



COMMUNITY STANDARDS **MANUAL**





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The Community Standards Manual is published by the Dean of Students Office.

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Mission Statement for John Carroll University

As a Jesuit Catholic university, John Carroll inspires individuals to excel in learning, leadership, and service in the region and in the world.

INTRODUCTION

As a Jesuit and Catholic University, John Carroll University strives to foster the fullest development of its students in an atmosphere of care and concern. The Jesuit value of *cura personalis*, the care of each individual, along with the University's mission to inspire individuals to excel in learning, leadership, and service, call us to promote the growth and development of the whole person. This is also articulated in the University's core values that call for the creation of a rigorous approach to scholarship, an inclusive community where differing points of view and experience are valued, a commitment to sharing our gifts, and an appreciation that our personal and collective choices can build a more just world.

Our community holds high expectations of how we live and interact with each other as we are all interconnected and thus the actions of one of us has an effect on us collectively. Demonstrating care and awareness of our impact, both within and outside the University community, are the foundations for our standards of conduct. In order for our community to thrive, all members must be active in contributing to an environment where people feel safe, sustained, engaged, challenged, and appreciated. We must also hold each other and ourselves accountable so we can repair harm when we impact ourselves and others as well as build a stronger community.

STUDENT CONDUCT DEFINITIONS:

1. The term "University" means John Carroll University.
2. The term "student" includes all admitted students who are enrolled in course(s) at the University, either full-time or part-time, pursuing undergraduate, graduate, professional, or extension studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "students". Note that students who are admitted but are not enrolled in courses yet at JCU are not considered "students" but are obligated to comply with all expectations outlined for students in the Community Standards Manual, and admitted students may be subject to sanctions (i.e. revocation of admission) without conduct procedures, as provided for in Section III of the Community Standards Manual.
3. The term "faculty member" means any person hired by the University to conduct classroom activities. In certain situations, a person may be both a "student" and a "faculty member" or a "student" and a "University official".
4. The term "University official" includes any person employed by the University who performs assigned administrative or professional responsibilities.
5. The term "Vice President for Student Affairs" refers to the Vice President for Student Affairs and Dean of Students.

6. The term “member of the University community” includes any person who is a student, faculty member, staff person, University official, or any other person employed by the University. A person’s status in a particular situation shall be determined from the surrounding facts by the Director of Community Standards and Student Wellbeing or designee.
7. The term “organization” means any number of students joined together in the pursuit of a common purpose, which is in support of the mission, goals, and values of John Carroll University.
8. The term “University premises” includes all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the University.
9. The term “Community Standards” refers to any published policy, rule, or regulation found or referenced in, but not limited to, the most recent edition of the Community Standards Manual, as well as Residence Life agreements and publications, and the Graduate -Undergraduate Bulletins.
10. The term “reporting party” includes any University official or student who submits a report stating that a student violated this Community Standards. When the recipient of the alleged behavior at issue or University is acting as a reporting party, then any other third parties who report information will be treated as witnesses or sources of information.
11. The term “responding party” means any student charged with violating this Community Standards.
12. The term “Case Coordinator” means a University official authorized on a case-by-case basis by the Director of Community Standards and Student Wellbeing to recommend disciplinary actions upon any student(s) found to have violated the Community Standards.
13. The term “business day” refers to any weekday that the University is open to do business. The University calendar should be consulted for days the University is officially closed.

I. COMMUNITY STANDARDS

The University is dedicated not only to learning and the advancement of knowledge, but also to the whole development of persons within the Catholic and Jesuit traditions. The University seeks to achieve these goals through a restorative conduct model that includes clear policies governing student rights and responsibilities. Since all members of this institution freely affiliate with this university and are a part of the community, they make a decision to be bound by the expectations set forth by the University. **The Community Standards apply to behavior both on and off campus.**

Violations of these expectations are subject to disciplinary action by the University. Attempts to engage in any violations of these expectations, even if not implemented, are subject to disciplinary action. To review our full list of relevant policies, please visit the Dean of Students Office website. Please note that all policies, which may include interim and draft policies, issued by the University will be considered a part of the Community Standards.

1. Care for Self

- a. Violating the University alcoholic beverage policy. This includes, but is not limited to:
 - i. Underage students using alcoholic beverages.
 - ii. Possession of a false identification indicating an underage person is at least 21 years old.
 - iii. Any student being intoxicated and/or incapacitated.
- b. Violating the University drug policy. This includes, but is not limited to:
 - i. Misusing prescription drugs.
 - ii. Possessing or using narcotics, other drugs, or any controlled substance illegally.
 - iii. Distributing, and/or selling narcotics, other drugs or any controlled substance illegally.
 - iv. Possession of drug paraphernalia.
- c. Violating the tobacco free campus policy. This includes, but is not limited to, smoking or the use of tobacco products or electronic cigarettes on University-owned or leased properties, or adjacent properties and/or sidewalks.
- d. Violating the Academic Honesty Policy by engaging in any form of dishonesty, including academic dishonesty.

2. Care for Others

- a. Endangering, abusing or assaulting any person regardless of intent.
- b. Threatening, bullying, intimidating, mistreating, or harassing any person physically or verbally regardless of intent. This includes all written, oral, electronic, and other forms of communication.
- c. Violating the Non-Discrimination, Non-Harassment, and Bias-Related Incident Policy by engaging in harassment or mistreatment based on race, age, color, sex, sexual orientation, gender identity or expression, religion, ethnic or national origin, disability, military or veteran status protected under federal law, or genetic information.
- d. Violating the Interim Sexual Harassment and Interpersonal Violence Policy by engaging in sexual assault, sexual harassment, sexual exploitation, dating or domestic violence, nonconsensual sexual contact, stalking, threats or causing physical harm or abuse, intimidation, hazing, bullying based on sex or gender, and/or other prohibited behavior.
- e. Violating the Hazing Policy by participating in hazing which is defined as doing or coercing another, including the victim, to do any act of initiation into any student or student-related organization, or any act to continue or reinstate membership in or affiliation with any student or student-related organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse.
- f. Engaging in a violation of any health and safety policies and/or rules instituted by the University.
- g. Engaging in retaliatory behavior based on reporting violations of this Code, cooperating with University investigations, and/or participating in University conduct processes. The University strictly prohibits retaliation against an individual for reporting, supporting a party bringing a claim, participating in an investigation, or providing information as a witness to an incident.

