

## **7.1 STUDENT LIFE POLICIES**

### **7.1.1 Code of Student Character & Conduct**

Fontbonne's tradition has always involved a commitment to facilitating the development of ethical, moral and value awareness in the entire campus community, including students. It is our belief that the campus environment can be a positive influence on students' values. A basic assumption is that students at Fontbonne are motivated, mature and responsible. The following guidelines are meant to support that assumption.

#### **7.1.1.1 PREAMBLE/INTRODUCTION**

According to its Mission Statement, Fontbonne is dedicated to the discovery, understanding, preservation, and dissemination of truth. The University seeks to educate students to think critically, to act ethically, and to assume responsibility as citizens and leaders. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The Code of Student Character and Conduct is written to clarify those standards of behavior, which Fontbonne considers essential to its educational mission and its community life. These general behavioral expectations and specific regulations are intended to represent a reasonable regulation of student conduct.

If there is a reasonable belief that a student poses a threat of disruption of or interference with the normal operations of the University, we may require that the student meet with a university counselor. If a meeting is required and the student does not comply, the situation will be evaluated and may be processed as a disciplinary action.

Fontbonne reserves the right to amend, withdraw or add to these policies and procedures at any time. Fontbonne shall inform students of any such changes on the University website.

#### **7.1.1.1 PROHIBITED CONDUCT**

Students enrolling at Fontbonne University assume an obligation to conduct themselves in a manner compatible with the University's function as an educational institution. Generally, Fontbonne University jurisdiction and discipline shall be limited to conduct which occurs on Fontbonne premises or which adversely affects the University community and/or pursuit of its objectives. Misconduct for which students may be subject to discipline falls into the categories listed below:

A. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other Fontbonne activities, including its public-service functions on or off campus, or other authorized non-Fontbonne activities, when the disruption or obstruction occurs on Fontbonne premises.

B. Implied or specific physical altercations or abuse, verbal altercations abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the safety and well-being of any person, including oneself. This includes but is not limited to face-to-face, written, printed, and social media (see Anti-Harassment Policy in Volume II and the Sexual Misconduct Policy in this Volume VII or in the Griffin Scratch student handbook).

C. Actual or threatened sexual assault. This includes, but is not limited to, unwelcome sexual touching, making unwelcome sexual advances, or request for sexual favors. (see Anti-Harassment Policy in Volume II and the Sexual Misconduct Policy in this Volume VII or in the Griffin Scratch student handbook).

D. Hazing. Hazing is any act which endangers the safety or well-being of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

E. Participation in a campus demonstration which disrupts the normal operations of the University and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

F. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on Fontbonne premises or at functions sponsored by, or participated in by, the University.

G. Use, possession, or distribution of narcotics or other controlled substances except as expressly permitted by law. The possession or use of drug paraphernalia is also prohibited.

H. Possession or use of explosives, firearms, weapons, or hazardous chemicals is prohibited on property owned, operated or leased by Fontbonne University. This includes the carrying of concealed weapons and the storage of weapons in vehicles.

I. Attempted or actual damage, destruction, or defacement of University property or property of a member of the University community or other personal or public property.

J. Attempted or actual theft of University property or possession of stolen University property or property of any person.

K. Forgery, alteration, or misuse of any University document, record, or instrument of identification.

L. Unauthorized use of the name or insignia of the University by individuals or groups.

M. Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of University premises.

N. Misuse of telephone, including assisting or making unauthorized or harassing calls or making false calls to request emergency services.

O. Misappropriation or misuse of student organization funds or property, including overextension of the budget of a student organization and unauthorized personal use of equipment.

P. Violation of the University policy on computer use.

Q. Providing false, dishonest, distorted or misleading information in any communication with any University representative, official, faculty member or office.

R. False reporting of an emergency, such as a bomb, fire, or other emergency in any building, structure or facility by means of activating an alarm or any other manner.

- S. Failure to identify oneself and/or to cooperate with persons in authority who are in the process of discharging their responsibilities.
- T. Violation of federal, state or local law on University premises or at University sponsored or supervised activities, such as but not limited to, gambling.
- U. Violation of the University policy on drugs and alcohol.
- V. Violation of the University policy on smoking and tobacco
- W. Violation of the Residence Hall application contract, guidelines, and policies, and/or the Off-Campus Residence Handbook
- X. Violation of any University policy or procedure not otherwise listed here.
- Y. Abuse of the University judicial process including, but not limited to:
  - 1. Failure to respond to communications from a University official or judicial body
  - 2. Falsification, distortion, or misrepresentation of information before a University official or judicial body
  - 3. Disruption or interference with the orderly conduct of a judicial proceeding
  - 4. Interruption of a judicial proceeding knowingly without cause
  - 5. Attempting to discourage an individual's proper participation in, or use of, the judicial system
  - 6. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding
  - 7. Harassment (verbal or physical) and or intimidation of a University official or member of a judicial body prior to, during, and/or after a judicial proceeding
  - 8. Failure to comply with the sanction(s) imposed under the Code of Student Character and Conduct
  - 9. Influencing or attempting to influence another person to commit an abuse of the judicial system
- Z. Refusal to cooperate in an investigation conducted by or on behalf of Fontbonne University
- AA. Engaging in conduct which Fontbonne University determines is in violation of any policy, mission or value of Fontbonne University (see page 31 of the Griffin Scratch for violations of academic integrity/honesty).

