Guide to Clarion University Judicial Policy

2012-2013

www.clarion.edu/studentrights.pdf

CLARION UNIVERSITY
SINCE 1867

A Note From the Vice President for Student and University Affairs ...

The College and University Security Information Act (PA. Act 1989-73), the Drug Free Schools and Communities Act Amendment of 1989 (U.S. Public Law 010-226), the Crime Awareness Act of 1990 (Public Law 101-542), the Family Educational Rights and Privacy Act of 1974, and the Higher Education Amendments of 1998 require that certain information be distributed annually to all students and employees.

Students, faculty, and staff receive a brochure each year. This brochure outlines important sections of the *Student Rights, Regulations, and Procedures Online Handbook*, identifies relevant Websites, and lists telephone numbers for university services. *Student Rights, Regulations, and Procedures Online Handbook* topics include:

- student rights with regard to the classroom, student publications, and student records;
- Clarion University student regulations, policies, and procedures, including student organizations;
- the Academic Honesty Policy;
- description of regulations and laws pertaining to the unlawful possession/distribution of illicit drugs and alcohol;
- description of health risks associated with the use of illicit drugs and abuse of alcohol;
- description of drugs and alcohol treatment, rehabilitation programs, and sanctions; and
- explanation of sex-offense policies, procedures, and possible sanctions.

Clarion University's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings owned or controlled by Clarion University, and on public property within, or immediately adjacent to, and accessible from the campus.

The report also includes institutional policies concerning campus security such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

You may obtain a copy of this report by accessing www.clarion.edu/studentrights.

Harry E. Tripp

Vice President of Student and University Affairs

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Because the format of this publication is larger than the on-line version, page numbers for important sections highlighted in the *Student Rights, Regulations, and Procedures Online* handbook are different. They have been identified here with a *.

Student Rights and Regulations

Preamble

Clarion University of Pennsylvania exists for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable for the attainment of these goals.

As members of the university community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Academic freedom is essential to this community of scholars.

Students and recognized organizations are cautioned that any material posted on the Internet, including social networking sites and Internet blogs is not private or protected information. You may be held accountable for content posted in this manner and information obtained from this source may be considered in cases of misconduct. For complete information on the potential consequences of posting inappropriate content on an internet site, please visit www.clarion.edu/judicial

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the university community.

Student Rights

In the Classroom

The professor in the classroom and in conference shall encourage free discussion, inquiry, and expression. Student performance shall be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

Students shall be free to take reasonable exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, coaches, advisors, and counselors shall be considered confidential. Judgments of ability and character may be provided with the knowledge and consent of the student. Students may protest improper disclosure.

Grade Appeal Process

Disagreements between students and faculty members concerning grades, yet not related to alleged violation of the academic honesty policy, should be appealed in the following manner. The student should first discuss the problem with the faculty member who issued the grade. If not resolved to the student's satisfaction, they should then discuss the matter with the appropriate department chair. Subsequent appeals may be heard in private conference with the student or in a conference involving both the student and faculty member by the college dean and provost, in that order. The decision of the provost shall be final. Should the department chair be the faculty member who issued the grade in question, the student may proceed immediately to a meeting with the college dean after discussing the grade with the faculty member. ***Should the dean be the faculty member who issued the grade in question, the student should proceed to a meeting with the appropriate department chair after discussing the grade with the course instructor; a subsequent appeal may be made to the provost.*** Student, faculty member, and department chair must be informed of the decision at each administrative level. ***All grade appeals must be initiated no later than six months after the final course grade has been issued.***

Cases involving an alleged violation of students' academic rights may be heard by the university Conduct Board. A student who has a grievance involving academic rights must file a complaint with the vice president for student and university affairs to initiate the hearing.

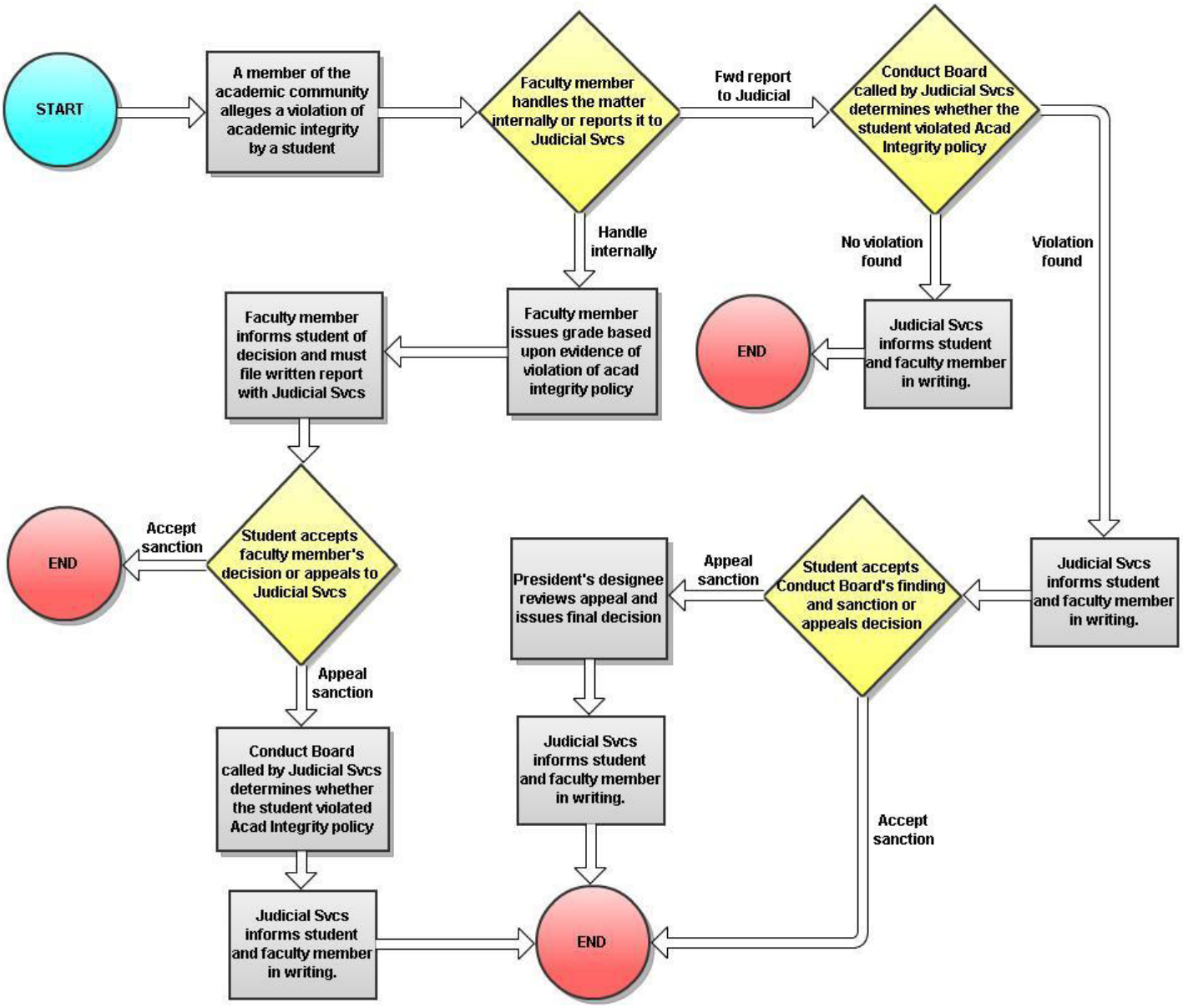
Academic Integrity Policy

All students, including online-only and in-classroom students, shall maintain a high standard of honesty in scholastic work. As members of the university community, students have a responsibility to be familiar with the conduct regulations found in the university catalogs, *Residence Hall Handbook*, *Student Rights, Regulations, and Procedures Online* handbook, and other university documents. Among the conduct regulations addressed are acts of academic integrity, including plagiarism or cheating on assignments, examinations, or other academic work; or without prior approval of the instructor, submitting work already done for another course.

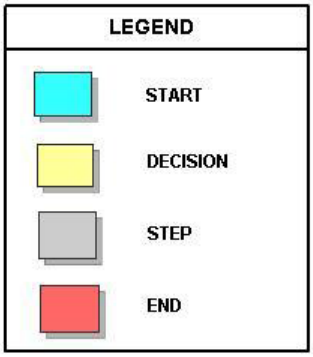
All students, including online-only and in-classroom students, shall avoid all forms of academic dishonesty, including, but not limited to:

1. **Plagiarism**–the use of another's words without attribution or without enclosing the words in quotation marks. Plagiarism may also be defined as the act of taking the ideas or expression of ideas of another person and representing them as one's own-even if the original paper has been paraphrased or otherwise modified. A close or extended paraphrase may also be considered plagiarism even if the source is named. Downloading partial or entire text from one or more Internet paper mills and cutting/pasting entire and partial text from one or more Internet Websites constitute plagiarism.
2. **Collusion**–collaborating with another person in the preparation of notes, themes, reports, or other written work offered for credit, unless specifically permitted by the instructor.
3. **Cheating on an examination or quiz**–giving or receiving information or using prepared material on an examination or quiz.
4. **Falsification of data**–manufacturing, falsification of information, including providing false or misleading information, or selective use of data to support a particular conclusion or to avoid conducting actual research.

Complaints of academic dishonesty may be brought against a student by any member of the academic community. Sanctions for academic integrity can range from a failing grade on a particular assignment or examination to dismissal from the university, based on the seriousness of the action and whether it is part of a pattern of academic integrity. Faculty members will submit information indicating that a violation of academic integrity occurred to the Office of Judicial and Mediation Services at the Academic Integrity Referral Link on the Office of Judicial and Mediation Services page (www.clarion.edu/judicial) to create a record of such infractions even if no further action is requested. Sanctions extending beyond a particular course, such as suspension or dismissal from an academic program or from the university can only be imposed as a result of complaints filed under the Disciplinary Procedures Code and addressed through a formal hearing before the Conduct Board.



CLARION UNIVERSITY - ACADEMIC INTEGRITY APPEAL POLICY



Student Publications

The student press shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage within guidelines established by the agency responsible for the appointment.

Editors and managers shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for their removal before the appointment of editors and managers shall be the agency responsible for their removal before the Conduct Board.

All university published and financed student publications shall explicitly state on the editorial page that the opinions there expressed are not necessarily those of the university or the student body.

Student Records

It has been a long-standing policy of Clarion University to publish a statement of Student Rights, Regulations and Procedures. Included in this statement is a policy on student records. This policy is included in the *Student Rights and Regulations Online* handbook, which is available to all students from the Office of Judicial Affairs and Mediation Services, 204 Egbert Hall.

The privacy rights of parents and students with respect to educational records are enunciated in the General Education Provisions Act. Copies of this act are available for inspection at the Office of the Vice President for Student and University Affairs, 222 Egbert Hall, and the Office of the Provost and Academic Vice President, 115 Carrier Hall.

Students' education records, except that information which is otherwise public, are confidential in nature. Release of these records shall occur only upon written consent of the student or upon supoena. Exceptions to this requirement are:

1. the release of records to administrators and faculty of the university when such information is necessary to conduct their university duties; and
2. the release of records for research when the identity of the student can be protected and when the researcher can assure acceptable standards of confidentiality. If such assurance is questionable, the university shall obtain the consent of the student prior to the release of information.

Maintenance of Records

1. No record of information shall be made or retained unless there is demonstratable need for it which has a reasonably substantial relevance to the educational and related purposes of the university.
2. The categories, locations, and officials responsible for records maintenance are:
   a. Academic Records–Registrar, 122 Carrier Administration Building;
   b. Student Discipline Records–Office of Judicial and Mediation Services, 204 Egbert;
   c. Credential Records–Director of Career Services, 110 Egbert;
   d. Financial Records–Director of Financial Aid, 104 Egbert; and
   e. Student Accounts Records, B-15 Carrier.
3. No records of religious or political beliefs shall be made or retained by the university without the student's knowledge or consent.
4. Academic transcripts shall include current and non-current academic suspension and probation, awards, and honors.
5. Student disciplinary records are retained for a minimum period of five years as required by the Pennsylvania State System of Higher Education Board of Governors guidelines.

6. Students shall have the right to inspect their records, the release of which requires the student's consent. The inspection or review of a record requires the student personally make such a request at the office in which the record is maintained by completing an Inspection-Request Form.

7. Every record containing information about a student's character shall state when the information was acquired and the name and position of the person who gave it.

8. The right to inspect records does not include direct access to medical, psychiatric, or counseling records which are used solely in connection with treatment.

9. Except for publicity releases concerning students' achievement and honors, the university shall release nothing more than "directory information" without the student's consent. The following are considered to be "directory information": the student's name, age, local, and permanent addresses, and telephone numbers, university E-mail address, major field of study, dates of registered attendance, enrollment status, participation in officially recognized activities and sports, any honors and awards received, and the most recent educational agency or instutition attended, nature of any degrees granted, and the date they were conferred. A student may refuse to permit disclosure of "directory information" by submitting in person to the Office of the Registrar, 122 Carrier Hall, during the first five days of each semester, written statement of such refusal.

10. As the right of privacy belongs to the individual, the student may relinquish this right. When a request for confidential information concerning a student or graduate has been made by a proper agency and the student has formally authorized in written form the release of that information, the university is obligated to respond.

11. The university will provide the opportunity to challenge information contained in any file or record regarding a student which, in the opinion of that student, is not accurate. If, when reviewing a record, a student desires to discuss the content of that record, the student may formally request a hearing with the Office of the Vice President for Student and University Affairs for that purpose.

Release Procedures

1. Students requesting access must fill out a "Student Request for Access" (Form 001) which may be obtained from the office where the files are located. When a student completes this, the student must return it to the location of the file or record. This form is then kept with the record and completed with the appropriate information, which includes the date the notice is sent to the student and the date the student reviews the information.

2. The office from which information is requested should arrange to have the student review the record on file in the presence of a staff member from that office, and notify the student of time, date, and location of this review. An effort should be made to reply within seven to ten working days of the request, if possible.

3. The student should be allowed to review information only after presenting a valid student I.D. and only in the presence of a representative of the office. The student should not be permitted to remove records from any office.

4. If a student wishes copies of any original file or record, the student must assume costs of reproduction. Students pay a one-time $50 academic records fee their first semester of enrollment, which covers the cost of academic transcripts. All other records are 50 cents per page.

5. If a student wishes to question or challenge the content of any file or record, the student may apply to the office of the vice president for student and university affairs (Form 003). An administrative hearing will be granted by the vice president for student and university affairs or a designate, with complete procedural due process granted to all parties.

6. If a hearing results in a decision to amend a record or file, notice of such change will be given by the hearing officer. The student will receive a copy of the amended record or file. If the decision is not to make such a change, the student shall be afforded the opportunity to place a statement of comment in the record.

7. No records, files, or information, other than directory information, are to be released to any third party without the written consent of the student (Form 004).
8. Requests for information which are not accompanied by a written consent may be responded to with Form 005, which requires the party requesting the information to obtain written consent.
9. All files, folders, and records must contain a Record of Inspection (Form 006). This form must be signed by any individual using the information for legitimate educational interest, as defined by the law, and must state specific use of the information.
10. Form 007 should accompany any outgoing information on individual students. This indicates that information cannot be released to a third party without the student's consent. Students may go to www.clarion.edu/judicial to print and sign a Release of Conduct Information Form. The form must be submitted to the Office of Judicial & Mediation Services (204 Egbert Hall).
11. If a file contains information about more than one student, for example, grade books, the individual student may not have access to it in order to protect the rights of other members of that class. However, individual information must be provided in the appropriate manner.

Student Regulations

Conduct Policy

Clarion University students are expected to regulate their conduct according to the laws of society, of which the university is a part, as well as the rules of the educational community. It is an implicit expectation of the educational community that student members will engage in the activities associated with that role. Therefore, a student may be charged with misconduct and be subject to university discipline for offenses against the law or the rules of the university.