- h. Violating the Firearms and Other Weapons Policy by possessing, using, buying, selling, carrying, storing or displaying any weapons or replica weapons while on University property as specified in the Policy.
- i. Hosting guests whose actions violate University policies. It is the responsibility of all students to inform their guest(s) of University policies and community expectations for behavior. Student hosts may be held responsible for the actions of their guest(s) on University premises and at University-sponsored events off campus.

¹The term “bullying” refers to repeated, severe, and/or aggressive behavior likely to intimidate or hurt, control or diminish another person, physically or mentally.

²The term “threat” refers to written, verbal, or physical conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.

³The term “intimidation” refers to implied threats or acts that cause an fear of harm in another and would cause a reasonable person to fear harm.

⁴The term “retaliation” refers to any adverse action taken against a person reporting or participating in the conduct process or related procedures because of their report or their participation in the process. Retaliation includes any adverse action taken by the responding party or the reporting party or other related persons, including but not limited, friends and relatives.

3. Care for Property

- a. Allowing for assigned places of residence to be used in, or in furtherance, of violations of University policies, whether intentionally, recklessly, or negligently (i.e. leaving residence unsecured).
- b. Engaging in the unauthorized entry into, use of, or occupancy of University premises.
- c. Engaging in the attempted or actual theft of institutional, group, or private property. This includes possessing property of another, such as room keys, University identifications, or stolen property.
- d. Misuse of, damage to, or destruction of institutional, group, or private property.
- e. Engaging in arson or the irresponsible use of fire. Misusing or interfering with fire equipment, or failing to follow fire drill or other emergency procedures. This includes tampering with, or disregard for, security precautions in the residence halls or other University premises.

4. Care for Community

- a. Being present for or involved in violations of expectations and not making an effort to stop the violation from occurring or remove oneself from the situation.
- b. Engaging in behavior that is disruptive to the living and learning environment on campus or the living environment off campus.
- c. Interfering intentionally with any normal function of a University-sponsored activity or process.
- d. Violating published policies and/or rules governing residence halls, student organizations, academic processes, or the University.
- e. Failing to comply with directions of University officials acting in the performance of their duties. This includes, but is not limited to, JCUPD personnel, Residence Life staff, Cleaning staff, Facilities staff, and JCU Dining staff.

- f. Engaging in acts or omissions that violate existing federal, state, county, or municipal laws or ordinances.
- g. Engaging in forgery, alteration, or the unauthorized use of University records, documents, or instruments of identification (including parking passes).
- h. Misusing financial assistance (aid) through fraud and/or abuse.
- i. Refusing to show or surrender University identification upon request by University officials acting in the performance of their duties.
- j. Knowingly furnishing false identification to the University. Misrepresenting information about oneself or others when providing information to University officials acting in the performance of their duties.
- k. Failing to cooperate with any University official where non-cooperation may create a safety concern. This includes, but is not limited to, not being forthcoming and honest with information and not responding to phone or email requests.
- l. Failing to complete restorative and/or disciplinary actions in a timely manner.

As stated above, our full policies can be found using this link to visit the Dean of Students Office website. In the event that there arises some ambiguity, inconsistency or need for clarification in this statement, such definition, interpretation or clarification shall be decided by the Dean of Students Office.

Students should also consult the Undergraduate/Graduate Bulletins, the Community Standards Manual, the Residence Life housing agreement, the Immersion and Study Abroad Agreements, and other published University policies for additional and/or complete list of expectations and regulations.

II. STUDENT CONDUCT PROCEDURES

A. Overview

Restorative justice is a community-based approach to building, repairing, and restoring relationships. Processes utilizing restorative justice principles can provide a space for community members to take ownership of their actions while participating in creating pathways to repair harm. Community expectations pertain to all students attending John Carroll University. To determine responsibility for a violation of the expectations outlined in the Community Standards of Conduct, the student conduct procedures described below will be followed.

Reported violations of the Sexual Harassment and Interpersonal Violence Policy will follow the procedures described within that policy. For more information, read the Sexual Harassment and Interpersonal Violence process and procedures.

B. Notification

The responding party will normally be notified by the Case Coordinator at least two (2) business days before the conduct meeting, unless waived by the student/organization, the violation is egregious and requires a more immediate response, or the student will be participating in the University Conduct Board process. The Chairperson will notify the student of a University Conduct Board Meeting at least five (5) business days before the conduct meeting. Included in the notification will be

the date, time, location, and nature of the meeting, including a description of the specific expectations outlined in the Community Standards that the student allegedly violated. All communications to the student may be verbal, but must subsequently be confirmed in writing.

The written meeting notification will be sent to the student's John Carroll email account in most cases but may also be delivered in person or via the package system. Students are expected to check their email on a frequent and consistent basis and act in a timely manner as outlined in the Official Communication policy.

The meeting notification will include a link to the University website where the student may access information describing the student conduct process. Also included in the notification will be information about which resolution pathway will be utilized.

A. Resolution Pathways

The Director of Community Standards and Student Wellbeing or designee will assign incidents to be resolved to the appropriate hearing body based on the pathway to be used to address the incident. A description of the resolution pathways are listed below. The severity, complexity, and the timing of the incident are factors considered in selecting a pathway. Additionally, the pathway may change based on new information, and changes to the pathway will be made at the discretion of the Dean of Students Office. More than one pathway may be used to resolve an incident, and where two or more incidents involving common occurrences or the same student(s) are pending simultaneously, the student may be met with about multiple incidents in the same meeting or they may be heard separately at the discretion of the Dean of Students Office.

1. Letter of Concern

A letter of concern serves as a warning issued by the University for minor violations of expectations where a reminder of policy may be needed. No response is required from the student unless otherwise indicated in the letter.

