - The committee may request that a student meet a specified number of counseling sessions with the (SAP) Student Assistance Program thru Archbold Counseling for issues including, but not limited to, anger management, substance abuse, and extenuating personal circumstances.

#### **B. Appeal (Appeal Officer)**

Both Parties may appeal a determination and sanctions made by the Hearing Panel. If the Respondent or the Complainant chooses to appeal either the Sanctions or the Hearing Panel's decision, they may do so by submitting a written appeal statement to the Title IX Coordinator within 3 business days of the date the hearing report is sent to the parties. The Title IX Coordinator will provide this statement to the VP of Academic Affairs who serves as the Appeal Officer. The three grounds for appeal are:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, investigator(s), or Hearing Panel member(s) had a conflict of interest or bias for or against Complainants or respondents generally or the individual Complainant or respondent that affected the outcome of the matter.

The appeal statement must identify the ground(s) for appeal. Note that an appeal is not a re-hearing of the case.

If the Appeal Officer determines that a ground of appeal is substantiated, the Appeal Officer will return the case to the Coordinator. When a case is returned to the Coordinator, the Coordinator may decide to dismiss the case (e.g., based on insufficient information to believe that a policy violation may have occurred), send the case to the original hearing panel for reconsideration, send the case to a new hearing panel with the same or different charges, and/or (re)implement any aspect of the disciplinary process. A different decision (i.e., the decision of responsibility and/or sanctions) may subsequently result. If the Appeal Officer finds the appeal is not substantiated, the decision of the Hearing Panel is final.

# **Thomas University Student Handbook**

## **Spring 2023 Addendum**

**The enclosed policy is effective as of January 9, 2023**

### **Classroom Conduct**

Everyone in a classroom, whether in person or virtual, is there for the purpose of learning, and no one should be able to deprive another person of the chance to learn. Expressions of rudeness and even of carelessness degrade the high purpose of learning that should be paramount in a college classroom. Faculty members have the authority to protect this right to learn by creating and maintaining an environment that is conducive to learning. Towards this end Thomas University has developed the following Code of Classroom Conduct:

Students are required and expected to conduct themselves in a safe, mature and considerate manner. Students should conduct and express themselves in a way that is respectful to all individuals. This includes respecting the rights of others to comment, express unique perspectives, and participate fully in class. Classroom misconduct is any behavior which disrupts, interferes, or distracts from the learning environment. Thomas University Students are expected to:

- be attentive, courteous, and respectful during class;
- complete assigned work according to the course schedule;
- do all their own work and will not present anyone else's work as their own.

### **Examples of Classroom Misconduct**

Includes, but is not limited to, the following:

- Behaviors outlined in the Student Code of Conduct (section 5.5.5 of the Student Handbook) that occur in the classroom.
- Engaging in behavior that disrupts or interferes with the learning environment. Behavior such as, but not limited to, talking in class while the faculty member or other students are speaking, using offensive language, creating distractions or disturbances, sleeping, reading or sharing unrelated materials or comments, and moving about the classroom is, in many situations, considered disruptive behavior to the learning process.
- Using cell phones or other electronic devices that disrupt the learning process or teaching environment. Faculty members have the right to restrict the use of electronic devices in their classrooms.

- Entering the classroom late or leaving the classroom prior to the end of class may be considered a disruption to the learning environment.
- Attending a virtual class while driving, working or similar.

Students with approved accommodations through Disability Support Services have the right to receive and utilize appropriate accommodations, which may include behavior or the use of technology otherwise restricted.

### **Consequences of Classroom Misconduct**

Students found responsible for classroom misconduct are subject to classroom penalties and conduct sanctions. Withdrawal from a course does not exempt a student from any pending charges of classroom misconduct.

The faculty member may make a referral to the Dean of Students where a further determination may be made regarding additional investigation and/or potential institutional sanctions. In addition, any one or more of the following penalties may be imposed by the faculty member for any classroom misconduct violation. Consequences for classroom misconduct may include but are not limited to:

- Warning – an oral explanation of violation and possible consequences if misconduct continues;
- Dismissal from the remaining class time during which the infraction occurs;
- Dismissal from the remaining class time during which the infraction occurs, with required meeting with designated university employee (faculty member, Department Chair, etc.) prior to returning to class;
- Assignment of a reduced or failing grade on an assignment, paper, project or exam;
- Reduction in the final grade for the course
- Administrative withdrawal from the course

If the offense is egregious, threatening, or repeated, the Dean of Students or designee may impose an interim suspension pending action through the campus judicial procedures described in section 5.5.5.1 of the Student Handbook.

Appeals of classroom misconduct penalties imposed by the faculty member that result in a lowering of an overall grade should be directed to the grade appeal process described in the University Catalog. Appeals for sanctions imposed through the campus judicial process should be addressed through the processes described in section 5.5.5.6 of the Student Handbook.