

**Student Rights,
Regulations,
& Procedures**



**GUIDE TO CLARION UNIVERSITY
JUDICIAL POLICY**

2009-2010

WWW.CLARION.EDU/STUDENTRIGHTS.PDF



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 1988, 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/securityinfo.



Harry E. Tripp

Vice President of Student and University Affairs

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Because the format of this publication is larger than the online 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 <http://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 Honesty Policy

Students at Clarion University 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 dishonesty, 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.

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 dishonesty 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 dishonesty. 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.

Instructors imposing a lowered or failing grade on an assignment or course as a result of a charge of academic dishonesty must inform the student in writing of the charge. Students have the right to appeal instructor decisions related to academic honesty either (1) through the Grade Appeal Process outlined above (see section on Student Rights, page 3) or (2) directly to the university Conduct Board by contacting the Office of Judicial and Mediation Services. A student may not appeal through both procedures. Should a student appeal through the second option, the board will schedule a hearing at which the faculty member will explain the charge and resultant academic action; the student shall then have an opportunity to address the allegation. The decision of the Conduct Board shall be final.

Rather than imposing a lowered or failing grade on an assignment or for a course, an instructor may choose to report an allegation of academic dishonesty directly to the Office of Judicial & Mediation Services. This process automatically results in a formal hearing before the university Conduct Board. Should the board find the student in violation of the academic honesty policy, the student may appeal the decision and/or penalty to the university president. The decision of the president shall be final.

Sanctions extending beyond a particular course, such as suspension or dismissal from an academic program or from the university can only be imposed as the result of complaints filed under the Disciplinary Procedures Code and after Formal Hearings under this code.

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 subpoena. 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 demonstrable 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 two 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 institution 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 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 \$15 fee for academic transcripts their first semester of enrollment. 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.
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 which violates university rules and regulations, and the laws of society, of which the university is a part. The exercise of university discipline 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. sexual acts against people, including rape, deviate sexual intercourse, indecent assault, or indecent exposure;
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;
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, including any unwelcome sexual advances, request for sexual favors, or other physical conduct of a sexual nature.
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/admin/computing/computerusepolicy.shtml.

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 the Events and Scheduling Office.
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 Office of Campus Life. 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 Office of Campus Life (OCL) 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 OCL.
4. Once a bid has been accepted, a signed individual bid acceptance form must be turned into the OCL 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 Assistant Director of Campus Life 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 OCL. 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 OCL 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 iClarion Portal group. Additionally, all chapter IFC/PHC delegates must join the IFC or PHC iClarion Portal group. 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.
2. Each chapter president must schedule one meeting per month with the Assistant Director of Campus Life during the course of his/her term.

Rosters

1. At the beginning of each semester, the OCL 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 OCL by 5 p.m. on the Friday of the second week of school.

Scholarship Reports

1. Each semester, the OCL 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 OCL. 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 the Office of Campus Life 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 OCL becomes aware of alleged violations of this, or any other university policy, the Assistant Director of Campus Life 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 Campus 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 Office of Campus Life 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 Campus Life, 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 embarrassment, 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 also 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. The exceptions to this are the first floor of Becht Hall where faculty offices are located. However, the stairwells to the residential areas are locked. The first floor of Givan Hall houses the Givan Area Desk which services the south side of campus, so the main doorway to the lobby area remains open. The Nair Area Desk, which services the north side of campus, is located in the base-

ment of Nair Hall, and the basement of Wilkinson Hall houses the CATS Center, 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 Nair or Givan hall 24-hour service desks.

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. The student must respond as required by the notice.

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, 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.

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.

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 Director of Judicial and Mediation Services. 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 Director of Judicial and Mediation Services, in most cases, shall serve ex-officio as presiding/recording officer and voting member. Temporary board members may also be appointed with the approval of the Vice President for Student and University Affairs.

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. Retention of Records

The university shall retain records of cases involving expulsions or suspensions for a minimum period of five years.

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

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.

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

- Any disciplinary sanction may include, if appropriate, a requirement that the student fulfill some specified act of restitution or correction.
- When warranted, a disciplinary action not specified above may be imposed.
- 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.
- 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.
- Disciplinary sanctions are implemented by presenting to the student a letter 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.

COMPLIANCE Manual

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 Public Safety 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.

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 attendees 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.

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

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.

Controlled Substances—Uses and Effects

Drugs/ CSA Schedules	Trade or other names	Medical uses	Dependence						
			Physical	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 Robitussin 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	Dilaudid	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	Equanil, Miltown, 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	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, lonamin, 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	Variable	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	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 produce 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		Quantity	Drug	Quantity	Penalty*	
	1st offense	2nd Offense				1st Offense	2nd Offense
I and II	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 ▶		
	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 ▶		
			◀ 1-9 gm mixture	LSD	10 gm or more mixture ▶		
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.	◀ 40-399 gm mixture	FENTANYL	400 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.	
		◀ 10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture ▶			
		*Two or more prior offenses: Life imprisonment					
VI III IV V	Drug	Quantity	First Offense		Second Offense		
	Others ²	Any	Not more than 20 years.		Not more than 30 years		
	Flunitrazepam (schedule IV)	1 gm or more	If death or serious injury, not less than 20 years, not more than life. Fine \$1million individual; \$5 million not individual.		If death or serious injury, life. Fine \$2 million individual; \$10 million not individual.		
	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.		
	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		
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)

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.

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 classes. 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.

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.

SEXUAL HARASSMENT POLICY AND PROCEDURES

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: the introduction of sexual activities, written, pictorial, electronic (e.g. e-mail) or other conduct that is sexual, into the learning, or working environment that have no legitimate educational or instructional purpose. Often, sexual harassment involves relationships of unequal power, and contains elements of coercion, such as when the granting of sexual favors becomes a criterion for employment or academic success. Sexual harassment may also involve relationships among people of same or different gender, and/or equal status. When repeated sexual advances have a harmful effect upon a person's ability to study or work, they may be considered sexual harassment.