2. Case Coordinator Meeting

A conduct meeting is conducted by one (or two) Case Coordinators. The Case Coordinator(s) will review the incident with the student, work with the student to determine responsibility, and develop ways to repair harm. While the Case Coordinator(s) will work with the student to make a determination, the Case Coordinator(s) will make final determinations regarding responsibility based on a preponderance of the evidence meaning that the violations were more likely than not to have occurred.

3. Community Circle

Student Conduct Board facilitators are student staff members who serve as case coordinators who will conduct individual meetings with students to review the incident with the student, work with the student to determine responsibility, and develop ways to repair harm. While the Student Conduct Board facilitator will work with the student to make a determination, the Student Conduct Board facilitator will make final determinations regarding responsibility based on a preponderance of the evidence meaning that the violations were more likely than not to have occurred.

Students will then be asked to participate in a Community Circle. Community circles are a peer-led restorative justice pathway that allows students to explore impact and ways to repair harm with others involved in their incident. Impacted parties will also be invited to circles so students will be able to hear directly from those they may have harmed by their actions. Students will then be asked to repair harm in conjunction with the other students involved in their incident.

4. University Conduct Board Conference

A University Conduct Board Conference will be conducted by two (2) members of the University Conduct Board who are community members trained to hold University Conduct Board meetings. A University Conduct Board Conference will be used when the students are alleged to have caused significant harm. Possible outcomes may include University Probation, Residence Hall Reassignment and Restrictions, Residence Hall Suspension, or Termination of Housing Agreement. The University Conduct Board members will review the incident with the student, work with the student to determine responsibility, and develop ways to repair harm. While University Conduct Board members will work with the student to make a determination, the University Conduct Board members will make final determinations regarding responsibility based on a preponderance of the evidence meaning that the violations were more likely than not to have occurred.

5. University Conduct Board Panel

A University Conduct Board Panel will consist of two (2) to five (5) University Conduct Board members who are community members trained to hold University Conduct Board meetings. University Conduct Board Panels will primarily review cases where serious violations have occurred that may result in Deferred Suspension, Suspension, Dismissal or Revocations of Degrees. The University Conduct Board will hold a meeting with the student to review the information, to determine a finding of responsibility, and determine restorative and/or disciplinary actions after consultation with the Dean of Students Office as appropriate. The meeting Chairperson will arrange for the meeting, chair the session(s), and develop a written statement including the determination of responsibility and the assigned action(s) from the University Conduct Board. Where two or more incidents involving common occurrences or the same student(s) are pending simultaneously, the Chairperson may decide to meet with the student about multiple incidents or hear them separately.

At the beginning of the meeting, the students involved and support persons will be introduced to others who are present. The respondent(s) will be informed of the reported violations of the Community Standards and will be advised of their rights. The Chairperson will read the assigned conduct charges and ask the respondent(s) to reply. The student will be asked for their account of the incident. A description of the initial report received and any follow-up investigation will be read and/or told to the student, and the student will have the opportunity to reply.

All communication or questions between the students or others involved will be directed to the Chairperson. The Chairperson will decide which questions to ask of each person. In addition to the Chairperson, the respondent(s) and the reporting party or affected individual(s) may make a request to the Chairperson as to relevant witnesses to participate in the hearing. The Chairperson may reasonably limit the scope and time devoted to each matter or item of discussion during the meeting, as well as relevant witnesses to participate and the number of persons presenting information. The Chairperson will decide the order of witnesses and when they will be in the meeting room. During the meeting, University Conduct Board members may ask questions of any person, except support persons.

At the conclusion of the meeting, the students involved and support persons will be asked to leave the room. These individuals will not be present during the deliberations of the University Conduct Board. All procedural questions and questions regarding the inclusion or exclusion of information on the basis of relevance are subject to the final decision of the Chairperson, both during the conduct meeting and during deliberations.

A decision agreed to by a majority of the sitting University Conduct Board members shall be the decision of the board. The University Conduct Board members will make final determinations regarding responsibility based on a preponderance of the evidence meaning that the violations were more likely than not to have occurred.

At the conclusion of the conduct meeting, the respondent will be informed as to when the decision will be made and communicated. Conduct decisions will be communicated to the respondent in writing within five (5) business days of the conclusion of the meeting. In the event that the written notification is delayed, notification of the delay and when the decision should be expected will be communicated. The same process will be followed to communicate decisions to the reporting party.

All communication to students will normally be transmitted through the University's email system and/or in person. Individual circumstances may permit or require communication by whatever means is necessary to reach the student promptly and reliably. Following reasonable efforts to deliver any communication to a student personally, an indirect or substituted mode of delivery may be attempted.

Limitation on activities, residence hall reassignment, residence hall suspension, termination of housing agreement, university probation, deferred suspension, suspension, dismissal, revocation of admission, revocation of degree awarded, denial or postponement of awarding of degree or honor will be reviewed and approved by the Dean of Students Office. Suspension or dismissal will be noted on a student's transcript.

A written record in the form of a meeting summary will be made of all University Conduct Board meetings that result in termination of the housing agreement, suspension, dismissal, revocation of admission, revocation of degree awarded, or denial of awarding of a degree or honor. No recording will be made of the meeting. This written record will be retained with the student's conduct record. A follow-up meeting will be scheduled with the student to review the outcome, and the student will be given a verbal summary of the rationale behind the meeting outcome.

Additional rights afforded to students in University Conduct Board meetings are outlined in Section II.D.3.

5. Organizational Conduct Meeting

An organizational conduct meeting is a formal meeting conducted by a conduct board. This type of meeting is conducted when there is an alleged violation of the Community Standards on University premises or on premises rented, operated, or controlled by the organization; during an organization event; in any situation sponsored or endorsed by the organization; or in any event an observer would associate with the organization. The assigned conduct board will review the incident with the student(s), work with the student(s) to determine responsibility, and develop ways to repair harm. While the conduct board will work with the student to make a determination, the conduct board will make final determinations regarding responsibility based on a preponderance of the evidence meaning that the violations were more likely than not to have occurred. An organizational conduct meeting differs from individual conduct meetings in the following ways:

- a. Any member of the organization may be invited to the meeting. The president and executive officers of the organization may be asked to represent their organization.
- a. The organization will be asked to submit a written statement about the incident and its members' involvement that will be used during the meeting.