Conduct Jurisdiction

University authority will be used only to discipline students for misconduct which violates university rules and regulations, and the laws of society, of which the university is a part. The exercise of university disciplinary authority, however, does not protect the student from, nor does the university consider it to be a substitution for, civil or criminal prosecution. In general, the scope of university disciplinary authority is limited to the university's:

1. concern with matters which impinge upon academic achievement and standards, and the personal integrity of its students;
2. obligation to protect its property and the property of members of its community;
3. interest in the mental and physical health and safety of members of its community;
4. concern for preserving the peace, for ensuring orderly procedures, and for maintaining student morale;
5. responsibility for character development, for maintaining standards of decency and good taste, and for providing an appropriate moral climate on the campus; and
6. protection of its good relations with the community.

Conduct Regulations

As members of society, students have a responsibility to be familiar with the law. Among the acts prohibited by law and university regulations are:

1. acts against people, including assault, harassment, coercion, personal abuse, and other acts causing or threatening injury or danger to people;
2. acts against property, including vandalism, theft, trespass, tampering, and other acts causing or risking damage or loss of property;

3. acts against public order and decency, including disorderly conduct, fighting, unreasonable noise, public intoxication, and other acts of disruption or disturbance;

4. acts of engagement in, or attempt to engage in, a sexual assault. Sexual assault is the imposition of non-consensual sexual conduct (excluding rape). It includes, but is not limited to caressing, fondling, or touching a person's genitalia, buttocks, or breasts. It shall also be considered sexual assault when the victim is compelled to caress, fondle, or touch the assailant's genitalia, buttocks, or breasts.

   Acts committed, or an attempt to commit, a rape. Rape (date, acquaintance, and stranger) includes all acts of non consensual sexual intercourse involving any penetration of a bodily cavity with a foreign object, tongue, digit, or genitalia. A rape occurs when imposed under any of the following circumstances:

   - When the complainant is incapable of giving legal consent for mental, developmental, or physical reasons and this fact is known or reasonably should have been known by the person committing the act;
   - When the act is committed without the person's explicit consent or is against the person's wishes. Rape incorporates any or all of the following: the use of force, threat, intimidation, coercion, duress, violence, or by causing a reasonable fear of harm;
   - When the complainant is prevented from consenting or resisting because of intoxication or unconsciousness at the time of the act.

     ** Use of intoxicating substances shall not be viewed as justification for the commission of rape or sexual assault.

     ** Consent means explicit cooperation, both verbally and behaviorally. It must be voluntary and with full knowledge concerning the nature of the interaction/encounter. Previous sexual interactions shall not be considered implied consent. Silence or passivity shall not constitute consent.

5. ethnic intimidation; acts against people, property, or public order committed with malicious intent toward the race, color, religion, or national origin of another individual or group;

6. possession, use, and sale of controlled narcotics and drugs, including drug paraphernalia;

7. possession or use by, and sale or furnishing of, alcoholic beverages to those under 21 years of age;

8. false alarms of fires, bomb threats, and other emergencies; and

9. misuse or tampering with fire fighting equipment.

As members of the university community, students have a responsibility to be familiar with the conduct regulations found in the *Students Rights, Regulations and Procedures Online* handbook, and other university documents. These university regulations include the following prohibitions:

1. acts of academic dishonesty, including plagiarism or cheating on assignments, examinations, or other academic work;

2. misuse or unauthorized use of university transcripts, records, or identification;

3. possession or use of firearms, firecrackers, explosives, or other dangerous substances or articles in or around university and university-supervised facilities or on university property;

4. possession or consumption of alcoholic beverages in or around university and university-supervised facilities or on university property;

5. unauthorized use of or possession of university and university-supervised facilities or property.

6. breach of building security measures in university and university-supervised facilities;

7. falsification of information given during a university disciplinary investigation or hearing;

8. willful obstruction of a university staff member in the performance of duties;

9. failure to comply with university disciplinary procedures and decisions;
10. failure to provide identification upon the request of a properly identified university staff member; and
11. acts of sexual harassment; defined as a form of sex discrimination occurring when there is deliberate or repeated use of sexual comments, attempted physical contact, or actual physical contact in the workplace or academic environment that creates a hostile environment for the recipient. Notably, sexual harassment involves knowledge that a sex-based condition is being imposed in exchange for personal advancement, academic achievement, or any other benefit. For purposes of this policy, unsolicited sexual advances, requests for sexual favors, verbal comments, gestures, or physical contact of a sexual nature which are unwelcome constitute sexual harassment when: Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing.

    The conduct directed at an individual is so severe, pervasive, and objectively offensive that it undermines and detracts for the victim's educational experience. A reasonable person exhibiting the same characteristics of the victim of the harassing conduct would be adversely affected to a degree that interferes with their abilities to participate and utilize the benefits of an institutional activity, employment, academic performance, or resources.
12. acts prohibiting the Acceptable Use of Technology Resources policy including but not limited to copying and copyright infringement; use of network to abuse, defame, harass, or threaten individuals or groups; and other acts not in accordance with university policies. The policy in its entirety can be found at www.clarion.edu/46245. Related policies pertaining to the Legal use of Copyrighted Material and File Sharing at Clarion University can be found at www.clarion.edu/190551.

Recognized Student Organization Regulations

Actions of recognized student organizations (RSOs) in good standing with Student Senate, and groups in the process of becoming recognized are subject to review. Failure to operate in accordance with the information contained in the *Student Rights, Regulations, & Procedures Online* handbook may result in an organizational disciplinary hearing. Sanctions may range from a documented verbal reprimand to the revocation of university recognition and the privileges associated with such recognition. The administrator of the code may charge the RSO, the individual members involved, or both with a violation.

1. RSOs are responsible for ensuring that all applicable federal, state, and local laws, as well as university policies, are being upheld and enforced during any and all functions sponsored by the organizations regardless of whether they are held on or off campus.
2. The serving of alcoholic beverages by a RSO to any student which contributes to subsequent conduct by that student that causes the student to be charged under the university Adjudication Code is prohibited.
3. RSOs must comply with authorized requests of properly identified university officials.
4. The university cannot assist with, cooperate in, approve, or otherwise condone any activity which involves the violation of the laws of the commonwealth. Therefore, a RSO which utilizes university facilities and hospitality in the advertisement of such an activity, or which is found to have engaged in such activity, shall be in violation of university policy.
5. All on-campus functions sponsored by RSOs must be registered in compliance with the policies and procedures of Conference and Events Services.
6. RSOs are expected to comply with Act 175 of the Pennsylvania General Assembly and the Clarion University Anti-Hazing Policy (see policy in this document).
7. University Posting Policy (see Appendix D)
8. University Peaceful Assembly Policy (see Appendix C)

9. RSOs wishing to engage in fund-raising activities must have prior written approval from the Center for Leadership and Involvement (CLI). Permission is limited to RSOs in good standing with Student Senate, and groups in the process of becoming recognized.

Administrative Policies Regarding Fraternities & Sororities

The university expects the operation and activities of general fraternities and sororities to comply with all applicable federal, state and local laws, as well as all university, governing council and inter/national organization policy.

Eligibility

1. Perspective new members must have earned a minimum of 12 credit hours, have a cumulative quality-point average (QPA) of at least 2.4 or meet the organization's specified minimum standard to join, whichever is higher, and be in good academic standing before they can be offered an invitation to join. Students transferring to Clarion University will be declared eligible provided that they had cumulative QPA of at least 2.4 at their previous institution and are transferring at least 12 credit hours.
2. The Center for Leadership and Involvement (CLI) will process Eligibility Verification Forms on a continuous basis and distribute an eligibility list on a regular basis, to be determined at the beginning of each semester.
3. No potential new member may be offered an invitation to join or extended a bid until his/her eligibility has been confirmed by the CLI.
4. Once a bid has been accepted, a signed individual bid acceptance form must be turned into the CLI within 48 hours after it has been signed.
5. While this policy prohibits general fraternities and sororities from offering invitations of membership to students without a Clarion University QPA and transfer student with less than 12 credit hours, fraternities and sororities are permitted to have contact with such students for the purposes of generating future interest in Greek life. Fraternities and sororities are permitted to invite said students to chapter functions, provided that these functions are held on campus.

New Member Education Programs

1. Each semester, the chapter officer responsible for administering the organization's new member education program is required to meet with the director of the CLI before the new member education program begins. The officer should bring a detailed, written copy of the program to this meeting.

Depledges

1. In the event that new member depledges at any point in the semester, a depledged form must be turned into the CLI. In the event that a Depledge Form is not received, the individual(s) in question will remain on the chapter's grade report for that semester and may be removed from the chapter's roster the following semester.

Initiation

1. Each chapter is required to submit an Initiation Form to the CLI within 48 hours after new members are initiated into the organization.

Communication

1. In addition to complying with Student Senate's RSO Policy, all chapter presidents and advisors must join the IFC or PHC list serve group. Additionally, all chapter IFC/PHC delegates must join the IFC or PHC list serve. These individuals are responsible for checking the portal page on a regular basis and ensuring that all information communicated via the portal is relayed to their respective chapter.

Rosters

1. At the beginning of each semester, the CLI will distribute rosters to each chapter. These rosters will be used for billing IFC/PHC membership dues. Any revisions to the roster will be due in CLI by 5 p.m. on the Friday of the second week of school.

Scholarship Reports

1. Each semester, the CLI will compile scholarship reports for each individual chapter, as well as for the entire Greek community. Preliminary reports for each semester will be distributed at the beginning of the following semester. The final report will be generated 30 days after the first day of class the following semester. No adjustments will be made to the official grade report after that time.
2. In the event that new member depledges at any point in the semester, a depledged form must be turned into the CLI. In the event that a depledged form is not received, the individual(s) in question will remain on the chapter's grade report for that particular semester.

Social Functions

1. Fraternities and sororities are required to register all social functions, where alcohol is present, with CLI at least 48 hours prior to the event and include a guest list. For the purpose of this document, a "social function" is defined as a mixer, party, date party, brotherhood/sisterhood event, formal/semiformal, parent event, alumni event or any situation sponsored or endorsed by the chapter at which there is the possession use and/or consumption of alcoholic beverages regardless of whether it occurs on or off the chapter's premises.

Policy Violations

1. In the event that CLI becomes aware of alleged violations of this, or any other university policy, the director of CLI will review the alleged violation to determine whether or not the adjudication of the offense should best be handled through a formal or informal hearing. If the violation is deemed serious enough to warrant a formal hearing, the matter will be referred to the Office of Judicial & Mediation Services for review. If it is deemed that an informal hearing is warranted, the matter will be referred to the director of CLI for review. These hearings will be conducted in accordance with the Disciplinary Procedures Code outlined in the *Student Rights, Regulations, & Procedures Online* handbook.
2. Each chapter is expected to utilize their internal disciplinary process to adjudicate alleged violations of organizational standards/expectations/policies and/or institutional policies by its members and notify the CLI of the outcomes of all such hearings.
3. In accordance with the *Student Rights, Regulations, & Procedures Online* handbook, decisions resulting from either an informal hearing, or a council judicial body, may be appealed to the Office of Judicial & Mediation Services.

Recognized Student Organization (RSO) Hearing Procedures

University Conduct Board Jurisdiction over RSOs

1. Cases involving the alleged violation of any university policy or regulation, misconduct, or disruptive behavior by a RSO, or other groups in the process of becoming recognized.
2. Cases may be heard against an RSO if students involved in the alleged offense belong to a particular RSO, or if the planning or leadership of an event where an alleged offense occurred are members of a particular RSO.
3. The university conduct board shall also hear appeals from student boards of whatever type that have imposed sanctions on a RSO.

Informal Hearings

Cases not involving the revocation of recognition may be heard informally, as specified by university procedures, with notice and the opportunity to be heard afforded to the RSO. The director of CLI, or his/her designee, will discuss the charges with representatives of the RSO and afford the RSO an informal hearing. Should justification be found, or should the alleged misconduct merit consideration of loss of recognition, the matter will be referred for a formal hearing.

Formal Hearings

Such hearings shall be conducted, as warranted, by the Office of Judicial and Mediation Services or the University Conduct Board. The university's rules of procedure for formal hearings shall provide RSOs with the following procedure guarantees:

1. reasonable specific advanced written notice of charges containing a description of the alleged acts of misconduct, including time, date, and place of occurrence; and the rules of conduct allegedly violated by the RSO;
2. reasonably advanced written notice of the date, time, and place of the hearing, unless such right is waived in writing by the RSO;
3. a reasonably sufficient interval between the date of notification of charges and the date of the hearing, to allow the RSO to prepare a defense;
4. an opportunity for submission of written physical and testimonial evidence, and for reasonable questioning of witnesses by the RSO and the accuser;
5. an impartial hearing which may consist of a committee, board, panel, or individual appointed by the university;
6. maintenance of a written summary or audiotape recording of the hearing at university expense, though RSO may be required to pay the cost of copies of requested records;
7. a decision based upon presented evidence sufficient to make a reasonable person believe that a fact sought to be proved is more likely than not;
8. a written adjudication in which the facts and reasons for the decision are set forth with reasonable specificity shall be issued within 30 working days after the close of the proceedings. In cases of alleged sexual assault, the accuser shall be informed of the outcome of the hearing; and
9. a RSO may identify an advisor, who may be an attorney, to be present at hearings. The advisor may only consult and interact privately with the RSO, unless otherwise determined by the university regarding a particular case. In cases of alleged sexual assault, the accuser is entitled to have an advisor present at the hearing.

Policy on Withdrawal, Reassignment, and/or Termination of a Field Assignment

Background

Clarion University collaborates with a large number of business organizations, school districts and other agencies each year to provide field experiences for majors. The university requires these field experiences and so do many of the licensing boards that govern the specialty areas Clarion graduates are entering. Field experiences consist of, but are not limited to, student teaching, participation in nursing clinics, or internships and externships with local businesses or government agencies.

Clarion University is able to place field participants (students) in particular settings because the business organizations, school districts, or agencies invite those participants to experience activities in the field as guests of the business organization, school district or agency. Accordingly, the field participants must recognize that the university has been given the privilege to place students at field sites and, therefore, the overriding factor is that the student is at all times a guest of that business organization, school district, or agency.

Rules and Regulations of the Field Site

Each field site has regulations, procedures, institutional practices, and professional expectations for personnel, which apply to field participants assigned to the business organization, school district or agency. It is the responsibility of the field participant to become aware of the expectations, rules, and the code of conduct at the business organization, school district or agency to which he or she is assigned.

The acceptance of a field assignment indicates an understanding of the guest/host relationship and an understanding that the field participant is expected to abide by the regulations, procedures, institutional practices, and professional expectations of the particular business organization, school district or agency in which the assignment has been accepted. Field participants are ultimately guests of the cooperating business organization, school district or agency and may be removed by the business organization, school district or agency officials.

Rules and Regulations of the University

The students must abide by the university's *Student Rights, Regulations and Procedures Online* handbook. Copies of the handbook are available in the Office of Judicial Affairs and Mediation Services, 204 Egbert. In addition, the university has other regulations, procedures, institutional practices, and professional expectations for students, which apply to field participants assigned to business organizations, school districts, or agencies. It is the responsibility of the field participant to become aware of the expectations (qualifications and conditions), rules, and the code of conduct at the university. Check the Office of Field Services Website at www.clarion.edu/19284.

It is the underlying premise of Clarion University that any student within any of the degree programs available at the university will need to meet the qualifications and conditions for application for field experiences regardless if the student must do so with or without assistance devices. If the student, as a field participant, cannot meet the qualifications and conditions for application in a field experience, then he or she should contact the university official responsible for directing the field services, hereafter referred to as the director of Field Services. Should a student at anytime believe that he or she needs to be accommodated due to a disability, then that student should contact not only the director of Field Services, but also the coordinator of Disabilities Support Services (DSS) at Clarion University. Students must meet all requirements of the profession.

A student may be removed from a field placement for either unsatisfactory academic performance, not meeting requirements of the profession, or due to unacceptable behavior. If at any time under any of the initiation processes or during the appeal process, the student can demonstrate that the reason for his or her unsatisfactory academic performance or unacceptable behavior is due to a disability-related issue, then the student should make the director of Field Services aware of this matter in writing. As soon as the director of

Field Services is aware of such issue, the director of Field Services shall have the obligation to inform the coordinator of the Disability Support Services for consultation, to request an appropriate assessment and, if necessary, to permit the participation of the coordinator as a part of the committee during the review processes. It should also be noted that since each student's situation is different, each case that falls under this policy would be determined on a case-by-case basis.