The standard of judgment is that of a reasonable person, that is, the victim must demonstrate that a reasonable person would find the environment hostile and abusive. Recent court decisions and EEOC Guidelines have established that in order to be actionable and in violation of federal law, conditions of sexual harassment need not only be “quid pro quo” harassment, where submission or rejection of such conduct is used as a condition of an individual employment or academic success or used as the basis for employment or academic decisions affecting such individuals. Under Title VII and Title IX, conduct that is sufficiently pervasive or severe to have the effect of creating a hostile work or academic environment is also illegal and actionable.

Discussion of ideas or theories that some employees or students may find offensive is not necessarily sexual harassment. Specific examples of sexual harassment would include, but are not limited to: sexually suggestive gestures, comments, innuendoes, jokes or questions of a sexual nature; that are sufficiently pervasive or severe to have the effect of stigmatizing, insulting, or ridiculing others on the basis of sex or sexual orientation; implied or overt threats; 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. In some cases the invasion of “personal space” may take the form of Sexual Harassment if it occurs simultaneously with other conduct that is of a sexual nature. Extreme forms of sexual harassment include sexual assault or rape, which are considered criminal offenses.

III. 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. 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 should 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.

- The timeframe for filing a complaint is generally 180 calendar days from the date the incident occurred, and 300 days for cross-filing.
- Resolution of the complaint shall be sought as quickly as possible while maintaining standards of fairness.
- These procedures are not meant 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 complainant or the hearing party should promptly report sexual harassment complaints to the Office of Social Equity, regardless of the nature of the complaint or the party with whom the complaint is discussed.
- The social equity office 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 accused of sexual harassment generally within a twenty (20) day period.
- Investigative information will be retained for at least three years in the Office of Social Equity as part of a data file on sexual harassment at the university.

A. 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 deal directly with the accused, the social equity officer will attempt to act as mediator in an effort to achieve an informal resolution to the problem. The accused 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 accused 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 accused 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 accused 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.

B. 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 accused that a complaint has been filed and will send a copy of the formal, written complaint to the accused. 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 accused 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 accused 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, and when possible, 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, and this evidence may take the form of written or oral presentation of factual data or the collection of said data.
7. The investigation will, in all cases, be thorough and circumspect. The complainant and accused will have access to the results of the investigation at the conclusion of the investigation.

C. Sanctions and Remedies

1. If investigation of a reported occurrence of sexual harassment reveals that the complaint seems to be without reasonable foundation, 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 outlined in the Commonwealth of Pennsylvania's Personnel Rules or in any of the pertinent collective bargaining agreements in effect at the university. 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 accused 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 or the accused remains dissatisfied with the results of the process, he/she should so inform the president or vice president for student affairs, as appropriate, within five (5) business days from the date that he/she was informed of the complaint's findings.
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, appropriate sanctions will be imposed on the complainant.

D. 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.

E. Presidential Commission on Sexual Harassment

This Presidential Commission on Sexual Harassment will be responsible for asserting the position of Clarion University that sexual harassment of students and employees is unacceptable and will not be tolerated. The commission is responsible for recommending sexual harassment policies and procedures, and planning and presenting education programs.

The members of the commission are appointed by the university president and consist of faculty, staff, and students. Members of the commission are available to provide information about the university sexual harassment policy and procedures relative to sexual harassment. They are also able to provide moral support to victims complaining of such conduct.

Any member of the university community who believes she or he has been sexually harassed may discuss this problem with a commission member of his or her choice. The commission member will listen to the complainant, and if the concerns have merit, should advise the complainant to report the matter to the social equity officer or the commission member should contact the social equity officer to report the concerns. A current list of members may be obtained by contacting the Office of Social Equity at (814) 393-2109.

F. Revisions

In order to be responsive to changes in state system policies and case law, this policy may be revised periodically.

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 (226-RAPE, hot line) 9-1-1, or the Rape Crisis Center in Oil City (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 Public Safety Office 393-2111 (Clarion Campus).

Report to the Oil City Police Department 678-3080 (Venango Campus).

Reporting a rape isn't the same thing as prosecuting a rape. Please call the Public Safety Office (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 Public Safety immediately on the Clarion Campus at **393-2111**. The Oil City Police Department can be reached at **678-3080**.

- Get medical attention immediately.
- Don't bathe or douche.
- Save your clothing.
- Report to the Public Safety office.
- We are here to help.

Medical Treatment on the 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, 226-RAPE or STAR, 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 Public Safety. 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 Public Safety.

Public Safety, 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.

Public Safety, 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

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
- 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	1-800-992-3039 or 226-8481 or 226-SAFE
Students Together Against Rape (STAR) Box 119, 251 Gemmell Student Center	393-2720 x2720
Clarion County Counseling Center 214 South 7th Avenue, Clarion, PA 16214	1-800-672-7116 or 226-6252
Clarion County Sheriff's Office Clarion County Courthouse, Main Street, Clarion, PA 16214	226-7611
Pennsylvania State Police 209 Commerce Road, Clarion, PA 16214	226-1710
Laurel Legal Services 231 W. Main Street, Clarion, PA 16214	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 Office of Campus Life, 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 must not be attached to 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.

Residence Halls

Because of the restricted access to the residence halls, any RSO or off-campus group wishing to post information in the residence halls must take copies of materials to the Residence Life Services Office in Egbert Hall. A maximum of 68 copies can be posted in the residence halls and the Residence Life Services staff will post all materials.

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.

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).