D. Student Rights and Responsibilities

This section describes the rights and responsibilities of students in the conduct process. Students involved in a University Conduct Board meeting will have additional rights outlined in Section II.D.3.

1. Student Rights

In the meeting notification letter, or by other appropriate means, students will be advised of their rights under the conduct process, which are listed below. Students with any questions about their rights are encouraged to contact the Director of Community Standards and Student Wellbeing or the Dean of Students Office.

a. Right to Participation

Students are encouraged to share their perspective during their meetings as well as present information on their behalf. Case Coordinators and Chairpersons will determine what information is relevant. Students may also choose to decline to participate in the process and a decision will be made in their absence based on the information available. Absence will not be considered a ground for appeal.

b. Right to Be Treated with Respect

Students will be treated with respect by University officials. The student is entitled to freedom from harassment or retaliation by anyone due to their participation in the conduct meeting.

c. Right to Notice and Information

The conduct process and the alleged violations of expectations will be explained to the student. Students may also view pertinent materials related to their incident. All outcomes will be given to the student in a timely manner and documented in writing.

d. Right to a Fair Process

If students believe any person meeting their case has a conflict of interest, they have the right to reach out to the Dean of Students Office to request a new Case Coordinator or board member. The Dean of Students Office will determine if a conflict of interest exists and, if one exists, replace the Case Coordinator or board member.

e. Right to a Support Person

Students may bring a support person to their meetings. Support persons may not participate in the process on behalf of the student but may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process. Additional information on the role of support persons is outlined in Section II.D.3.c

f. Right to Appeal

Students may make a written appeal of the meeting outcome within five (5) business days of the date of notification of that decision. All appeals are submitted to the Dean of Students Office. The grounds for appeal are outlined in Section II.E of the Community Standards Manual.

2. Student Responsibilities

Students will have the following responsibilities throughout their conduct process.

a. Responsibility to Share Accurately

Students have a responsibility to share an account that is truthful to the best of their knowledge. Additionally, students have a responsibility to not influence others to share inaccurate information.

b. Responsibility to Respect Others

Students will not harass or retaliate against reporters or others involved in their incident. Students also have a responsibility to treat those managing their case with civility.

c. Responsibility to Maintain Privacy

All conduct meetings will be private and only those persons whose presence at the meeting is authorized by the Case Coordinator or Chairperson may attend relevant portions of the meeting. No audio or video recording of any kind is permitted during the conduct process.

3. Additional Student Rights in a University Conduct Board Process

Students will have additional rights during a University Conduct Board process. These rights are detailed below.

a. Right to Safety and Wellbeing

The Chairperson may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the students involved during the meeting by providing separate facilities, by holding meetings virtually, and/or by permitting participation by other means as determined to be appropriate by the Dean of Students Office.

The student is entitled to a “No Contact Directive,” if appropriate. A No Contact Directive is an order from a University official to have no contact with a particular person or persons. (Contact is considered any physical, verbal, written, electronic, nonverbal

gesture, third party message, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the University to be intimidating.) The University may add to the terms of No Contact to address aspects of the reported incident or concerns that have arisen during the conduct process. The Dean of Students may also institute a No Contact Directive without a request from an involved student.

b. Right to Present Information

The respondent may arrange for witnesses appearing on the student's behalf at the meeting. The reporting party and the Chairperson may also invite witnesses to appear at the meeting. In the unusual event that a witness is unable to attend the meeting, the witness may write or record a statement and discuss the statement with the Chairperson before the scheduled meeting. Consistent with the deadline for sharing other information, this statement must be provided at least three (3) business days prior to the meeting. The Chairperson is to be notified not less than three (3) business days before the meeting of those persons intending to provide information, whether in person or in writing. The Chairperson may reasonably limit participation to relevant witnesses and limit the scope and time devoted to witness statements. Witnesses are typically asked to comment only on the event(s) pertinent to the charges and to refrain entirely from discussing the character of the persons involved.

The procedures for information/evidence in University Conduct Board Meetings are interpreted in accordance with the "more likely than not" standard of proof utilized during the process, other rules set forth in the Community Standards Manual, and the judgment of the Chairperson in applying these procedures and related University practices/guidelines. Relevant information may consist of oral and written accounts, incident reports, and any other material directly related to the incident. Other information that may also be considered when relevant consists of such information as second hand reports, civil/criminal information or findings, and circumstantial information, or other information deemed relevant by the Chairperson. Information or witnesses offered to demonstrate character will generally be excluded from the process. The Chairperson may reasonably limit the scope of the information considered during the process.

All information must be submitted to the Chairperson not less than three (3) business days prior to the meeting date so that the information can be reviewed for relevance/redaction and both parties can have an opportunity to review the applicable information. The failure to submit available information in accordance with this procedure is a valid reason for such information to be excluded entirely from the process and any exceptions to this policy will be at the sole discretion of the Chairperson.

The Dean of Students Office may choose to introduce other relevant information regardless of whether or not it is presented by a party regarding the student conduct matter. In order to facilitate this process, the Dean of Students Office may choose to independently investigate alleged conduct violations, perform supplemental investigations, and/or designate an appropriate investigator to do so on its behalf on a case-by-case basis. In addition, the Dean of Students Office has the ability to investigate matters to determine whether or not a conduct process is needed.

The student is entitled to submit an impact statement in writing to the University Conduct Board. The impact statement will be reviewed only if a finding of 'Responsible' is made. This document should be provided during or prior to the conclusion of the meeting.

c. Right to Support

The student is entitled to the use of all available internal and external support services in dealing with the aftermath of the incident. Both the reporting party and respondent have a right to be accompanied by one support person of their choosing during the conduct process.

The support person may be a friend, mentor, family member, attorney or any other person a party chooses; however, the support person cannot be someone who may be called as a witness. The role of the support person is to serve as an advisor. The support person may be present at interviews and any other proceedings the student attends but may not speak on behalf of the advisee. The parties are expected to ask and respond to questions on their own behalf. Support persons may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process.

Support persons (or anyone acting on behalf of a support person) must refrain from interfering with any part of the process. All persons are required to allow University personnel to interview pertinent witnesses without interference or tampering. Any support person who steps out of their role in any meeting will be warned once and only once. If the support person continues to disrupt or otherwise fails to respect the limits of the support person role, they may be asked to leave the meeting.