Policy Reasons for Field Assignment Withdrawal, Reassignment and/or Termination

Clarion University may remove the field participant from a field assignment for any of the following reasons:

1. Behavior unacceptable to business organization, school district or agency: If the behavior exhibited by the field participant is not acceptable to the business organization, school district or agency, the business organization, school district or agency initiated process will be followed.
2. Behavior unacceptable to university: If the university supervisor determines that the behavior exhibited by the student is not acceptable to the university, the university initiated process will be followed.
3. Unsatisfactory skill performance within a business, school district or agency: If it is determined, either by the cooperating professional or university supervisor or by the personnel administrator of the business organization, school district or agency that the skill performance or competency of the student is at an unsatisfactory level, then the university initiated process will be followed.

Initiation Process for Withdrawal, Reassignment and/or Termination

District or Agency Initiated:

A request by the cooperating professional and/or a district administrator to terminate a student from a field assignment will receive an immediate response. A thorough review of the events leading up to the request by the business organization, school district or agency will determine whether or not remediation, withdrawal or termination is appropriate.*

If the behavior exhibited by the field participant is not acceptable to the business organization, school district or agency, the business organization, school district or agency decides unilaterally as to whether the student will be automatically terminated from that field assignment or whether further review will be given by the personnel administrator in collaboration with the cooperating professional, the university supervisor, and the director of Field Services to determine the appropriate course of action to be taken. If the business organization, school district or agency gives further review with the student, and improvement is evidenced satisfactorily to the organization, school district or agency, no further action will be taken by the business organization, school district or agency. However, if the behavior continues, at the discretion of the business organization, school district or agency, the field assignment will be terminated. Moreover, if the field assignment is terminated by the business organization, school district or agency without further review being permitted by that business organization school district or agency, then the second level of review under the university initiation process will be followed at this point.

Situational:

A student who withdraws from a field assignment citing extenuating circumstances that are beyond that student's control, such as health or other personal reasons, may request future consideration. Conditions for that reconsideration should be stated in writing by the student to the director of Field Services.*

* If the initiation process is instituted by either the district or situational, then the director of Field Services in conjunction with the university supervisor and the student will make an initial determination. Such determination shall be placed in writing by a letter and given to the student from the director of Field Services as to how the student will proceed in his or her degree program.

University Initiated:

If it is determined by the university supervisor that the competency of the student is at an unsatisfactory level of performance (whether academic, professional, or behavior related), based on the competencies indicated on either the appropriate evaluation form for whichever field assignment the student is participating in; or are not in the best interest of the clients, a three-way conference of the cooperating professional, the university supervisor, and the student will be held to discuss the concern, possible outcomes, and remedial strategies. This action will result in earnest attempts by the cooperating professional and university supervisor to assist the student with acknowledging problems and making corrections as documented in writing in the student observation reports. If the initial conference did not alleviate the unsatisfactory level of performance by the student, a second level of review will result with a committee consisting of the three parties, as identified above, in conjunction with the director of Field Services.

At the second level of review, it will be determined whether there will be a withdrawal, reassignment or termination of the field assignment. This committee may recommend an intervention course, if available, within the student's degree program. If the student is given the option of the intervention course and elects to take the same, a student, upon successfully completing such course, may be reassigned to a field assignment. If a remediation strategy is inappropriate for the situational needs of the student, recommendations for other available options will be discussed on an individual basis with the student at the time of the termination of the assignment. In the event the second level of review process is being used as a result of the initial business organization, school district or agency initiated process, then the cooperating personnel manager will not be a part of the review at this second level.

Any exceptions to the above rule under the university initiated process would include, but not be limited to, those policies as outlined in the *Student Rights, Regulations and Procedures Online* handbook as well as the *Non-Discrimination Policy and Procedures Handbook*.

Appeal Process

If a student, as a field participant, is not satisfied with the decision made by the university as it relates to the initial determination of a withdrawal, reassignment or termination, then that student will have five (5) business days from the date they are notified of that decision to appeal such decision to the dean of the college from which that student is seeking a degree (certification officer). The dean will convene a committee comprised of herself/himself, the department chair of the student's degree program, and the academic advisor or a departmental designee. The committee will render a decision regarding the withdrawal or termination of the field assignment.

If the student, as a field participant, remains dissatisfied with the results at this level of determination, he or she should so inform the provost and academic vice president within five (5) business days from the date that he or she was informed of the findings at this level. If the student is, as a field participant, dissatisfied with the findings of the provost and academic vice president, he or she should so inform the president within five business days of the date he or she was informed of the provost's findings. At any juncture during the appeal process, if the student believes he or she has or is being discriminated against, the non-discriminatory process shall be used. The university's *Non-Discrimination Policy and Procedures Handbook* sets forth the procedures and review process that must be utilized in such instances. A copy of this policy can be obtained in the Office of Social Equity, 207 Carrier, Clarion, Pennsylvania 16214. The telephone number of the Office of Social Equity is 814-393-2109.

The Pennsylvania Anti-Hazing Law and Clarion University Anti-Hazing Policy

Act 175 of the General Assembly makes hazing a criminal offense within the Commonwealth of Pennsylvania. "Hazing" is defined in the law as:

> Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of an institution of higher education. The term shall include, but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarassment, or any other forced activity which could adversely affect the mental health or dignity of the individual. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

Hazing is deemed criminal misconduct and is made a third degree misdemeanor, punishable by a year's imprisonment. 24 P.S. 5353 (Purdon's Leg. Service); 18 P.S. 1101. Colleges and universities are expressly authorized to suspend, expel, or fine students who engage in hazing, and to withhold grades and diplomas to compel payment of fines. 24 P.S. 5354(3) (Purdon's Leg. Service).

The object of the law is to ensure that no student at a Pennsylvania college or university, public or private, is subjected to physical or mental harm as a condition of joining, affiliating, or holding membership in fraternities, sororities, or other officially recognized student organization.

An organization and its members are engaged in hazing if it engages in any activity, for purpose of initiation or continuing membership, which recklessly or intentionally endangers the physical or mental health of a student. This means any potentially dangerous forced physical activity; any activity which could cause a student to suffer extreme mental stress, as well as any other form of forced activity potentially harmful to the mental health or dignity of a student.

Hazing activities include, but are not limited to, the following: whipping, beating, branding, forced calisthenics, exposure to the elements; forced consumption of any food; liquor, drugs (legal or illegal), or other substance; sleep deprivation, forced exclusion from social contact; conduct which could result in extreme embarrassment; and/or nudity, coerced sexual activity, confinement, physical restraints, or mental harassment.

An organization and its student members are also engaged in hazing if pledge, initiation, or continuing membership activities cause the willful destruction or removal of public or private property.

Act 175 provides that no student can consent to being hazed. Any activity falling within the definition of hazing activities is considered to be a forced activity, subjecting the organization and its members to the full range of penalties.

In compliance with Act 175 and in accordance with long-standing policy, Clarion University has the following regulation:

> All activities of student groups and organizations, including pledging and initiations, shall be conducted in such a way as not to embarrass or injure participants or in any way adversely reflect upon Clarion University. Hazing and one-way initiation rides are prohibited. Conducting pledging activities at strip mine sites are prohibited.

In general, the following acts would constitute violations of the university regulation on hazing:

1. conducting activities which are abusive and/or humiliating to participants;
2. coercing participation in disagreeable, objectionable, and/or embarrassing activities; and
3. engaging in activities defined by law as hazing.

Several factors need to be understood relative to violations of the university regulation. Firstly, the test for determining if an activity was abusive or humiliating does not rest solely on the reactions of the participants. If it is evident that such was the intent of the activity or the result of the activity, it would be hazing whether or not the participants believed the activity was hazing. Secondly, if continuation of pledging, initiation, or membership was contingent upon participation in an activity, that participation in effect coerced. Should the activity be disagreeable, objectionable, or embarrassing to a participant, it would be hazing. Thirdly, the consent of the participant has no effect upon the determination of the activity being recognized as hazing.

Additional guidelines for determining the hazing potential of an activity are:

1. the activity is liable to be harmful because it involves improper or wrongful use of something,
2. the activity is liable to result in injury because the intent is to create an element of danger or fear,
3. the activity involves deliberate maltreatment of participants,
4. the activity is liable to be harmful due to negligence or lack of knowledge on the part of those conducting it,
5. the activity would be degrading of participants because it would subject them to public shame, scorn, or ill-repute, and
6. the activity involves something which the participants would not freely do because of its offensiveness or unpleasant elements.

It should be remembered that university regulations are also violated by:

1. activities which are dangerous, either by their nature or the conditions under which they are conducted, and
2. activities in which the possibility of injury to participants is evident.

Any organization found to have engaged in hazing may have its official recognition permanently revoked. Any student who participates in hazing may be fined, suspended, or expelled from the university. Hazing is aso a criminal offense. Any student who participates in hazing may be arrested and prosecuted. Conviction may result in a jail term of one year in addition of any other applicable penalty under the Pennsylvania Crimes Code.

General Residence Hall Regulations

In addition to the provisions of the Conduct Code, there are general residence hall regulations which pertain to all students who use the halls whether as residents, guests, or visitors. A guest is a member of the same sex who has permission to stay overnight in a hall. A visitor is a member of the opposite sex who is permitted to be in a resident living area for periods of time defined by visitation policies. Residence hall regulations are found in greater detail in the Residence Hall Handbook (and in the individual hall council minutes and visitation policies).

Section I: Visiting in Public Areas

All residence halls will remain locked on a 24-hour basis. One exception is the first floor of Givan Hall which houses the Givan 24-Hour Service Desk, so the main doorway to the lobby area remains open. The basement of Wilkinson Hall houses ResNET, but again the stairwells to the residential areas are kept locked. Students inside a building must not prop open locked doors.

Because residence hall areas will be locked on a 24-hour basis, it is important that students familiarize themselves and their guests with our university policies, particularly our visitor/guest and escort policies. Outside telephones are available at the main entrance to every residence hall.

Section II: General Prohibitions

Regulations governing the use of community equipment in the residence halls are established by each hall council. Prohibitions against cooking in resident rooms, open flames of any type, and other health and safety measures are to be treated as university regulations although enforced within the hall. Any student may be charged for damage done in a hall regardless of whether or not the student is a resident of the hall. Tape or nails may not be used on any walls. Painting or writing on hall property will result in charges being applied to the student's account.

Identification cards that are used for building entrance and keys to residence halls and to hall rooms should be used only by the person to whom they are issued. Lending or improper use is a violation of regulations. The loss or theft of keys will result in a $50 charge to the person to whom they were issued.

Section III: Visitation

Visitation regulations in the individual halls must be strictly adhered to. Each hall visitation policy includes the following provisions binding to both the students and the visitors.

1. Students are permitted to have visitors in their room only if there is no objection from their roommates.
2. Visitors must be escorted at all times in the building. Unescorted visitors or guests at any time in any residence hall shall be presumed to be in violation of these rules and procedures. An unescorted visitor who is a student of the university shall be subject to university discipline. Unescorted non-students shall be subject to state and local trespass laws.

Off-Campus Housing

Clarion University does not recommend, inspect, or otherwise approve off-campus housing. It is the sole responsibility of the property's landlord to ensure the structure complies with Act 45 of the 1999 Pennsylvania Uniform Construction Code statute and all other applicable laws and/or policies. When a student becomes involved in housing difficulties, the matter must be referred to local authorities, such as the borough council, local police, zoning and codes office, district magistrate, etc.

Residency Requirement

Effective Fall 2007 for all incoming undergraduate students, students meeting the following criteria are required to live in university-affiliated housing (residence halls, The Suites, or The Villages):

- First-year students who are enrolled full time.
- Transfer students (who have earned less than 24 credits at a previous institution) who are enrolled full time.
- First-year and transfer students who have earned less than 30 credits at the completion of their first year of residence.
- Students in university-affiliated housing who are not in good academic standing after their first year of residence.

Exemptions:

- First-time-in-college students or transfers living with a parent/guardian at their permanent address within a 30-mile radius of Clarion.
- Married students.
- Students over the age of 21.
- Part-time students.
- Single parents.

Food Service

Students must present ID/meal tickets to the checker at each meal for admission into the dining area. Meal tickets are **not** transferable.

Dress regulations, adopted by Student Senate, June 25, 1969: Students should appear in **neat and appropriate attire**.

Disciplinary Procedures Code

Administration

Administrative responsibility for student disciplinary procedures is assigned to the vice president for student and university affairs.

Misconduct Complaint

Any member of the university community may file a complaint alleging student misconduct. Complaints are filed using an Incident Report form, which is available online or at the Office of Judicial and Mediation Services, Room 204 Egbert, or at the Givan Hall 24-hour Service Desk.

Misconduct Notice

When, as a result of a complaint by a member of the university community or as a result of a disciplinary investigation, there is reason to believe a student has violated conduct regulations, the student will be so notified in writing. Eagle e-mail is considered notification in writing. The student must respond as required by the notice.

Eagle E-Mail is the Official Form of Communication for Student Conduct

E-mail messages sent from the Office of Judicial and Mediation Services, or by way of an appointed hearings officer, to students through university-assigned e-mail addresses will constitute an official means of communication. All correspondence regarding incidents will be communicated through Eagle E-mail. Official correspondence involving incidents may also come from the Center for Residence Life or other offices such as but not limited to Social Equity, The Office of the Vice Present of Student and University Affairs, Center for Leadership and Involvement, Athletics, or other office. It is the student's responsibility and obligation to access and respond to official university E-mail correspondence. Failure to check and/or read official Eagle E-mail will not be considered a valid reason to change an outcome or request a new hearing.

Informal Hearings

Cases not involving the sanctions of dismissal or suspension may be heard informally, as specified by university procedures, with notice and the opportunity to be heard afforded students. An adjudication officer, appointed from the professional staff of the Student and University Affairs Division, will discuss the charges with the student and afford the student an informal hearing. Should the adjudication officer find justification, an appropriate disciplinary sanction will be issued. Should the adjudication officer find that the

charges require further examination, or should the alleged misconduct merit consideration of suspension or dismissal, the matter will be referred for a formal hearing.

Formal Hearings

Such hearings shall be conducted, as warranted, by the Office of Judicial and Mediation Services or the University Conduct Board. The university's rules of procedure for formal hearings shall provide students with the following procedure guarantees:

1. reasonable specific advanced written notice of charges containing a description of the alleged acts of misconduct, including time, date, and place of occurrence; and the rules of conduct allegedly violated by the student;
2. reasonably advanced written notice of the date, time, and place of the hearing, unless such right is waived in writing by the student;
3. a reasonably sufficient interval between the date of notification of charges and the date of the hearing, to allow the student to prepare a defense;
4. an opportunity for submission of written physical and testimonial evidence, and for reasonable questioning of witnesses by both parties;
5. an impartial hearing which may consist of a committee, board, panel, or individual appointed by the university;
6. maintenance of a written summary or audiotape record of the hearing at university expense, though students may be required to pay the cost of copies of requested records;
7. a decision based upon presented evidence sufficient to make a reasonable person believe that a fact sought to be proved is more likely than not;
8. a written adjudication in which the facts and reasons for the decision are set forth with reasonable specificity shall be issued within 30 working days after the close of the proceedings. In cases of alleged sexual assault, stalking, or domestic violence, the accuser shall be informed of the outcome of the hearing; and
9. a student may identify an advisor, who may be an attorney, to be present at hearings. The advisor may only consult and interact privately with the student, unless otherwise determined by the university regarding a particular case. In cases of alleged sexual assault, the accuser is entitled to have an advisor present at the hearing. Please refer to the Compliance Manual section of this document for more information related to the student conduct process in relation to sexual harassment, stalking, sexual violence/assault/rape, and/or domestic, or intimate partner violence. Resources are also provided for survivors/victims in this section.

Conduct of Hearing

1. The conduct of hearings shall be committed to the university which may make all rules reasonable and necessary for the orderly and efficient disposition of cases.
2. The conduct of hearings shall ensure that the accused student has had a fair and reasonable opportunity to answer, explain, and defend against the charges.
3. The university shall have the burden of proof in all cases.

Use of Evidence

Hearings shall not be bound by formal rules of evidence. However, all evidence must be inherently reliable.