#### **7.1.1.2 COMPLAINT RESOLUTION PROCESS**

The complaint resolution procedure set forth below may be utilized by Fontbonne to resolve issues of student conduct but Fontbonne retains the discretion to take action regarding any reports of student conduct that may violate the Code of Student Character and Conduct, and may initiate an investigation or disciplinary action on its own initiative.

##### **A. Investigation.**

The Vice President for Student Affairs, or his or her designee, may conduct an investigation to determine if the complaint has merit. (Ordinarily, complaints that a student has violated the

academic regulations of the University are received and heard by the Academic Affairs Office.) The University reserves the right to proceed with its complaint resolution process even if separate criminal or civil charges are pending against the accused student for the same conduct giving rise to the complaint.

The determination against an accused student by either the Vice President for Student Affairs or his or her designee shall be made on the basis of whether it is **more likely than not** that the accused student violated the Code of Student Character and Conduct.

In certain circumstances, the Vice President for Student Affairs or his or her designee may impose a Fontbonne University or residence hall interim suspension prior to the conclusion of any investigation or any other action being taken by the Vice President for Student Affairs or designee. Interim suspension may be imposed as the Vice President for Student Affairs or designee deems appropriate, and for reasons including, but not limited to: the safety and well-being of members of the University community, or preservation of Fontbonne property and facilities used by Fontbonne; or if the student poses a threat of disruption of or interference with the normal operations of the University. During an interim suspension, students may be denied access to the residence halls, access to the campus (including classes), and/or access to all other activities or privileges for which the student might otherwise be eligible.

Ordinarily, the Vice President for Student Affairs or his or her designee will offer to meet with the accused student within five University working days to discuss the complaint, giving the accused student the opportunity to respond, unless the circumstances are such that the Vice President for Student Affairs or designee determines that the meeting is not necessary. At the conclusion of the investigation, the Vice President for Student Affairs or designee may determine that the accused violated or did not violate the Code of Student Character and Conduct. If the Vice President for Student Affairs or designee determines that the accused has violated the Code of Student Character and Conduct, the Vice President for Student Affairs or designee will determine appropriate sanctions against the accused. Any sanctions or other considerations will be provided to the accused in writing. In most cases, the complainant will not be informed of the outcome, except in cases related to sexual misconduct. If the Vice President for Student Affairs or designee determines that the accused has not violated the Code of Student Character and Conduct, the Vice President for Student Affairs or designee will so notify the accused.

In some cases, it may be necessary for the Vice President for Student Affairs or designee to seek additional information and/or consultation before rendering a decision. The accused may be asked to be present at any subsequent meetings before a final decision is made.

## B. Sanctions

Any one or more of the following sanctions may be imposed upon any student found to have violated the Code of Student Character and Conduct:

1. Warning. A notice in writing to the student that the student is violating or has violated institutional regulations.
2. Disciplinary Probation. Probation is for a specified period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulations during the probationary period.
3. Loss of privileges. Denial of specified privileges for designated period of time.

4. Fines.

5. Restitution. Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

6. Education. The student may be asked to meet with a University official and/or attend a special program which addresses the behavior which led to the disciplinary action. The program could be sponsored or facilitated by a group off or on campus.

7. Notification of Parent. Alcohol-related violations by an underage student are likely to be referred to the student's parent(s) or guardian, and in some cases if the student is 21 years of age or older.

8. Discretionary: Work assignments, community service, or other assignments related to the specific violation.

9. Campus Restriction. Students may be denied access to the residence halls, access to the campus (including classes), and/or access to all other activities or privileges for which the student might otherwise be eligible.

10. Non-academic Suspension. Separation of the student from Fontbonne for a definite period of time, after which the student may apply for readmission, subject to any specified conditions. If a suspended student violates or fails to meet the specified conditions for readmission, regardless of whether the student applies for readmission, the non-academic suspension may be converted to a non-academic dismissal by the Vice President for Student Affairs.

11. Non-academic dismissal. Permanent separation of a student from Fontbonne. The student may not apply for readmission.

In addition to the sanctions listed above for individuals, groups found responsible for violating provisions of the Code of Student Character and Conduct may face deactivation and the loss of all privileges, including recognition and funding by Fontbonne permanently or for a specified period of time.

If the Vice President for Student Affairs or his or her designee determines during the course of an investigation of a complaint that another student has more likely than not violated the Code of Student Character and Conduct there may be further investigation into the misconduct of that student, if deemed necessary.

#### **7.1.1.3 APPEALS**

- I. Determinations made by the Vice President for Student Affairs' designee may be appealed by the accused student or by the complainant by submitting a written appeal to a designated Appeals Hearing Officer within forty-eight (48) hours of the original decision. Appeals cannot be made for minor violation cases that result only in a warning and/or minor fine/restitution (less than \$100). Appeals must adhere to the criteria\* below:

Upon review, the designated Appeals Hearing Officer may either uphold or overturn the original decision in whole or in part. The Appeals Hearing Officer's decision will be final.

**\*Appeals Criteria: Should the accused student or the complainant choose to appeal, appeals must be in accordance with the following criteria:**

1. To determine whether the original meeting and/or investigation was conducted fairly and in conformity with prescribed procedures.
2. To consider new information, sufficient to alter a decision, not known at the time of the original meeting or investigation.

In addition, the accused student only may appeal:

1. To determine whether the decision reached regarding the accused student was based on evidence that, more likely than not, was true and accurate.
2. To determine whether the sanctions imposed were appropriate.