The parties must advise the Chairperson of the identity of their support person not less than three (3) business days prior to the date of their first meeting where they desire the presence of that support person. The parties must provide subsequent timely notice to the Chairperson if they change support persons at any time or if they decide to add a support person during the process.

E. Appeals Overview

A conduct decision made or disciplinary action(s) assigned may be appealed by the student found responsible or the reporting party within five (5) business days of receiving notification of the outcome of the conduct meeting. All appeals should be submitted via the Appeal Request Form.

The three grounds for all appeals are as follows:

1. A procedural error or omission occurred that significantly impacts the outcome of the conduct process (e.g., substantial bias, material deviation from established procedures, etc.). Specific procedures and procedural errors must be cited; and/or
2. To consider new information, unknown or unavailable during the conduct process, that could substantially impact the original finding or disciplinary action. A summary of this new information and its potential impact must be included. (Note: Failure to participate or provide information during an investigation or meeting, even if based on concern over a pending criminal or civil proceeding, does not make information "unavailable" during the process); and/or
3. The disciplinary action(s) imposed are substantially disproportionate to the

violation(s) committed, considering the relevant aggravating and/or mitigating factors, or the cumulative conduct record of the student alleged to have violated expectations.

A properly filed and timely appeal will generally stay any action(s) imposed unless doing so would be inconsistent with the University's obligations and/or it is determined by the Dean of Students Office that this action would present an unreasonable danger to any person or property or be disruptive to the University's living/learning environment.

1. General Appeals

All appeals, including appeals involving a case where a University Conduct Board Panel was convened, must be submitted within five (5) business days of notification of the outcome. Within five (5) business days after receipt of the Appeal Request Form, the Dean of Students Office or designee will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal. Should the time to review a party's Appeal Request Form require more than five (5) business days, the parties will be notified in writing. If the appeal request is not timely or does not satisfy the grounds for appeal, the appeal request will be denied, the individual who submitted the appeal request will be notified, and the disciplinary action(s) will stand. The decision not to accept an appeal request is final and is not subject to further appeal.

If the appeal request is timely and meets the grounds for appeal, the Dean of Students Office or designee will notify the party (ies) that the appeal has been accepted. The Dean of Students Office or designee will then share the appeal request with the other party if applicable, and that individual may file a response within three (3) business days. The response (if any) will be shared with the other party. Dean of Students Office, designee, or Appeal Review Panel (ARP) can take one of five possible actions:

1. Affirm the original findings; or
2. Remand the case to the original decision makers for consideration of new evidence or to remedy a procedural error or omission; or
3. Remand the case to new decision makers. In a rare case where an error or omission cannot be cured by the original decision makers (as in a case of bias), the Dean of Student Office, designee, or ARP may order a new meeting with a new Case Coordinator or conduct board; or
4. Administratively alter the finding if new evidence, unknown or unavailable during the original meeting, substantially impacts the original finding, and the associated disciplinary actions; or
5. Administratively alter the disciplinary actions imposed to be proportionate to the violation(s) committed and harm caused, considering the relevant aggravating and/or mitigating factors or the cumulative conduct record of the respondent.

Appeal decisions and actions taken following the decision are final and not subject to further appeal. Cases that are sent back to the initial decision makers are not eligible for a second appeal. If there is a reporting party involved in the case in addition to a respondent, both parties will be simultaneously informed, in writing, of the outcome of the appeal and/or when the results of the outcome of the review are deemed final.

2. University Conduct Board Panel Appeals

In addition to the procedures applicable to General Appeals, an Appeal Review Panel (ARP) will be used in cases where a University Conduct Board Panel was originally convened. Within five (5) business days after receipt of the Appeal Request Form, the Dean of Students Office or designee will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal. If the Dean of Students Office or designee determines that the request satisfies at least one of the grounds for appeal, the Vice President for Student Affairs and Dean of Students may convene an ARP to deliberate over the issues presented. The ARP consists of the Vice President for Student Affairs or designee, and two members of the University Conduct Board who were not involved in the conduct process. Appeals are not full re-hearings of the allegation(s). Vice President for Student Affairs and Dean of Students, designee, or ARP may take the same actions allowed in a general appeal process.

III. MEETING RESOLUTION

If a student is found responsible for violation(s) of the John Carroll University Community Standards, action will be taken to repair harm. Disciplinary actions may be taken to prevent further harm and to keep the University community safe.

The descriptions provided below are intended to inform students of the range of possible actions that could be taken for violating the expectations outlined in the Community Standards.

The actions listed below may be used separately or in combination with one another. Failure to comply with any action may result in additional conduct violations and a fine.

A. Restorative Actions

Restorative actions are activities intended to engage students in repairing harm and allow students to reflect further on their impact so they can make more intentional choices moving forward. Restorative actions may include, but are not limited to: attending or presenting a program related to the implications of the students' conduct, apologizing to impacted parties, engaging in reflection, wellness coaching, or creating a community building activity.

B. Notification

Notification may be made to parents/guardians and/or athletic coaches either verbally or in writing. This notification is done to promote student wellbeing and is primarily used in cases involving alcohol and other drugs.

C. University Warning

A University Warning is a formal, written notice that the behavior or set of behaviors is inappropriate and violates the basic expectations of students as set forth in the Community Standards. This may be utilized when the student has already repaired harm with parties who have been impacted by their actions.

D. Restitution/Financial Penalties

Restitution requires a student to pay for damages to and/or destruction or loss of University property, property of members of the University community, or of visitors to the University. Restitution may also be applicable for misappropriation of University

funds, or for other expenses incurred by the University as a result of violations of the Community Standards. The amount of restitution is dependent on the extent of damage/loss as well as what is determined to be the most appropriate way for a student to make amends for the damage/loss caused. The amount and method of payment for restitution are decided by a Case Coordinator or conduct board member(s). Financial penalties may be imposed on students who are dismissed from the residence halls and/or students who are suspended or dismissed from the University.