1. Hearsay shall not be used as the sole evidence to establish any fact necessary to establish a violation has occurred or not.
2. A student's previous disciplinary record shall not be used to establish whether or not a student has violated a university regulation in a current case. However, the hearing may include a student's previous disciplinary record, in the event a student has been found to be in violation as charged to determine the appropriate disciplinary penalty or sanctions to be imposed.
3. A student's failure to function as a student, irregular class attendance, failure to take tests or exams, or failure to complete assignments or requirements, may be considered in determining disciplinary sanctions.

Waivers

A student, through a written statement, may waive his or her rights to a hearing.

Missed Hearings

Students who fail to check Eagle E-Mail to find a notice of a hearing, or, who fail to contact the Office of Judicial and Mediation Services prior to missing a hearing will not be able to reschedule a hearing held in their absence. Hearings will be held in the absence of students who do not attend a hearing. It is the responsibility of students to request a hearing date/time be changed prior to the date/time of the hearing. Requests to change the date/time are not guaranteed as University Conduct Board hearings are based on academic schedules as well as the schedules of witnesses, victims/survivors, as well as the schedules of members of the board.

Adjudication Appeals

Decisions of adjudication officers that students have violated conduct regulations and decisions of faculty members that students have engaged in academic dishonesty may be appealed to the university Conduct Board. Decisions of the University Conduct Board or vice president for student and university affairs that students have violated conduct regulations may be appealed to the university president or his designee, which may include an Appeals Board. These appeals are made by submitting the Formal Hearing Appeal Form to the Office of Judicial and Mediation Services within three business days of receiving your Hearing decision. The form may be hand-delivered or mailed to Room 204 Egbert Hall, or faxed to 814-393-1860. Upon reasonable request, the three business day deadline may be extended by the Coordinator of Judicial Affairs and Residence Life Education. Discretionary authority to review adjudication decisions is retained by the university president, or his designee, which may include an appeals board. An appeal or review may result in a new hearing of the case, or the original decision may be affirmed, reversed, or modified.

University Conduct Board

The Student and Faculty Senates will each appoint, from their respective constituencies and subject to approval of the president, at least five individuals who will be eligible to serve as Conduct Board members. An appointment will be for a term of two years.

When a hearing is required, the Office of Judicial and Mediation Services shall convene a board composed of students and faculty from the eligible membership. The Coordinator of Judicial Affairs and Residence Life Education, in most cases, shall serve ex-officio as presiding/recording officer and voting member. The coordinator may choose to present charges, ask questions, and observe the proceedings without serving as a voting member of the board. Temporary board members may also be appointed with the approval of the Vice President for Student and University Affairs and on a voluntary basis.

In addition to its jurisdiction as already defined, the university Conduct Board will hear the following:

1. cases involving administrative denial of a student's registration for non-academic reasons, and
2. cases involving an alleged violation of a student's academic rights.

Disciplinary Guidelines

The following apply to all misconduct cases:

1. **Interim Suspensions**

   The president or a designee may suspend students from the university, including their privilege to enter any university property or facility pending the final disposition of their case if it is determined that their continued presence constitutes an immediate threat of harm to themselves, other students, university personnel, or to university property. In the event a student is suspended under such conditions, a hearing shall be convened within 10 working days unless extenuating circumstances warrant an extension, in which case a hearing would be provided at the earliest possible date.

2. **Maintenance of Status**

   Unless an interim suspension is imposed, as provided in these regulations, a student shall continue his or her matriculation with all normal privileges until the case is fully adjudicated through university procedures.

3. **Disciplinary Notification on Academic Transcripts**

   Effective July 1, 2012, Clarion University will note student disciplinary expulsions and suspensions on Academic Transcripts. This notification will be viewed on official, unofficial, and Electronic transcripts.

4. **Enforcement**

   The university may withhold transcripts, grades, diplomas, or other official records pending the disposition of cases, if such action is reasonably necessary to preserve the university's ability to enforce its disciplinary rules.

Disciplinary Sanctions

(Expulsion) Dismissal

This action is taken when the student's misconduct or disciplinary involvement is of such seriousness that it merits the student's separation from the university community. A dismissal action will specify the conditions, if any, under which the student may become eligible for readmission.

Any student who is expelled from Clarion University under the student conduct policy cannot receive or be granted a Clarion University degree. Expelled students cannot transfer credits from another institution to complete degree requirements at Clarion University.

Suspension

This action is taken when the seriousness of the student's misconduct or disciplinary involvement merits interruption of the student's enrollment. A suspension action will specify a date and/or requirement for reinstatement.

Probation

This action is taken when the student's misconduct or disciplinary involvement merits a period of official censure. A probation action will specify any conditions with which the student must comply or any privileges which may be withheld.

Reprimand

This action is taken when the student's misconduct or disciplinary involvement merits an official admonition.

Additional Actions

1. Any disciplinary sanction may include, if appropriate, a requirement that the student fulfill some specified act of restitution or correction.
2. When warranted, a disciplinary action not specified above may be imposed.
3. Clarion University of Pennsylvania recognizes that students, parents, guardians, and the university are in a partnership in which each has the responsibility to promote a healthy and productive educational experience.
4. Due to the recent amendments to the Family Educational Rights and Privacy Act (FERPA)/Buckley Amendment by the U.S. Department of Education, it is now permissible for Clarion University to notify the parent or guardian of dependent students when those students have been found responsible for alcohol and drug related offenses and the student is under 21.
5. Disciplinary sanctions are implemented by presenting to the student a letter and/or e-mail explaining the decision. A copy of the letter will be placed in the university disciplinary files. Appropriate university offices and personnel will be notified when necessary for sanction implementation.
6. A letter may be defined as an official university e-mail. It is the responsibility of students to check their Clarion e-mail. It is not the fault of the university if a student fails to check their e-mail, has exceeded their mailbox capacity and did not receive student conduct e-mail, deleted e-mail without reading, or if the student viewed but did not fully read their official e-mail.
7. The president reserves the right to amend sanctions or grant appeals at any time for a violation of the student conduct policy.

Drug-Free Schools and Communities Act and Drug-Free Workplace Act

The Drug-Free Schools and Communities Act Amendment of 1989 (U.S. Public Law 101-226) and the Drug-Free Workplace Act require annual distribution of certain information to all students and employees. This booklet is being provided in compliance with these requirements. This booklet includes the following:

1. campus standards prohibiting unlawful possession, use, or distribution of illicit drugs and alcohol;
2. description of laws pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol;
3. description of health risks associated with the use of illicit drugs and abuse of alcohol;
4. description of drug and alcohol treatment and rehabilitation programs;
5. description of sanctions; and
6. a policy statement concerning the disciplining of employees who violate laws and policies concerning illicit drugs and alcohol.

Direct inquiries to the office of Health Promotions & Programs at the Keeling Health Center, 814-393-1949.

State System of Higher Education Drug-Free Workplace Policy Statement

As required by the federal "Drug-Free Workplace Act of 1988," the State System of Higher Education, Commonwealth of Pennsylvania, hereby declares as its policy that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited at any workplace under the authority of the Board of Governors. Any employee violating the policy will be referred to the commonwealth's employee assistance program and/or disciplined, in an appropriate manner, up to and including termination. Discipline, when appropriate, shall be taken under relevant provisions of collective bargaining agreements, Civil Service Policy, or other Personnel Policies adopted by the Board of Governors.

NOTE: The above policy was adopted by the Board of Governors of the State System of Higher Education on April 20, 1989. Clarion University of PA is a member of the State System.

Disciplinary Sanction

Students violating any of the above unlawful acts are subject to disciplinary actions, up to and including expulsion. Discipline procedures are explained in the *Student Rights, Regulations and Procedures Online* handbook. Since Clarion University is a member of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse, the minimum sanction for illegal sale and distribution of drugs would include separation from the institution and referral or prosecution.

Employees and students may also be subject to arrest for violation of federal, state, and local drug and alcohol laws and ordinances.

Employer Notification

The Drug-Free Workplace Act requires the employee to notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Clarion University Alcohol Policy

Two basic factors dictate Clarion University's policy on alcohol:

1. Studies indicate that a majority of the misconduct incidents involving students are related to alcohol consumption.
2. Clarion University is a state agency, and as such it cannot authorize, condone, sanction, or otherwise support activities in which state law is violated. The consumption of alcoholic beverages by those under 21 years of age is such a violation.

Because of these factors, the university has adopted regulations under which the following acts constitute student misconduct:

1. the possession or consumption of alcoholic beverages in or around university and university-supervised facilities and property;
2. the possession or use by, and sale or furnishing of, alcoholic beverages to those under 21 years of age; and
3. the serving of alcoholic beverages to a student which contributes to subsequent misconduct by that student.

In addition to its regulations, the university attempts to provide a program of alcohol awareness, education, treatment, counseling, and information to help students understand the university's alcohol policy and its implementation.

Alcohol On Campus

With the exception of special university events in designated locations with presidential approval, the consumption, possession, or transport of alcohol is prohibited on campus. Student possession or consumption of alcoholic beverages in or around university supervised facilities and property is considered an act of misconduct without exception. This prohibition is not a matter of law, but university policy. Simply put, the university's position is that the interests of both the students and the university are best served by an alcohol-free campus.

Therefore, students who bring or consume alcoholic beverages on campus will be penalized. Students under 21 years of age who become involved with Campus Police will also be subject to citation for underage possession and/or consumption.

Alcohol Off Campus

In Kusnir v. Leach, 1982, the Commonwealth Court of Pennsylvania affirmed that the university could exercise disciplinary jurisdiction over off-campus conduct. With regard to university alcohol regulations, misconduct off campus can be grounds for disciplinary action.

Both experience and common sense indicate the potential for problems related to our two basic alcohol concerns, illegal activity and misconduct, is greatest as a result of "open" type parties and/or furnishing of alcohol or malt brewed beverages to a minor.

Many who attend such parties have no acquaintance or association with the party organizers, whose primary motive is to make money. Typically, alcoholic beverage consumption is the primary focus of the activity, but there is little or no mutual sense of responsibility between party attenders and organizers. Thus, the party participants have little concern if unfortunate events occur during or following a party. While there is always the possibility that underage consumption of alcoholic beverages will get the consumer and/or furnisher into difficulty, it should be obvious that neither university nor law enforcement officials have the resources or inclination to monitor all the off-campus activities of university students. It should be equally obvious, however, that the likelihood of reaction by authorities is much greater in situations where alcoholic beverages are present when the situation involves public disturbance, fighting, indecent acts, or the like. Again, such incidents tend

to be associated with "open" type parties. Because "open" type parties have such problematic potential, disciplinary violations associated with such activity are considered serious misconduct acts.

In Fassett v. Delta Kappa Epsilon, 1986, The U.S. Court of Appeals, Third Circuit, affirmed the criminal culpability of those who furnish alcoholic beverages to minors. The court reasoned that it is a violation of the criminal code for minors to consume alcoholic beverages, and under Pennsylvania law those who furnish alcoholic beverages to a minor were accomplices to the minor in violating the code. The court held, further, that this standard could be applied to civil actions as well.

In defining "furnishing," the court rejected the notion that only the actual server was culpable. An accomplice, said the court, was one whose actions promoted or aided a minor's consumption.

It specifically held that:

1. allowing a party to take place on one's premises with the knowledge that minors will be served alcoholic beverages constitutes being an accomplice, and
2. participating in the planning of a party or in the buying of alcoholic beverages to be served at a party with the knowledge that minors will be served constitutes being an accomplice.

In exercising its disciplinary authority in alcohol violations off campus, the university applies these findings.

Clarion University Notice for Students Regarding ACT 66 of 2011
Alcohol Amnesty Information (Effective: September 5, 2011)

ACT 66 is:

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in provisions relating to minors, further providing for the offense of purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 6308 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

§ 6308. Purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

* * *

(f) Exception for person seeking medical attention for another.—A person shall be immune from prosecution forconsumption or possession under subsection (a) if he can establish the following:

(1) The only way law enforcement officers became aware of the person's violation of subsection (a) is because theperson placed a 911 call, or a call to campus safety, police or emergency services, in good faith, based on a reasonable belief and reported that another person was in need of immediate medical attention to prevent death or serious injury.

(2) The person reasonably believed he was the first person to make a 911 call or a call to campus safety, policeor emergency services, and report that a person needed immediate medical attention to prevent death or serious injury.

(3) The person provided his own name to the 911 operator or equivalent campus safety, police or emergency officer

(4) The person remained with the person needing medical assistance until emergency health care providers arrived and the need for his presence had ended.

Section 2. This act shall take effect in 60 days.

Clarion University is committed to abiding by Act 66 and will comply with provisions of this Amendment to Title 18 of the Pennsylvania Consolidated Statutes which goes into effect on September 05, 2011. There will be no student conduct action taken (informal or formal hearing) for individuals who qualify for amnesty. A student must meet each of the four listed criteria above to qualify for amnesty.

Students qualifying for amnesty will be asked to speak with a Student Affairs professional and will be asked to complete the BASICS alcohol workshop and only modules relating to decision making and alcohol at no cost to the student. Education in the form of BASICS and modules is an integrated approach to lowering risks associated with dangerous drinking behaviors.

Please contact the following offices with questions:

University Police; 814-393-2111

Office of Alcohol & Drug Programming; 814-393-1949

Office of Judicial and Mediation Services; 814-393-1918

Alcohol and Other Drug Violations and Penalties (State and Local)

The following is a listing of the most common alcohol and other drug violations, and their penalties, committed under federal and state law. For a more complete description of the offenses, consult the appropriate federal and state criminal and vehicle codes.

Alcohol Offenses

Misrepresentation of age to secure liquor or malt or brewed beverages.

Penalty: first offense–summary violation, up to $300 fine and 30 days in jail;
second offense–misdemeanor, up to $4,500 fine and jail. Operator's license will be suspended.*

Purchase, consumption, possession, or transportation of liquor or malt or brewed beverages.

Penalty: first offense–up to $300 fine and 30 days in jail; second offense–up to $500 fine and jail. Operator's license will be suspended.*

Representing that minor is of age.

Penalty: misdemeanor, fine of not less than $300.

Inducement of minors to buy liquor or malt or brewed beverages.

Penalty: misdemeanor, fine of not less than $300.

Selling or furnishing liquor or malt or brewed beverages to minors.

Penalty: misdemeanor, fine of not less than $1,000 for the first violation and $2,500 for each subsequent violation.

*Operator's License Suspensions:	First offense–90 days	Third offense–2 years
	Second offense–1 year	Subsequent offenses–2 years

Manufacture or sale of false identification card.

Penalty: misdemeanor, fine of not less than $1,000 for first violation and not less than $2,500 for each subsequent violation.

Carrying a false identification card.

Penalty: summary offenses first violation, fine up to $300 and up to 30 days in jail; misdemeanor for subsequent violations, fine up to $500 and jail. Operator's license will be suspended.*

Restrictions on alcoholic beverages.
The driver of any vehicle may not consume any alcoholic beverage or illegal drug.

Penalty: summary, fine up to $300 and up to 30 days in jail.

Driving under influence of alcohol or controlled substance.

Penalty: misdemeanor, fine of not less than $300, jail for not less than 48 hours; not less than 30 days in jail for second violation; not less than 90 days in jail for third violation; not less than one year for fourth offense.

Homicide by vehicle while driving under influence.

Penalty: Felony, not less than three years imprisonment, fine, revocation of operating privileges.

Other violations include bringing alcoholic beverages into the state without paying Pennsylvania taxes and selling or offering for sale alcoholic beverages without a liquor license. Violations of these laws can result in fines, imprisonment, and confiscation of vehicles.

Under legislation enacted by the Pennsylvania General Assembly, the following is now law:

Any individual under 21 years of age convicted of attempting to purchase, purchasing, consuming, possessing, or transporting alcoholic beverages, or possessing an identification card falsely identifying the individual as 21 years of age, shall be subject to a fine up to $300, plus court costs, and 90 days suspension of driver's license. Subsequent violations may result in fines of $500 and suspension of driver's license for two years.