E. Limitations on Activities and/or Access

Limitations on activities or access are assigned if the prohibition from participation in certain activities or events, or prohibition from the use of facilities or services has been determined to be in the best interest of the student and/or the University community. Limitations on activities and/or access may include, but are not limited to, the following: a fixed period of ineligibility for service as an officer or member of any University organization, or as a member of any University committees, boards, or councils, or as a participant in any intercollegiate activity; ineligibility to receive or maintain any award from the University; prohibition from attendance at social events; restricted entrance into various University buildings; or restriction from all forms of contact with certain person(s) (i.e. No Contact Directive).

F. Residence Hall Reassignment and Restrictions

This action imposes specific restrictions on a student's presence in residence halls or moves a student from the student's assigned room, floor/wing, or building for a specific period of time or permanently. This usually carries a visitation restriction to the previously assigned room, floor/wing, or building. It may be necessary to move the student to a temporary space until a permanent space becomes available.

G. Residence Hall Suspension

Serious disruption of or continued disregard for the residence hall community can lead to removal from that community. This action calls for separation of the student from the residence halls for a period of time, after which the student is eligible to return. Conditions for returning may be specified. Financial penalties will apply. Students who are suspended from the residence halls lose visitation privileges in any University housing during the period of their suspension. Written notification of this action may be provided to the student's parent(s)/guardian(s) if the student is a dependent.

H. Termination of Housing Agreement

Repeated and/or serious violations of the terms of the housing agreement or Community Standards may result in the termination of the housing agreement and the immediate removal of the student from the residence halls, financial penalties, and loss of visitation privileges in any University housing. Written notification of this action may be provided to the student's parent(s)/guardian(s) if the student is a dependent.

I. University Probation

University probation is a formal notice to the student that their violation of expectations is unacceptable and that, if continued or if other inappropriate behavior follows, more severe action may be taken, including possible suspension or dismissal from John Carroll University. University probation is for a specific period of time and can include such restrictions as denial of the opportunity to participate in extracurricular activities or events, to perform in the name of the University, to serve as an officer of a student organization, or to reside in University housing.

J. Deferred Suspension

Deferred Suspension is for a specific period of time and is a formal notice to the student that the activity in question is unacceptable and very serious. Suspension will remain deferred unless disciplinary actions assigned are not completed and/or unless continued or additional inappropriate behavior follows. Additional violations of the Community Standards will most likely result in suspension or dismissal from the University. Written notification of this action may be provided to the student's parent(s)/guardian(s) if the student is a dependent.

K. Suspension

Suspension from the University involves the exclusion of the student from participation in any academic or other activity of the University for a specified period of time and may include prohibiting the student from being on University premises. Written notification of this action will be provided to the student's parent(s)/guardian(s) if the student is a dependent. Suspension during a semester in progress will result in withdrawing the student from all registered classes and the application of any financial penalties. Suspended students may need to apply for readmission and may need to comply with certain conditions upon re-admittance. Additionally, there will be a notation on the student's transcript for the duration of the suspension, which will then be removed once the suspension has expired.

When a student has concluded the suspension period and completed the conditions accompanying the suspension, the student must submit a letter to the Dean of Students Office or designee requesting reinstatement and provide information that the student has satisfied the terms of the suspension. The student may return to the University only after an affirmative decision has been made by the Dean of Students Office or designee. The student will be on probationary status for a minimum of one year following completion of the suspension.

L. Dismissal

Dismissal is a serious University action and involves the permanent exclusion of the student from the University as well as notation on the student's transcript. This action also includes being permanently prohibited from being on the campus and all University owned or controlled off campus properties. A dismissed student is not eligible for re-admission. Financial penalties may apply. Written notification of this action will be provided to the student's parent(s)/guardian(s) if the student is a dependent.

M. Revocation of Admission

Admission to the University may be revoked if it was obtained through fraud or misrepresentation, or if the admitted student otherwise violates University expectations. The University reserves the right to withdraw an offer of admission under various conditions, including if the University becomes aware of information that brings into question an admitted student's honesty, maturity, or moral character. If this process takes place prior to initial enrollment in classes, then the Vice President for Enrollment or the Vice President for Student Affairs and Dean of Students may, at their sole discretion, choose to withdraw the student without a meeting or other formal conduct process.

N. Revocation of Degree Awarded

A degree awarded from the University may be revoked if it was obtained through fraud or misrepresentation or for a serious violation of University standards committed by a student prior to graduation. The Dean of Students Office may use this action in any University process. The revocation of the degree will be noted on the student's transcript.

O. Denial or Postponement of Awarding a Degree or Honor

A degree not yet awarded may be withheld despite a student's completion of academic requirements, if the academic requirements were fulfilled through fraud or misrepresentation or the student committed a serious violation of University standards previous to graduation. A degree or honor may also be temporarily withheld while any student conduct, procedures or actions under the Sexual Harassment or Interpersonal Violence Policy and procedures, or any related appeals process is pending. The Dean of Students Office may use this action in any University process.

Meeting Resolution for Student Organizations

The actions of undergraduate and graduate student organizations are expected to be consistent with the Community Standards. If members of a student organization or students representing the group violate the Community Standards, action will be taken against the group as a whole, its officers and/or individual members. The following actions may be imposed if a student organization is found responsible for violation of the Community Standards:

A. Restorative Actions

Restorative actions are required activities intended to engage students in repairing harm and allow students to reflect further on their impact so they can make more intentional choices moving forward. Restorative actions may include, but are not limited to: attending or presenting a program related to the implications of the students' conduct, apologizing to impacted parties, engaging in reflection, wellness coaching, or creating a community building activity.

B. University Warning

A University Warning is a formal, written notice that the behavior or set of behaviors is inappropriate and violates the basic expectations of students as set forth in the Community Standards. This may be assigned when the organization has already repaired harm with parties who have been impacted by their actions.

C. Restitution/Financial Penalties

Restitution requires an organization or student(s) to pay for damages to and/or

destruction or loss of University property, property of members of the University community, or of visitors to the University. Restitution may also be applicable for misappropriation of University funds, or for other expenses incurred by the University as a result of violations of the Community Standards. The amount of restitution is dependent on the extent of damage/loss as well as what is determined to be the most appropriate way for the organization or student(s) to make amends for the damage/loss caused. The amount and method of payment for restitution are decided by a Case Coordinator or conduct board member(s).