Illicit Drugs

Clarion University is Committed to a Drug-free Learning Environment

In an effort to advance the vision of Clarion University as a high-achieving, nationally recognized, comprehensive university that delivers a personal and challenging academic experience, the university regularly collaborates with area policing agencies including the Clarion Narcotics Enforcement Team. In working with the Clarion Narcotics Enforcement Team, we are working to reduce the sale and consumption of illegal drugs on the Clarion Campus by our students. Our collaboration takes many forms annually including, but not limited to, aggressive measures designed to detect and respond to drug activity such as covert investigative techniques which could include undercover police officers posing as student on campus. Other forms of collaboration are intended to reach students through prevention efforts. Prevention efforts include resident hall programming, wellness presentations, alcohol and drug education, counseling services, and through education offered during orientation prior to students attending Clarion University. Our commitment is to reasonably create a productive and civil learning environment.

Possession of controlled or counterfeit substance.

Penalty: misdemeanor, up to one year in jail, fine of up to $5,000.

Purchase of controlled substance.

Penalty: misdemeanor, up to three years imprisonment and a fine of up to $5,000.

Manufacture, delivery, or possession by an unauthorized person.

Penalty: narcotic drugs–felony, up to 15 years imprisonment and fine of up to $250,000.

***Methamphetamine**–cocoa leaves, marijuana (in excess of 1,000 pounds)–felony, imprisonment up to 10 years and a fine of up to $100,000.

***Opiates**–hallucinogenic substances, marijuana–felony, up to five years imprisonment and a fine of up to $15,000.

***Barbiturates**–felony, up to three years imprisonment and a fine of up to $10,000.

***Codeine, morphine, atropine**–misdemeanor, up to one year imprisonment and a fine up to $5,000.

Possession of a small amount of marijuana for personal use (30 grams of marijuana or 8 grams of hashish).

Penalty: Misdemeanor, up to 30 days imprisonment and a fine of up to $500.

Use or delivery of drug paraphernalia.

Penalty: misdemeanor, up to one year imprisonment and a fine of up to $2,500.

Possession or distribution of "look alike drugs" having a depressing or stimulating effect.

Penalty: felony, up to five years imprisonment and a fine of up to $10,000.

Manufacture, sale or delivery, holding, offering for sale, or possession of any controlled substance that is altered or misbranded.

Penalty: misdemeanor, up to one year imprisonment and a fine of up to $5,000.

Trafficking drugs to minors.

Penalty: at least one year confinement, two years imprisonment if within 1,000 feet of a school, college, or university.

Controlled Substances—Uses and Effects

Drugs/ CSA Schedules	Trade or other names	Medical uses	Dependence Physical	Dependence Psychological			
NARCOTICS							
Opium II, III, V	Dover's Powder, Paregoric	Analgesic, antidiarrheal	High	High	Yes	3-6	Oral, smoked
Morphine II, III	Morphine, MS-Contin, Roxanol, Roxanol-SR	Analgesic, antitussive	High	High	Yes	3-6	Oral, smoked injected
Codeine II, III, V	Tylenol w/Codeine, Empirin Robitiussan A-C, Fiorinal w/Codeine	Analgesic, antitussive	Moderate	Moderate	Yes	3-6	Oral, injected
Heroin I	Diacetylmorphine, Horse, Smack	None	High	High	Yes	3-6	Injected, sniffed, smoked
Hydromorphone II	Diliaudid	Analgesic	High	High	Yes	3-6	Oral, injected
Meperidine (Pethidine) II	Demerol, Mepergan	Analgesic	High	High	Yes	3-6	Oral, injected
Methadone II	Dolophine, Methadone, Methadose	Analgesic	High	High-low	Yes	3.6	Oral, injected
Other narcotics I, II, III, IV, V	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Tahwin	Analgesic, antidiarrheal, antitussive	High-low	High-low	Yes	3-6	Oral, injected

Possible effects: Euphoria, drowsiness, respiratory depression, constricted pupils, nausea
Effects of overdose: Slow and shallow breathing, clammy skin, convulsions, coma, possible death.
Withdrawal syndrome: Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.

DEPRESSANTS							
Chloral Hydrate IV	Noctec	Hypnotic	Moderate	Moderate	Yes	5-8	Oral
Barbiturates II, III, IV	Amytal, Butisol, Fiorinal, Lotusale, Nembutal, Seconal, Tuinal, Phenobarbital	Anesthetic, Anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	High-Mod	High-Mod	Yes	1-16	Oral
Benzodiazepines IV	Alivan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium Versed, Halcion, Paxipam, Restoril	Antianxiety, anticonvulsant, Sedative, hypnotic	Low	Low	Yes	4-8	Oral
Methaqualone I	Quaalude	Sedative, hypnotic	High	High	Yes	4-8	Oral
Gluethimide III	Doriden	Sedative, hypnotic	High	Moderate	Yes	4-8	Oral
Other Depressants III, IV	Equanii, Militown, Noludar, Placidyl, Vlamid	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4-8	Oral

Possible effects: Slurred speech, disorientation, drunken behavior, behavior without odor of alcohol.
Effects of overdose: Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death.
Withdrawal syndrome: Anxiety, insomnia, tremors, delirium, convulsions, possible death.

Drugs/ CSA Schedules	Trade or other names	Medical uses	Dependence Physical	Dependence Psychological			
STIMULANTS							
Cocaine II	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High	Yes	1-2	Sniffed, smoked injected
Amphetamines II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected
Phenmetrazine II	Preludin	Weight control	Possible	High	Yes	2.4	Oral, injected
Methylphenidate II	Ritalin	Attention deficit disorders, narcolepsy, weight control	Possible	Moderate	Yes	2.4	Oral, injected
Other Stimulants III, IV	Adipex, Cylert, Didrex, Ionamin, Melfiat, Plegine, Sanorex, Tenuate, Teparil, Prelu-2	Weight control	Possible	High	Yes	2.4	Oral, injected

Possible effects: Increased alertness, excitation, increased pulse rate & blood pressure, insomnia, loss of appetite.
Effects of overdose: Agitation, increases in body temperature, hallucinations, convulsions, possible death.
Withdrawal syndrome: Apathy, long periods of sleep, irritability, depression, disorientation.

HALLUCINOGENS							
LSD I	Acid, Microdot	None	None	Unknown	Yes	8-12	Oral
Mescaline & Peyote I	Mexc, Buttons, Cactus	None	None	Unknown	Yes	8-12	Oral
Amphetamine Variants I	2,5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected
Phencyclidine II	PCP, Angel Dust, Hog	None	Unknown	High	Yes	Days	Oral, smoked, injected
Phencyclidine Analogues	PCE, PCPy, TCP	None	Unknown	High	Yes	Days	Oral, smoked, injected
Other Hallucinogens I	Bufotenine, Ibogaine, DMT, Psilocybin, Psilocyn	None	None	Unknown	Possible	Varible	Oral, smoked, injected

Possible effects: Illusions and hallucinations, poor perception of time and distance.
Effects of overdose: Longer, more intense "trip" episodes, psychosis, possible death.
Withdrawal syndrome: Withdrawal syndrome not reported.

Drugs/ CSA Schedules	Trade or other names	Medical uses	Dependence Physical	Dependence Psychological			
CANNABIS							
Marijuana I	Pot, Acapulco, Gold, Grass	None	Unknown	Moderate	Yes	2-4	Smoked, oral
Tetrahydrocannabinol III	THC, Marinol	Cancer chemotherapy antinauseant	Unknown	Moderate	Yes	2-4	Smoked, oral
Hashish I	Hash	None	Unknown	Moderate	Yes	2-4	Smoked, oral
Hashish Oil I	Hash Oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral

*Designated a narcotic under the CSA. ** Not designated a narcotic under the CSA

Possible effects: Euphoria, relaxed inhibitions, increased appetite, disoriented behavior.
Effects of overdose: Fatigue, paranoia, possible psychosis.
Withdrawal syndrome: Insomnia, hyperactivity, and decreased appetite occasionally reported.

Alcohol Effects

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and deaths, if combined with other depressants of the central nervous system, much lower doses of alcohol will product the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Federal Trafficking Penalties

The Controlled Substance Act provides for unlawful manufacturing, distribution, and dispensing of controlled substances. The penalties are basically determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana. As the statute has been amended since its initial passage in 1970, the penalties have been altered by Congress. The following charts are an overview of the penalties for trafficking or unlawful distribution of controlled substances. This is not inclusive of the penalties provided under the CSA.

Federal Trafficking Penalties—Marijuana

CSA	Penalty 1st offense	Penalty 2nd Offense	Quantity	Drug	Quantity	Penalty* 1st Offense	Penalty* 2nd Offense
I	Not less than 5 years. Not more than 40 years	Not less than 10 years. Not more than life.	5-99 gm pure or 50-499 gm mixture	METHAMPHETAMINE	50 gm or more pure or 500 gm or more mixture	Not less than 10 years. Not more than life.	Not less than 20 years. Not more than life.
			100-999 gm mixture	HEROIN	1 kg or more mixture		
			500-4,999 gm mixture	COCAINE	5 kg or more mixture		
and	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.	5-49 gm mixture	COCAINE BASE	50 gm or more mixture	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
			10-99 gm or 100-999 gm mixture	PCP	100 gm or more pure or 1 kg or more mixture		
II	Fine of not more than $2 million individual; $5 million other than individual.	Fine of not more than $4 million individual; $10 million other than individual.	1-9 gm mixture	LSD	10 gm or more mixture	Fine of not more than $4 million individual; $10 million other than individual.	Fine of not more than $8 million individual; $20 million other than individual.
			40-399 gm mixture	FENTANYL	400 gm or more mixture		
			10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture		

***Two or more prior offenses:** Life imprisonment

	Drug	Quantity	First Offense	Second Offense
I/II	Others[2] Flunitrazepam (schedule IV)	Any 1 gm or more	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1million individual; $5 million not individual.	Not more than 30 years If death or serious injury, life. Fine $2 million individual; $10 million not individual.
III	All	Any	Not more than 5 years. Fine not more than $250,000 individual; $1 million not individual.	Not more than 10 years. Fine not more than $500,000 individual, $2 million not individual.
IV	All Flunitrazepam (schedule IV)	Any Less than 30 mg	Not more than 3 years. Fine not more than $250,000 individual; $1 million not individual.	Not more than 6 years. Fine not more than $500,000 individual, $2 million not individual
V	All	Any	Not more than 1 year Fine not more than $100,000 individual; $250,000 not individual.	Not more than 2 years. Fine not more than $200,000 individual, $500,000 not individual.

[1] Law as originally enacted states 100 gm. Congress requested to make technical correction to 1 kg.

[2] Schedule I & II and any drug product containing Gamma Hydroxybutyric Acid Does not include marijuana, hashish, or hash oil. (See separate chart.)

Federal Trafficking Penalties—Marijuana

Quantity	Description	First Offense	Second Offense
1,000 kg or more, or 1,000 or more plants	**Marijuana** Mixture containing detectable quantity*	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than $4 million individual; $10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, mandatory life. Fine not more than $8 million individual, $20 million other than individual
100 kg to 999 kg; or 100-999 plants	**Marijuana** Mixture containing detectable quantity*	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than $2 million individual; $5 million other than individual	Not less than 10 years, not more than life. If death or serious injury, mandatory life. Fine not more than $4 million individual, $10 million other than individual.
50 to 99 kg	**Marijuana**	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual; $5 million other than individual	Not more than 30 years. If death or serious injury,mandatory life. Fine $2 million individual; $10 million other than individual.
More than 10 kg	**Hashish**		
More than 1 kg	**Hashish Oil**		
50-99 plants	**Marijuana**		
Less than 50 kg 1-49 plants	**Marijuana**	Not more than 5 years. Fine not more than $250,000 individual; $1 million other than individual	Not more than 10 years. Fine $500,000 individual; $2 million other individual.
Less than 10 kg	**Hashish**		
Less than 1 kg	**Hashish Oil**		

*Includes Hashish and Hashish Oil

(Marijuana is a Schedule I Controlled Substance)

Tobacco on Campus

Smoking on all university-owned property is permitted, however, smoking in buildings and at entry ways is prohibited. Clarion University, in compliance with Senate Bill no. 2046 (The Pennsylvania Clean Indoor Air Act), maintains smoke-free public buildings. No faculty, staff, students, or guests may smoke indoors. Further restrictions at university-sponsored athletic events may also apply in compliance with NCAA policies governing tobacco-free venues. Violations of Senate Bill no. 2046 will be reported to the Office of Human Resources for faculty and staff and to the Office of Judicial and Mediation Services for student offenders. Student violations may result in a formal conduct hearing and sanctions may be issued.

Services Provided

Clarion University provides alcohol and other drug prevention and intervention services to its students and employees through the Office of Health Promotions and Programs located in the Keeling Health Center. Some of the services provided include alcohol education/intervention workshops. The Office of Health Promotions and Programs supports a Clarion University-Clarion Community Coalition on the prevention of alcohol abuse and violence task force. The staff offers presentations to university groups, classes, treatment referral services, student field experiences, and literature distribution. Students and employees are welcome to visit the offices in Keeling Health Center or call 814-393-1949.

Clarion University, in conjunction with all Pennsylvania State System of Higher Education institutions provides Brief Alcohol Screening and Interactions (BASICS) for all known first-time offenders of the Clarion University Alcohol Policy. BASICS is a two-session preventative alcohol education program offered to Clarion University students who want to further explore their alcohol use.

Some students are required to take the BASICS workshop through being referred by Judicial Services, Athletics, Residents Life Services, or by the District Magistrate for violating the campus drug and alcohol policy. There is a $50 charge for all students who are required to take the BASICS workshop. Other students may take the BASICS workshop who are interested in learning moderation strategies and risk-reduction strategies to reduce harmful consequences of drinking.

Using risk-reduction strategies, the program assists students in examining their own drinking behaviors and the goals are selected by the student to reduce the harmful effects of drinking.

Any student with a blood alcohol level or portable breathalyzer test equal to or greater than a .16% (twice the legal limit) will be referred for a formal alcohol assessment to be conducted by the Counseling Services Staff.

More information related to BASICS and other information related to the Office of Alcohol & Drug Programming may be found at www.clarion.edu/79401. You may also make your BASICS appointments online at www.clarion.edu/basics.

During the past year, a new workshop has been offered to students who violate the university drug policy or want to make a self-referral to complete the workshop. The marijuana and other drugs workshop allows students to gain additional skills and strategies that they can utilize instead of using drugs. This workshop is facilitated between the health promotions and counseling offices. Students will learn background information, coping mechanisms, refusal skills, terms associated with drug use, abuse information, and the effects of drugs on the mind, body, and performance factors. Students may go to www.clarion.edu/basics to submit an electronic form to be contacted or you may contact either Counseling Services at 814-393-2255 or the coordinator of Health Promotions at 814-393-1949 for more information.

Employees of the state and their immediate families are also provided services by the State Employee Assistance Program (SEAP). This service is voluntary and confidential. The SEAP was established to help employees cope with personal problems which affect their lives at home or on the job. SEAP helps the employee focus on the primary problem and determine the kind of professional assistance needed. Services focus on the following areas: alcohol and drug abuse, emotional problems, family/marital, legal, and financial. SEAP will assess your needs and provide a referral to an appropriate community service. SEAP offices may be contacted by calling 800-692-7459. Supervisors are encouraged to make employees aware of SEAP as an aid in the early intervention and treatment of employee problems which affect job performance.

Assistance is also available from Clarion County Counseling Center Inc., 214 South Seventh Ave., Clarion, PA, 16214, telephone 814-226-6252. The Clarion University Counseling Center is available to students. It is located in 148 Egbert Hall, telephone 814-393-2255. The marijuana and other drugs workshop has a $75 charge for students required to take this workshop as part of a sanction.

Sexual Violence and/or Sexual Assault Information

Clarion University, like other institutions receiving federal funds, is required to comply with Title IX as well as any updated state requirements such as Article XX-G. Clarion University, pursuant to those directives, has established polices and procedures for educating, reporting, investigating, and resolving any possible act of sexual assault and/or rape, intimate partner/domestic violence, stalking, and sexual harassment which the University has been made aware of.

Notice of Nondiscrimination:

Clarion University of Pennsylvania is committed to equal employment and equal educational opportunities for all qualified individuals regardless of race, color, sex, religion, national origin, affectional or sexual orientation, age, disability, or other classifications that are protected under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and other pertinent state and federal laws and regulations. Direct equal opportunity inquiries to: Assistant to the President for Social Equity, 207 Carrier Administration Building, Clarion, PA 16214-1232, 814-393-2109.