D. Limitations on Activities and/or Access

Limitations on activities or access are assigned if the prohibition from participation in certain activities or events, or prohibition from the use of facilities or services has been determined to be in the best interest of the student and/or the University. Limitations on activities and/or access may include, but are not limited to, the following: a fixed period of ineligibility for service as an officer or member of any University organization, or as a member of any University committees, boards, or councils, or as a participant in any intercollegiate activity; ineligibility to receive or maintain any award from the University; prohibition from attendance at social events; restricted entrance into various University buildings; or restriction from all forms of contact with certain person(s) (i.e. No Contact Directive).

E. Notification

Notification may be made to national organization representatives, officers, and/or advisors. Notification may also be made to parents/guardians and/or athletic coaches. Notifications may be done verbally or in writing.

F. Loss of Privileges

Denial of access to University owned facilities, removal of services performed by the organization, and/or denial of attendance or participation in activities and programs may be issued to organizations or members of the organization.

G. Social Probation

Probationary status will last for not less than one month, during which time the organization is restricted from participating in any combined social function with individuals or other student organizations outside its own membership.

H. Probation of Student Organization

Probationary status for a specified period, typically not less than one semester, may be issued during which time the organization will be required to fulfill specific conditions before reinstatement to good standing.

I. Suspension of Student Organization

Separation from the University for a specified period, typically not less than one semester, may be required for the organization. This includes the loss of all rights and privileges of student organizations, including the use of University facilities. The organization will be on probationary status for one year following completion of the suspension.

J. Termination of Student Organization

Permanent separation of a student organization from the University will be assigned in cases of egregious misconduct or repeated instances of misconduct. All decisions about and actions imposed on student organizations will be kept on file in the Dean of Students Office. Prior conduct actions will be reviewed if there are subsequent violations by the student organization. Such actions may be considered when deciding an appropriate disciplinary action.

IV. SPECIAL CIRCUMSTANCES

A. Acts of Violence

A person who reports being the recipient of violent behavior by a John Carroll University student (who may be the reporting party) and the responding party are entitled to an explanation of the available options for redress, including an explanation of the student conduct system.

A no contact directive may be issued by the Dean of Students Office, a Case Coordinator, the University Conduct Board, the Title IX Coordinator, or JCUPD to parties involved in the case, including third parties. The person who reports being the recipient of violent behavior by a John Carroll University student (who may be the reporting party) and the responding party will be notified should that occur.

A person who reports being the recipient of violent behavior by a John Carroll University student (who may also be the reporting party) and the responding party shall have additional rights under the Community Standards as outlined in Sections II.D.1 and II.D.3.

The John Carroll community encourages the reporting of crimes by the reporting party to University officials and if appropriate, outside law enforcement authorities. Sometimes, the reporting party is hesitant to report to University officials because they are concerned that they themselves may be accused of policy violations, such as underage drinking. It is in the best interest of this community that all acts of violence are reported to University officials. To encourage reporting, the university typically offers amnesty for minor policy violations not related to acts of violence.

For additional information, please read our Good Samaritan and Amnesty Policy.

B. Emergency Administrative Action

In certain circumstances, the Dean of Students Office may impose an interim action step prior to a conduct meeting. This action may be taken at any time during the academic year, including Summer Orientation, Fall Orientation (Streak Week), midterms, final exams and Senior Week. These actions may be taken with a graduating senior and may preclude the student from participation in graduation, pending the outcome of a formal conduct meeting.

1. Interim Suspension

Interim suspension may be imposed:

1. to ensure the safety and well-being of members of the University community or preservation of University property; and/or
2. if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

During the interim suspension, a student shall be denied access to the residence halls and/or to the campus and/or to all other University activities or privileges (including ongoing participation in classes) for which the student might otherwise be eligible, as the Dean of Students Office may determine to be appropriate.

A student will be notified in writing of this action, and the reasons for the interim suspension.

The student may, within five (5) business days of the imposition of the interim suspension, petition the Dean of Students Office or designee for reinstatement. The petition must be in writing and must include supporting documentation or information that the student does not pose, or no longer poses, a significant risk of the concerns identified by the Dean of Students Office or designee in accordance with this procedure. The Dean of Students Office or designee may exclude information that is not relevant in accordance with normal procedures/practices for the student conduct process and seek appropriate third-party assistance when deemed to be warranted by the University. A decision on this petition will be reached and communicated without undue delay by the Dean of Students Office or designee. A single petition under this process will serve as a student's sole opportunity for an appeal of the interim suspension prior to the conclusion of the regular conduct process.

This interim suspension does not replace the regular conduct process which will proceed on the normal schedule, up to and through a conduct meeting, if required. This interim suspension shall remain in effect until the conclusion of a full conduct process and administrative decision, including the appeal process.

2. No Contact Directive

In situations involving allegations of assault, injury, harassment, or other violence, or when there is reason to believe continued contact between the respondent and others involved may interfere with those persons' safety or ability to fully participate in the University community, the Dean of Students Office, Title IX Coordinator, or designee (s), may issue no contact directive to any involved parties.

The procedures for a no contact directive related to reports or complaints under the Sexual Harassment and Interpersonal Violence Policy are outlined in that policy.

For other student conduct matters, the student will be notified in writing of this action, and the reasons for the no contact directive.

The student may, within two (2) business days of the imposition of the no contact directive, petition the Dean of Students Office or designee for removal or modification of the directive. The petition must be in writing and must include relevant supporting documentation or information that the student does not pose, or no longer poses, a risk of harm to the health, safety, or well-being of others. A decision on such a petition will be reached and communicated without undue delay by the Dean of Students Office or designee.

3. Interim Suspension of Organizational Privileges

The Dean of Students Office or designee may give notice that a student organization be immediately denied University privileges and be excluded from activities on University premises when the student organization's continued activity may be a significant risk to the safety of the University community or its property.

The student organization will be notified in writing of this action, and the reasons for the interim suspension of privileges.