Reporting:

Possible sexual assault and/or rape, intimate partner/domestic violence, stalking, and sexual harassment may be reported to:

1. Clarion University Police; 814-393-2111
2. The Office of Social Equity; 814-393-2109
3. The Office of Judicial and Mediation Services; 814-393-1918

*It is imperitive that University Police is contacted for reported acts of sexual assault and/or sexual violence in order for investigatory procedures to be implemented.

Title IX Compliance Officer:

A representative from The Office of Social Equity shall operate as the Title IX Compliance Officer at Clarion University of Pennsylvania:

Dr. Jocelind Gant, Office of Social Equity
814-393-2109

Incidents may also be reported to Judicial and Mediation Services by filling out an incident report found at www.clarion.edu/judicial and submitting the materials for review. Please go to www.clarion.edu/crimestats for information related to Clarion University Clery Statistics which includes forcible and non-forcible sex offenses as required by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C § 1092(f).

Investigation:

Investigations may be made by University Police, the Office of Social Equity, the Office of Judicial and Mediation Services, or other office designated to investigate claims. Investigations may take time to ensure all information has been collected while still maintaining a prompt and equitable resolution. The Office Civil Rights (OCR) states that an investigation should take no longer than 60 days from the report of an incident. Clarion University will investigate most cases within 14 working days but no longer than 60 days prior to the beginning of an on campus conduct hearing.

Resolution and Appeals:

As the Title IX Compliance Officer, a representative from The Office of Social Equity will be utilized to ensure compliance under Title IX for a prompt and equitable resolution while maintaining that the process and investigation is conducted impartially for both the complainant and the accused student. A University Conduct Board is the preferred process for the student conduct adjudication of charges under the *Rights, Regulations, and Procedures Online* related to sexual violence or sexual harassment. Both the complainant and the accused student(s) will be provided written notice of the hearing, written notice of charges, the ability to have an advisor, the ability to have witness, and the ability to discuss the incident and provide other relevant evidence. Both parties may also request that a decision be appealed. Appeals for the complainant are based on new evidence which was not available at the time of the hearing, there was procedural error in the original case, or on the grounds that evidence in the original hearing was not considered during the deliberation of the case. Further information related to the student conduct process is contained in this publication.

Resolution through University Police and the Criminal Justice System may run concurrent with student conduct proceedings but is a separate process held to a different standard that that of the process utilized through the Office of Judicial and Mediation Services.

Education:

Information pertaining to this topic is disseminated through on campus programs in the residence halls and other areas of campus, through Discover Weekend, and via other forms of mass communication.

Timeline:

Unless under extenuating circumstances; an investigation will begin within 24 hours of the report of an incident. The Office of Judicial and Mediation Services will work in collaboration with University Police, the Office of Social Equity, and other campus and community resources to provide the survivor/victim with resources within 24 hours of a report. The Office of Judicial and Mediation Services will also provide No Contact Orders and/or Persona Non Grata Orders within that timeframe. Verbal orders may be given to involved parties' if circumstances prohibit the issuance of written documents and/or e-mail notifications until a later time.

The investigation and filing of student conduct charges may take as little as 14 working days but no longer than 60 days from the time of the report. A University Conduct Board is the preferred process used by Clarion University for cases involving possible act of sexual assault and/or rape, intimate partner/domestic violence, stalking, and sexual harassment. Both the complainant and the accused student(s) will be provided a written notice of the board decision within 24 hours of the signing of the document by the board chair to ensure the letter specifies the outcome(s) of the board. Students will be notified no later than on the first working day following a weekend or university closure if the decision letter is signed on a Friday or day prior to a closure.

Appeals documentation will be provided to both the complainant and the accused student. Appeals should be in writing and based on specified criteria. Appeals should be submitted within 72 hours (workday hours) of the issuance of the documents. Appeals for a University Conduct Board are reviewed by the president or president's designee. There are no other appeals following this decision. Appeal decisions are made in writing generally within seven (7) to ten (10) working days but no longer than 30 days from the receipt of the appeal. The person reviewing the appeal will have access to all information including written and audio files.

Clarion University
Students' Bill of Rights

The Students' Bill of Rights specifically was created to aid survivors/victims however all students who experience harm will have the following rights.

As required by Title IX and Article XX-G; Clarion University provides survivors of sexual assault, sexual harassment, stalking, and/or intimate partner/domestic violence, or other violent acts with the following rights:

1. The right to have any and all alleged violations treated with seriousness. This includes an investigation, adjudication, or mediation to bring closure to the incident.
2. The right to be treated with dignity.
3. The right to pursue any and all avenues of redress.
4. The right to be informed of university resources, including, but not limited to, the University Police, the Office of Social Equity, Counseling Services, and the Keeling Health Center.
5. At the victim's option, the right to present alleged violations to the University Conduct Board, request that the coordinator of Judicial Affairs and Residence Life Education present charges for the survivor, or permit a designee from the Office of Judicial and Mediation Services to present charges. A University Conduct Board hearing is the preferred formal administrative procedure for these types of cases at Clarion University.
6. The right to a prompt and equitable resolution to the complaint. All hearings will examine the preponderance of the evidence presented.
7. The right, upon request, to a No Contact Order to have no unwanted contact with the accused student(s).
8. The knowledge that a Protection From Abuse Order (PFA) will be honored.
9. The right, upon request, to have a persona non grata (trespass order) filed limiting the accused students' access to particular buildings, areas of campus, and/or classroom buildings. A student may also request a housing assignment change. In some cases, an accused student or students may be placed on interim suspension from Clarion University if possible violations meet the criteria for interim suspension as outlined in the *Rights, Regulations, and Procedures Online* which may be found at www.clarion.edu/studentrights.

Survivors and/or victims who have experienced harm are guaranteed the rights listed above in addition to the following:

1. The right to an advisor at any administrative hearing. The advisor may be any person of her/his choice and may include legal counsel at the expense of the student.
2. The right to present charges at a hearing, under the assistance of the coordinator of Judicial Affairs and Residence Life Education including all information related to the case and the right to present witnesses or other information (physical evidence) as relevant to the case.
3. The right to have only those questions relevant to the alleged violations asked during the disciplinary information gathering process and hearing. The University Conduct Board, or hearings officer may exclude statements and questions concerning the prior sexual history of any party if deemed irrelevant.
4. The right to provide a victim's impact statement verbally or in writing to the University Conduct Board or hearings officer.
5. The right to be present and hear all information and evidence related to the alleged violation(s) and

ask questions of all involved parties including witnesses and the accused student(s). The complainant and accused student(s) will not directly ask questions of each other as to not perpetuate a hostile environment any further. The complainant may also choose to be included via conference call from a safe and undisclosed location rather than be present in the room with the accused student(s).

6. The right to be notified of the outcome of disciplinary proceedings in writing within 24 hours of the signed decision of the University Conduct Board or administrative hearings officer. Information will be provided to the complainant on the first business day following the signing of the decision letter if the decision letter is approved on a Friday and/or day prior to a University closure. The accused student(s) are also notified within the same timeframe.
7. The right to submit an appeal based on the set appeals criteria utilized by all students involved in formal administrative hearings.

There are several offices available to assist survivors/victims of crime and/or students who have experienced harm on or off campus including the University Police, Keeling Health Center, Counseling Services, Office of Social Equity, PASSAGES, SAFE, and the Office of Judicial and Mediation Services. Further information may be obtained online at www.clarion.edu/judicial through the Office of Judicial and Mediation Services or through the Office of Social Equity at www.clarion.edu/socialequity. University Police may be reached at 814-393-2111 to report an incident directly to the police or go to www.clarion.edu/crimestats for information pertaining to Clery Statistics for Clarion University of Pennsylvania. Additional information pertaining to resources and more information related to reporting may be found in the *Rights, Regulations, and Procedures Online* at www.clarion.edu/studentrights.

Reporting Criminal Activity

Students, Faculty, and Staff are directed to contact University Police at 814-393-2111 if you see, hear about, or know about possible abuse of children in any form, including child abuse, child pornography, sexual contact with a child, or other illegal actis with children on Clarion University Property. This includes acts involving camps, conference groups, other guests, or other individuals who may be utilizing facilities on campus. Callers who are Faculty or Staff members should, inform their immediate supervisor who, in turn, will contact his/her respective vice president. Students reporting abuse are urged to contact the Office of Judicial and Mediation Services, and/or Office of Social Equity once University Police are contacted. It is essential that University Police are notified immediately in order for investigatory procedures to be implemented.

Sexual Harassment Policy and Procedures

Published jointly by Office of Social Equity and Presidential Commission on Sexual Harassment

This revised policy was approved on April 15, 2010, by the Council of Trustees.

I. Policy

It is the policy of Clarion University of Pennsylvania that harassment of students and employees based on sex is unacceptable and will not be tolerated. Clarion University is committed to insuring that the learning environment for its students and the working environment for its employees are free of unlawful discrimination of any kind. The university affirms its commitment to human rights and dignity. Sexual harassment violates basic human rights as well as state and federal laws, and is inconsistent with the principles and goals of an academic community.

Clarion University of Pennsylvania will make every effort to protect students, staff, and faculty from sexual harassment. Retaliatory actions taken against persons filing sexual harassment complaints will not be tolerated. The university also recognizes that accusations of sexual harassment are grievous and have serious consequences. Therefore, the university will make every effort to protect students, staff, and faculty from false accusations.

Any employee or student of the university found to be in violation of this policy will be subject to appropriate disciplinary action that may include termination or expulsion.

Clarion University, through the Office of Social Equity and the Presidential Commission on Sexual Harassment will ensure that this policy receives wide dissemination so that students, parents, faculty, administration and staff are aware of the policy and its provisions.

II. Definition of Sexual Harassment

In accordance with the Equal Employment Opportunity Commission (EEOC) Guidelines of 1980, Section 703 of Title VII of the Civil Rights Act of 1964, as amended, the pertinent case laws of Title IX of the Education Amendments of 1972, and Section 5(a) of the Pennsylvania Human Relations Act, Clarion University defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature will constitute sexual harassment when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic success; or

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals; or

(3) Such conduct is sufficiently pervasive or severe to have the effect of interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment.

Sexual Harassment occurs in a variety of situations which share a common element (see *Examples of Conduct that could Constitute Sexual Harassment* at www.clarion.edu/165047).

Clarion University is committed to the principles of free expression and academic freedom. As such, "sexual harassment," as defined in this policy, is neither legally protected expression nor the proper exercise of academic freedom.

Discussion of ideas or theories that some employees or students may find offensive is not necessarily sexual harassment. Examples of sexual harassment include:

- conduct of a sexual nature that is sufficiently severe or pervasive to have the effect of harassing or stigmatizing others on the basis of their sex or sexual orientation.
- This may include the use of sexually explicit pictures, objects, or materials in classroom or work areas that have no legitimate or instructional purposes; unwelcomed letters, e-mail or phone calls of a sexual nature; sexual graffiti or visuals; unwelcomed touching, pinching, or patting; repeatedly asking for a date after the person has expressed disinterest; and pressure for sexual favors.
- Extreme forms of sexual harassment include sexual assault or rape, which are considered criminal offenses.

III. Related Unprofessional Conduct

The university's mission and core values are predicated on professionalism in interpersonal relationships. Since professional relationships are instrumental to the mission and core values of the university, it is essential to establish a standard of expected conduct in these relationships. Personal relationships should be avoided when they call into question professional integrity or interfere with an individual's work experience. A university employee with professional responsibility or supervision of another who has real or potential power and authority over that individual in a variety of roles including, but not limited to, supervisor, mentor/advisor, professor, thesis/evaluation committee members, etc., shall not abuse that power. Absent contradictory evidence, an amorous or sexual relationship between individuals where one possesses or appears to possess authority or power over another is presumed to be exploitative and shall constitute unprofessional conduct. The consensual nature of such a relationship does not necessarily constitute a defense to a charge of sexual harassment or related unprofessional conduct especially when the indirect result of the relationship creates a hostile workplace environment.

Therefore, any employee in a supervisory role who enters into a sexual relationship with another employee enters into that relationship with risk. These persons will be subject to scrutiny if a complaint of sexual harassment is leveled against the "supervisory person" by the "subordinate person" or if a third party brings a complaint[1].

IV. Procedures

The procedures described below are applicable to any student, employee, or applicant for education programs or employment who believes that he/she has been the victim of sexual harassment, except in the cases noted in section A.2 listed below, concerns about sexual harassment should be brought to the Office of Social Equity directly. Individuals may bring their concerns about sexual harassment to a faculty member or advisor, a public safety officer, a residence hall assistant or director, a member of the university administration or any member of the President's Commission on Sexual Harassment for the purpose of obtaining information and/or moral support. Such individuals must then report the concerns to the Office of Social Equity and encourage the complainant to go to the Office of Social Equity to discuss the matter further. All supervisors are obligated to report any known allegations of sexual harassment to the Office of Social Equity.

- Complainant: the individual who is making allegations that sexual harassment has occurred.
- Respondent: the individual against whom the allegations of sexual harassment have been made.
- Sexual Harassment complaints should be reported promptly to the Office of Social Equity. They may be reported by anyone who becomes aware that sexual harassment may have occurred.
- Resolution of the complaint shall be sought as quickly as possible while maintaining standards of fairness.
- These procedures are not intended to replace other university procedures available under established laws or collective bargaining contracts and, where permissible, a complainant may choose either this procedure or any other applicable procedure. (See Appendix B.)

- The Office of Social Equity has the responsibility for investigating sexual harassment complaints filed and will attempt to conduct the investigation within 30-60 calendar days from receipt of the complaint.
- The Office of Social Equity will notify employees and students respondent of sexual harassment generally within a twenty (20) day period, subject to exceptions that are provided to protect the complainant.
- Investigative information may be retained for up to three years in the Office of Social Equity as part of a data file on sexual harassment at the university.

A. Reporting Complaints of Sexual Harassment

1. All complaints of sexual harassment (with the exception of complaints made against the hearing office (Office of Social Equity and/or the President of the university) shall be filed with the Assistant to the President for Social Equity (207 Carrier Hall, 814-393-2109).
2. All complaints of sexual harassment made against the Assistant to the President for Social Equity and/or the President shall be filed with the Office of the Chancellor, PA State System of Higher Education (PASSHE), Dixon Center, Harrisburg, PA 17110, 717-720-4000.

B. Informal Review

1. The complainant reports the complaint to the Office of Social Equity. After an initial interview, the social equity officer may suggest that the complainant take individual action to resolve the problem through verbal or written communication with the person whose actions the complainant found offensive.
2. If that approach does not resolve the matter, or if the complainant does not want to interact directly with the respondent, the social equity officer will attempt to act as mediator in an effort to achieve an informal resolution to the problem. The respondent will be informed of the concerns or complaint as presented by the complainant and will be afforded an opportunity to respond. Said response may be a written or oral presentation of factual data.
3. During all informal attempts to resolve a problem, every effort shall be made to: (1) notify the respondent of the nature of the complaint (which is generally within a twenty (20) day period); (2) identify or defer the identification of the complainant, as appropriate; and (3) maintain confidentiality of the investigative process.
4. The respondent will be afforded an opportunity to respond to the complaint. Said response may be a written or oral presentation of factual data.
5. The complainant or the respondent party may be accompanied by any person of their choosing from within the university community during the informal process or meetings for the purpose of consultation. If either party is covered under a collective bargaining agreement with the university, the social equity officer will inform that party of his/her right to union representation.

C. Formal Review

1. All formal complaints are based on specific charges heard at the informal level. If the concerns raised cannot be resolved through informal discussions, or if the conduct reported is so egregious that the complainant wishes to proceed directly to formal procedures, the complainant should consult with the social equity officer and then file a formal written complaint.
2. If the social equity officer believes that the complaint has merit (that it warrants an investigation) the social equity officer will notify the respondent that a complaint has been filed and will send a copy of the formal, written complaint to the respondent. This notification will generally take place within a twenty (20) day period.
3. If either party is covered under a collective bargaining agreement with the university, the social equity officer will inform that party of his/her right to union representation.

4. The respondent will be afforded an opportunity to respond to the charges as specified in the formal complaint and to prepare a response to these charges, including written and oral presentations of factual data. The complainant and respondent may be accompanied by any person of their choosing from within the university community during the investigation and resolution of the case for the purposes of consultation.