The student organization may, within five (5) business days of the imposition of the interim suspension of organizational privileges, petition the Dean of Students Office or designee for removal or modification of this action. The petition must be in writing and must include supporting documentation or information that the organization does not pose, or no longer poses, a risk to the safety of the University community or its property. A decision on such a petition will be reached and communicated without undue delay by the Dean of Students Office or designee. The student organization will be notified in writing of this action and the reasons for the interim suspension of privileges.

4. Safety Intervention and Involuntary Leave

The Dean of Students Office or designee may intervene to withdraw a student from the University or restrict a student's access to campus if the student:

1. Poses a credible and substantial risk of harm to individuals within the University or the overall University community;
2. Substantially impedes the operations of the University or substantially disrupts the living and learning environment for University community members; and/or
3. Cannot safely remain on campus due to an imminent risk of harm.

When making a determination regarding the withdrawal or restriction of access for a student under this procedure, the Dean of Students Office or designee will make an individualized assessment based on their reasonable judgment and, when appropriate, also rely upon relevant medical or other specialized knowledge or evidence to determine:

1. The likelihood that a potential injury or harm will occur;
2. The nature, duration, and severity of the risk(s) at issue;
3. The level of impediment or disruption to the operations of the University or the living and learning environment for University community members; and
4. Where appropriate, whether reasonable modifications of University policies, practices, or procedures would sufficiently mitigate the risk(s) at issue and thus avoid the need for such a withdrawal or restriction.

The Dean of Students Office or designee will communicate any decision to withdraw a student from the University or restrict a student's access to campus under this procedure in a written notice to the student, which will include a summary of why the University believed that such action needs to be taken. A student's restriction or withdrawal pursuant to this procedure may be time-limited or may continue indefinitely depending on the individual facts and circumstances at issue.

A student removed pursuant to this procedure may petition the Vice President for Student Affairs and Dean of Students or designee for reinstatement or the removal of restrictions. The petition must be submitted in writing, and must include supporting documentation or information that the student does not pose, or no longer poses, a substantial risk of the concerns previously identified by the Dean of Students Office or designee. The student will also be given the opportunity to have a meeting with the Vice President for Student Affairs and Dean of Students or their designee to discuss their request, which will be conducted either in person or remotely at the University's discretion. The Vice President for Student Affairs and Dean of Students or their designee may exclude information that is not relevant in accordance with normal University procedures/practices and seek assistance in making this determination from other individuals with appropriate expertise when it is deemed to be warranted by the University. A decision on such a petition will be reached and communicated in writing without undue delay by the Vice President for Student Affairs and Dean of Students or their designee. If the concern underlying the University's action may be mitigated by the passage of time or a change in circumstances, then the University may allow the student to submit subsequent petitions for reinstatement or the removal of restrictions. The University may impose reasonable limits on the frequency of such repeat petitions or a minimum passage of time required before a repeat petition is appropriate.

C. Violation of Law and Community Standards

The University may institute conduct proceedings against a student for a violation of the Community Standards, regardless of pending civil litigation, criminal arrest, and/or prosecution arising out of the same factual situation. Conduct proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. University disciplinary action will not be subject to challenge on the grounds that civil or criminal charges involving the same incident have been dismissed or reduced.

When students are charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for the individuals because of their status as students. If the reported offense is also being processed under the Community Standards, the University may advise off campus authorities of the existence of the Community Standards and of how such matters will be handled internally within the University community. The University will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or disciplinary actions).

V. STUDENT CONDUCT RECORDS

Because the Family Educational Rights and Privacy Act (FERPA) defines the records of a student engaged in the conduct process as an educational record, it is a private record. In situations involving both the responding party(s) (including an organization) and the reporting party, the records of the process and of the disciplinary action taken, if any, shall be considered to be the education records of both the responding party and the reporting party because there may be an impact on the educational career and chances of success in the academic community for each student. Information about

the situation may only be shared with the responding party, the reporting party, their parent(s)/guardian(s) if a dependent, their academic college dean or advisor, and school officials with a legitimate educational interest and, depending on the circumstances, may be redacted for information related to other students . Information may be shared with parent(s)/guardian(s) to promote student wellbeing. A student must give written permission for anyone else to have access to this information, unless otherwise permitted or required by federal or state law.

At the completion of the restorative and/or disciplinary action(s), the student's record shall be returned to good standing, but the restorative and/or disciplinary action(s) and supporting material shall be retained in the student's conduct file. Such a record may be introduced and given due consideration in any subsequent incident in which the student may be involved.

Only egregious or repeated violations will be reported externally and only with the student's permission to release the record, except as otherwise required by law. However, information may be shared with parent(s)/guardian(s) to promote student wellbeing particularly in cases involving alcohol and/or other drugs.

Conduct records will be retained for seven (7) years after final restorative and/or disciplinary action(s) have been completed for statistical purposes. A student conduct file that includes revocation of admission, revocation of a degree awarded, denial of awarding a degree or honor, or dismissal will be kept indefinitely.

As outlined in the Transcript Notation Policy, a transcript notation will be used to denote the interruption or cessation in a student's studies in cases that result in suspension or dismissal.

This retention policy only covers records maintained by the Dean of Students Office. It does not guarantee that the University will not maintain certain conduct records or notations after those records have been disposed of by the Dean of Students Office.

VII. AMENDMENTS

Please be aware that the provisions of this manual are not to be regarded as an irrevocable contract between John Carroll University and its students. The University reserves the right to change any provision or any requirement at any time.

Amendments to these procedures may be proposed in writing to the Dean of Students Office by any member of the University community. The Dean of Students Office, following consultation with the Office of Legal Affairs as well as others who may be pertinent, shall make a recommendation to the Vice President for Student Affairs and Dean of Students. Reasons are to be given for the recommendation along with the specific wording of the proposed amendment and the probable effects of implementation.

The Vice President for Student Affairs and Dean of Students will consider the proposal and the recommendations made. The Vice President for Student Affairs and Dean of Students shall determine whether to approve the amendment, and if so, its effective date.

The Dean of Students Office shall fully review the Community Standards Manual at least every three (3) years. The University community will be notified of significant changes through the University's email system.

Effective August 1, 2022