5. All formal, written complaints will be given a specific, full, impartial, and expeditious investigation by the Office of Social Equity. During such investigations, while every effort will be made to protect the privacy rights of all parties, confidentiality cannot be guaranteed.

6. The social equity officer has the responsibility for investigating complaints filed. When feasible, the investigation will be completed within thirty to sixty (30-60) days from receipt of the written complaint. As part of the investigative process, the social equity officer will gather evidence on the alleged sexual harassment complaint. This evidence may take the form of written or oral presentation of factual data or the collection of said data.

7. The complainant and respondent will have access to the results of the investigation at the conclusion of the investigation.

D. Sanctions and Remedies

1. If the investigation of a reported occurrence of sexual harassment reveals that the complaint is without merit, both parties will be so informed. If, however, the social equity officer finds that it is more probable than not that there has been a violation of the university's Sexual Harassment Policy, the officer will report these findings to the president or to the vice president for student affairs (in student related cases) as appropriate. Disciplinary proceedings, if and when initiated, against staff or faculty will be in accordance with the appropriate procedures and collective bargaining agreement. Disciplinary proceedings, if and when initiated, against a student will be in accordance with the appropriate procedures outlined in the *Student Rights, Regulations, and Procedures Online Handbook*.

2. Possible sanctions include, but are not limited to: a verbal warning, a written warning, a formal reprimand, reassignment of responsibilities, suspension, expulsion from the university, or termination of employment. The complainant and the respondent will be informed of the specific action taken. The overall remedy desired in valid sexual harassment cases is the removal of the cause of the complaint. The university will earnestly attempt to do whatever is necessary to achieve this end in seeking remedies as dictated by the specific case.

3. If the complainant is not satisfied with the results of the process, he/she may seek administrative remedies as noted in paragraph #4 below.

4. The complainant generally has 180 calendar days from the actual date of which the incident occurred to file a formal complaint with the Pennsylvania Human Relations Commission and 300 calendar days to cross-file with another federal agency such as the United States Equal Opportunity Commission, or the United States Department of Education, Office of Civil Rights.

5. In the event it is shown that a complaint has been filed maliciously or without a legitimate basis, appropriate sanctions will be imposed on the complainant.

E. Prohibition of Retaliation

Neither the complainant nor other individuals (e.g. witnesses) shall be subjected to discharge, suspension, discipline, harassment, or any form of retaliation for having participated in or having helped others use this complaint process. Any individual who is found to have retaliated against any person involved in the complaint process is subject to discipline, up to and including termination or expulsion.

F. Counseling

Counseling is made available to any student or employee who believes that he/she has been subjected to any form of harassment. Counseling services may be obtained through the university's Counseling Center for students and, for employees, the State Employees Assistance Program (SEAP). SEAP may be contacted through the Office of Human Resources.

G. Sexual Harassment Prevention Training

The university will provide training on sexual harassment prevention on an annual basis. All faculty and staff are required to participate in this training within 60 days of commencing employment and at least every year thereafter. The university will provide training to all new students, orientation leaders, and residence hall assistants.

H. Revisions

In order to be responsive to changes in state system policies and case law, this policy may be revised periodically. Written copies of this policy are available at the Office of Social Equity, 207 Carrier Hall, or on the Clarion University Website at www.clarion.edu/433

Pennsylvania Human Relations Act of 1955, as amended, prohibits discrimination based on sex, race, color, religion, and national origin in the Commonwealth of Pennsylvania.

The Equal Pay Act of 1963, an amendment to the Fair Labor Standards Act, prohibits pay discrimination based on sex on jobs that are substantially equal.

Title VII of the Civil Rights Act of 1964, prohibits discrimination based on sex, as well as on race, color, religion and national origin, in hiring or firing; wages; fringe benefits; referring, assigning, or promoting; extending or assigning use of facilities; training, retraining, or apprenticeships; or any other terms, conditions, or privileges or employment.

Title IX of the 1972 Education Amendments states 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.

The Women's Education Equality Act of 1974 authorizes activities at all levels of education to overcome sex-stereotyping and achieve equality for women.

The Job Training Partnership Act of 1982, PS 97300, permanently authorizes job training programs for economically disadvantaged individuals and others who face serious barriers to employment. JTPA replaces Comprehensive Education and Training Act. Programs and activities funded or otherwise financially assisted in whole or in part under this act are considered to be programs and activities receiving federal financial assistance and thus subject to prohibitions against discrimination based on sex under Title IX of the Education Amendments of 1972.

The Executive Order 11246, as amended by Executive Order 11375, requires federal contracts to include language by which contractors pledge not to discriminate against any employee or applicant for employment because of sex, race, color, religion, or national origin. Large contractors must further pledge to take affirmative action to ensure nondiscriminatory treatment.

The Vocational Education Act, as amended, requires the provision of activities to eliminate sex bias, stereotyping, and discrimination in federally funded vocational education programs and requires each state to employ a full-time sex equality coordinator to ensure the elimination of bias and occupational segregation in those programs.

Article 43: - Collective Bargaining Agreement negotiated between the State System of Higher Education and APSCUF, delineates the provisions regarding the investigation of complaints against faculty members.

Suppose You Were Raped Tomorrow
Here's What You Should Know Today

Get medical attention immediately.

You could be injured—externally and internally. You could become pregnant, or you could get a sexually transmitted disease. A medical examination could also provide important evidence of rape for prosecution. Community police officers will help. Rape Crisis Center (814-226-RAPE, hot line) 9-1-1, or the Rape Crisis Center in Oil City (814-677-7273) also provide trained support staff to assist you.

Don't bathe or douche.

Bathing or douching might be the first thing you want to do–but don't. You might literally be washing away valuable evidence. Wait until you have a medical examination.

Save your clothing.

It's all right to change clothes, but save what you were wearing. Your clothing could be used as evidence for prosecution. Place all items in a paper bag.

Report to the Campus Police 814-393-2111 (Clarion Campus).
Report to the Oil City Police Department 814-678-3080 (Venango Campus).

Reporting a rape isn't the same thing as prosecuting a rape. Please call the Campus Police (Clarion Campus) or the Oil City Police Department (Venango Campus) and report the rape. Prosecution can be determined later. It's up to you, but some rapists are repeat offenders and police can only apprehend offenders when they know about the crimes.

We are here to help.

Understanding officers will be assigned to work with you, to help you to apprehend the offender. Your contact with the police officers will be confidential. The assigned officer will explain the various aspects of criminal prosecution should the offender be identified.

The necessity for quick reporting cannot be overemphasized. If an attacker rapes you, rapes someone you know, or attempts to commit a rape on the campus, notify Campus Police immediately on the Clarion Campus at **814-393-2111**. The Oil City Police Department can be reached at **814-678-3080**.

- Get medical attention immediately.
- Don't bathe or douche.
- Save your clothing.
- Report to Campus Police.
- We are here to help.

Medical Treatment on Clarion Campus

A medical examination is conducted at Clarion Hospital following a reported rape. If you wish to keep the option of prosecution open, the exam at the hospital ensures legal evidence is obtained. This evidence would include human hair, evidence of seminal stains, and other identifying markers. Follow-up care for disease, injury, or pregnancy is available at the hospital. Counseling is recommended and available at Counseling Services, 148 Egbert Hall, 393-2255, or at the Rape Crisis Center, 814-226-RAPE or STAR, 814-226-2720.

Medical Treatment at Venango Campus

A medical examination is conducted at Northwest Medical Center following a reported rape. If you wish to keep the option of prosecution open, the exam at the hospital ensures legal evidence is obtained. This evidence would include human hair, evidence of seminal stains, and other identifying markers. Follow-up care for disease, injury, or pregnancy is available at the hospital. Counseling is recommended and available at Counseling Services, 202 Montgomery Hall, or at the Rape Crisis Center, 677-7273.

Police Investigation

An officer will immediately be dispatched when a rape is reported. The officer will provide transportation to a medical facility and will, if possible, obtain a description of the attacker and information about the time and location of the attack. He or she will not seek detailed information but only enough to permit all officers to begin looking for the attacker.

An investigator will then be assigned to you and will be in contact with you from the initial interview through the entire investigation and any criminal prosecution which might result. He or she will interview you in detail about the offense, and it will be necessary that you work closely with the officer while attempting to identify the offender. Some questions may be embarrassing but they are important in apprehending the attacker.

The officer will explain the criminal complaint process, the preliminary hearing, a pre-trial conference, and the trial. He or she will explain in detail what is expected of a victim should a prosecution be initiated. He or she will also advise you about available counseling services and assist you in any manner possible.

Reporting a crime and prosecuting the attacker are two separate things. Begin by reporting to Campus Police. Your report can help other women—or yourself—in the future.

on-campus safety and equity resources

As you may be aware, Clarion University has been ranked as one of the top 15 safest campuses in the country. However, like any other community, we must continue to remain cautious, vigilant, and aware of our own personal safety.

To assist you in becoming informed about the services Clarion University provides, we have developed this reference guide of on-campus resources.

It is in our own best interest to take the time to educate ourselves and others on ways to prevent acts of abuse and discrimination. Our collective efforts will continue to ensure that Clarion University remains a safe and tolerant community.

On-Campus Safety and Equity Resources

Clarion University does not tolerate harassment or discrimination in any of its many forms. In the university's continuing efforts to provide support and education to the entire campus community, the following is provided as a reference guide of on-campus resources available to persons who feel they have been harassed or discriminated against.

Any student of the Clarion, Venango, or Pittsburgh site may avail himself or herself of the resources referenced in this brochure.

Rape/Sexual Assault

Inasmuch as all allegations of sexual assault and rape have the potential to involve criminal conduct, the university strongly urges all victims to first report directly to Campus Police.

Campus Police, Ext. 2111

Explanation of process; investigation of incident; arrange transportation to hospital; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

Student and University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures/printed materials; referrals to other appropriate agencies.

Social Equity, Ext. 2109

Investigates allegations of sexual harassment; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Keeling Health Center, Ext. 2121

Medical treatment; STD testing; brochures and printed materials; referrals to other appropriate agencies.

Sexual Assault Network, Ext. 1877

Support and liaison; brochures and printed materials; referrals to other appropriate agencies.

S.T.A.R., Ext. 2720

Students Together Against Rape, recognized student organization; peer counselors; pro-active events and services.

Campus Ministry, Ext. 2711

Clergy contact; counseling services; brochures and printed materials; referrals to other appropriate agencies.

Sexual Harassment/Sex Discrimination

Social Equity, Ext. 2109

Investigates allegations; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Student and University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

Racial Harassment/Ethnic Intimidation

Social Equity, Ext. 2109

Investigates allegations; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Student & University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures and printed materials; referrals to other appropriate agencies.

Campus Police, Ext. 2111

Investigates allegations; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

Disability Harassment/Discrimination

Social Equity, Ext. 2109

Investigates allegations; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Student & University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

Sexual Orientation Harassment/Discrimination

Social Equity, Ext. 2109

Investigates allegations; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Student & University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

Veterans' Status Discrimination

Social Equity, Ext. 2109

Investigates allegations; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Student and University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

All Other Discrimination

Social Equity, Ext. 2109

Investigates allegations; provides support training; brochures and printed materials; videos; referrals to other appropriate agencies.

Student and University Affairs, Ext. 2351

Investigates allegations/Student Conduct Code; brochures and printed materials; referrals to other appropriate agencies.

Counseling Services, Ext. 2255

Free and confidential services; short-term counseling; group support; self-help materials/videos; referrals to other appropriate agencies.

Appendix A
Offices and Agencies Providing Assistance

Clarion University Office of Social Equity 814-393-2109
207 Carrier Hall

Clarion University Counseling Services Department 814-393-2255
148 Egbert Hall

Clarion University Office of Director of Student Affairs. 814-676-6591
114 Rhoades, Venango Administration, Venango Campus Ext. 1270

Clarion University Counseling Services Department 814-676-6591
234 Montgomery Hall, Venango Campus. Ext. 1281

PASSAGES. . . . . .800-793-3620 or 814-226-7273
105 S. 5th Avenue, Clarion, PA 16214

PASSAGES. 814-849-5303
18 Western Avenue, Brookville, PA 15825

Domestic Violence Rape Crisis Center. . . . . 800-243-4944 or 814-676-5476
716 E. Second Street, Oil City, PA 16301

Stop Abuse For Everyone (SAFE). . . . . 800-992-3039 or 814-226-8481
8 Grant Street or Dial 911 and ask for SAFE
Clarion, PA 16214

Clarion County Counseling Center. 814-226-6252
214 South 7th Avenue, Clarion, PA 16214

Clarion County District Attorney's Office. 814-226-7611
421 Main Street, Clarion, PA 16214

Pennsylvania State Police. 814-226-1710
209 Commerce Road, Clarion, PA 16214

Laurel Legal Services 814-226-4340
231 W. Main Street, Clarion, PA 16214

Equal Employment Opportunity Commission. 800-669-4000
1000 Liberty Avenue, Suite 1112, Pittsburgh, PA 15222

Commonwealth Information Center. 717-787-2121
Strawberry Sq, Harrisburg, PA 17101

Pennsylvania Human Relations Commission 412-565-5395
300 Liberty Street, Pittsburgh, PA 15222

Additional Resources

Five presidential commissions have been appointed by the president to increase the level of awareness and sensitivity of the campus population concerning issues of equity and diversity. These commissions serve in an advisory capacity, and therefore do not function as investigatory bodies. The commissions are listed below in alphabetical order.

- Presidential Commission on Affirmative Action
- Presidential Commission on Disabilities
- Presidential Commission on Human Relations
- President's Commission on LGBT Affairs
- Presidential Commission on Sexual Harassment
- Presidential Commission on the Status of Women

Sections of this booklet were prepared as follows:

Student Rights and Regulations Compliance Manual

Prepared by Office of the Vice President for Student and University Affairs

Sexual Harassment Policy and Procedures

Published jointly by the Office of Social Equity and the Presidential Commission on Sexual Harassment Approved by the Council of Trustees January 9, 1997; supersedes previous policy statement(s) on this subject.

University Security Information Crime Statistics and Policy Report

Both the College and University Security Information Act and the Crime Awareness and Campus Security ACT of 1990 require the publication of certain information and statistics to be distributed to students, employees, and applicants.

On-Campus Safety and Equity Resources

Information in this section provided by the Office of Social Equity

Suppose YOU Were Raped Tomorrow

Department of Public Safety, Clarion University of Pennsylvania and special thanks to Ohio University Health Education Services for information contained in this section.

Pennsylvania Human Relations Act of 1955,

as amended, prohibits discrimination based on sex, race, color, religion, and national origin in the Commonwealth of Pennsylvania.

The Equal Pay Act of 1963,

an amendment to the Fair Labor Standards Act, prohibits pay discrimination based on sex on jobs that are substantially equal.

Title VII of the Civil Rights Act of 1964

prohibits discrimination based on sex, as well as on race, color, religion and national origin, in hiring or firing; wages; fringe benefits; referring, assigning, or promoting; extending or assigning use of facilities; training, retraining, or apprenticeships; or any other terms, conditions, or privileges or employment.

Title IX of the 1972 Education Amendments

states 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.

The Women's Education Equality Act of 1974

authorizes activities at all levels of education to overcome sex-stereotyping and achieve equality for women.

The Job Training Partnership Act of 1982, PS 97300,

permanently authorizes job training programs for economically disadvantaged individuals and others who face serious barriers to employment. JTPA replaces Comprehensive Education and Training Act. Programs and activities funded or otherwise financially assisted in whole or in part under this act are considered to be programs and activities receiving federal financial assistance and thus subject to prohibitions against discrimination based on sex under Title IX of the Education Amendments of 1972.

Excellence & Equity (1995)

SSHE general sexual harassment policy and procedure guidelines.

The Executive Order 11246,

as amended by Executive Order 11375, requires federal contracts to include language by which contractors pledge not to discriminate against any employee or applicant for employment because of sex, race, color, religion, or national origin. Large contractors must further pledge to take affirmative action to ensure nondiscriminatory treatment.

The Vocational Education Act,

as amended, requires the provision of activities to eliminate sex bias, stereotyping, and discrimination in federally funded vocational education programs and requires each state to employ a full-time sex equality coordinator to ensure the elimination of bias and occupational segregation in those programs.

Commonwealth of Pennsylvania Governor's Executive Order # 1988-1

prohibits any agency under the jurisdiction of the Governor from discriminating against any employee or applicant for employment based on race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, national origin, or non-job related handicap or disability.

Article 43: Collective Bargaining Agreement

negotiated between the State System of Higher Education and APSCUF, delineates the provisions regarding the investigation of complaints against faculty members.

Appendix B

Local Offices and Agencies Providing Assistance

Clarion University Office of Social Equity 207 Carrier Hall	393-2109
Clarion University Counseling Services Department 148 Egbert Hall	393-2255
Clarion University Office of Director of Student Affairs 219 Montgomery Hall, Venango Campus	814-676-6591 Ext. 1270
Clarion University Counseling Services Department 236 Montgomery Hall, Venango Campus	814-676-6591 Ext. 1283
PASSAGES 1300 E. Main Street, Clarion, PA 16214 P.O.Box 96, Brookville, PA 15825	 226-7273 814-849-5303
Rape Crisis Center 716 E. Second Street, Oil City, PA 16301	814-677-7273
Stop Abuse For Everyone (SAFE) 1302 E. Main Street, Clarion, PA 16214	800-992-3039 or 814-226-8481 or 814-226-SAFE
Students Together Against Rape (STAR) Box 119, 251 Gemmell Student Center	814-393-2720 Ext. 2720
Clarion County Counseling Center 214 South 7th Avenue, Clarion, PA 16214	800-672-7116 or 226-6252
Clarion County Sheriff's Office Clarion County Courthouse, Main Street, Clarion, PA 16214	814-226-7611
Pennsylvania State Police 209 Commerce Road, Clarion, PA 16214	814-226-1710
Laurel Legal Services 231 W. Main Street, Clarion, PA 16214	814-226-4340
Equal Employment Opportunity Commission 1000 Liberty Avenue, Room 2038A, Pittsburgh, PA 15122	412-644-3444
Commonwealth Information Center 402 Finance Building, Harrisburg, PA 17120	800-832-0784 TDD/TTY 800-342-8040
Pennsylvania Human Relations Commission 101 S. Second Street, Suite 300, Harrisburg, PA 17101 OR 300 Liberty Street, Pittsburgh, PA 15222	 717-787-4410 412-565-5395
Pennsylvania Bureau of Equal Opportunity Division of Affirmative Action 223 Health and Welfare Building, Harrisburg, PA 17105	717-787-1127

APPENDIX C
PEACEFUL ASSEMBLY POLICY

Purpose

Clarion University acknowledges the rights of individuals to assemble in groups for peaceful purposes. Consistent with the United States Constitution, the university may establish reasonable regulations regarding the time, place, and manner in which persons exercise their free speech rights.

Therefore, in an effort to prevent disruption of the normal conduct of university affairs, the endangerment of the health and safety of individuals, and/or damage of property, the university hereby designates the Gemmell outside performing area as the "Peaceful Assembly Area" on the Clarion Campus and is unrestricted on time of day or day of week. Alternative locations can be planned for an area on-campus, Monday through Friday after 7 p.m., that is no less than 50-feet away from an academic building or residence hall, or Saturday and Sunday, no restrictions on time, but must be at least 50-feet away from an academic building or residence hall.

Individuals planning such events on the Clarion campus must coordinate their activities through the Events and Scheduling Office in the Gemmell Student Complex. The sponsoring individual, organization, or group must assume responsibility for compliance with the Peaceful Assembly Policy, as well as all other applicable university policies and federal, state, and local laws.

Policy

Individuals wishing to organize a peaceful assembly must complete the Peaceful Assembly Space Request Form located in the Events and Scheduling Office in consultation with the Director of Campus Life. Such events are scheduled on a first-come-first-served basis, are restricted to the Gemmell Performance Area, except as noted above, and must:

a. Have the completed Peaceful Assembly Space Request Form turned into the Events & Scheduling Office at least 48 hours in advance of the start of the event;

b. Be conducted in an orderly manner with areas utilized left in the same state as found before the event;

c. Not interfere in any way with vehicular or pedestrian traffic or obstruct any entrances or exits to surrounding buildings; and

d. Not interfere with classes, scheduled events, meetings or any other normal operations or educational functions of the university.

Once the Peaceful Assembly Space Request Form is processed, copies of the form will be sent to Public Safety, Facilities Management, and the Director of Campus Life. Additionally, all members of the President's Executive Council (PEC) will receive an e-mail confirming the date, time, and name of the individual, recognized student organization, or group sponsoring the event.

Appendix D

Clarion University Publicity Posting Policy

The university reserves the right to regulate the time, place, and manner of the posting and distribution of printed material on campus and in all university facilities. The university is not responsible for monitoring the content of publicity materials developed by individual students, Recognized Student Organizations (RSOs) or off-campus entities.

Printed Material

Bulletin boards that can be used for public posting are identified in each facility where one is available. The Center for Leadership & Involvement, 251 Gemmell, maintains a list of bulletin board locations on campus where printed material can be posted.

1. All posted material must be placed on bulletin boards designated for that purpose. Such information may not be placed on motor vehicles, attached to windows, doors, walls or any surface not designated as a bulletin board.
2. Materials may not exceed 11" by 17."
3. The name of the individual or organization responsible must be clearly visible on any material posted.
4. Some facilities may have additional requirements for posting materials:
    a. Carlson Library –
    Materials for posting in the library, including but not limited to posters, fliers, table tents, etc. must be dropped off in the Dean's office in 123 Carlson. Please note, a plan for removal of these postings shall be required when dropping off the items.
    b. Chartwells Operated Dining Facilities –
    Individuals or groups wishing to post materials (i.e. posters, fliers, table tents, etc.) in Chartwells-operated dining facilities (i.e. Carlson Café, Eagle Commons, Gemmell Snack Bar) must make arrangements with the facilities' manager.
    c. Gemmell Student Complex –
    Materials for positing in the student center must be dropped off at the second-floor Gemmell Information Desk (251 Gemmell).
    d. Residence Halls –
    Materials for posting within the residence halls on campus must be dropped off at the Center for Residence Life (230 Egbert). A maximum of 68 copies can be posted.
    e. Student Recreation Center –
    Materials for posting on Rec Center bulletin boards must be dropped of at the Rec Center front desk.

Chalking

Chalking is permitted on campus as a means of advertising events. Chalking is permitted only on outside, horizontal, exposed surfaces where rain can wash the chalk away. Chalking is not permitted on vertical surfaces, buildings, under overhangs, or on steps, posts, trees, tables or similar objects. Violations of this policy may result in university judicial action and/or criminal prosecution.

Appendix E
Late Night Event Policy

Gemmell Student Complex
Revised October 9, 2008

1. The space request must be submitted no later than two weeks prior to the event due to extensive scheduling and set up requirements for this type of event. Failure to do this will result in the event not being approved or confirmed by the Events & Scheduling office.
2. The advisor to the group will be contacted by the Events & Scheduling office by email and/or phone to confirm their presence and/or the presence of another designated advisor at the event. The Events & Scheduling office WILL NOT confirm or approve the space request without this approval/response from the group's advisor. The advisor must be present during the entire event.
3. Late Night events may be held every other weekend with no two occurrences on consecutive weekends.
4. Public Safety Officers must be present at every late night event. The director of Public Safety will determine the number of officers needed to staff an event.
5. Metal Detectors will be in use for every event.
6. Camcorders may be used at events to record persons entering the event as well as to record any altercations that occur. Tapes may be used as evidence in both campus judicial as well as criminal proceedings.
7. The sponsoring organization will provide on the space request, a list of individuals who will serve as "inside the event" security monitors.
8. The sponsoring organization should provide a list of any person who is not to be allowed into the event to Public Safety on the night of the event.
9. Events will start at 10 p.m. and end no later than 2 a.m. The last song of the night will be announced at 1:45 a.m.
10. The event will close off admission at 12 a.m. After 12 a.m., there will be no re-admittance to the event if a student leaves the building.
11. All participants attending the event will be required to show an ID before entering.
    a. Clarion students must show a Clarion Student Identification Card to be admitted. A copy of the ID will be taken.
    b. A non-Clarion University student who attends an institution of higher education, must present an ID from the College they attend. A copy of the ID will be taken.
    c. All non college students, must present a driver's license or other official ID and must be accompanied by a Clarion University student. The student will present his/her ID, along with the drivers' license of those with the student. A photocopy of all ID's will be taken. The student is responsible for the behavior of their guests. Any violations of the student code of conduct by guests will be adjudicated against the Clarion University student.
12. A series of checkpoints will be developed leading from the west upper doors of the Gemmell Student Complex into the hall way. At the west doors, an ID must be shown. No ID, no admittance. The student or guest will then proceed to the metal detectors. Once through the metal detectors the student or guests will proceed to the ID copy, sign-in and pay station. Once the copies are made, the student and/or guest will write their name, and license number and address if they are a non-Clarion student on a sheet, pay the fee and then be allowed admittance into the party.

13. All Late Night events will use the entire Multi-Purpose Room. The divider wall will not be in use to close off any portion of the room. Inside security monitors will be posted at a minimum at the south-east door, and at the two other entrances into the multi-purpose room.

14. Public Safety will ordinarily provide security at no cost. Should there be a "serious altercation" during the event or if there is "significant damage" to the facility during the event, the group sponsoring the event will have to pay for Public Safety officers at each of their three next events. Public Safety will determine what is a "serious altercation," or what constitutes "significant damage."

    a. The first event following an altercation, the sponsoring organization will pay 100 percent of the public safety cost at $25 per hour per officer.

    b. The second event following an altercation, the sponsoring organization will pay 50 percent of the public safety cost at $25 per hour per officer.

    c. The third event following an altercation, the sponsoring organization will pay 25 percent of the public safety cost at $25 per hour per officer.

    d. The fourth event, the sponsoring organization will not have to pay for public safety officers.

APPENDIX F
BEHAVIORAL ASSESSMENT AND REFERRAL TEAM (BART)

Campus threat emergencies may be avoided with effective prevention and threat assessment tools. The Behavioral Assessment and Referral Team (BART) serves to collect information regarding threatening behavior among the campus community. BART assesses that information received and responds to the incident as appropriate.

No tool or tactic will work effectively alone. But, together, the team can offer a measure of confidence that threats that may come to our campus are being dealt with in a timely and effective manner.

The Purpose of BART is:

- To assess behaviors of concern of students, faculty, staff, and university-affiliated individuals to determine the level of threatening or violent behavior.
- To identify, refer, and/or assist any of these individuals who may be at significant risk to self or others.
- To educate the campus community in the identification and referral of these individuals for appropriate services.

Clarion University of Pennsylvania is committed to using its best efforts to provide faculty, staff, and students with an environment that is safe, secure, and free from threats, intimidation, and violence. Threats are unacceptable regardless of whether the person communicating the threat has the ability to carry them out, whether the threat is made on a present, conditional, or future basis, or whether the threat is made in person, through another person, over the phone, by mail, or electronically.

What to Look for

Threatening behavior Includes, but is not limited to:

- Threats to self and/or others.
- Physical actions short of actual contact/injury (i.e., moving closer aggressively, waving arms or fists, yelling in an aggressive or threatening manner),
- General oral or written threats to people or property (i.e., “You better watch your back” or “I’ll get you”),
- Non-specific oral or written threats to people or property. (“I want to kill someone, I’m going to find a gun and start shooting, …you’ll be sorry!”),
- Harassment of a person that places the person in reasonable fear for his or her safety,
- Stalking behavior,
- Fighting words, or
- Implicit threats (i.e., “You’ll be sorry” or “This isn’t over yet”).

Violent Behavior Includes, but is not limited to:

- Any physical assault, with or without weapons,
- Behavior that a reasonable person would interpret as being potentially violent (i.e., throwing things, destroying property),
- Specific threats to inflict harm (i.e., a threat to shoot a named individual), or
- Use of any object to attack or intimidate another person.

Procedures for Making Referrals to BART:

All faculty, staff, and students are encouraged to be alert to the possibility of violence. Any report of violence or threatening behavior will be handled in a confidential manner, with information released only on a need-to-know basis. Those who act in good faith by reporting real or implied violent or threatening behavior will not be retaliated against or subjected to harassment. Deliberately false or misleading reports of violent or threatening behavior under this policy will be handled as incidents of unacceptable personal conduct and those making such false or misleading reports will be subject to disciplinary action.

Imminent Threat:

For crimes in progress, violent incidents, or specific threats of imminent violence, Clarion University Public Safety must be notified immediately at 814-393-2111. Examples of imminent threat include, but are not limited to, observing a person with a weapon or observing violent behavior.

Disturbing or Threatening Behavior:

When disturbing or threatening behavior that does not pose an imminent threat is observed, a report should be sent to the BART committee or any member should be notified as soon as possible.

E-mail referrals should be sent to bart@clarion.edu. Calls can be placed to 814-393-2121.

Appendix G

Policy on Skateboards, Longboards, Roller Skates, Foot Scooters, Rollerblades, & Other Coasting Devices

Skateboards, longboards, roller skates, foot scooters, rollerblades, and other coasting devices are not vehicles, and are prohibited on roadways dedicated solely to vehicular traffic and in parking lots. Coasting devices are approved for use as transportation on university property, but cannot be used in any manner that places pedestrians at risk. Use of coasting devices for acrobatics, racing or other stunts is strictly prohibited. Persons may coast or ride upon any sidewalk or approved surface used for pedestrian purposes, provided they yield the right-of-way to pedestrians on foot.

Clarion University prohibits the use of coasting devices within any building on campus or on any surface features such as, but not limited to, handicapped ramps, benches, hand rails, walls, steps, or other architectural features that might reasonably be expected to become damaged due to such use. Persons using rollerblades or roller skates should remove them prior to entering all university owned or university affiliated buildings.

The use of coasting devices in a reckless or dangerous manner, or for reasons other than for transportation only, is prohibited. Individuals violating this policy will be subject to the student conduct system as defined in the *Student Rights, Regulations, and Procedures Online Handbook*.

Key definitions or phrases:

1. Skateboard:
   a board mounted on skate-type wheels.
2. Longboard:
   a board mounted on skate-type wheels with a longer length than a skateboard and is typically used only for transportation.
3. Roller skate:
   a shoe, or attachment for a shoe, with a set of wheels connected for skating.
4. Rollerblade:
   a type of roller skate with in-line wheels.
5. Foot Scooter:
   a narrow platform mounted on in-line or skate-type wheels with a handle to allow steering by turning the front wheels.
6. Coasting device:
   any device such as a skateboard, longboard, roller skates, rollerblades, foot scooter, etc. which allows a rider to be transported by coasting either forward or backwards. Coasting devices are not classified as vehicles and are prohibited on all roadways. Coasting devices are also prohibited in parking lots owned by the university or university-affiliated entity.
7. Recreational use of a coasting device:
   the use of a coasting device to do tricks, leave the ground, jump on or off objects, grind on, or slide down objects, etc.

Appendix H
Clarion University Policy on Use/Painting of the Apple

The Apple is available for use/painting by Clarion University Students, Registered Student Organizations and Registered University Organizations.

Painting of the Apple

1. Content is not restricted unless messages posted contain obscene, vulgar, or libelous material, or information is in direct violation of federal, state, or local Law, or in some way compromises unauthorized solicitation on campus.
2. Out of courtesy to others, groups and individuals are asked to allow messages to remain on the Apple for a 24-hour period before painting over them.
3. Climbing on or attempting to sit on the Apple is strictly prohibited.

It is the policy of Clarion University of Pennsylvania that there shall be equal opportunity in all of its educational programs, services, and benefits, and there shall be no discrimination with regard to a student's or prospective student's race, color, religion, sex, national origin, disability, age, sexual orientation/affection, veteran status or other classifications that are protected under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other pertinent state and federal laws and regulations. Direct equal opportunity inquiries to: Assistant to the President for Social Equity, 207 Carrier Administration Building, Clarion, PA 16214-1232, 814-393-2000, and direct inquiries regarding services or facilities accessibility to 504/ADA Coordinator (Assistant Director for Social Equity), 207 Carrier Administration Building, Clarion, PA 16214-1232, 814-393-2109; (or to the Director of the Office for Civil Rights, Department of Education, 330 Independence Avenue, SW, Washington, DC 20201).

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